

# CITY OF BLOOMINGTON



June 13, 2018 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON  
HEARING OFFICER  
June 13, 2018 at 2:00 p.m.

\*Kelly Conference Room #155

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**PETITIONS:**

- V-16-18      **Cindy Kallet and Grey Larsen**  
917 W. Howe St.  
Request: Variance from side and rear yard setback standards for an accessory structure.  
*Case Manager: Amelia Lewis*
- V-17-18      **Milestone Ventures**  
1105 & 1107 W. 3<sup>rd</sup> St.  
Request: Variance from minimum parking standards in the Commercial General (CG) zoning district.  
*Case Manager: Jackie Scanlan*

**\*\*Next Meeting: June 27, 2018**

**Last Updated: 6/6/2018**

*Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3429 or E-mail [human.rights@bloomington.in.gov](mailto:human.rights@bloomington.in.gov).*

**BLOOMINGTON HEARING OFFICER**  
**LOCATION: 917 W. Howe St.**

**CASE #: V-16-18**  
**DATE: June 13, 2018**

**PETITIONER:** Cindy Kallet & Grey Larsen  
 917 W. Howe Street, Bloomington

**REQUEST:** The petitioner is requesting a variance from side yard and rear yard setbacks to allow for an accessory structure.

**REPORT:** The property is located at 917 W. Howe Street and is zoned Residential Core (RC). Surrounding land uses are primarily single family residences with the exception of the property to the east which is the West Side Trinity Pentecostal Church. The property has been developed with a single-story, single family residence. There are existing alleys that run along the east and south property lines.

The building is listed as a contributing structure located in the Prospect Hill Local Historic District. The Historic Preservation Commission issued a Certificate of Appropriateness at the April 12, 2018 meeting.

The petitioner is proposing to demolish the existing 12 feet by 18 feet (216 square foot) accessory structure at the south east corner of the lot and build a new similar style structure with the same dimensions in the same general location on the property.

The existing accessory structure is located approximately 0 feet from the east and south property lines. The petitioner would be placing the proposed accessory structure approximately 2.5 feet away from the east and rear property lines. The UDO requires a 5 foot setback from side yard and rear yard property lines.

The petitioner is requesting a variance from the required 5 foot side and rear yard setbacks for a 2.5 foot setback from each property line.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**  
**Side and Rear Yard Setbacks for an Accessory Structure**

**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.*

**PROPOSED FINDING:** No injury is found with this petition. The proposed shed will be located further away from the property lines than the existing structure.

- 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.*

**PROPOSED FINDING:** No negative effects from this proposal on the areas adjacent to the property are found. While the proposed setback does not meet code, the setback

encroachment is not increasing from the existing conditions. This still maintains almost 3 feet of distance from the corner of the intersecting alleys at the south-east corner of this site.

- 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.*

**PROPOSED FINDING:** Practical difficulty is found in the existing conditions on the lot. The petitioners installed a geothermal heating system, preventing the accessory structure from being moved to the required 5 foot setbacks. The variance would allow the proposed structure to be located further in from the property lines than the existing accessory structure while not affecting the property's eco-friendly property improvements.

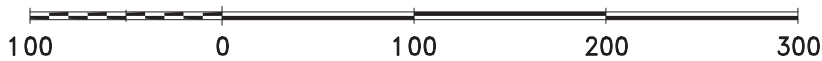
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**RECOMMENDATION:** Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-16-18 with the following conditions:

1. This variance applies to this accessory structure only.
2. The petitioners must obtain a building permit prior to construction.
3. The design shall be as approved by COA-18-16.



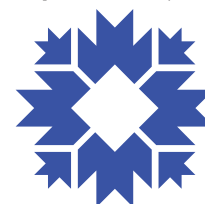
By: lewisa  
3 Jun 18



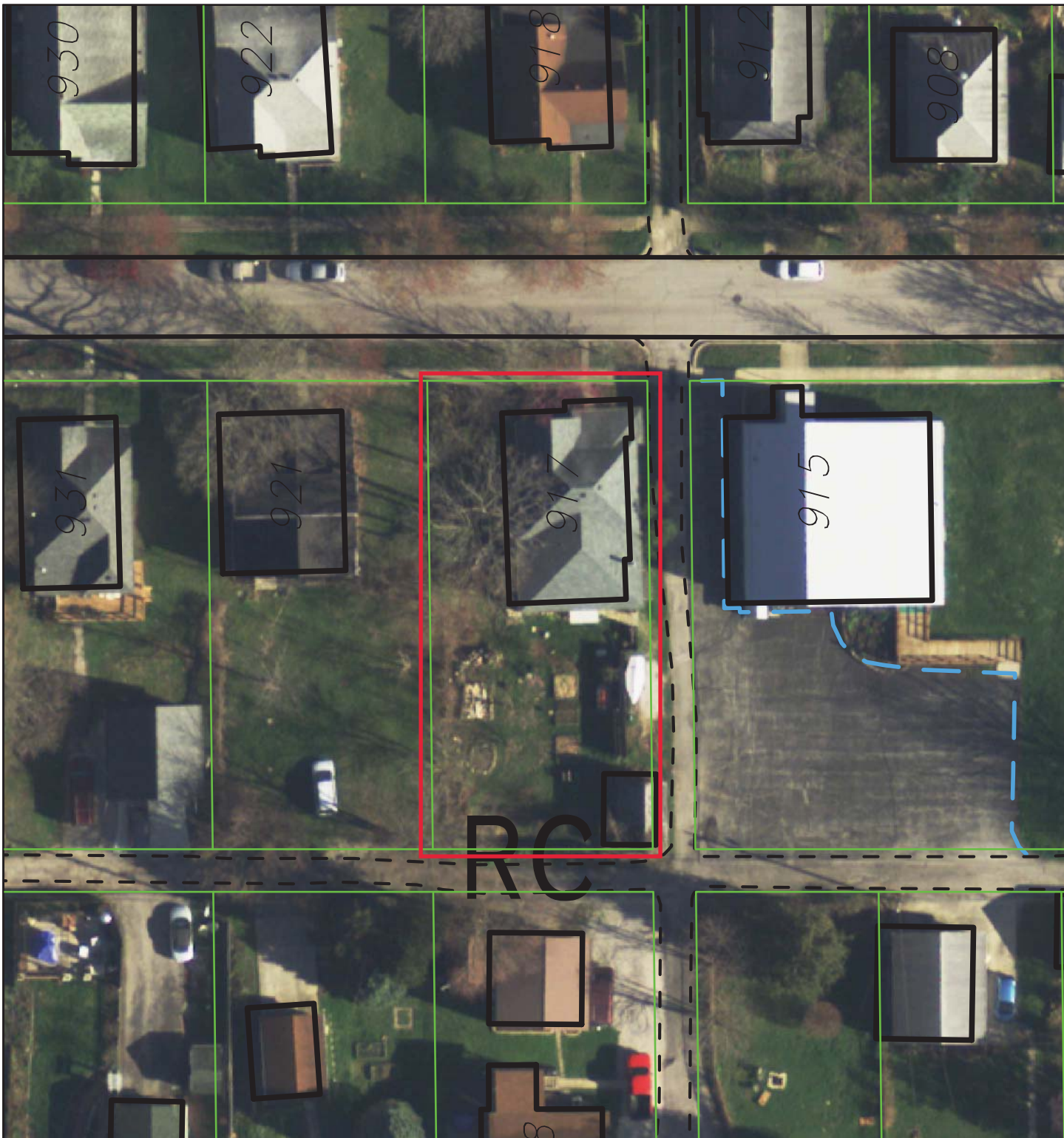
For reference only; map information NOT warranted.



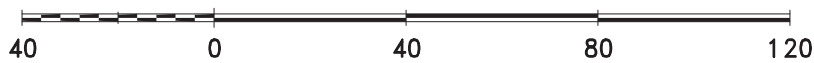
City of Bloomington  
Planning & Transportation



Scale: 1" = 100'



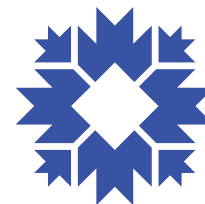
By: lewisa  
3 Jun 18



For reference only; map information NOT warranted.



City of Bloomington  
Planning & Transportation



Scale: 1" = 40'

Cindy Kallet and Grey Larsen  
917 W. Howe St., Bloomington

May 3, 2018

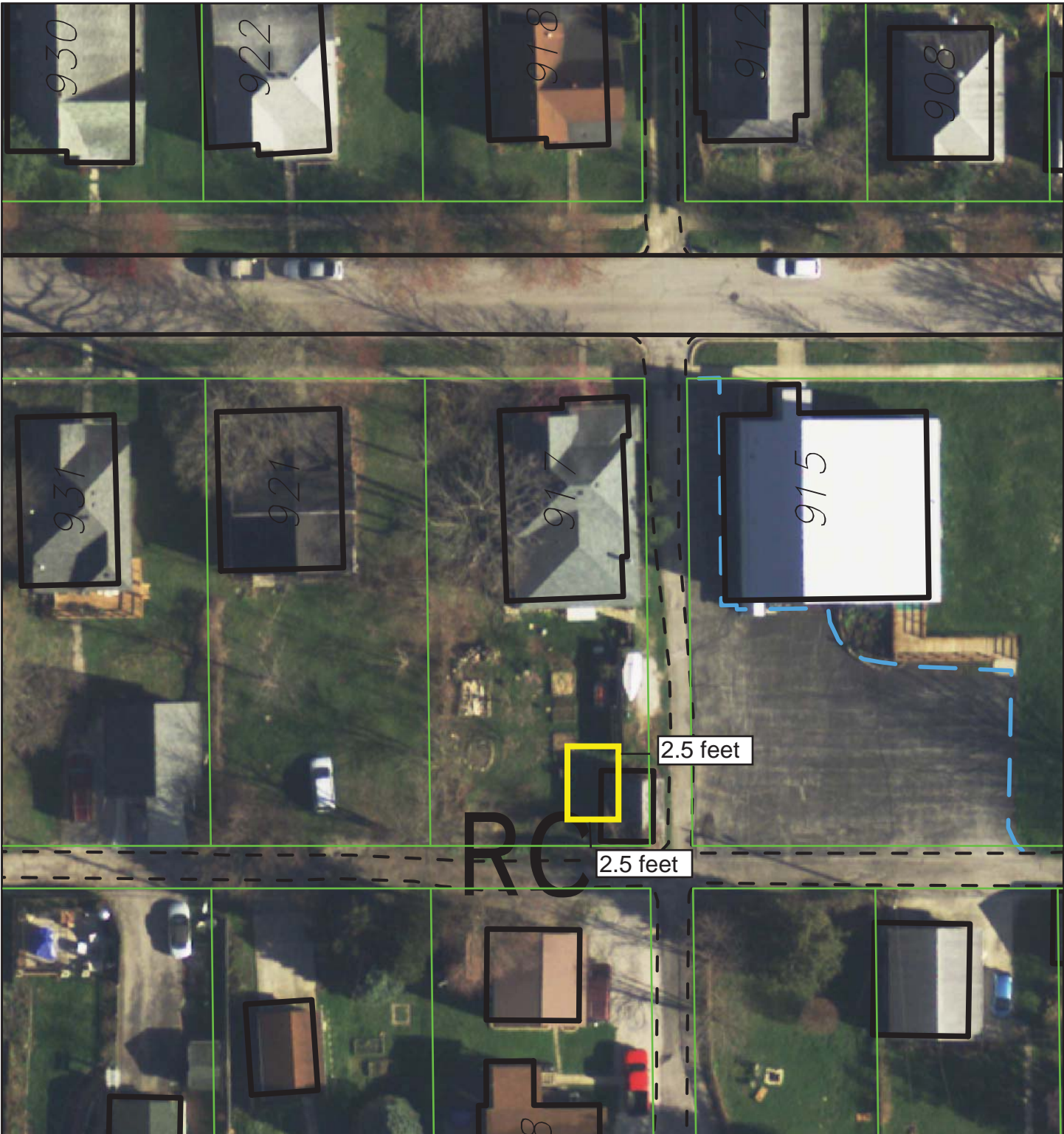
### **Petitioner's Statement**

We have a 12' x 18' (216 sq. ft.) shed on our property which was likely built in the early-mid 1900's and which is now in a state of extreme disrepair. We have received a Certificate of Appropriateness from the Bloomington Historic Preservation Commission to demolish the shed and build a new one with the same design and dimensions.

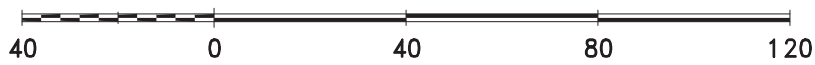
We are requesting permission to move the new shed in 2.5 feet further in from each alleyway. The shed currently sits approximately four feet in from two alleyways (the pavement is degraded, so it is difficult to tell exactly), one leading to West Howe and the other to Euclid. In 2009, we installed a geothermal heating system, and the underground loops prevent our moving the building in more than 6.5 feet from the edge of the pavement of the West Howe alley (i.e. 2.5 feet further in from where it is now). Although we could potentially move it further in from the Euclid alley, we would like to keep the building an equal distance from each alley in order to preserve the "anchor" quality of the building on that corner of the lot. (This was mentioned as important at the BHPC meeting.)

The building will continue to be used as a garden and tool shed. It will be stick-framed and sit on concrete piers. It will have electricity but no plumbing. It will have board and batten siding and a fiberglass/asphalt roof and maintain a similar door and window design to the current structure.





By: lewisa  
3 Jun 18



For reference only; map information NOT warranted.



City of Bloomington  
Planning & Transportation



Scale: 1" = 40'



**BLOOMINGTON HEARING OFFICER**  
**LOCATION: 1105 & 1107 W. 3<sup>rd</sup> Street**

**CASE #: V-17-18**  
**DATE: June 13, 2018**

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**PETITIONER:** Milestone Ventures, Chuck Heintzleman  
8152 Costilla Drive, Indianapolis

**CONSULTANT:** Bynum Fanyo & Associates, Inc.  
528 N. Walnut Street, Bloomington

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**REQUEST:** The petitioners are requesting a development variance from parking space total standards.

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**REPORT:** The petition site is zoned Commercial General (CG) and is located on the southwest corner of 3<sup>rd</sup> and Walker Streets. Surrounding land uses include an office building with parking lot to the west, a cemetery to the north, a single-family neighborhood to the east, and a CrossFit gym to the south. The property currently contains a historic church and one vacant single-family house. The church is located in the Greater Prospect Hill Local Historic District, which extends from the neighborhood to the east.

The petitioner proposes to develop this property by demolishing the existing house, rehabilitating the existing church building, and building a new two-story apartment building. The new building is proposed to run north/south on the west side of the property. The petitioner received use variance approval for first-floor residential units for the Board of Zoning Appeals in October 2017. The petitioner also received a variance request for a reduced number of parking spaces on the site. The previous site plan contained a three-story building and 38 parking spaces.

The petitioner is now requesting to develop the site with a similar design, but less units, and therefore, less parking spaces. The previous variance approval had a specific condition of approval that the minimum number of parking spaces allowed was 38 spaces.

The UDO requires one parking space per bedroom to be installed on the site. The proposal contains a total of 31 units and 42 bedrooms. The petitioners propose 30 parking spaces on the site. Location of parking on the site is limited by the location of the existing church and the fact that the parcel has two frontages, 3<sup>rd</sup> Street and Walker Street. The petitioner is proposing to improve right-of-way parking on both 3<sup>rd</sup> and Walker Streets by creating 9 parking spaces in the right-of-way.

42 parking spaces are required for the proposed 42 bedrooms in the development. The petitioner proposes 30 parking spaces on the site. The site will serve members of the community making at or below 60% of the area median income. The petitioner has developed other multifamily projects and contends that a reduced number of parking spaces is appropriate for this particular rental population, as vehicle ownership is reduced. 9 parking spaces will be improved in the public right-of-way.

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**20.09.130 e) Standards for Granting Variances from Development Standards (Parking Space Total):**

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.*

**PROPOSED FINDING:** No injury to the general welfare of the community is found with this petition. The proposal will serve an underserved segment of the community, and will provide adequate parking for its unique needs. Approval will allow a project that has less parking spaces that required by the UDO.

- 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.*

**PROPOSED FINDING:** No adverse impacts to the use and value of surrounding properties is found as a result of the requested variance. The proposed project contains multi-family residential for a specific segment of the community. In addition to the on-site parking spaces, 9 spaces will be improved in the right-of-way. The proposal redevelops an underutilized lot, which can only enhance rather than detract from the value of adjacent properties.

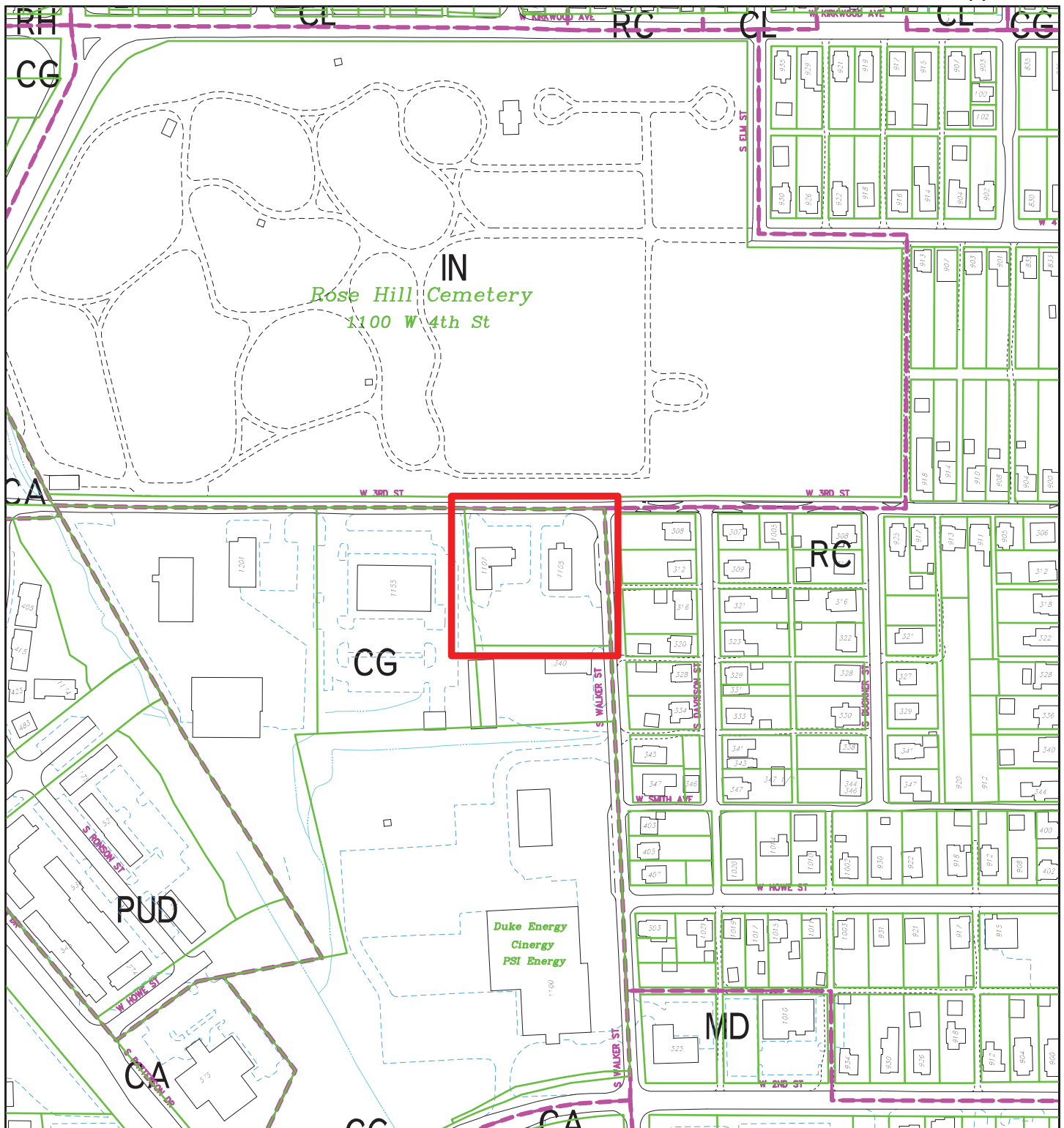
- 3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**PROPOSED FINDING:** Peculiar condition is found in the combination of the location of the existing historic church on the lot and the desire for on-site stormwater treatment and parking setbacks. The church is setback from both rights-of-way, which limits the amount of room that can be used for parking while meeting the parking setback requirement. Additionally, on-site water treatment limits the amount of space on this property that is available for parking. This property is underutilized and redevelopment is difficult as the historic church is locally designated and dictates what portions of the parcel can be developed with parking.

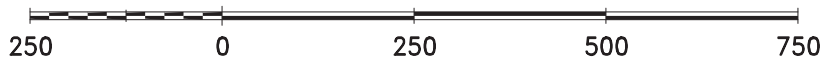
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**RECOMMENDATION:** The Department recommends that the Board of Zoning Appeals adopts the proposed findings and approves V-17-18 with the following condition:

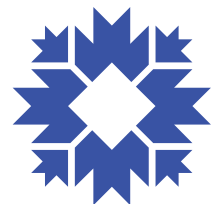
1. Approval of the variance allows for reduced parking spaces to a minimum of 30 parking spaces.



By: scanlanj  
 17 Aug 17



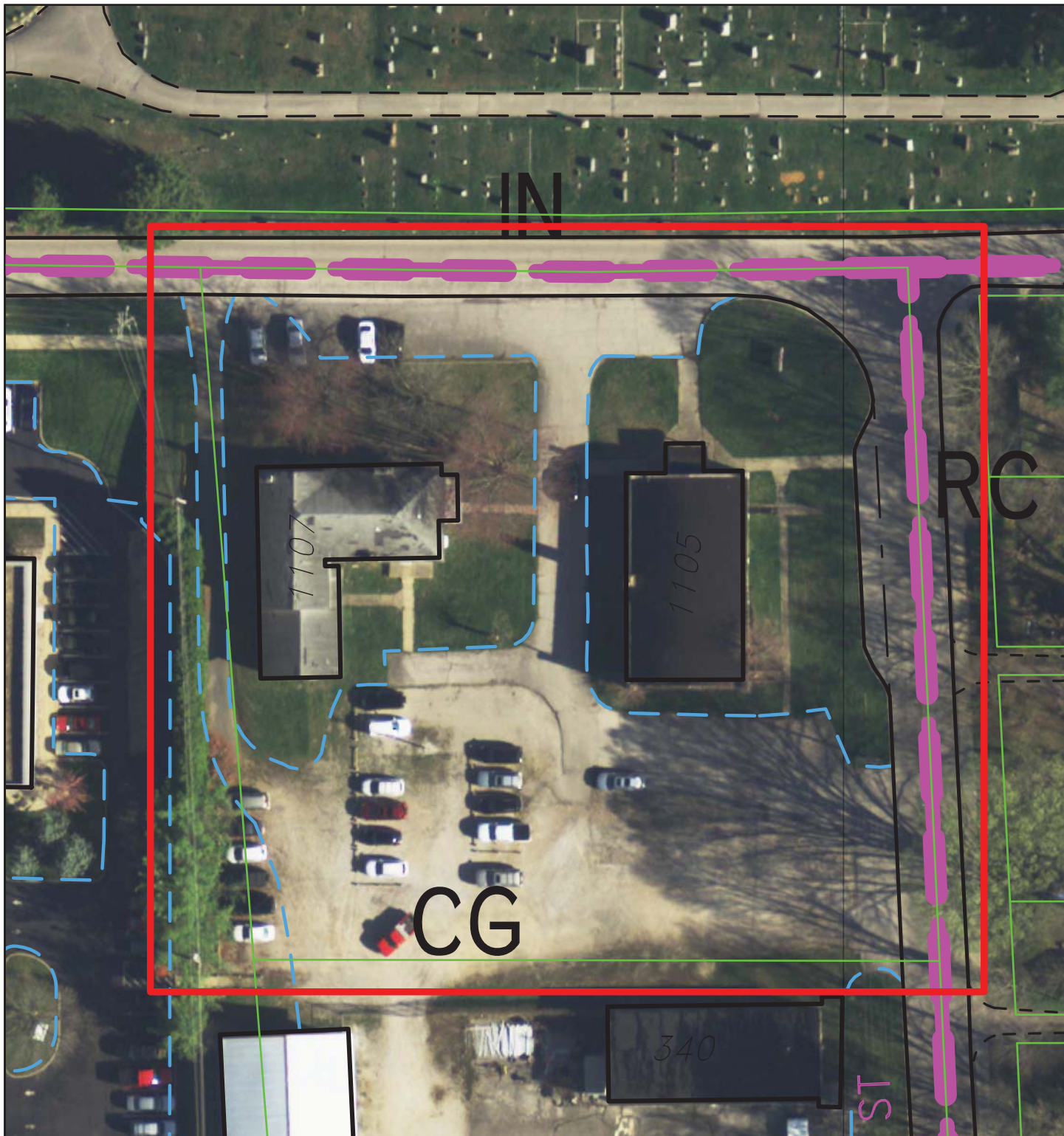
City of Bloomington  
 Planning & Transportation



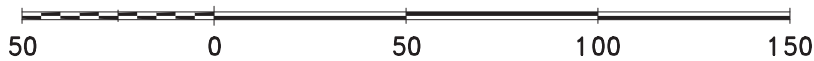
Scale: 1" = 250'

For reference only; map information NOT warranted.





By: scanlanj  
17 Aug 17



For reference only; map information NOT warranted.



City of Bloomington  
Planning & Transportation



Scale: 1" = 50'



BYNUM FANYO & ASSOCIATES, INC.

May 18, 2018

City of Bloomington Hearing Officer and/or Plan Commission  
401 N. Morton Street  
Bloomington, Indiana 47403

Re: Milestone Ventures, Inc @1107 West 3<sup>rd</sup> Street

BFA Project #401741

Dear Plan Commission and/or Hearing Officer:

Our client, Milestone Ventures, Inc., respectfully request site plan approval and variance request for minimum parking spaces. The property consists of 1.25 acres at the southwest corner of W. 3<sup>rd</sup> Street and S. Walker Street. The site is zoned CG and requires no residential uses on the first floor and we are proposing no commercial uses. Since this property is located next to a core neighborhood it is required to have one parking space per bed. We will have a total of 31 units and 42 beds. We are proposing 30 onsite parking spaces and 9 on street parking spaces for a total of 39 parking spaces. The parking variance is due to some of this counted parking is on street and not within the site. However, we have 31 units and 30 on site parking spaces. The unit mix consist of 15 studio units under 550 sf, 8 one-bedroom units under 700 sf, 5 two-bedroom units under 950 sf and 3 three-bedroom unit. The DUE density comes to 11.33 units, well under the 18.77 units allowed.

The proposed use for the site is affordable housing for residents at or below 80% of area median income. The project will also provide 7 units for persons with disabilities and 7 units of permanent supportive housing for the homeless. The program has some similarities to the Life Design project located on S. Henderson Street. Their experience at this location is that the tenants typically use public or alternative means of transportation and need very little parking. It is for this reason we believe one space per bed is not necessary for this project but one per unit is.



The site design consists of renovating the existing church to accommodate a community room, fitness room and leasing office. A new two-story building will be constructed on the west side of the property and a parking lot between the two structures. Water service will be brought in from W. 3<sup>rd</sup> Street and sanitary sewer will be connected to a main in S. Walker Street. Storm water will sheet flow from north to south where a water quality and detention pond will filter the storm water and reduce the runoff to predevelopment rates.

After you have had a chance to review our petition please feel free to contact us with any questions or clarifications you have.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Butler', written in a cursive style.

Daniel Butler, P.E., Project Engineer

Bynum Fanyo and Associates, Inc.  
528 North Walnut Street  
Bloomington, Indiana 47404  
Office 812 332 8030

revisions:

ARCHITECTURE  
CIVIL ENGINEERING  
PLANNING

BYNUM FAYND & ASSOCIATES, INC.

528 North Walnut Street  
Bloomington, Indiana  
(812) 339-2990 (Fax)

BBB

528 North Walnut Street  
Bloomington, Indiana  
(812) 332-8030

certified by:

PROPOSED  
SOUTHERN KNOLLS

1107 W. 3RD STREET  
BLOOMINGTON, INDIANA 47404

11th: SITE IMPROVEMENT  
& UTILITY PLAN

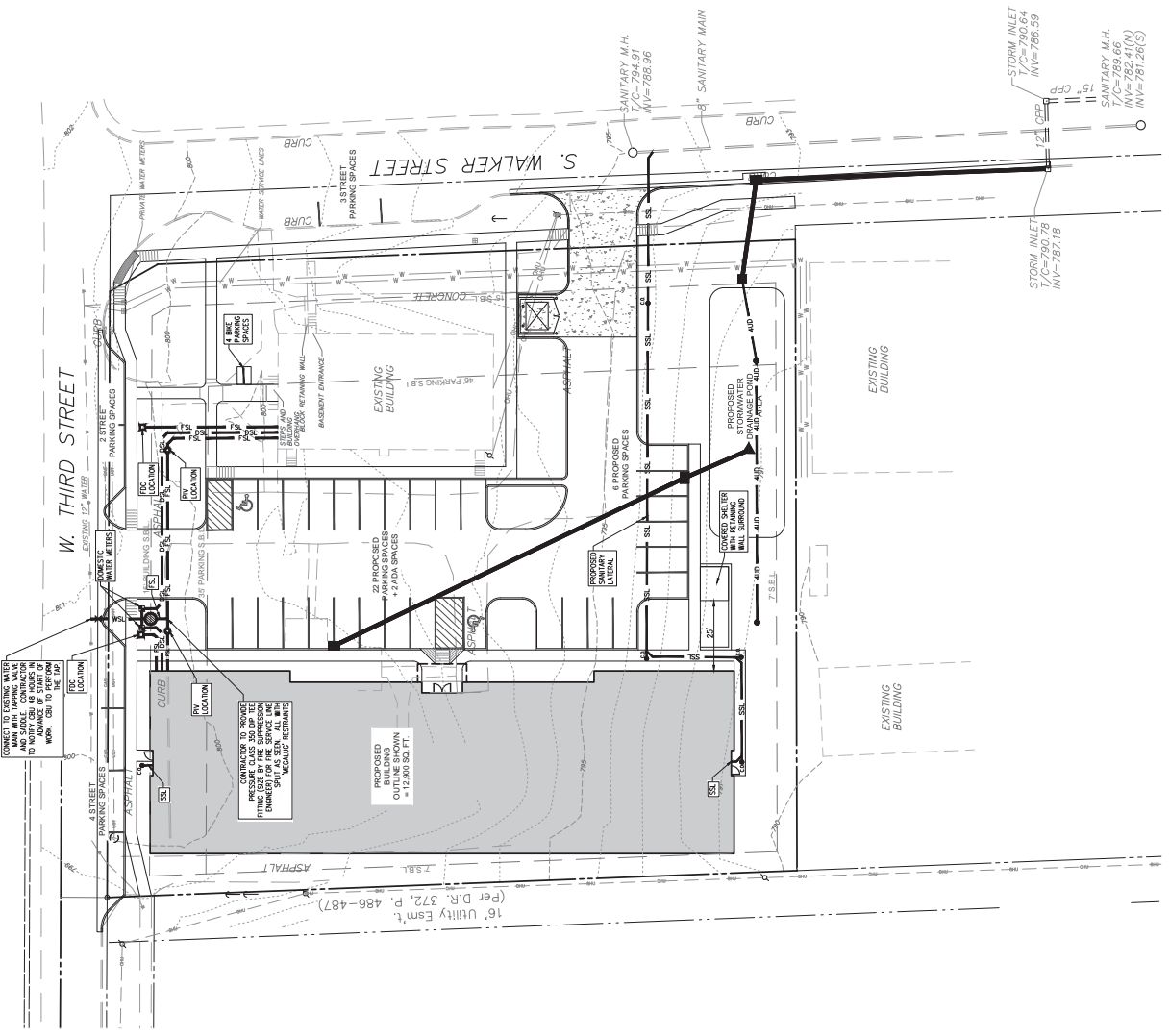
designed by: DLG  
drawn by: DJG  
checked by: DJG  
sheet no: 0301  
project no: 401741



**NOTE TO CONTRACTOR**

CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS.

WADSWORTH ST. & S. WALKER ST. PROPERTY - 7.25 ACRES	CITY OF BLOOMINGTON	1677-2012-0001	PROPOSED
PERMITTED	PERMITTED	PERMITTED	PERMITTED
1.5	1.5	1.5	1.5
15	15	15	15
15	15	15	15
0.72 ACRES = 57.6% # 30%	0.72 ACRES = 57.6% # 30%	0.72 ACRES = 57.6% # 30%	0.72 ACRES = 57.6% # 30%
30 ON-SITE - 9 # 30%	30 ON-SITE - 9 # 30%	30 ON-SITE - 9 # 30%	30 ON-SITE - 9 # 30%
1.5	1.5	1.5	1.5
15	15	15	15
15	15	15	15
15	15	15	15

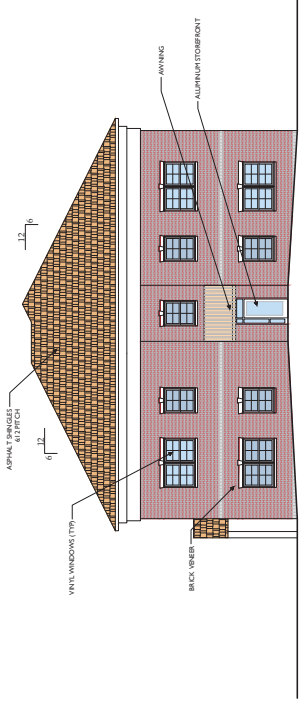
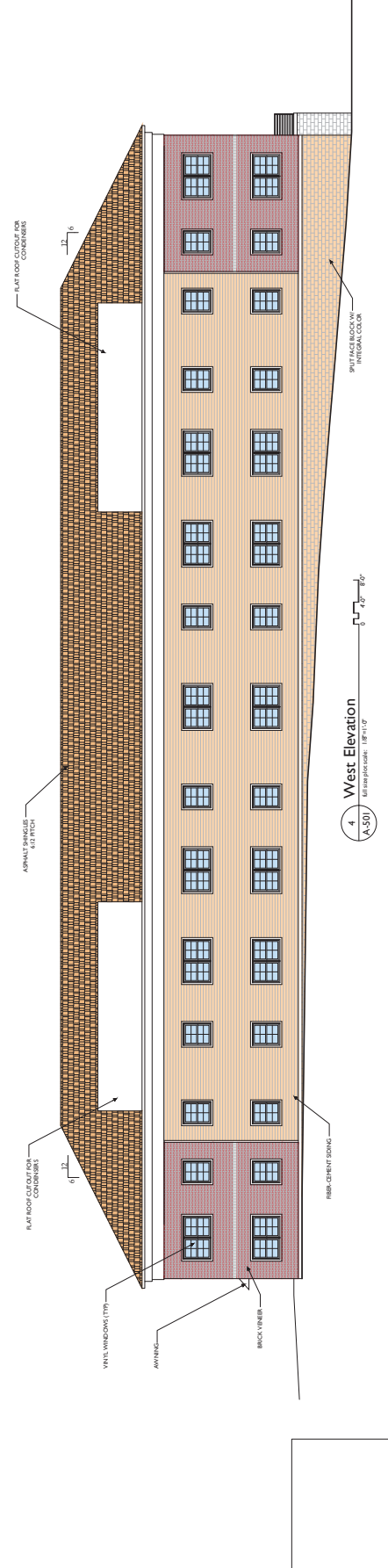
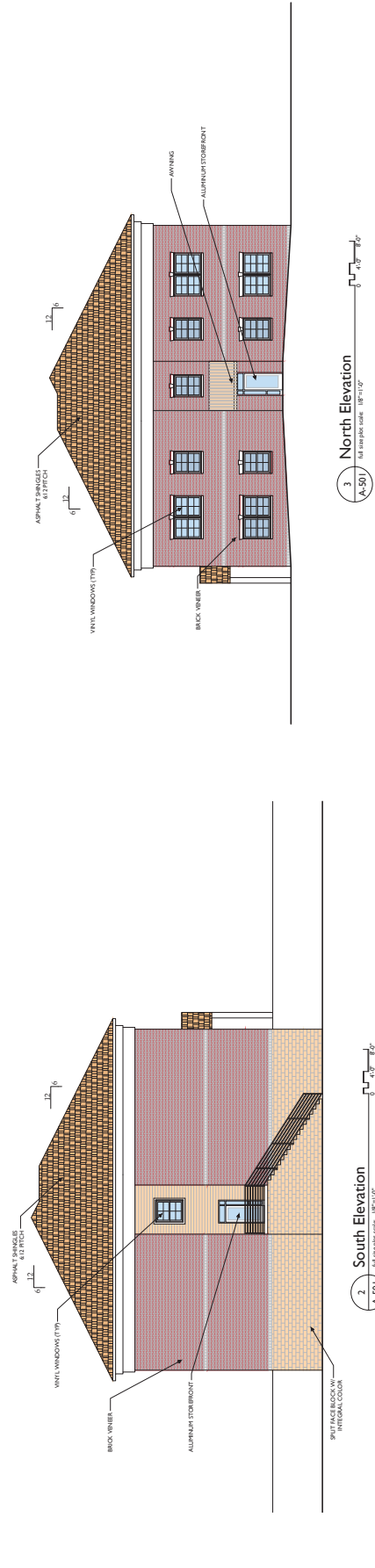
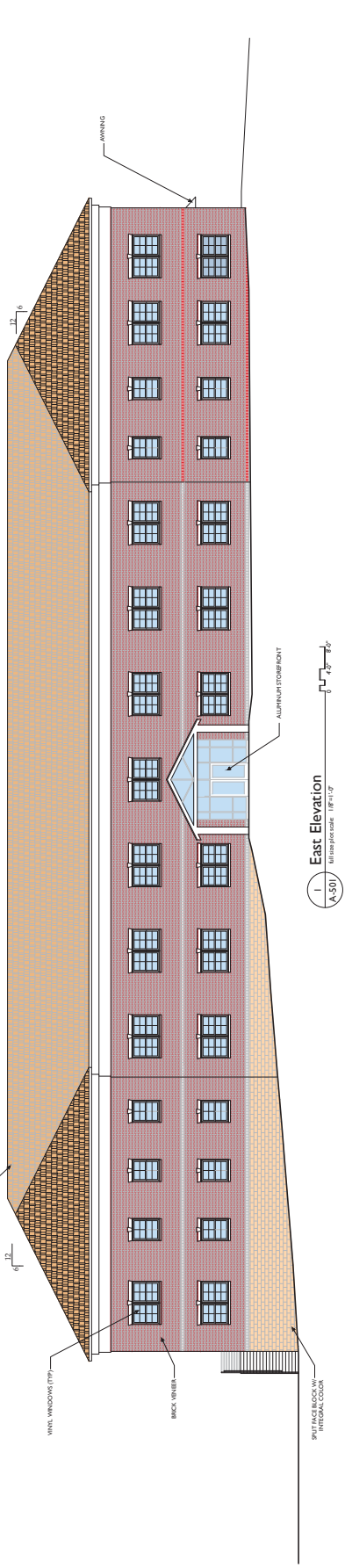


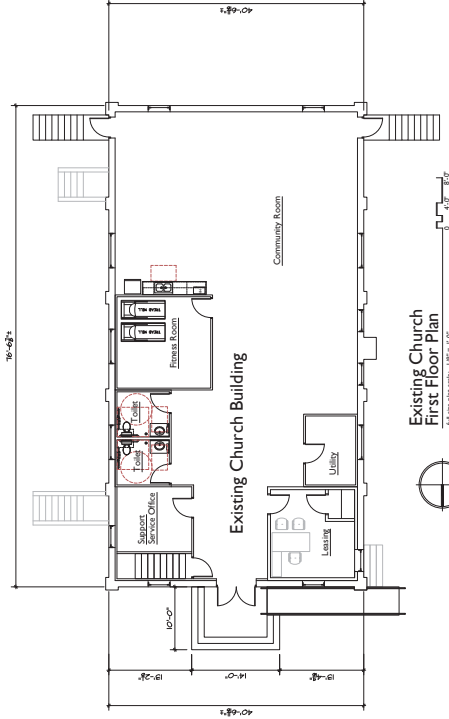
CONTRACTOR TO PROVIDE MAIN WITH PARKING VALVE AND MAIN WITH PARKING VALVE TO NOTIFY CITY AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS.

PROPOSED BUILDING OUTLINE SHOWN +12,300 SQ FT.

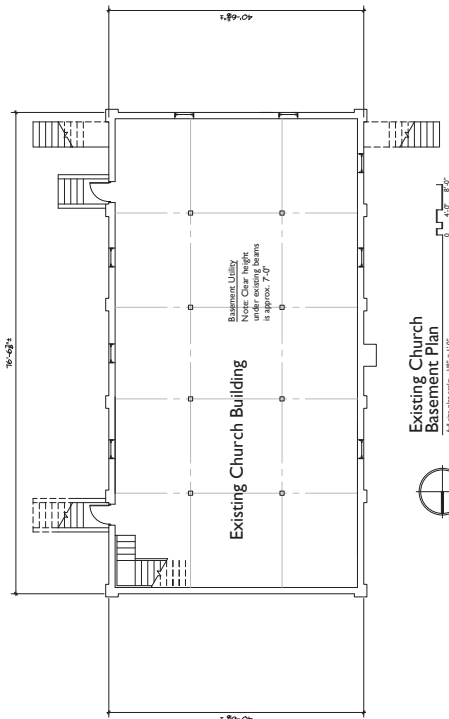
CONTRACTOR TO PROVIDE FITTING SIZE BY THE SUBMITTER. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL UTILITY LOCATIONS & DEPTHS AND NOTIFY THE CITY OF BLOOMINGTON AS TO ANY UTILITY DEPTHS THAT DO NOT MEET THE CITY OF BLOOMINGTON REQUIREMENTS.

16' Utility Est. (Per D.R. 372, P. 486-487)





**Existing Church Building First Floor Plan**  
 Full floor plate scale: 1/8" = 1'-0"  
 Total Gross Building Footprint: 3,127 s.f.

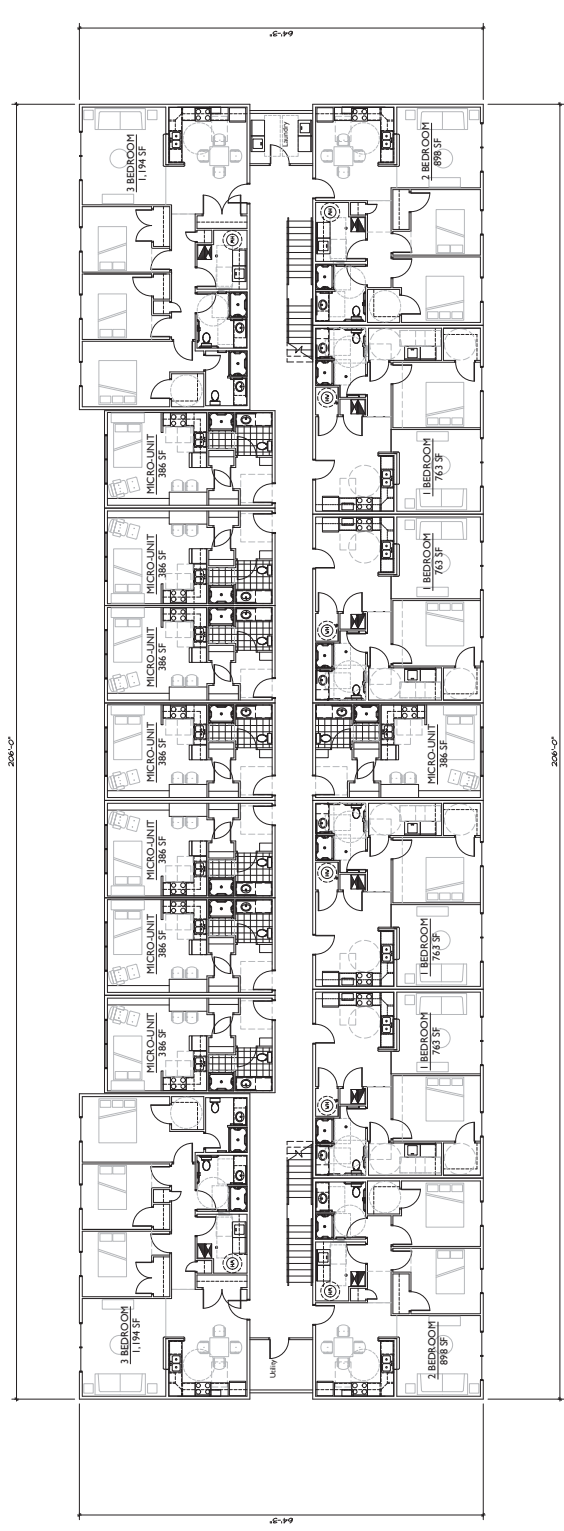


**Existing Church Building Basement Plan**  
 Full floor plate scale: 1/8" = 1'-0"



**New Apartments First Floor Plan**  
 Full floor plate scale: 1/8" = 1'-0"  
 Total Gross Building Footprint: 12,917 s.f.





Total Gross Building Footprint: 12,789 s.f.



New Apartments  
 Second Floor Plan  
 All measurements are 1/8" = 1'-0"