

# CITY OF BLOOMINGTON



May 1, 2019 @ 2:00 p.m.  
CITY HALL -  
KELLY CONFERENCE ROOM #155

**CITY OF BLOOMINGTON  
HEARING OFFICER  
May 1, 2019 at 2:00 p.m.**

**\*Kelly Conference Room #155**

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**PETITIONS:**

V-13-19

**Bettina Hahn Chun-Fang**

717 E. Hunter Ave.

Request: Variance from side yard building setback standards for the construction of an addition to a single-family home.

*Case Manager: Ryan Robling*

**\*\*Next Meeting: May 15, 2019**

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

**BLOOMINGTON HEARING OFFICER**  
**LOCATION: 717 E. Hunter Avenue**

**CASE #: V-13-19**  
**DATE: April 10, 2019**

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**PETITIONER:** Bettina Hahn Chun-Fang  
2512 E 8<sup>th</sup> Street

**CONSULTANT:** Paul Landon Ferree  
5464 W Woodland Rd.

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**REQUEST:** The petitioner is requesting a variance from side yard setbacks for the construction of an addition to a single family structure.

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**REPORT:** The 6,098 square foot property is located at 717 E. Hunter Avenue and is zoned Residential Multifamily (RM). Surrounding properties to the north, south, east and west are also zoned RM. The properties to the east, west, and south have all been developed with single-family residences. The property to the north has been developed with multifamily residences. The property is fronted by Hunter Avenue to the south. There is an existing unimproved alley along the north property line.

The petitioner proposes to construct a two story addition to the north side of the current structure. The proposed first floor will be (18'x28') 504 square feet. The second floor will be (18'x16') 288 square feet. The proposed addition will be located 4'6" from the western property line and 10' from the eastern property line. The addition would be continuing the existing side yard setback encroachments on both sides.

In the RM zoning district, the Unified Development Ordinance (UDO) requires a minimum side setback of 15'. The petitioner is requesting a variance from the required side yard setback to allow the house to be located 4'6" from the west property line and 10' from the east property line rather than the required 15' setback.

The Planning and Transportation Department has received one letter in opposition of granting this variance from an adjacent property owner.

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#### **CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE**

**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 a single-family residence, which is a permitted use in the Residential Multifamily (RM) district. The variance would allow an addition at the existing setback lines. No negative impacts have been noted from the current location of the residence.

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 the surrounding properties is found as a result of the requested variance. The proposed addition will meet the same setbacks as the current structure. The proposed structure is consistent with other residences in this area, as there are several other structures in the area that do not meet the required side yard setback. The property will remain as one detached single-family dwelling.

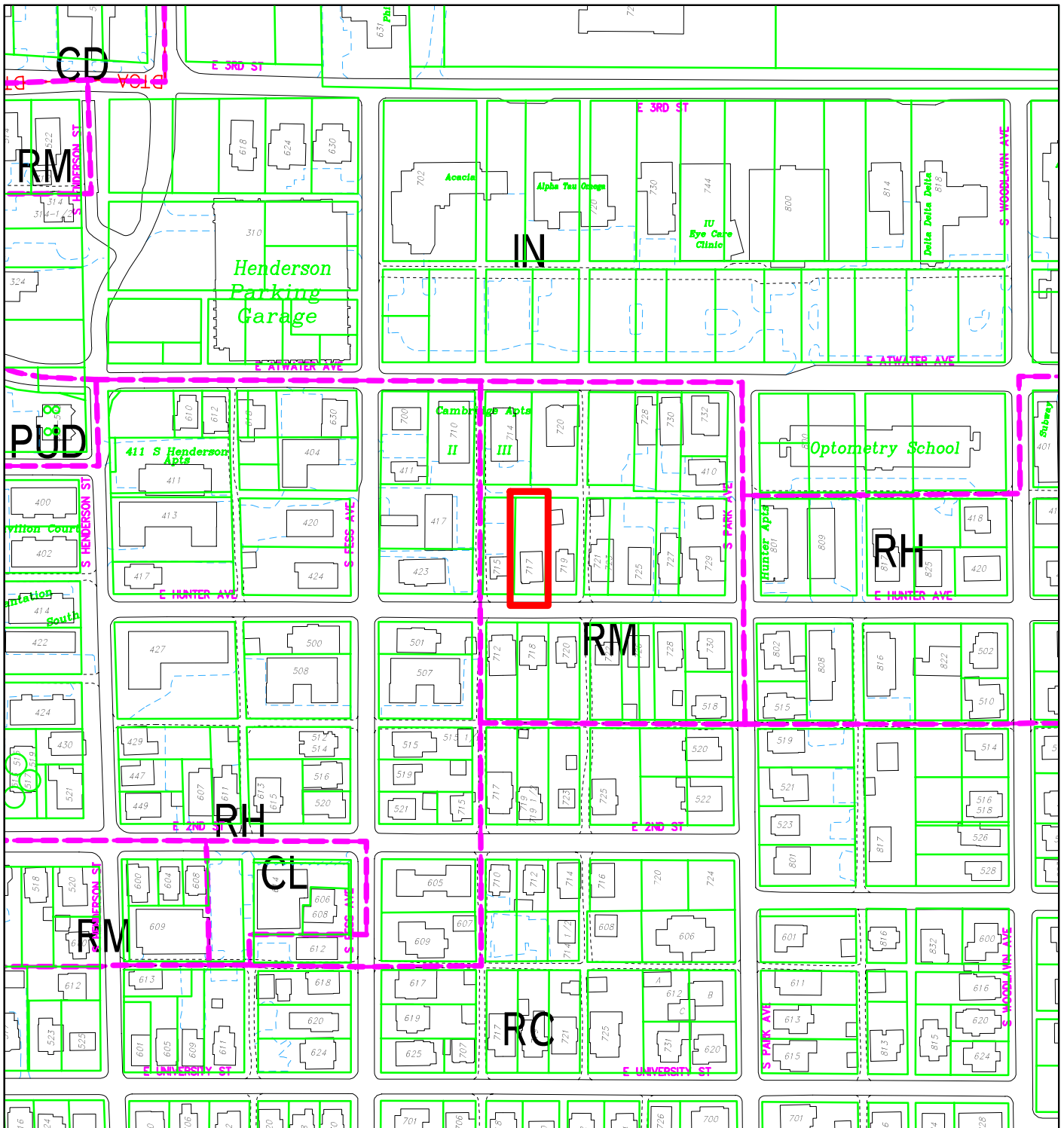
3) *The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the Development Standards Variance will relieve the practical difficulties.*

**PROPOSED FINDING:** Practical difficulties are found in the limits inherent in the lot size and lot width. The parcel is 6,098 square feet. The RM district has a minimum lot area of 21,780 and the required setback corresponds with a property of that size. The parcel is 44.3' wide, while the RM district has a minimum lot width of 85'. Peculiar condition is found in the small size of the existing lot that is less than a third of the minimum lot size of the RM district, and almost half of the minimum lot size of the district.

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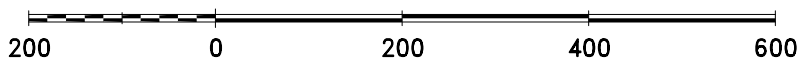
**RECOMMENDATION:** Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-13-19 with the following conditions:

1. The petitioners must obtain a building permit prior to construction.
2. The petitioners must be below the maximum impervious surface coverage of 40% of the lot area.
3. This variance applies to the addition as proposed only. Any subsequent encroachment would require a variance.



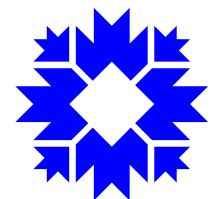
V-13-19 Paul Landon Ferree  
 717 E Hunter Ave.  
 Hearing Officer  
 Site Location, Zoning, Parcels

By: roblng  
 17 Apr 19

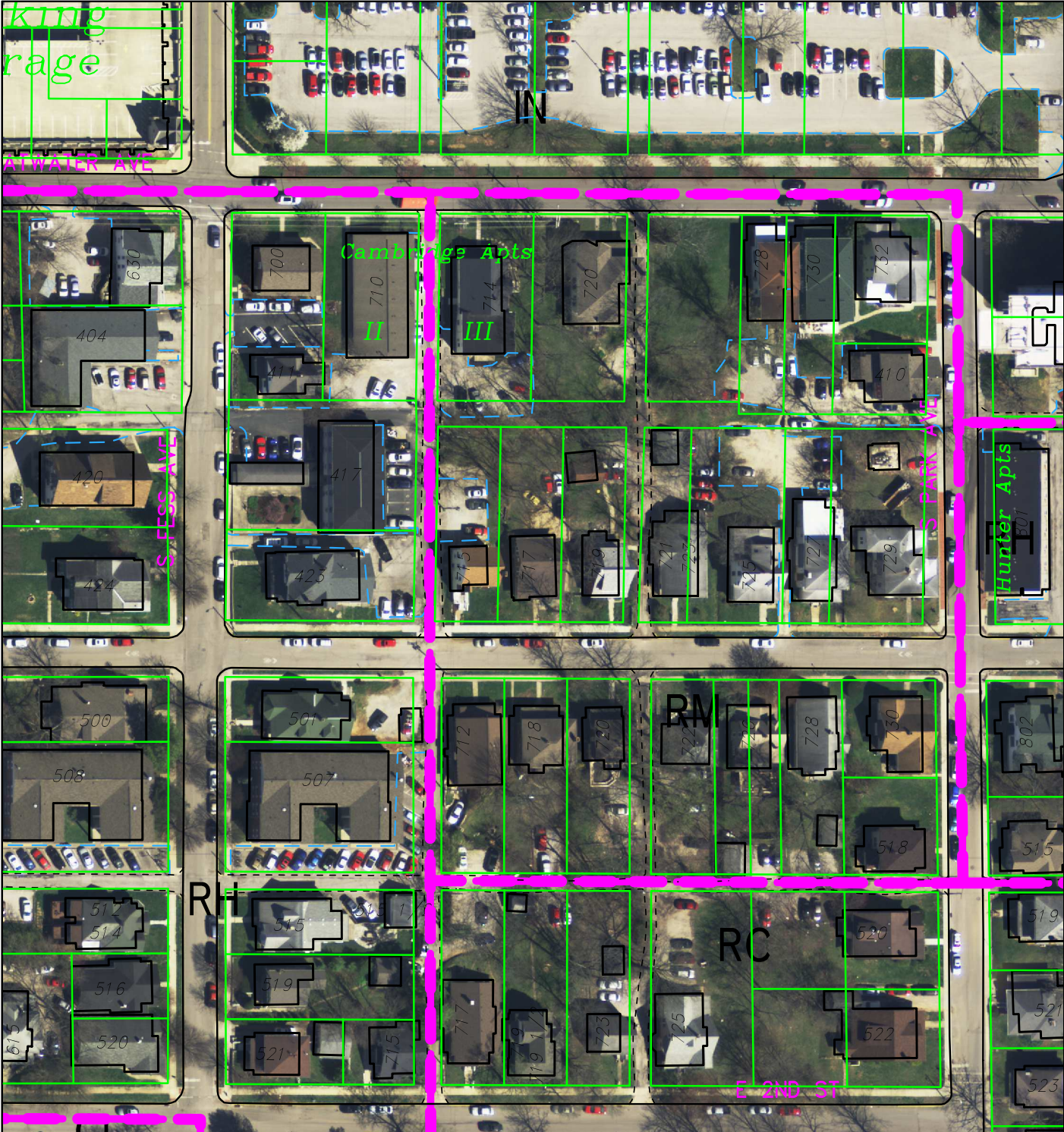


For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation

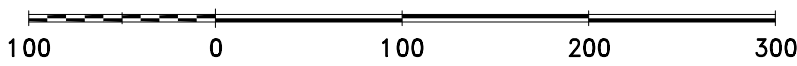


Scale: 1" = 200'



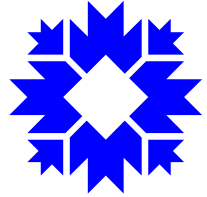
V-13-19 Paul Landon Ferree  
 717 E Hunter Ave.  
 Hearing Officer  
 2016 Aerial Photograph

By: robling  
 17 Apr 19



For reference only; map information NOT warranted.

City of Bloomington  
 Planning & Transportation



Scale: 1" = 100'



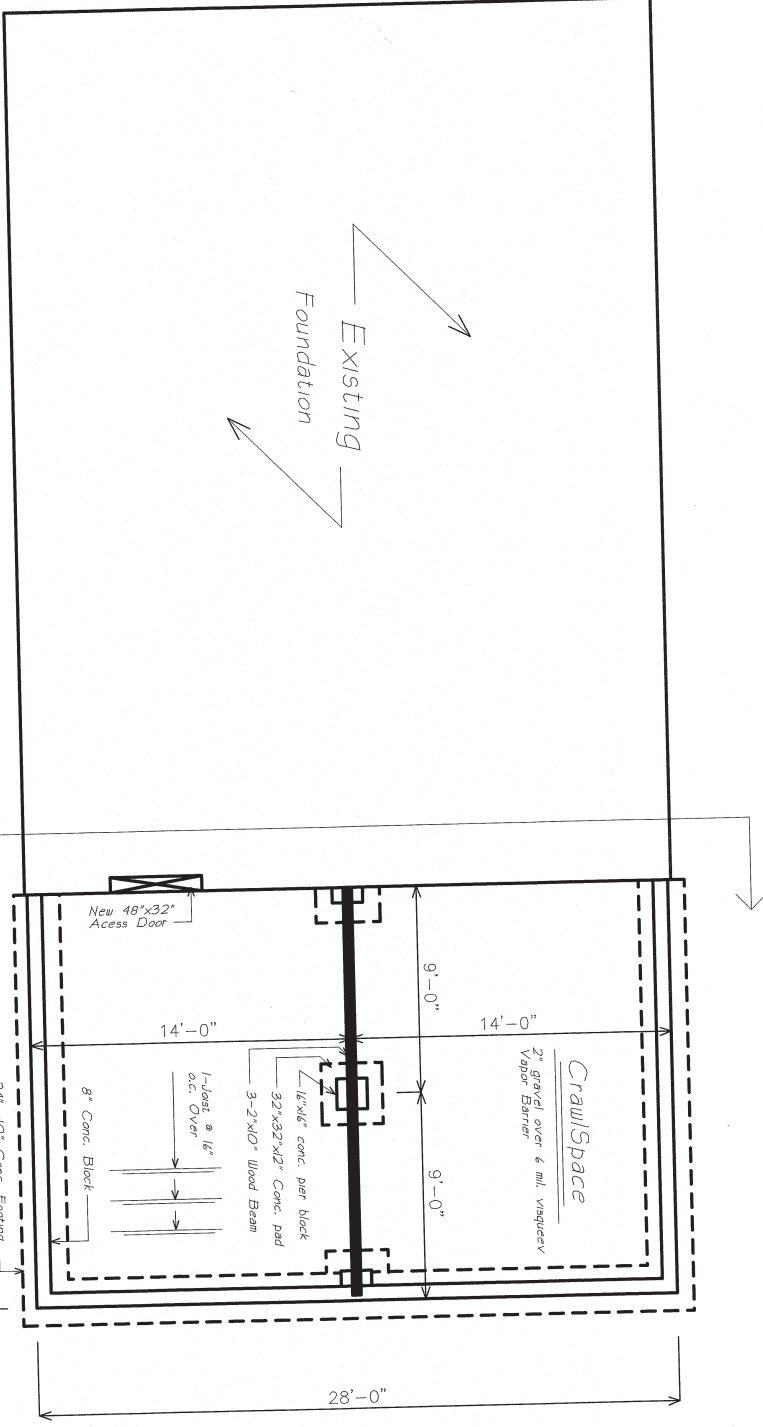
**Landon Ferree Construction LLC**  
**5464 W. Woodland Rd. Ellettsville, IN 47429**  
**Office- 812-876-8966 Landon F- 812-325-1735**

04/08/2019

Re: Chun- Fang Bettina Hahn  
717 Hunter Ave  
Bloomington, IN

To Whom It May Concern:

The current property location will be turned from a 3 bedroom 1 bathroom house/ rental to a 5 bedroom 2 bathroom house/ rental. The owner has a permit for a 5 bedroom house/ rental for this location. There will parking behind the house/ rental as well as on the street out front. The addition to this house/ rental will help property values adjacent to new addition.



New Proposed Room addition  
 Foundation

Existing  
 Foundation

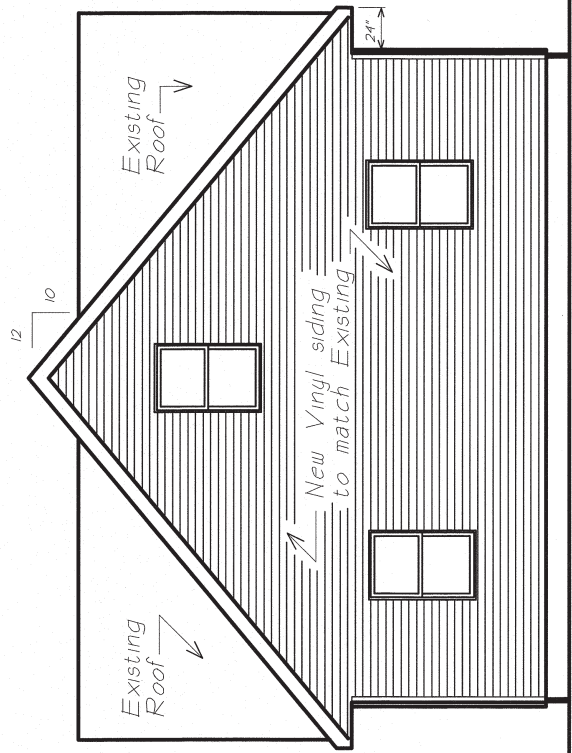
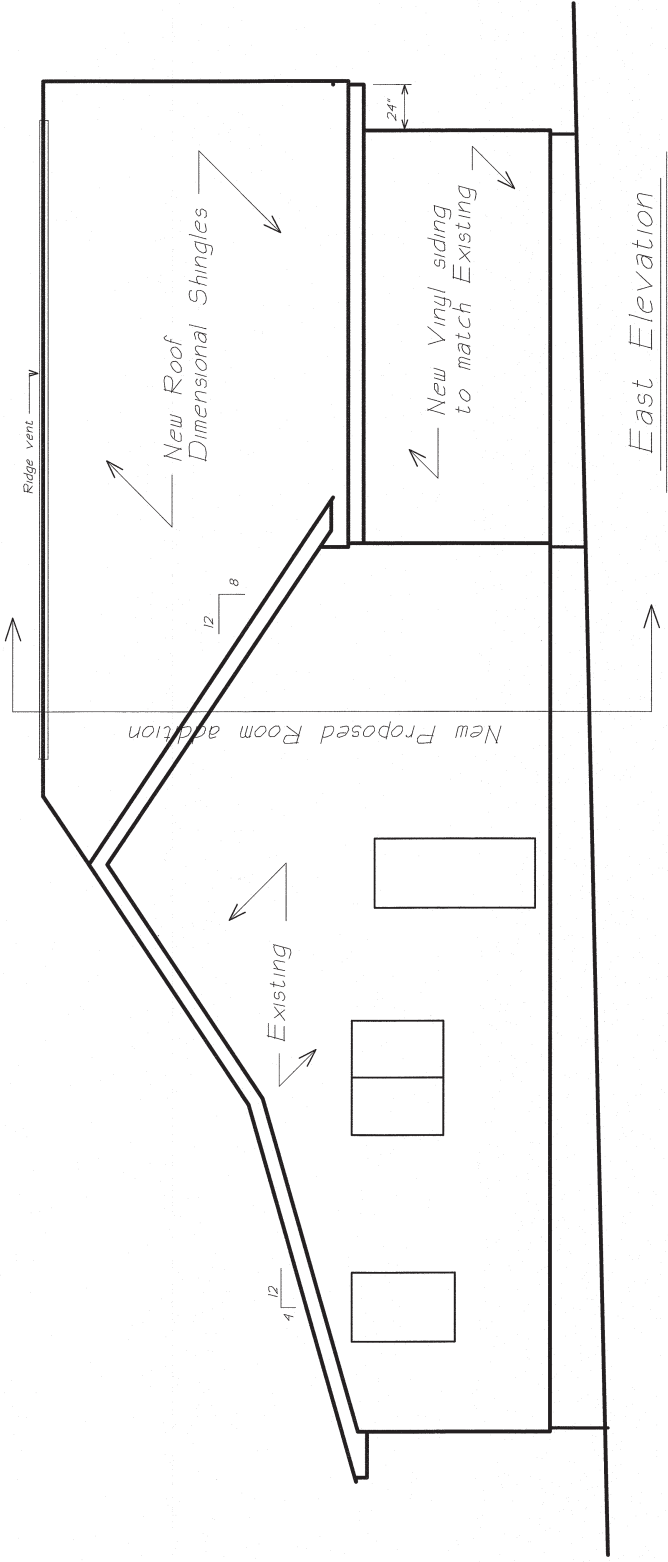
Distinctive Difference Design

Chun-Fang Bettina Hahn		812-219-2241	
Foundation Plan		Scale:	1/4"=1'-0"
Bloomington Ind.		Drawn by:	Tim Ferrer
Date:	Feb.-2019	Drawing #	

1/4" = 1'-0"  
 FEB 2 2019  
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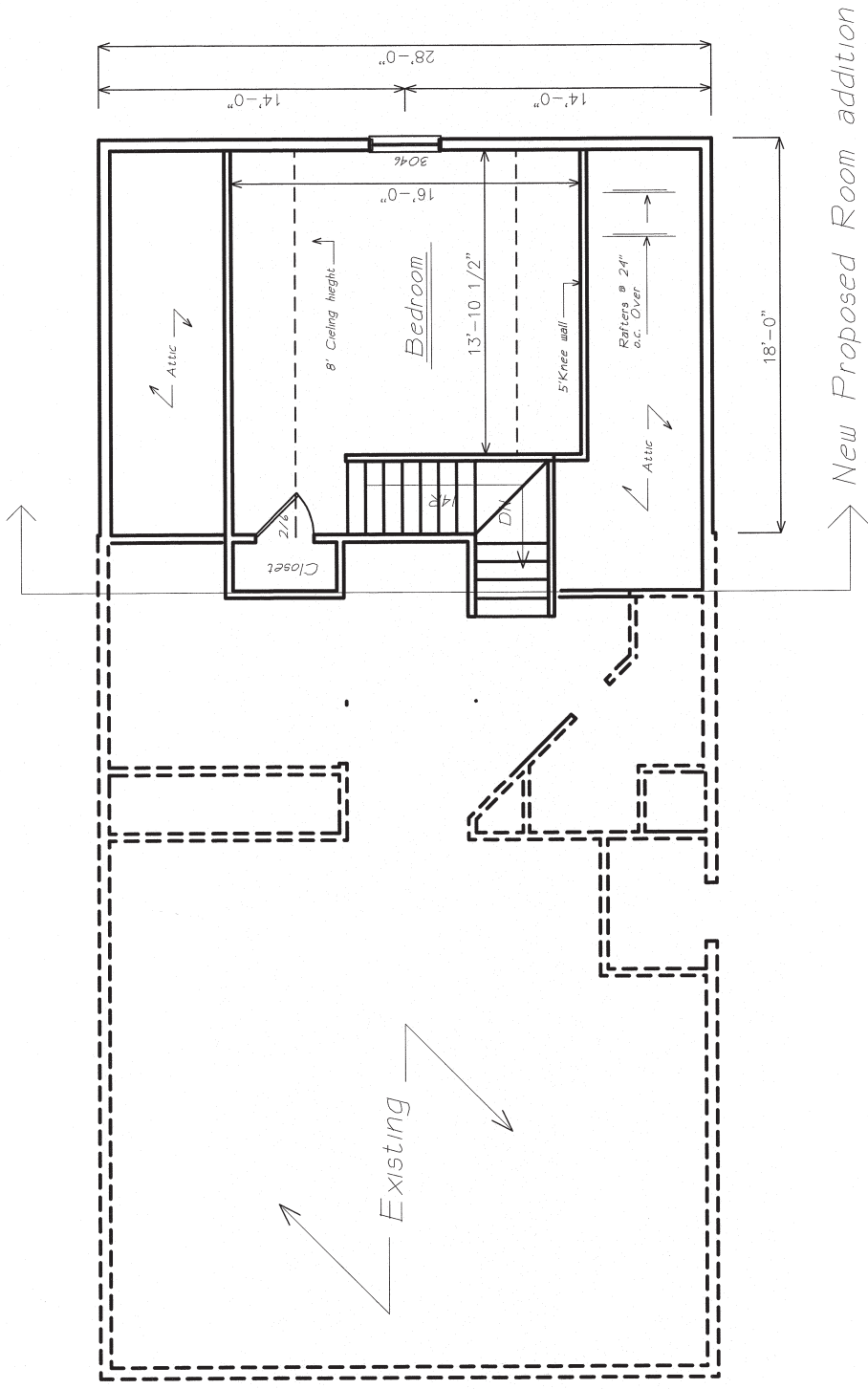




Chun-Fang Bettina Hahn		8/2-2/19-224/	
Elevations	Scale: 1/4"=1'-0"	Drawn by: Tim Ferree	
Bloomington Ind.		Date: Feb.-20/19	
		Drawing #	

← Distinctive Difference Design →





Chun-Fang Bettina Hahn 812-219-2241

2nd floor Plan Scale: 1/4"=1'-0" Drawn by: Tim Ferree

Bloomington Ind.

Date: Feb.-2019

Drawing #

← Distinctive Difference Design →

RECEIVED

APR 23 2019

April 18, 2019

Hearing Officer

Planning and Transportation Office

401 N. Morton Street, suite #130

Bloomington, In, 47404

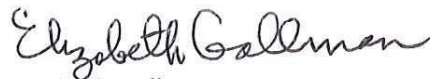
Dear Sir,

Thank you for sharing the information on the proposed variance for side building setbacks for the construction of an addition to a single family structure, namely, 717 E. Hunter Avenue, Bloomington, In. You said that the current requirements for set backs of 10 feet do not allow enough space for the proposed renovation, or a meaningful renovation to this property. You mentioned that these requirements were for much larger commercial buildings anticipated by the City.

I went by the property and noticed a very attractive small house on a modest lot with a gravel driveway and parking in the rear which took up some of the back yard. I am unable to determine whether the easement for the electrical lines at the back of the property is on this yard, but that might be considered. I do know that this neighborhood has a unique and historic quality that is not enhanced by overbuilding the yards and possibly bringing more parking down on the already crowded streets. I would prefer that the City uphold the building requirements it has established, and leave the residential characteristics of the "old" neighborhoods intact.

Thank you for your consideration of this matter.

Sincerely yours,



Elizabeth Gallman, owner

717 E. 2<sup>nd</sup> Street

Bloomington, Indiana

47401