CITY OF BLOOMINGTON

HEARING OFFICER

March 22, 2017 @ 2:00 p.m.
CITY HALL -
KELLY CONFERENCE ROOM #155

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HEARING OFFICER
March 22, 2017 at 2:00 p.m. ***Kelly Conference Room #155**

PETITIONS:

- V-07-17 **Habitat for Humanity of Monroe County**
  520 W. Duncan Dr.
  Request: Variance from front yard building setback standards for a covered porch.
  Case Manager: Amelia Lewis

******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-07-17**
STAFF REPORT DATE: **March 22, 2017**
LOCATION: 520 W Duncan Dr.

PETITIONER: **Habitat for Humanity**
213 E Kirkwood Ave., Bloomington

REQUEST: The petitioner is requesting a variance from the front yard building setback standards for a covered porch.

SUMMARY: The property is located on the north side of W. Duncan Drive. It is currently a vacant lot zoned Residential Single Family (RS). The surrounding area is primarily residential with other single-family homes, also zoned RS. To the east across S. Rogers Street there are lots zoned Commercial Limited (CL) and Industrial General (IG).

The petitioner proposes to build an approximate 1500 square foot single family home with a 144 square foot covered porch addition to the front of the home along W. Duncan Drive.

The UDO requires that the minimum front yard setback be determined by the block face average setback of the existing homes on the same block or 15 feet from the right of way, whichever is more. Along this block the block face average setback is 25 feet. The proposed porch will be setback 21 feet from the edge of right away along West Duncan Drive. The petitioner is requesting a variance from the front yard building setback standards for a front porch addition, to encroach 4 feet into the setback.

This property is designated Urban Residential in the GPP. The Plan describes these neighborhoods as established and stable residential environments. The vast majority of these areas are fully developed or expected to be developed in a relatively short timeframe. New infill development in Urban Residential should “should be consistent and compatible with preexisting developments.” The development proposed is similar to existing development in the neighborhood, with single story homes and front porches.

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.*

STAFF FINDING: Staff finds no injury to the general welfare. The proposed porch maintains 21 feet from the sidewalk and does not encroach on any pedestrian walk ways.

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.*

STAFF FINDING: Staff finds no negative impact on the use and value of adjacent properties. This would be the third developed lot along the north side of the street, with three vacant lots remaining. The street is primarily composed of single story, single family homes similar to the one proposed by the petitioner. The houses to the east and west both have porches. The proposed porch would complement the existing development along the street and would not negatively impact the 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.*

STAFF FINDING: Strict application of the terms of the Unified Development Ordinance would not allow for the porch. Staff finds peculiar condition in that the lot is greater in width than depth and the setback is only determined by two existing structures, as half of the lots are undeveloped. If none were developed it could be as close as 15 feet. In other portions of the RS districts the front setback is 15 feet, whereas along this street it is 25 feet. The regulation was created in order to maintain the character and form of existing neighborhoods. While the proposed porch does extend into the front yard setback, it is not out of character with the neighborhood. Six of 8 houses on the south side of the street have setbacks that are less than 21 feet. Practical difficulty is found in the combination of the setback required along this street, and the structure's location on the lot as it maintains the required rear yard setback. Without a variance the porch would not be allowed.

RECOMMENDATION: Based upon the written findings above, staff recommends approval of V-07-17 with the following condition(s):

1. The variance only applies to the porch addition as shown in the submitted site plans.
2. The porch shall remain a functioning porch and shall not be converted to additional living space.

6 March 2017

Amelia Lewis, Zoning and Long Range Planner
Planning and Transportation Department
City of Bloomington
401 N Morton St.
Bloomington, IN 47402

Re: Variance Request for Front Setback at 520 W Duncan Dr.

Dear Ms. Lewis:

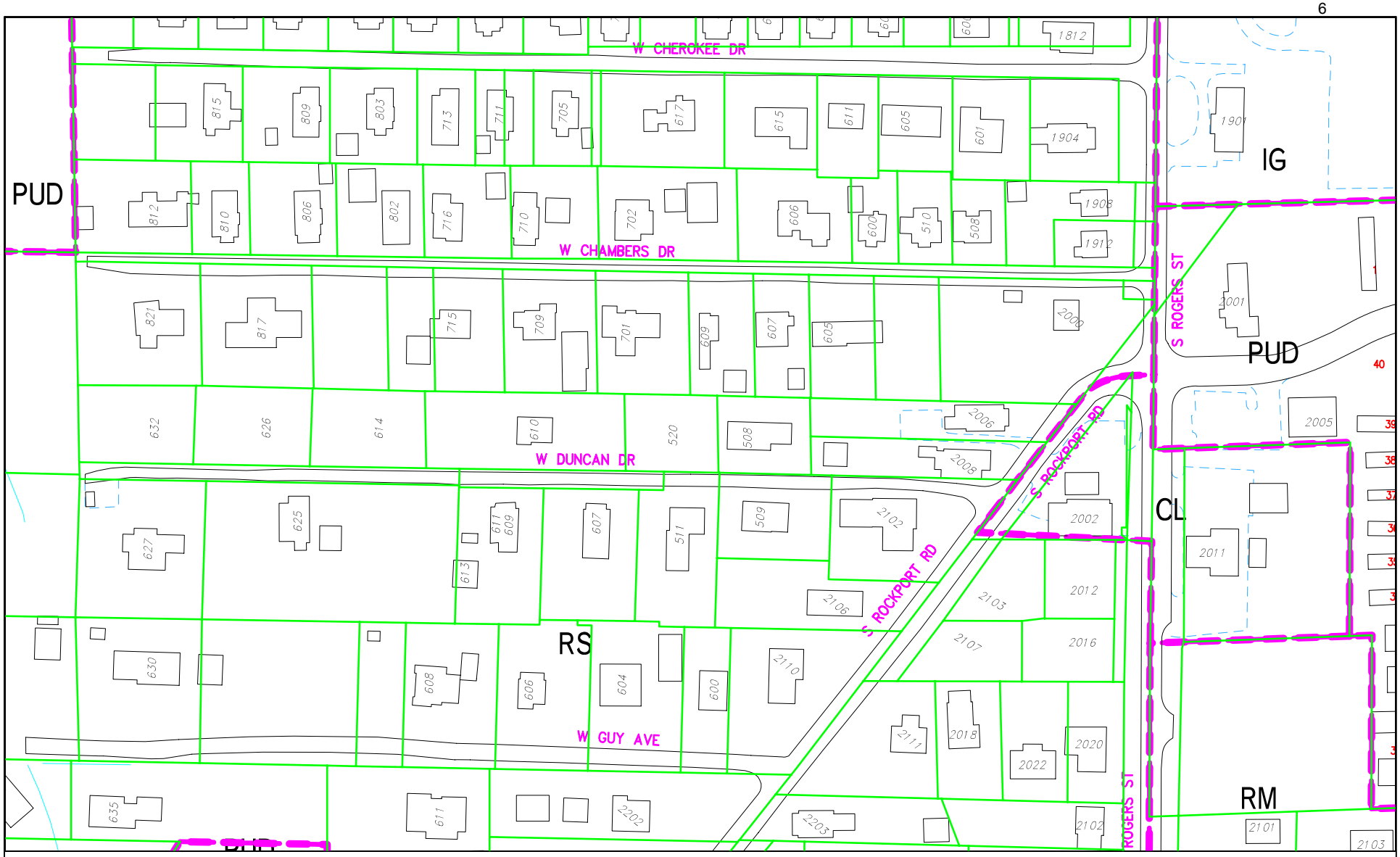
Habitat for Humanity of Monroe County would like to request a variance from the front yard building setback standards for a covered porch for our project at 520 W. Duncan Dr. (Monroe County Building Department Permit #2017-0177).

We are requesting that the block face of the foundation of the covered front porch be allowed to be setback twenty-one feet (21') from the front property line which is located at the edge of the street.

Thank you for your consideration in this matter.

Sincerely,

Michael Noriega
Construction Director
Habitat for Humanity of Monroe County



By: lewisa
17 Mar 17

150 0 150 300 450 600

For reference only; map information NOT warranted.

N

City of Bloomington
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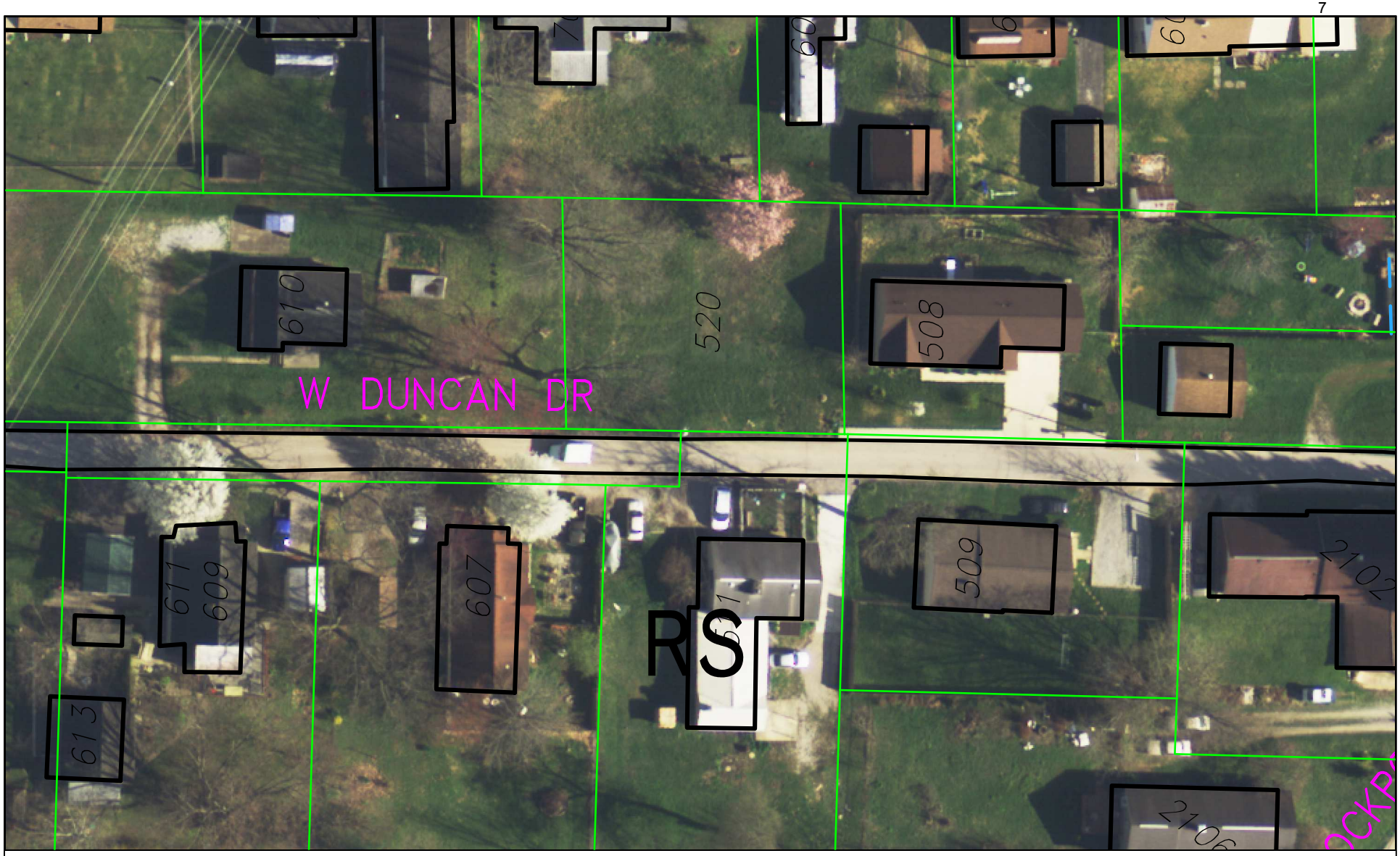
Scale: 1" = 150'



By: lewisa
17 Mar 17

50 0 50 100 150 200

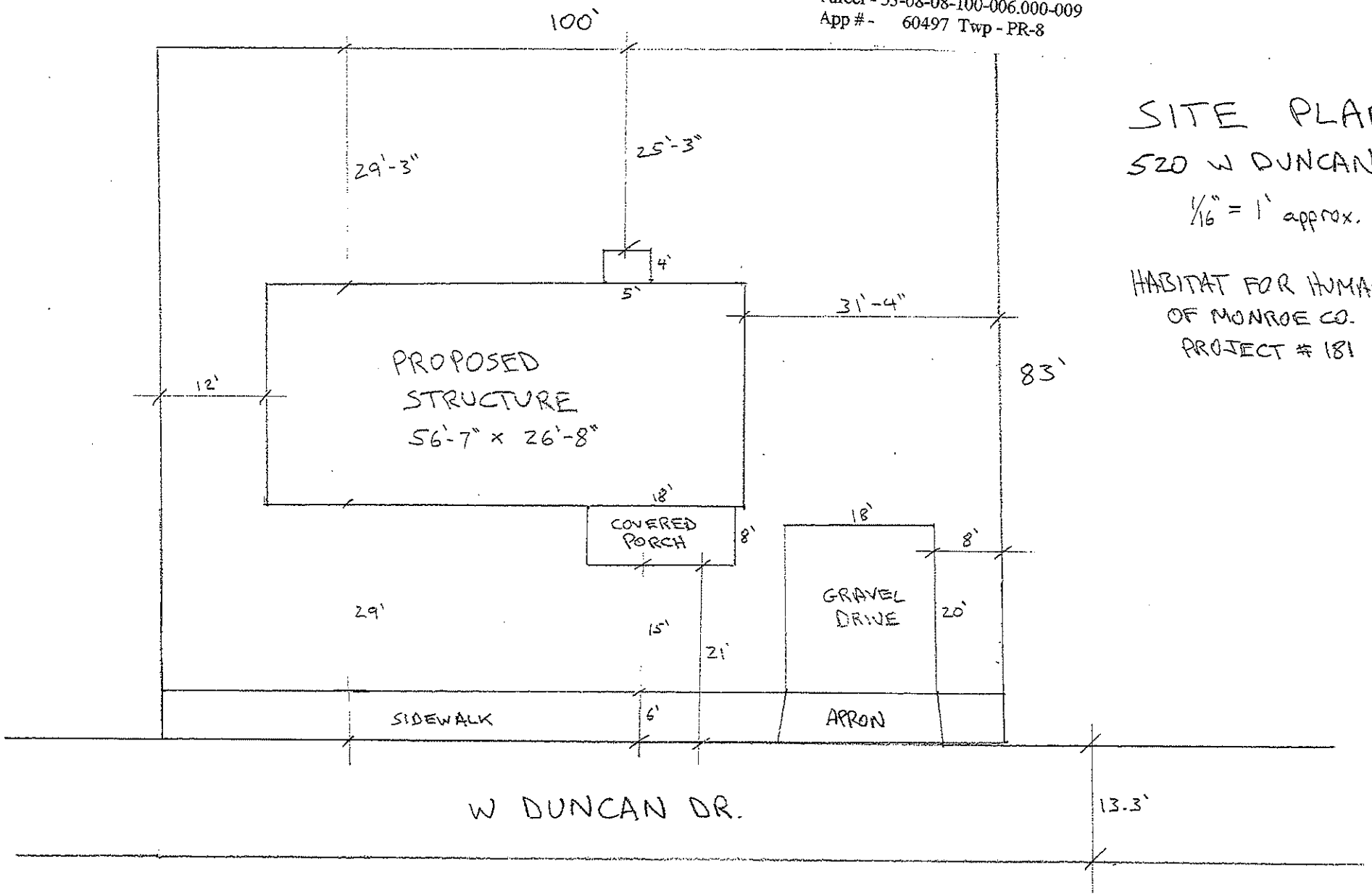
For reference only; map information NOT warranted.

N

City of Bloomington
Planning & Transportation

Scale: 1" = 50'

HABITAT FOR HUMANITY
Project - HABITAT-SFR-520
Address - 520 DUNCAN DR W
Parcel - 53-08-08-100-006.000-009
App # - 60497 Twp - PR-8



SITE PLAN
520 W DUNCAN DR.
1/16" = 1' approx.

HABITAT FOR HUMANITY
OF MONROE CO.
PROJECT # 181