

CITY OF BLOOMINGTON



September 4, 2019 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

CITY OF BLOOMINGTON
HEARING OFFICER
September 4, 2019 at 2:00 p.m.

*Kelly Conference Room #155

PETITIONS:

V-32-19

Jim Champion

1036 W. 6th St.

Request: Variance from front yard setback standards to construct a detached garage/carport.

Case Manager: Ryan Robling

****Next Meeting: September 18, 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 HEARING OFFICER**CASE #: V-32-19****LOCATION: 1036 W. 6th St.****DATE: September 4, 2019****PETITIONER:** James Champion & Carey Beam Champion
1036 W. 6th St.

REQUEST: The petitioners are requesting a variance from front setbacks to construct a detached garage and carport.

REPORT: 1036 W. 6th St. is a 6,969 square foot property which has been developed with a single-family residence, attached deck, and a 120 square foot accessory structure. The property and all surrounding properties are zoned Residential Core (RC). Each of the surrounding properties have been developed with single-family residences. White Oak Cemetery is one block north on W. 7th St., and Rose Hill Cemetery is one block south on W. Kirkwood Ave. The property fronts on W. 6th St. to the south, and N. Oak to the west. The property has an existing improved alley along the north property line.

The petitioners are proposing to construct a 14'x24' (336 square feet) detached garage with an attached 10'x24' (240 square feet) carport. The detached garage/carport will be accessed from the 15 foot platted alley improved with roughly 13 feet of gravel to the north of the property. The proposed structure will be located on the northern portion of the property. The proposed location will be 14 feet from the north and east property lines, and will be in line with the primary structure's west façade which faces N. Oak St. Because the proposed location of the new detached garage/carport will utilize the primary structure's setback, the detached garage/carport will encroach 10 feet into the required front yard setback.

The Unified Development Ordinance (UDO) considers all property lines which abut and run parallel to a street to be front lot lines. The property's south and west property lines run parallel to streets and are therefore considered front lot lines, while the north and east property lines are considered side lot lines. The UDO requires detached garages and carports to be located at least 10 feet behind the primary structure's front façade and 5 feet from side property lines. The UDO requires that parking on properties within the RC district with access to an improved alley be accessed from the alley.

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 the construction of a detached garage/carport, which is a common accessory use in the RC district. The proposed garage will utilize the primary structure's setback from the right-of-

way. The proposed structure will utilize similar setbacks to both the primary structure and accessory structure of the property to the north. No negative impacts have been noted from the current placement of any of the existing structures with similar setbacks from N. Oak.

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 have been found as a result of the requested variance. The parking on the property will continue to be accessed from the 13 foot improved alley to the north. The proposed structure will meet required side setbacks from adjacent properties to the north, and east.

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 lack of eligible space in which a compliant and accessible detached garage/carport could be placed. A detached garage/carport is a common accessory structure in residential districts. However, this site has constraints that make location of such a structure difficult. The property is substandard in both minimum lot size, and minimum lot width. The RC district has a minimum lot area of 7,200 square feet. The property is 231 square feet below the minimum at 6,969 square feet. The RC district has a minimum lot width of 55 feet. The property is 8¾ feet narrower than the minimum as it is 46¼ feet between the west and east property lines. The site has been developed with a single-family residence with an attached deck, as well as an accessory structure. The current location of these structures prevent the proposed structure from being placed in a location which would allow for an adequate entrance from the improved alley.

Peculiar condition is found in the limits inherent in the existing substandard lot size, which is 231 square feet below the minimum lot size, and 8¾ feet narrower than the minimum lot width. The combination of the location of current structures, the narrow alley access, and the substandard sized lot prevent the placement of a compliant and adequately accessible detached garage/carport.

RECOMMENDATION: Based on the written findings above, the Department recommends that the Hearing Office adopt the proposed findings and recommends the approval of V-32-19 with the following conditions.

1. The petitioners must obtain a building permit prior to construction.
2. This variance applies to the garage/carport as proposed only. Any subsequent encroachments would requires a variance.

White Oak Cemetery
1200 W 7th St

IN

Bennaker
930
Center
IN

W 7TH ST

W 7TH ST

N PINE ST

N OAK ST

N ELM ST

RO

Mercy Mission
217
Apostolic Faith

W 6TH ST

W 6TH ST

N PINE ST

N OAK ST

N ELM ST

Kirkwood
Village
6-13
14-21

CL

CL

W KIRKWOOD AVE

W KIRKWOOD AVE

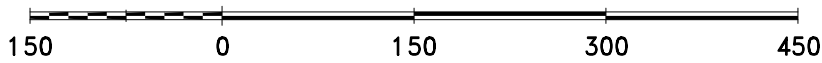
N ELM ST

M ST

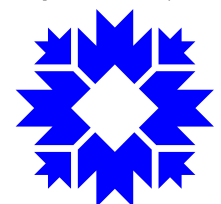
IN

V-32-19 Champion
1036 W. 6th St.
Hearing Officer
Site Location, Zoning, Parcels

By: roblingr
27 Aug 19

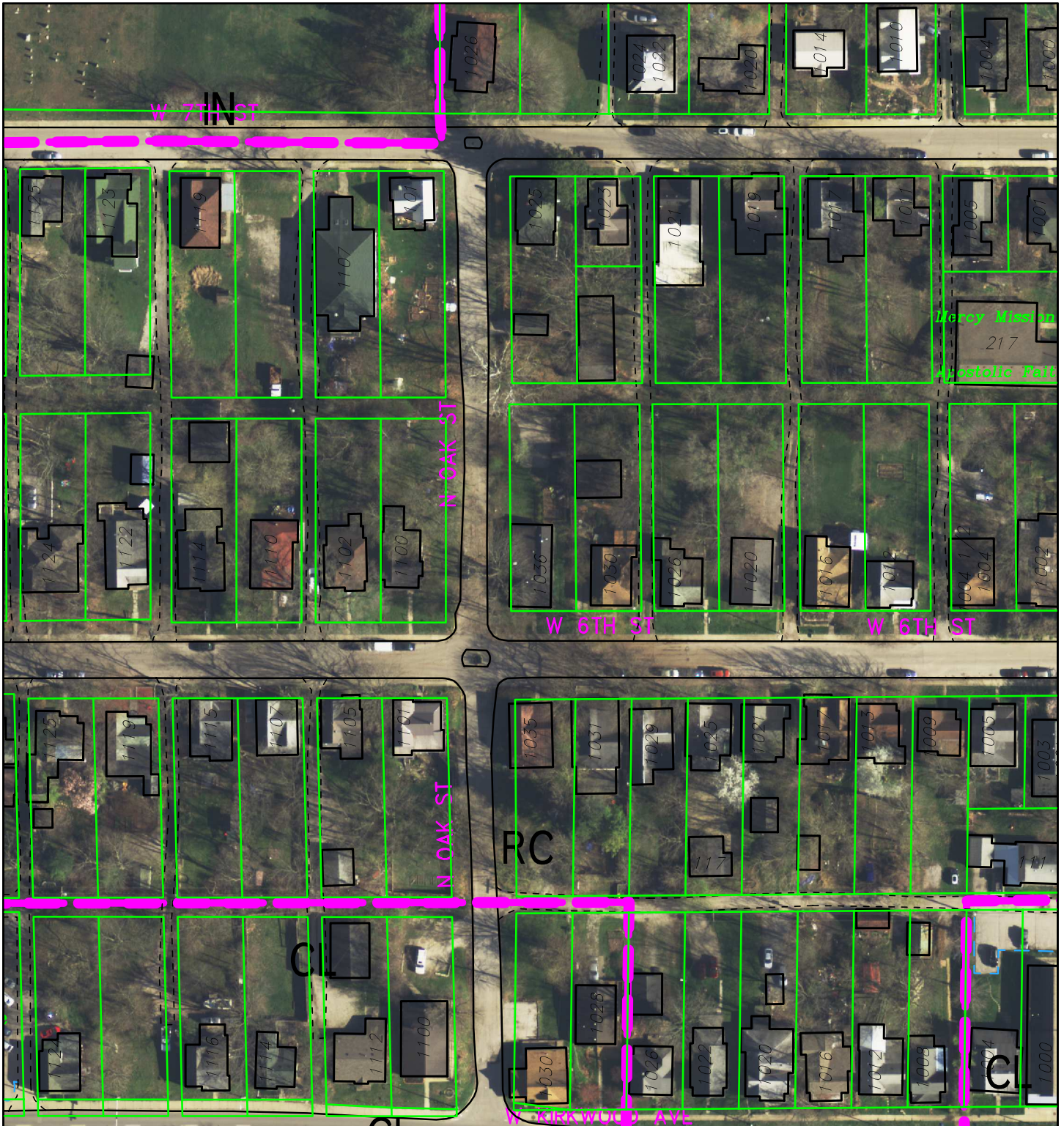


City of Bloomington
Planning & Transportation



Scale: 1" = 150'

For reference only; map information NOT warranted.



Merry Mission
217
Apostolic Faith

V-32-19 Champion

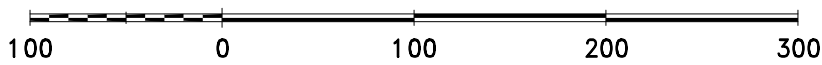
1036 W. 6th St.

Hearing Officer

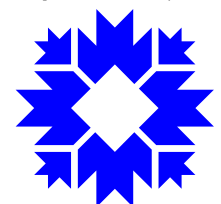
2016 Aerial

By: roblingr

27 Aug 19



City of Bloomington
Planning & Transportation



Scale: 1" = 100'

For reference only; map information NOT warranted.

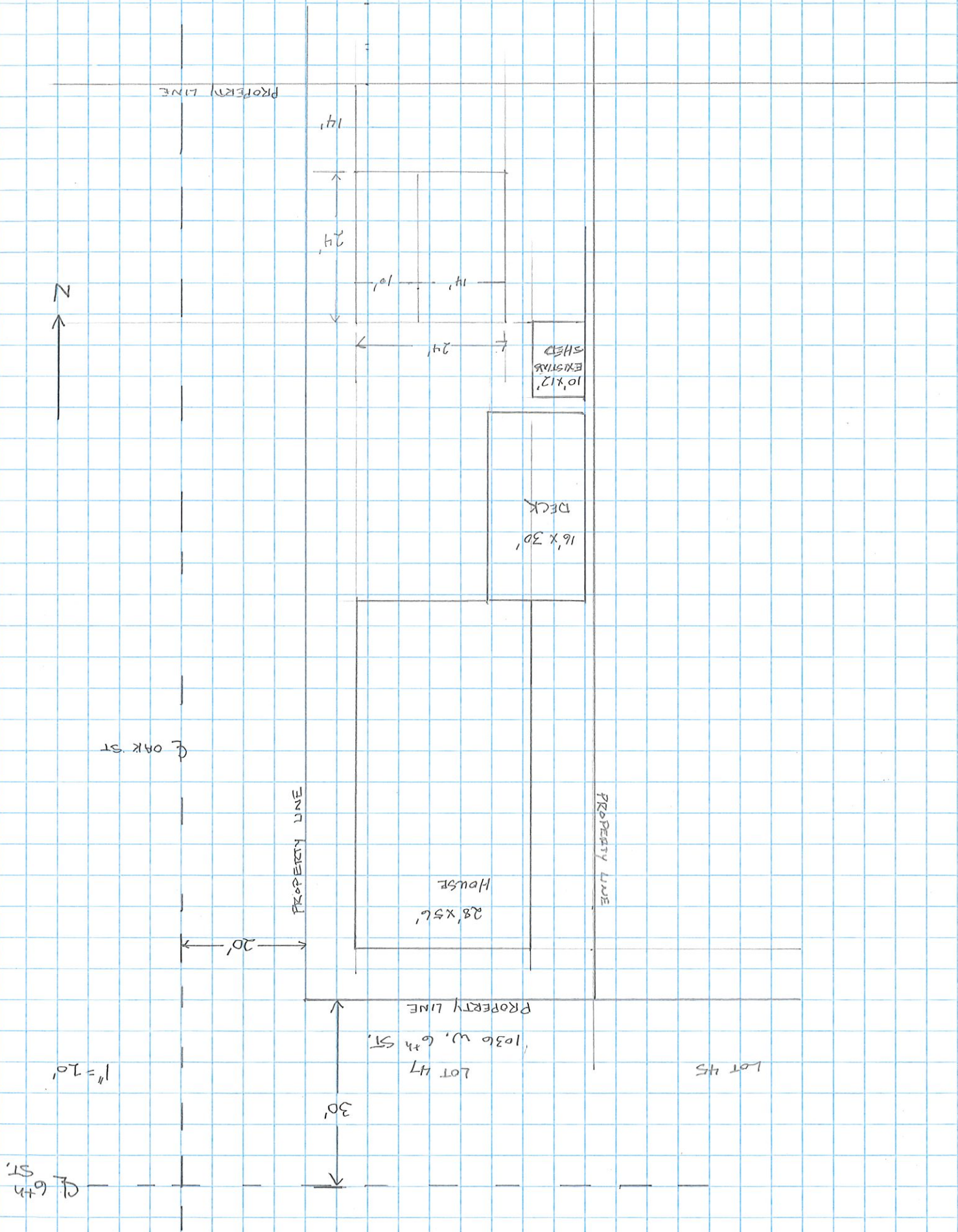
August 7, 2019

Hearing Officer
Board of Zoning Appeals

My wife and I are requesting a variance concerning new construction of a detached garage at 1036 W. 6th Street, 47404. Sitting on a corner lot, the house has two street facing facades – 6th Street and Oak Street. The planned detached structure consists of a 14' X 24' single car garage and a 10' X 24' carport. Initially, the approved site plan, permit #20190776, shows the building located behind the required 10' setback from the Oak Street side of the house. However, we do not think this will provide enough turning radius for our vehicles to enter the garage from the alley.

Sincerely,

Jim Champion



Continuation of

Fuller and Malton's Addition to City of Bloomington
being a

Sub. Div. of N. Pr. of N. Outlot 11.

