

CITY OF BLOOMINGTON



July 18, 2019 @ 5:30 p.m.
COUNCIL CHAMBERS #115
CITY HALL

**CITY OF BLOOMINGTON
BOARD OF ZONING APPEALS
July 18, 2019 at 5:30 p.m.**

◆Council Chambers - Room #115

ROLL CALL

APPROVAL OF MINUTES: April 2019

REPORTS, RESOLUTIONS, AND COMMUNICATIONS:

PETITIONS CONTINUED TO: August 22, 2019

- AA-18-19 **Annie Stout and Danny Weddle**
1011 W. 7th St.
Request: Administrative Appeal of the Notice of Violation (NOV) issued related to *primary structure* code interpretation.
Case Manager: Jackie Scanlan
- V-17-19 **City of Bloomington**
105/111 W. 4th St., and 222 S. Walnut St.
Request: Variances from entrance and drive standards in Section 20.05.035 in the Commercial Downtown (CD) zoning district.
Case Manager: Jackie Scanlan
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PETITIONS:

- V-20-19 **Doug Wissing**
521 W. Smith Ave.
Request: Variance from rear yard building setback standards to allow an addition to an existing residence.
Case Manager: Eric Greulich

****Next Meeting: August 22, 2019**

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.

BLOOMINGTON BOARD OF ZONING APPEALS
LOCATION: 521 W. Smith Ave.

CASE #: V-20-19
DATE: July 18, 2019

PETITIONER: Doug Wissing
 521 W. Smith Ave, Bloomington

REQUEST: The petitioner is requesting a variance from rear yard setback standards to allow a 7'x13' addition to an existing residence.

REPORT: The property is located at 521 W. Smith Avenue and is zoned Residential Core (RC). The property is 44' x 67' and is 2,948 square feet in size. Surrounding land uses include single family residences to the north, south, west and east. The property has been developed with a one-story, single family residence. The building is within the Prospect Hill Historic District. Since the addition is not visible from a public street, then a Certificate of Appropriateness is not required for the addition. A variance from minimum lot size standards was approved in 1996 under case #V-90-96 in order to allow this residence and the adjacent residences to be placed on their own lots.

The petitioner is proposing to construct a 7'x13' one-story addition on the rear (south) side of the structure for a dining room. The house is currently 27'8" from the rear property line. The proposed addition would encroach 5' into the required 25' rear yard setback. The proposed addition would meet the 6' sideyard setback.

The petitioner is requesting a variance from the required 25' rear yard setback to allow a 20' rear yard setback.

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 proposed encroachment into the rear yard setback will only effect this lot. No adjacent properties will be effected by this encroachment.

- 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. As stated previously, the encroachment will only effect this property. There are several adjacent properties that have residences that do not meet the required rear yard setback so the proposed encroachment would not be

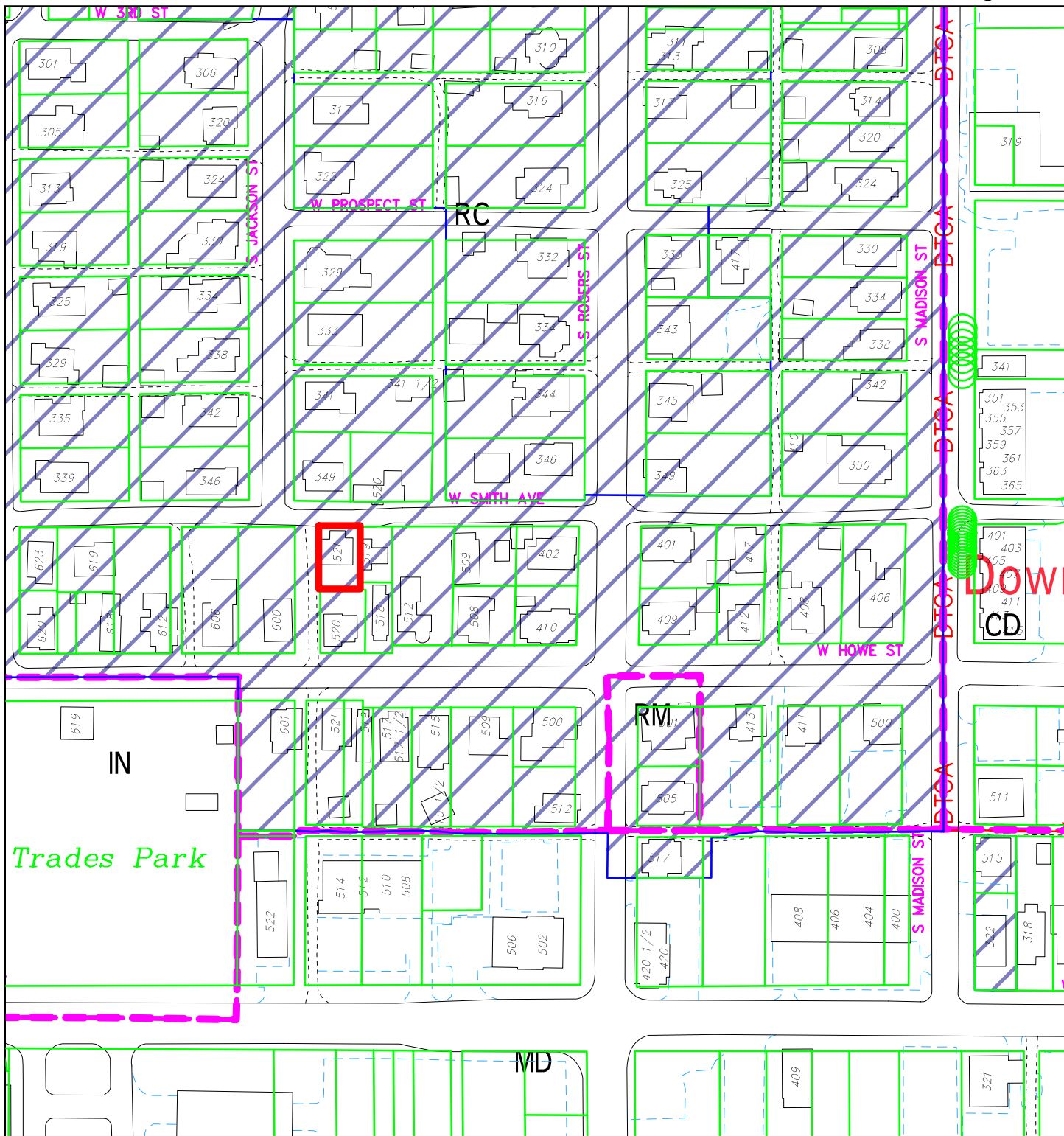
out of character with this area. The size of the existing house and minor addition are consistent in size to other residences in this area.

- 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 limits inherent in the lot size and the size of the house, the lot is 2,948 sq. ft. and the minimum lot size in this district is 7,200 sq. ft. The proposed addition is very minor in scale relative to the size of the house and the existing house size is also similar in size to the other residences in this neighborhood. Peculiar condition is found in the small size of the existing lot that is less than half of the minimum lot size of this district. The proposed encroachment is not excessive and is in keeping with the development pattern on other small lots within this area.

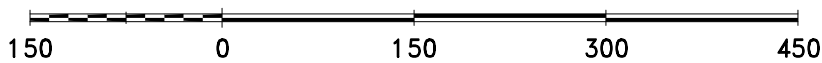
RECOMMENDATION: Based upon the written findings above, the Department recommends that the Board of Zoning Appeals adopt the proposed findings and recommends approval of V-20-19 with the following conditions:

1. The petitioners must obtain a building permit prior to construction.
2. This variance applies to the addition as proposed only. Any subsequent encroachment would require a variance.



V-20-19 Doug Wissing
 521 W Smith Ave
 Board of Zoning Appeals
 Site Location, Zoning, Parcels

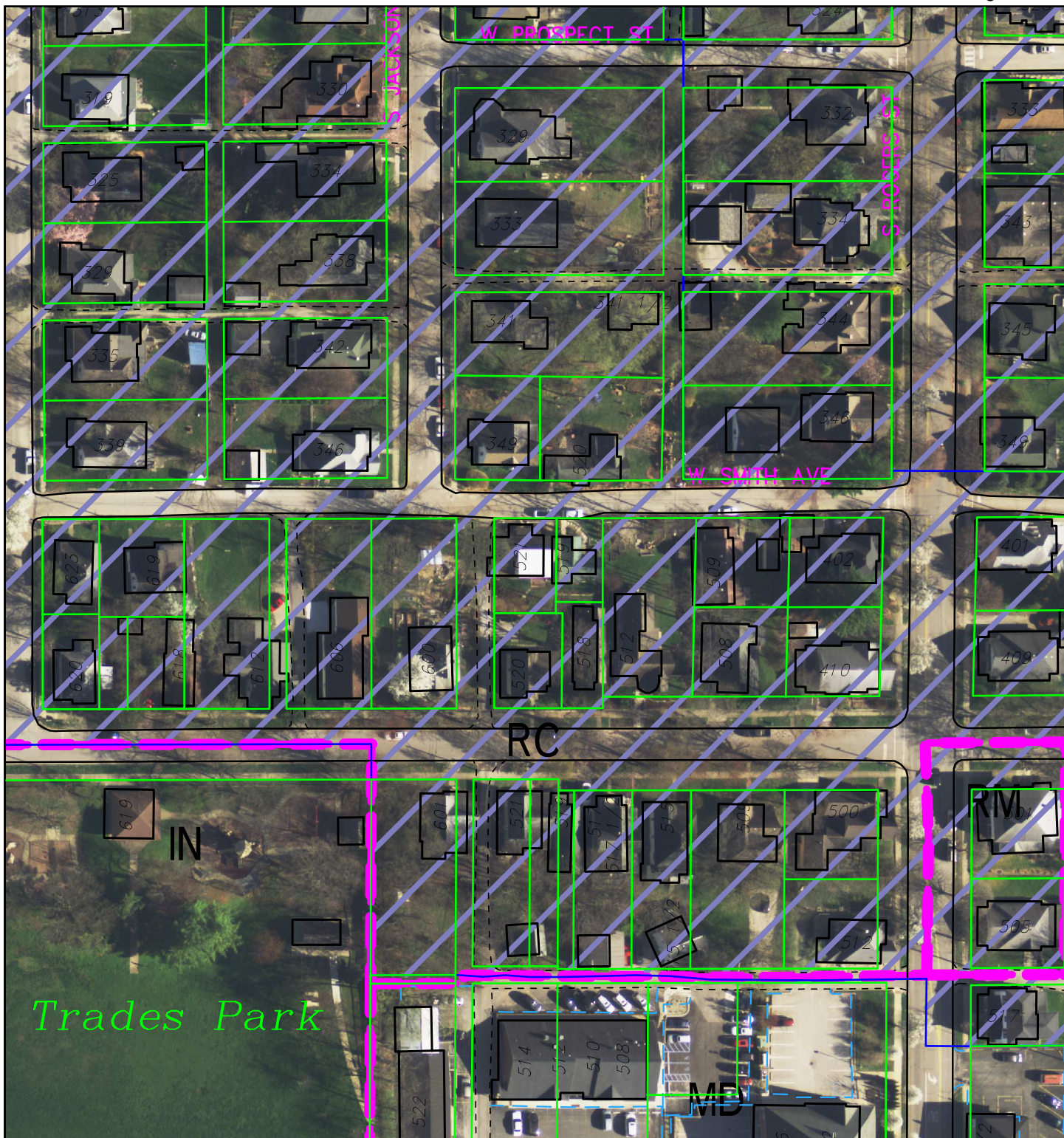
By: greulice
 12 Jul 19



City of Bloomington
 Planning & Transportation

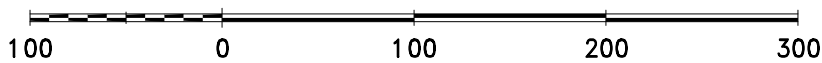
N

Scale: 1" = 150'



V-20-19 Doug Wissing
 521 W Smith Ave
 Board of Zoning Appeals
 2016 Aerial Photograph

By: greulice
 12 Jul 19



City of Bloomington
 Planning & Transportation

N

Scale: 1" = 100'

For reference only; map information NOT warranted.

Petitioner's Statement for a variance
for a dining room addition at 521 W. Smith Ave.

I am requesting a variance to add a small dining room to my circa-1880s vernacular artisan cottage at 521 W. Smith. The Rachel Wright House, a restored historic cottage, is a wonderful residence, though the lack of a dining room is a drawback. The kitchen is too small for a dining table, so friends and family have to balance plates on their laps in the living room when they come to dinner. This little 93-square-foot dining room will allow folks to sit together for a meal.

The addition will be subordinate in size to the primary structure and compatible in materials and style with the existing house. The dining room will be constructed on the rear of the house, where it is not visible from Smith Ave. The total lot size of 521 W. Smith Ave. is 2,881 square feet, and the existing house has a 1,031- square-foot footprint, so with the 93-square-foot dining room addition, the total built square footage is well within the allowable percentage.

The existing house is 27' 8" from the rear lot line, so I am requesting a rear setback variance, as the 7-foot-wide dining room addition will be closer than 25 feet to the rear lot line.

The lots between Smith Ave. and Howe St. reflect the dense urban form of Victorian-era working-class neighborhoods. Accordingly, the 521 W. Smith Ave house is approximately 27 feet from the property line, and 520 W. Howe, the adjacent house to the south, is approximately 26 feet from the property line. The strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property with this peculiar situation. The requested Development Standards Variance will relieve the practical difficulties, and permit the small dining room to be built. If permitted, the dining room will increase the livability of 521 W. Smith, and add to the value and sustainability of the surrounding area, one of Bloomington's core neighborhoods.

Thank you for your consideration. Plans and a survey are attached.



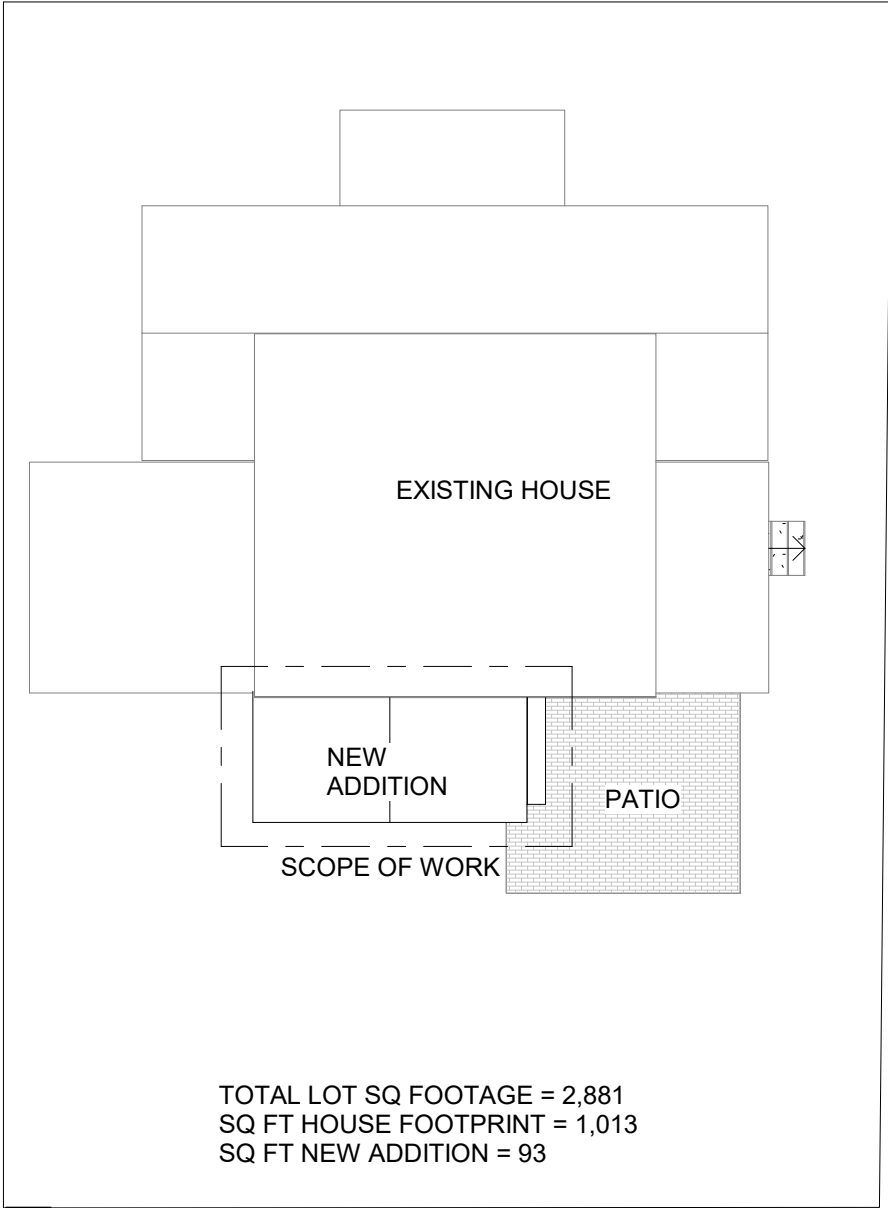
① 3D View 14

DR ADDITION

No.	Description	Date

COVER SHEET

Project number	Project Number	A0.0
Date	7.20.15	
Drawn by	Author	
Checked by	Checker	
		Scale



EXISTING HOUSE

NEW ADDITION

PATIO

SCOPE OF WORK

TOTAL LOT SQ FOOTAGE = 2,881
 SQ FT HOUSE FOOTPRINT = 1,013
 SQ FT NEW ADDITION = 93

① Site
 3/32" = 1'-0"

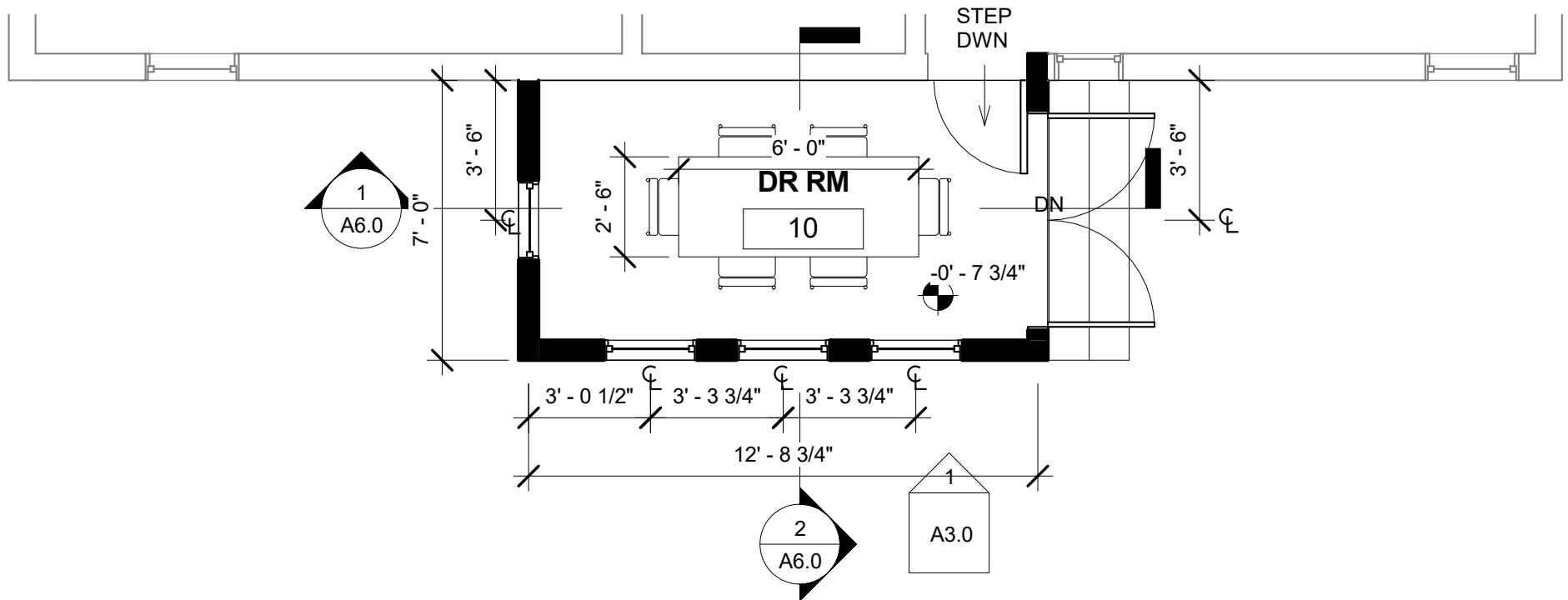
DR ADDITION

No.	Description	Date

SITE PLAN

Project number	Project Number
Date	7.20.15
Drawn by	Author
Checked by	Checker

A1.0
 Scale 3/32" = 1'-0"



① First Floor
1/4" = 1'-0"

DR ADDITION

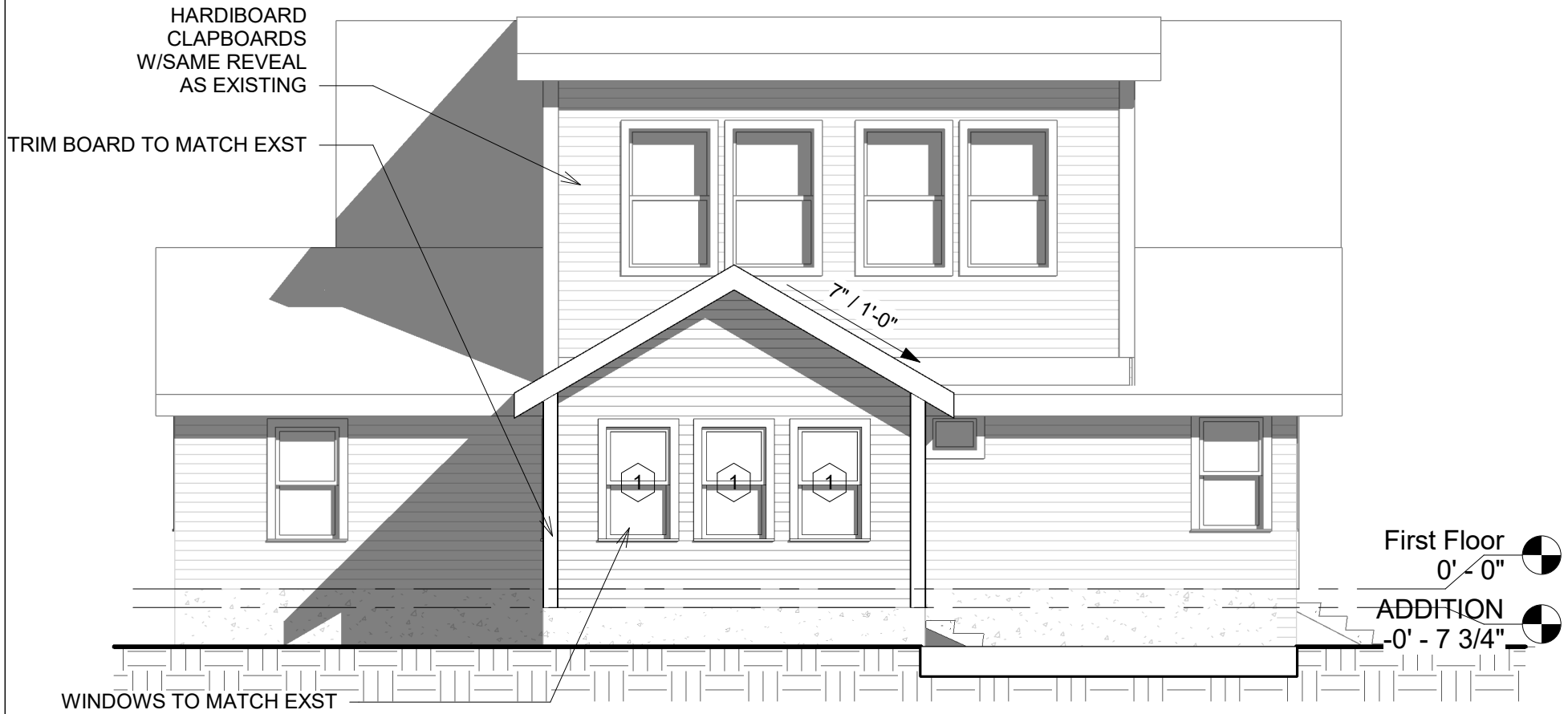
No.	Description	Date

ADDITION

Project number	Project Number
Date	7.20.15
Drawn by	Author
Checked by	Checker

A2.0

Scale 1/4" = 1'-0"



WINDOWS TO MATCH EXST

First Floor
0' - 0"

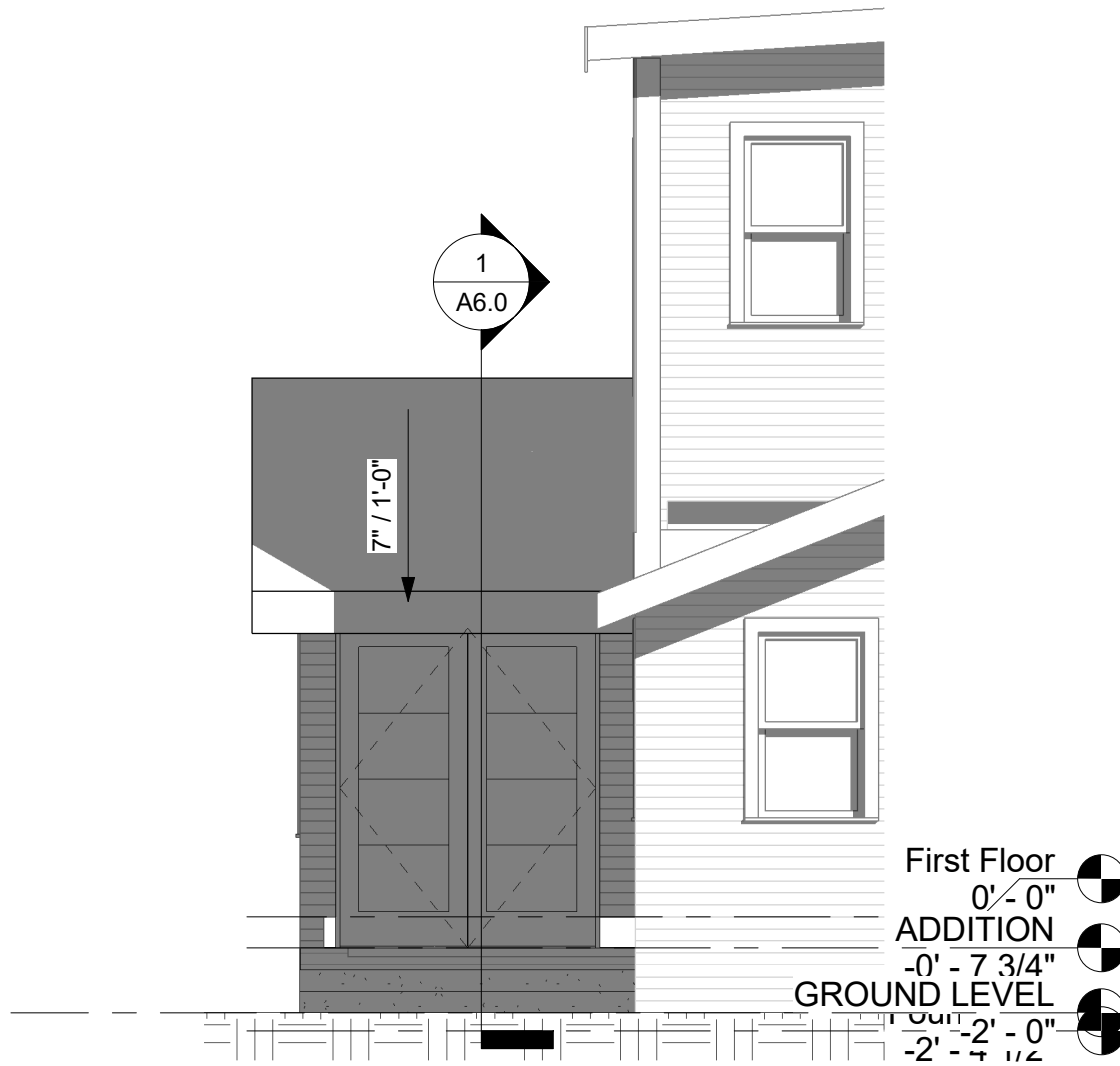
ADDITION
-0' - 7 3/4"

① Elevation 4 - a
3/16" = 1'-0"

DR ADDITION

No.	Description	Date

EXT ELEVATIONS		A3.0
Project number	Project Number	
Date	7.20.15	
Drawn by	Author	
Checked by	Checker	Scale 3/16" = 1'-0"



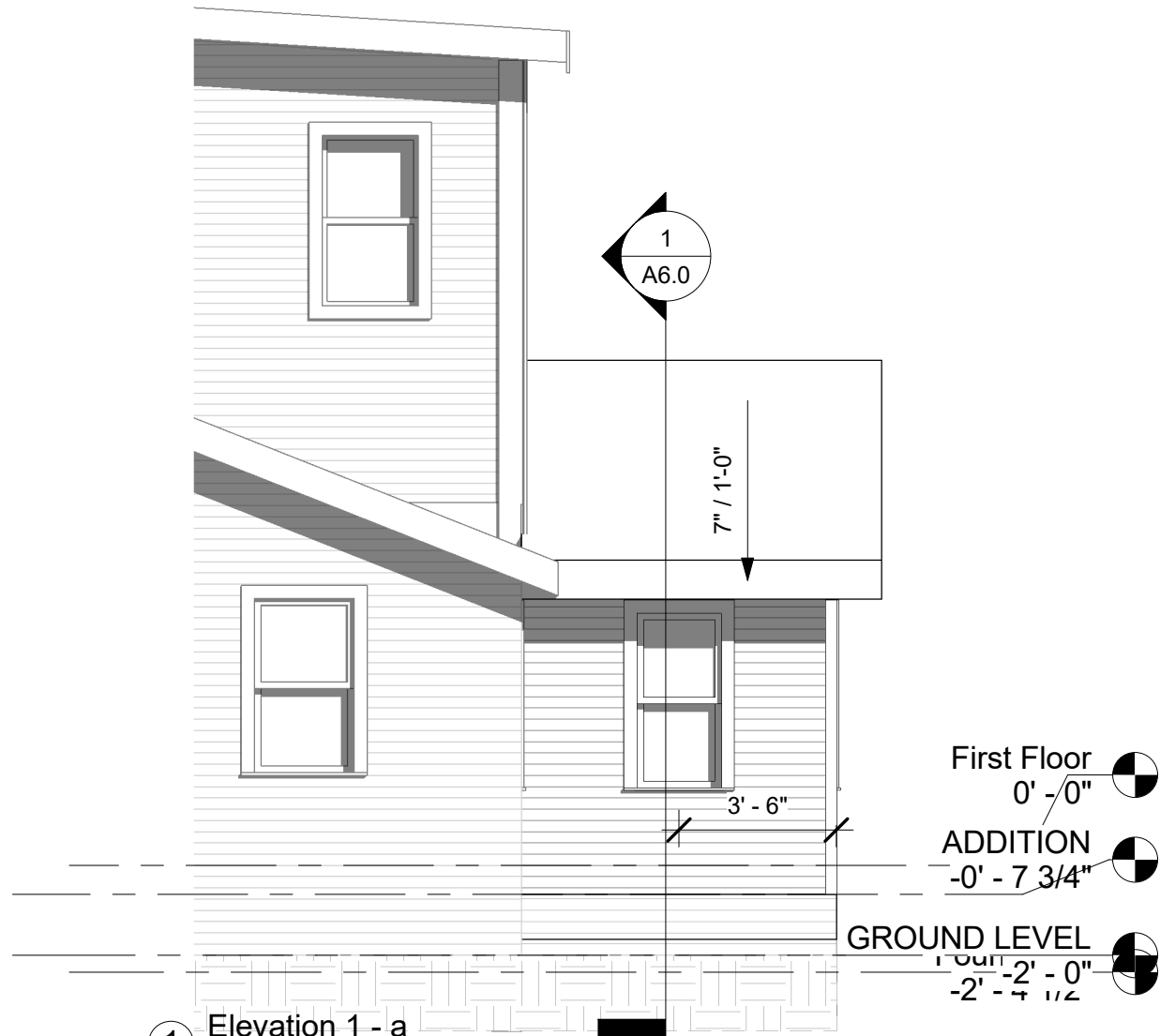
① Elevation 3 - a
1/4" = 1'-0"

DR ADDITION

No.	Description	Date

EXT ELEVATIONS

Project number	Project Number	A3.1
Date	7.20.15	
Drawn by	Author	
Checked by	Checker	
		Scale 1/4" = 1'-0"

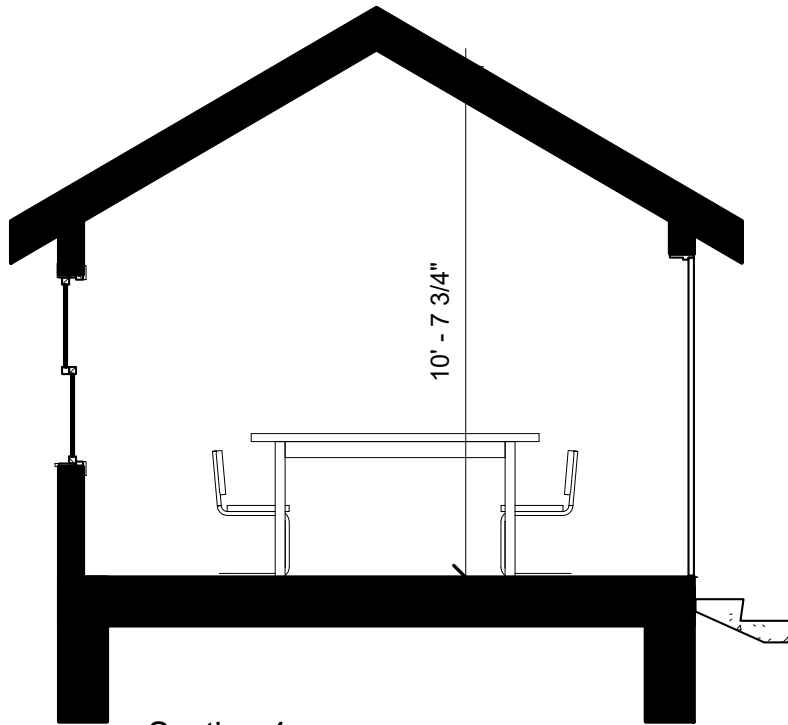


① Elevation 1 - a
1/4" = 1'-0"

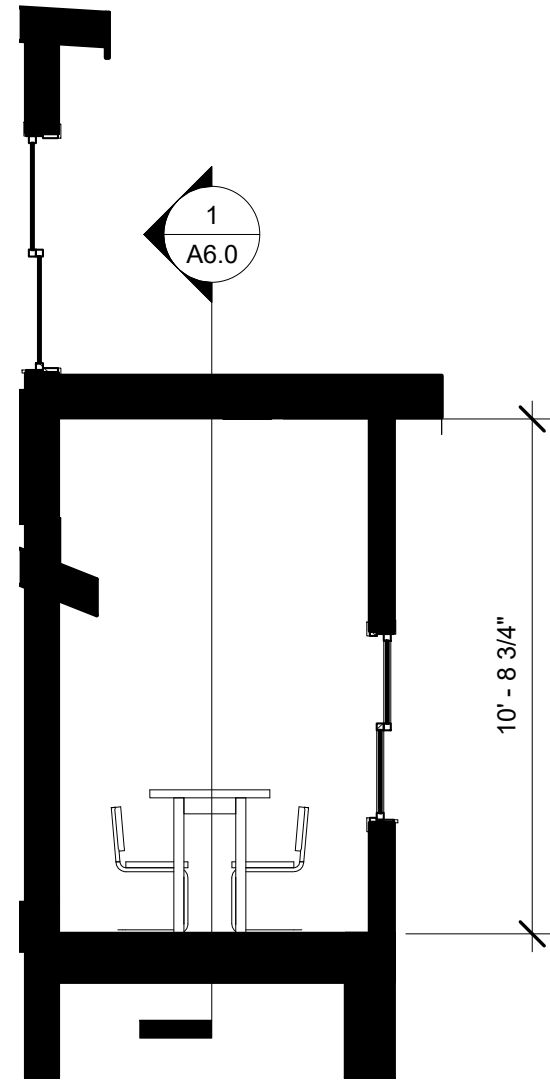
DR ADDITION

No.	Description	Date

EXT ELEVATIONS		A3.2
Project number	Project Number	
Date	7.20.15	
Drawn by	Author	
Checked by	Checker	
Scale 1/4" = 1'-0"		



① Section 4
1/4" = 1'-0"



② Section 5
1/4" = 1'-0"

DR ADDITION

No.	Description	Date

SECTIONS

Project number	Project Number	A6.0
Date	7.20.15	
Drawn by	Author	
Checked by	Checker	
		Scale 1/4" = 1'-0"