

CITY OF BLOOMINGTON



October 17, 2018 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM
#155

CITY OF BLOOMINGTON
HEARING OFFICER
October 17, 2018 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

V-34-18

Michelle & Robert Henderson

1100 W. 6th St.

Request: Variance from front yard setback standards for a new detached garage.

Case Manager: Amelia Lewis

****Next Meeting: October 31, 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.*

PETITIONER: Michelle and Robert Henderson
1100 W 6th Street, Bloomington

REQUEST: The petitioner is requesting a variance from front yard setbacks for a new detached garage.

REPORT: The property is located at the northwest corner of W. 6th Street and N. Oak Street and is zoned Residential Core (RC). Surrounding land uses are primarily single family residences. The White Oak Cemetery is one block to the north and Rose Hill Cemetery one block to the south. The property has been developed with a single-story, single family residence. There is an unimproved alley north of the property.

The petitioners are proposing to build a 450 square foot garage at the northwest corner of the property. The Unified Development Ordinance (UDO) considers all sides of a lot that abut a street to be front lot lines, which are the east and south sides in this case, and the remaining two sides are considered side property lines.

Detached garages are required to be located at least ten (10) feet behind the primary structure's front façade and five (5) feet from side and rear property lines (BMC 20.05.077(b)(2)).

The front yard setback for the proposed garage along both W. 6th Street and N. Oak Street which is 10 feet behind the front building wall of the house along N. Oak Street. The proposed location exceeds the setback along W. 6th Street. The proposed location does not meet the requirements for Oak Street, instead sitting approximately 5 feet forward of the front building wall.

The petitioner would be placing the proposed accessory structure five (5) feet away from the north and west property lines which adheres to the minimum side yard setbacks in the UDO. Meeting the UDO standard for the garage to be 10 feet behind the house would mean that it is a minimum 28 feet from the eastern property line. On a property that is 46 feet wide, and with the five foot setback from the western property line, this leaves approximately 14 feet in length for a garage. An average parking space is 18 feet in length. The petitioner is requesting a variance from the front yard setback from the required 28 feet to the proposed 11 feet.

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 proposal provides for an accessory garage, which is a common accessory use in a single-family zoning district. The

proposed garage is located as far from the street and pedestrian realm as possible on the site while meeting side yard setback standards.

- 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.*

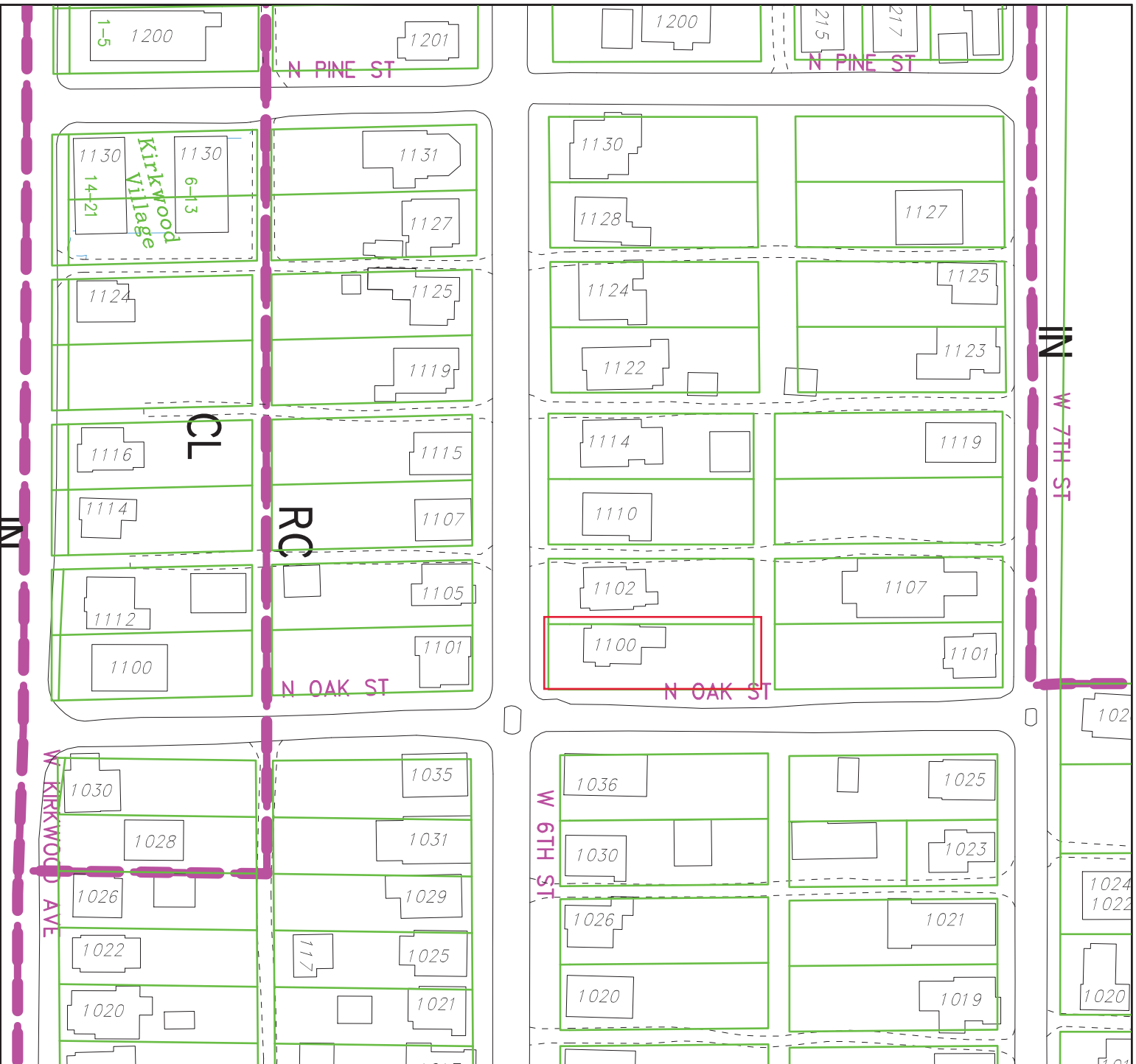
PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties is found as a result of the requested variance. The proposed project contains one accessory structure that will be accessed with a drive on Oak Street. The proposed structure will meet side yard setbacks related to the adjacent property to the west.

- 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 combination of the required front yard setback and narrow lot width. The house which establishes the front building wall is located very close to the western property line. With the location of the house where it is, requiring the garage to be placed ten feet behind the front building wall and meeting the side yard setback standard on a narrow lot only leaves 14 feet in length. Comparatively, the minimum dimensions for a parking stall are 9 feet wide by 18 feet in length. The variance would allow the proposed structure to be located closer to the eastern property line along N. Oak Street than allowed by code while still being functional and maintaining the maximum distance possible from the west property line.

RECOMMENDATION: Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-34-18 with the following conditions:

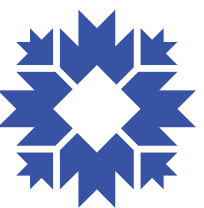
1. This variance applies to this detached garage only.
2. The petitioners must obtain a building permit prior to construction.
3. All work done in the right-of-way shall receive a right-of-way excavation permit prior to construction.



By: lewisa
12 Oct 18

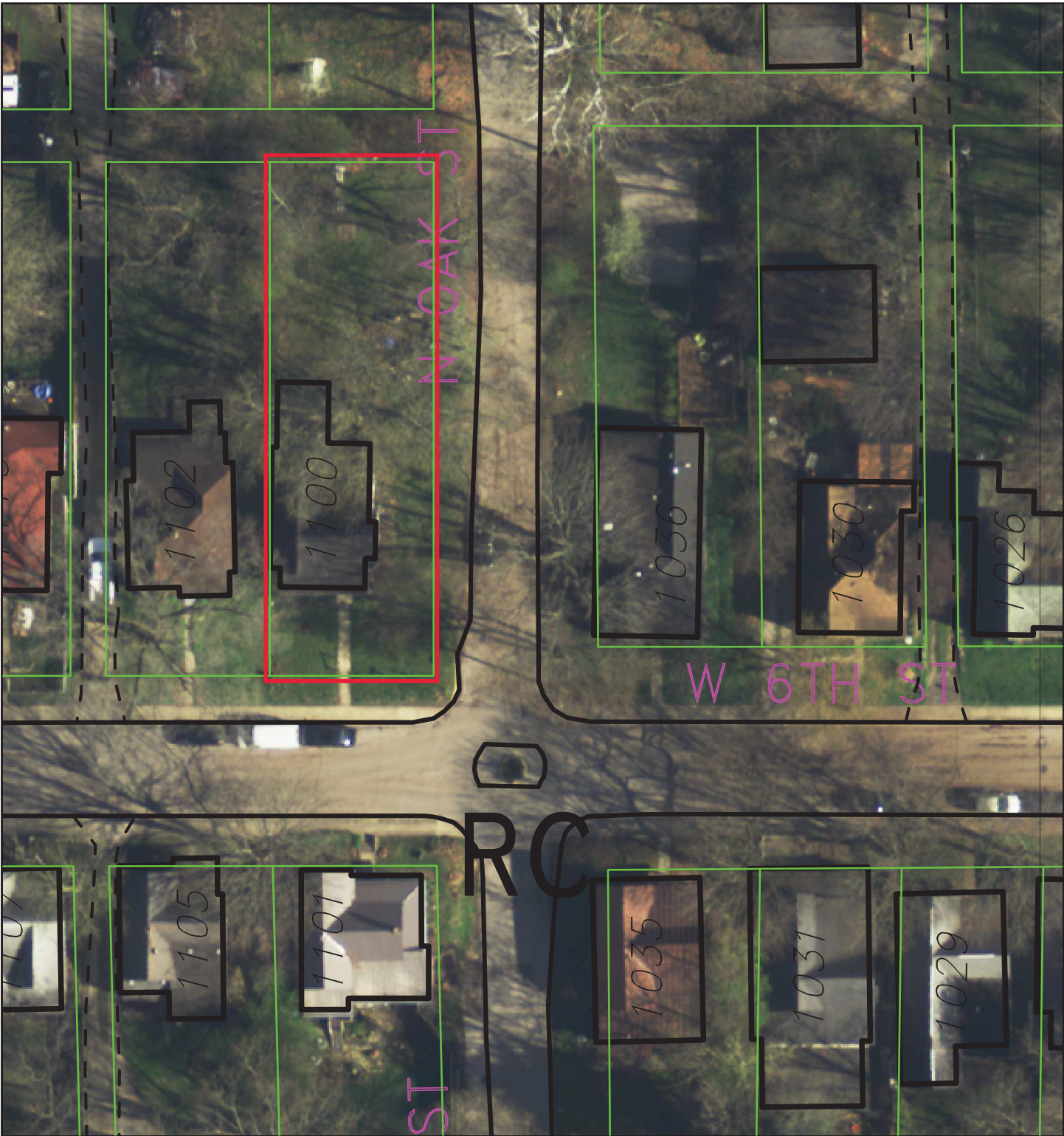


For reference only; map information NOT warranted.

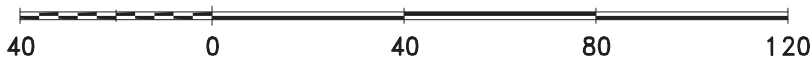


City of Bloomington
Planning & Transportation

Scale: 1" = 100'



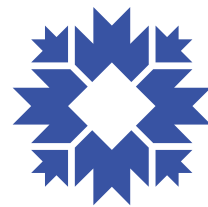
By: lewisa
12 Oct 18



For reference only; map information NOT warranted.



City of Bloomington
Planning & Transportation



Scale: 1" = 40'

We would like to request a variance to build a one-car garage. In order to have room for our car, the garage would need to be 20 feet long, which would put the garage five feet over the 10-foot setback on the east side of the house. Other garages on Oak street were constructed with less than the minimum 10-foot front setback. We are requesting a variance to allow front/side setback from the house of five feet rather than ten feet.

The garage face would be a minimum of 20 feet from the side property line, preserving the ability to park a car in the driveway. Approval of a variance to the minimum front setback of 10 feet would allow us to maximize the development potential of the lot and to reduce the negative impact on traffic flow and the ability of pedestrians and bicyclists to use the Oak Street due to parked vehicles along the side of the road.

Approval of the request would permit us to construct a garage on the property reasonably consistent in size and character with other garages in the vicinity and same zone. Our goal is to build a garage that is in harmony with the historic character of the Near West Side neighborhood.

SITE PLAN
1100 W 6TH STREET
ROBERT HENDERSON
GARAGE ADDITION

