

CITY OF BLOOMINGTON



November 1, 2017 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
November 1, 2017 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

- V-28-17 **Doug Wissing**
1015 W. Cottage Grove
Request: Variance from front yard building setback standards to allow the reconstruction of a new single-family residence.
Case Manager: Eric Greulich

HEARING OFFICER
Next Meeting Date: November 15, 2017
Filename: I:\common\developmentreview\hearingofficer\agendas\HO-agenda

November 1, 2017

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**BLOOMINGTON HEARING OFFICER
STAFF REPORT
LOCATION: 1015 W. Cottage Grove**

**CASE #: V-28-17
DATE: November 1, 2017**

**PETITIONER: Doug Wissing
PO Box 1683, Bloomington**

REQUEST: The petitioner is requesting a variance from front yard building setback standards to allow the construction of a new single family residence.

REPORT: The site is located at 1015 W. Cottage Grove and is zoned Residential Core (RC). Surrounding properties are all zoned Residential Core and have been developed with single family residences.

The property is currently vacant and was previously developed with a single family residence that was demolished in 2014. The petitioner is proposing to construct a new single family residence on the site and would like to preserve an existing tree that is located in the front yard.

The petitioner is requesting a variance from the 5' front yard build-to-line in order to allow the house to be constructed 25' from the property line in order to preserve the tree that is in the front yard. A 5' wide concrete sidewalk is required along the property frontage as a result of establishing a new single family residence on this lot and has been shown.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
Front Yard Setback**

20.09.130 e) Standards for Granting Variances from Development Standards: A variance from the development standards of the Unified Development Ordinance may be approved only upon determination in writing that each of the following criteria is met:

- 1) *The approval will not be injurious to the public health, safety, morals, and general welfare of the community.*

RECOMMENDED FINDING: No injury is found. The lot will be developed with a single family residence as have all of the surrounding lots.

- 2) *The use and value of the area adjacent to the property included in the Development Standards Variance will not be affected in a substantially adverse manner.*

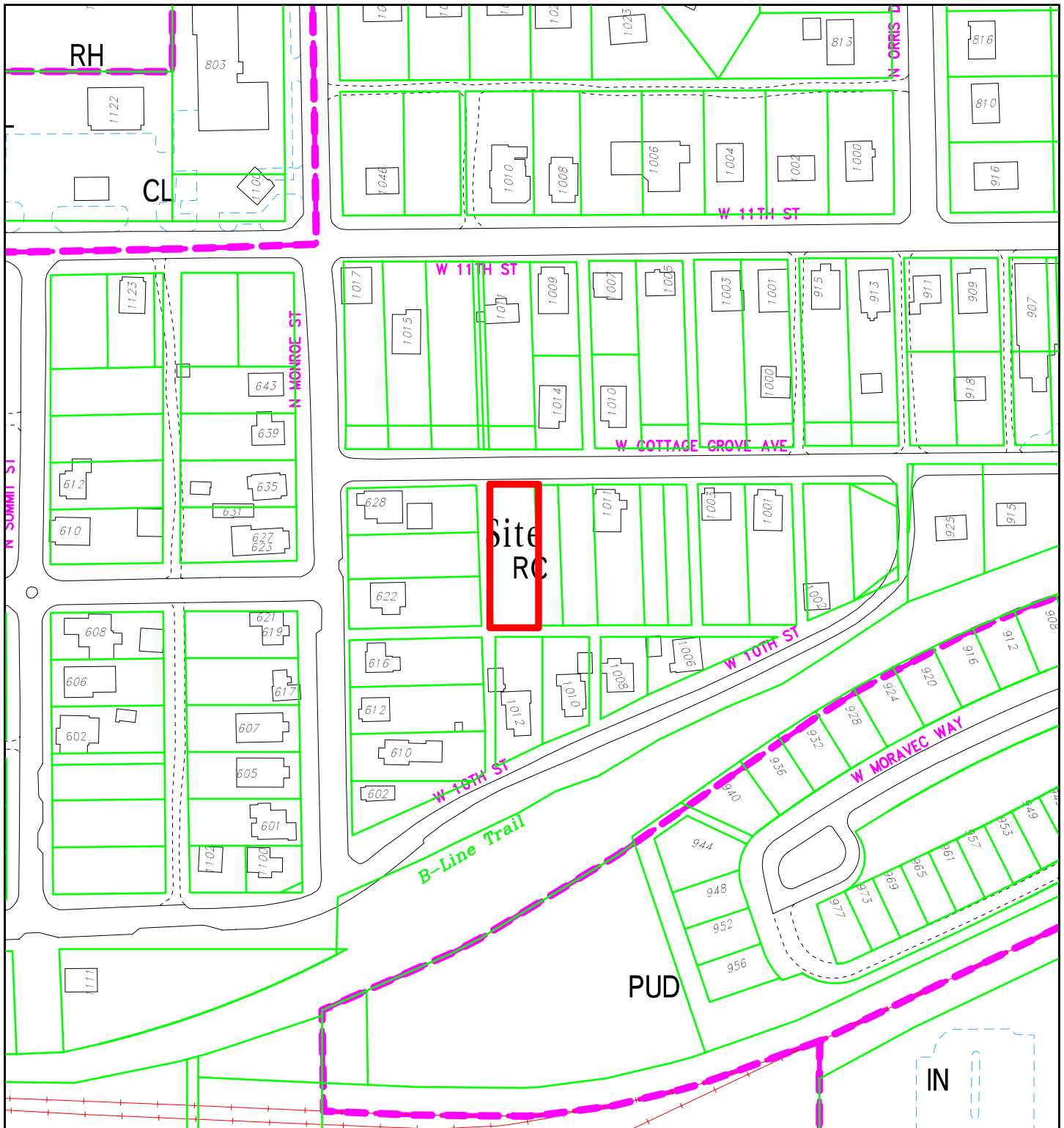
RECOMMENDED FINDING: No negative effect from the construction of a single family residence on adjacent properties is expected. As mentioned previously, the lot will be developed with a single family residence as have all of the surrounding properties. The preservation of the tree will improve the look of the neighborhood and streetscape.

- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

RECOMMENDED FINDING: Practical difficulty is found in that requiring the structure to meet the build-to-line requirements would necessitate the removal of the existing mature tree. Peculiar condition is also found in that the property was previously developed with a single family residence in the same approximate location. There are several houses along this block that are set back further than the build-to-line that range in setbacks from 22 feet to 52 feet from the property line, these other setbacks in this area are peculiar and do not create a true block face to follow.

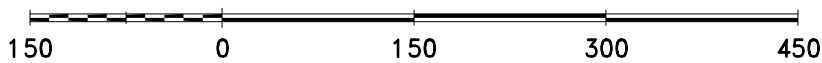
RECOMMENDATION: The Department recommends that the Hearing Officer adopt the recommended findings and approve of V-28-17 with the following conditions:

1. The tree in the front yard must be preserved during construction.
2. A 5' wide concrete sidewalk is required along the property frontage.
- 3.



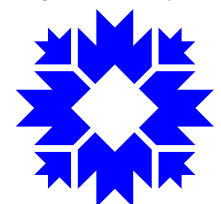
V-28-17 Doug Wissing
 1015 W Cottage Grove
 Hearing Officer
 Site Location, Zoning, Parcels

By: greulice
 27 Oct 17

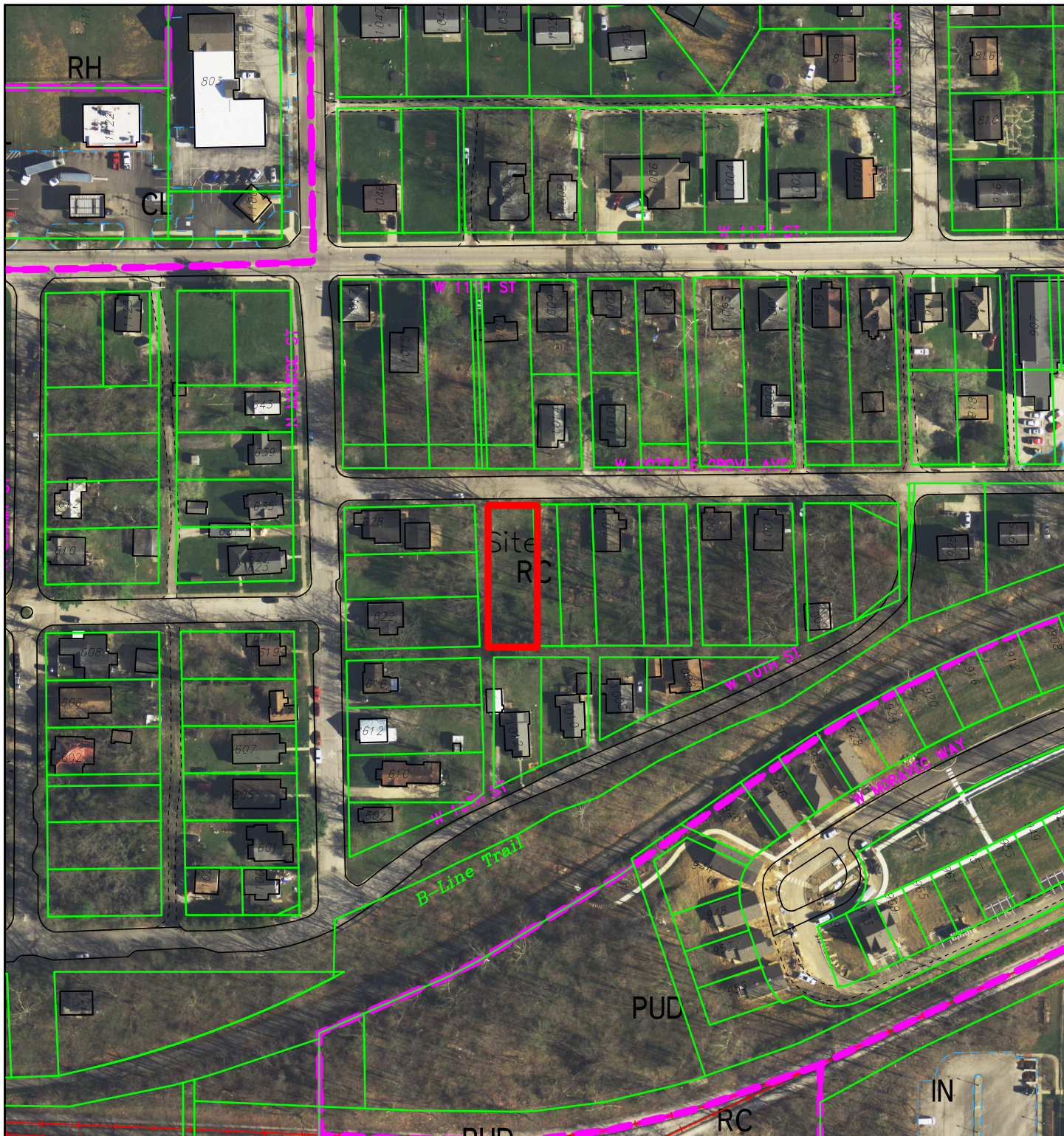


For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation

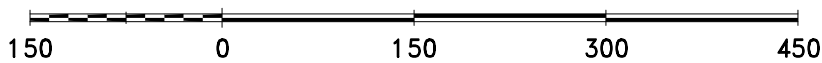


Scale: 1" = 150'



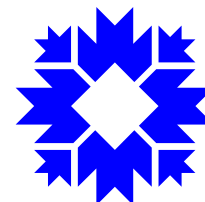
V-28-17 Doug Wissing
 1015 W Cottage Grove
 Hearing Officer
 2016 Aerial Photograph

By: greulice
 27 Oct 17



For reference only; map information NOT warranted.

City of Bloomington
 Planning & Transportation



Scale: 1" = 150'

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12 October 2017

City of Bloomington Planning Department
City Hall
Bloomington, IN 47404

To Whom It May Concern—

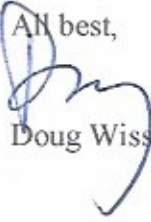
I am respectfully requesting a setback variance for a cottage I wish to build at 1015 W. Cottage Grove St., Bloomington, IN.

Per the attached site plan, I would like to site the house 25' from the curb, which is the approximate location of the previous residence, a small derelict house that was demolished a few years ago.

The setback variance request is being made because there is a large mature maple tree at the NW corner of the lot that an arborist has trimmed, pruned and fertilized. The tree is now flourishing. The tree's crown extends about 25' into the lot. Both the arborist and excavator have warned me that we need to be careful to not disturb the tree's roots by constructing the house too close to the crown.

Please let me know if you have any questions.

All best,



Doug Wissing

