

CITY OF BLOOMINGTON



January 5, 2022 @ 2:00 p.m.

<https://bloomington.zoom.us/j/88609798307?pwd=dmFIOFU4ZVNhVmhhcU1kT00zMk9XUT09>

Meeting ID: 886 0979 8307
Passcode: 263508

CITY OF BLOOMINGTON
HEARING OFFICER
January 5, 2022 at 2:00 p.m.

❖ **Virtual Meeting Link:**

<https://bloomington.zoom.us/j/88609798307?pwd=dmFIOFU4ZVNhVmhhcU1kT00zMk9XUT09>

Meeting ID: 886 0979 8307

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PETITIONS:

V-29-21

William Bianco

2001 E. Hillside Dr.

Request: Variance from front yard setback standards to allow the construction of an attached garage in the Residential Medium Lot (R2) zoning district.

Case Manager: Eric Greulich

****Next Meeting: January 19, 2022**

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
STAFF REPORT
LOCATION: 2001 E. Hillside Drive**

**CASE #: V-29-21
DATE: January 5, 2022**

PETITIONER: William Bianco and Regina Smyth
2001 E. Hillside Drive, Bloomington

REQUEST: The petitioner is requesting a variance from front building setback standards to allow the construction of an attached front loaded garage in the Residential Medium Lot (R2) zoning district.

REPORT: The property is located at 2001 E. Hillside Drive on Lot #08 and is zoned Residential Medium Lot (R2). All surrounding properties are also zoned Residential Medium Lot (R2). Surrounding land uses are all single family residences. The house was recently designated as a local historic structure and is going through the review process with the Historic Preservation Commission for a Certificate of Appropriateness for the proposed addition.

The property has been developed with a single residence with a front loaded garage. The petitioner is proposing to remove the existing garage and construct an addition to the house for a new bedroom and living space. The proposal will also feature a new front loaded garage. The UDO requires that front loaded garages must be set back from the property line at least 25' or equal to the setback of the primary structure, whichever is greater. The property is located at the end of a cul-de-sac and as a result the property line is wider than normal to account for the cul-de-sac. As a result of the unique property line configuration, it is difficult to construct the addition and garage and meet setback requirements.

The petitioner is requesting a variance from the front building setback standards to allow for the garage to be 21'9" from the front property line. The proposed setback will allow the garage to be in-line with the existing front building wall of the residence.

CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE

20.06.080(b)(3)(E)(i) 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 to the public health, safety, morals, and general welfare is found as a result of this petition. The location of the garage closer to the front property line is not expected to have any negative impacts.

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.*

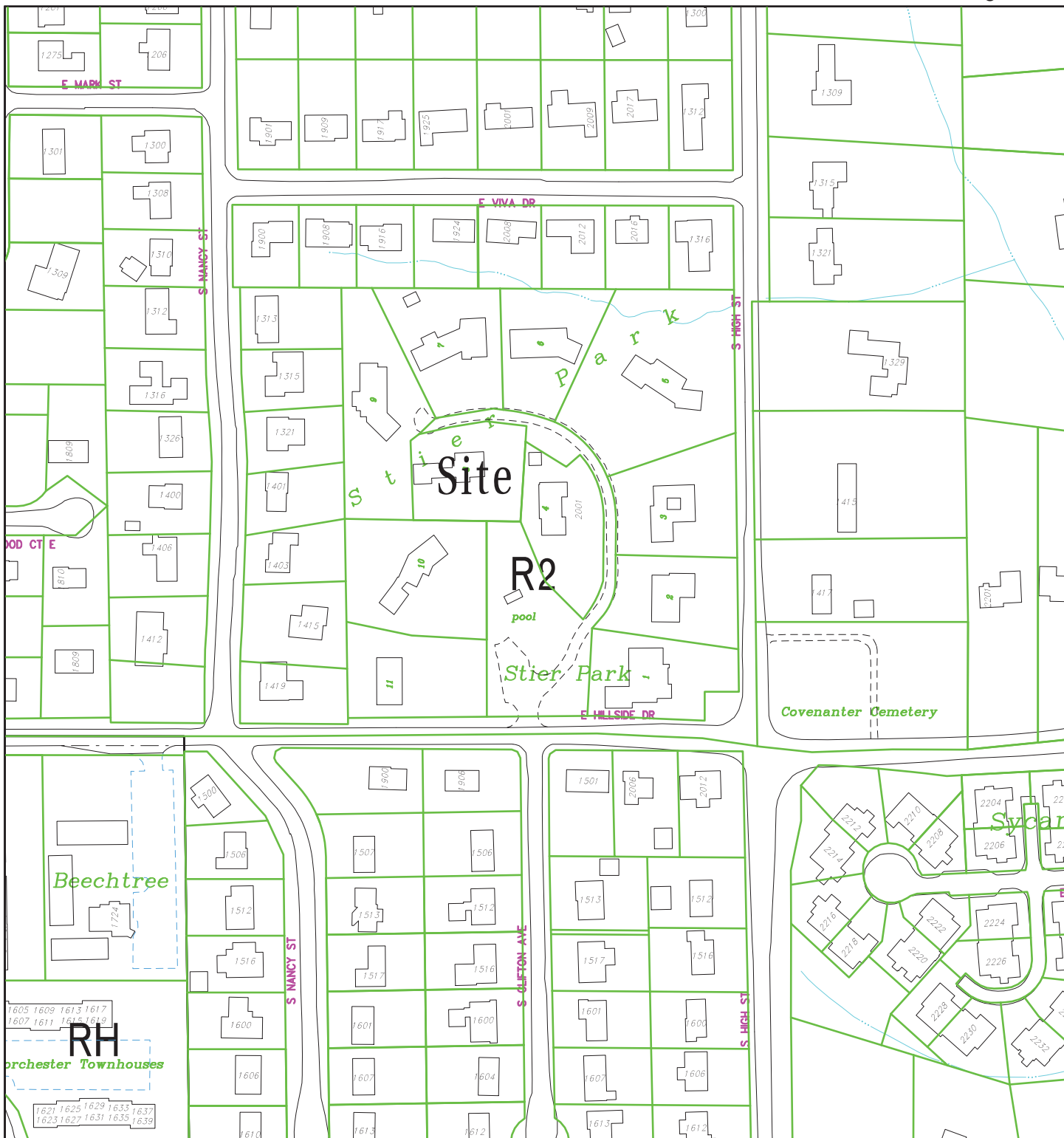
PROPOSED FINDING: No adverse effect to the use or value of the adjacent properties is found as a result of this petition. The addition will meet the required side yard setbacks. The garage will not extend closer to the road than the existing residence. A Certificate of Appropriateness will be approved to ensure the addition is compatible with the existing residence.

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 that the property line along the far west portion of the lot is unique in shape due to the location of the cul-de-sac and would require a greater setback than normal. This creates a peculiar condition on the property with the larger setback along the west side of the property and makes constructing a garage difficult. The proposed addition will not extend closer to the street than the existing residence, which was the intent of the setback standards.

RECOMMENDATION: Based upon the written findings above, the Department recommends that the Hearing Officer adopt the proposed findings and recommends approval of V-29-21 with the following conditions:

1. The petitioner must obtain a building permit prior to construction.
2. A Certificate of Appropriateness will be required prior to issuance of a building permit.
3. This variance applies to only the addition as shown and described in the application.

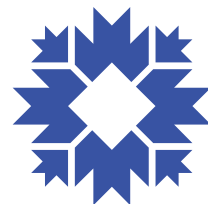


By: greulice
29 Dec 21



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 200'



By: greulice
29 Dec 21



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 100'

Variance Request
~ Petitioner's Statement ~

Faris House
2001 E Hillside Dr, Bloomington, IN 47401

We are requesting a variance from the development standards of the Unified Development Ordinance Development Use Standards. Because of the lot's irregular shape, and to preserve the design principles established by the historic property, we are requesting an allowance of about 5' for the front setback so that our proposed garage can be in line with the main dwelling, thus preserving the axes and balance established by the historic Faris house.

Our request meets all the criteria by which a variance from development standards is assessed:

1. Approval of our variance request will not be injurious to the public health, safety, morals, and general welfare of the community. We are asking only that we be allowed a few square feet of leeway in which to position the garage so that the larger site can maintain its attractive, historical character.
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. As we show below, even with the variance, the proposed garage façade will be well removed from the street and neighboring properties. Additionally, the new garage will be farther from neighboring properties along the side setbacks than the existing garage.
3. Most importantly, the strict application of the terms of the Unified Development Ordinance will result in practical difficulties in the use of the property that are peculiar to the property in question, arising in this case from:
 - a. the irregular shape of the lot, which tapers to the west and is otherwise misshapen, as detailed below;
 - b. the property's historical character and aesthetic sensibility, which oblige regular geometries and common axes across the site.

As we detail below, the requested variance will relieve the practical difficulties arising from the property's peculiar lot shape, extending to our proposed garage addition and the larger site those same bedrock architectural principles that make the original Faris house an attractive and enduring landmark.

THE BACKGROUND

According to the Bloomington UDO, the "front setback for a front-loaded garage is 25' or equal to the existing structure."

We propose a front-loaded garage that is flush with the original house. That is, the garage façade would be in line with the façade of original Faris house (see Figures 1 and 4).

THE QUESTIONS

In this document, we address the following questions:

1. Do we need a front-setback variance for our proposed front-loaded garage, which we suggest be flush with the original Faris house?
2. If so, why ought we be granted such a variance?

QUESTION 1 – Do we need a variance?

The wording of the UDO itself provides reason to believe our proposed design is in keeping with the intentions of setback regulation. In allowing front setbacks for garages to be “equal to the existing structure,” the UDO seems to allow garage and house facades to be flush with one another. Most lots in Bloomington are of regular rectangular shape such that equal setbacks invariably yield flush facades. In our case, however, the irregular shape of the lot precludes equal setbacks from equating to flush facades (see Figures 1 and 2).

Because the lot shape prevents equal setbacks from yielding flush facades, the “or” in the UDO language indicates that the proposed garage should have a 25’ front setback. We are asking that we be allowed an approximately 20’ front setback so that we can maintain the spirit of the UDO and keep the garage and house facades in line. Indeed, the specific wording of the UDO is ambiguous as to whether a variance is required in this case. In stating that the “front setback for a front-loaded garage is 25’ or equal to the existing structure,” does the UDO require (i) that the distance of the garage setback be equal to the distance of the house setback, or does it require (ii) that the garage setback be located at the same point in space as the house setback? The former interpretation would require the variance we are requesting, whereas the latter interpretation would seem to exempt us from the need for a variance.

QUESTION 2 – Why ought a variance be granted?

If a variance is required: We request approximately 5’ of leeway in the 25’ front set-back requirement. Such a variance would result in a front setback for our proposed garage of about 20’, allowing the face of the garage to be flush with the face of the original Faris house, and allowing the spirit of the UDO setback regulations to be maintained.

The reason for our request turns on two issues: (1) the peculiarity of the property lines and lot shape, and (2) the historic character of the original house and its implications for the rest of the property.

1. *Peculiarity of the lot.* As you can see in Figures 1 and 2 below (and in sheet A-100 in the attached drawing set), the lot is an irregular shape such that the proposed front-loading garage cannot be flush with the original house *if* 25' of front setback are required.

Of particular concern for the proposed garage is the northern, "front" property line. As you move west from the center of the lot, the front property line narrows. Moreover, there is a large bulge eating into the property. This bulge implies a sort of half cul-de-sac. "Implies" because no cul-de-sac is apparent in any of the properties as they exist in real life (see satellite imagery in Figure 3), and "half" because this bulge appears to eat into 2001 E Hillside Dr exclusively. Indeed, it is worth noting that, were this implied half cul-de-sac to exist, it would require removal of the north-west portion of the original, historic fence (see Figure 2).

It is only a small portion of the inward, circular protrusion along the property line that presents an issue. Looking at Figure 1, the shaded orange area shows just how small a variance we are requesting. That tiny area shows where the proposed garage would be out of compliance if the variance were not granted.

2. *Preserving the historical character of the site.*

The original Faris house is a two-story, eaves-front, gable-roofed structure; an 'I' house typical of the period and region in which it was built. Like other 'I' houses, the Faris house conveys a frank, forthright demeanor owing to the uniformity of its materials and its rectilinear shape. Its attractiveness derives largely from its simplicity. Our proposed addition maintains that simplicity by keeping the facades of the original and proposed addition in line with one another. Figures 4 and 5 show that the addition maintains the rectilinear design of the original house, maintains a critical east-west line-of-sight established by the original house, and stays within the north-south boundaries established by the original house. It is to respect this northern boundary set by the original house that we are asking for this variance.

Note again that the circular portion of the property line that is the source of this variance, were it to be strictly observed, would eat into the fence, which appears to be original to the Faris house and is therefore itself of historic value. This is apparent in Figure 2.

Figure 1. Site context of proposed garage.

- The proposed garage sits to the west of the original Faris house. The two are connected by a preexisting kitchen addition. The north and south (i.e., front and back) facades of the proposed garage and original house are flush with one another.
- The line drawn perpendicular to the bulge in the property line shows that the façade of the proposed garage is 21' 9" from the nearest point on the property line.
- The irregular shape of the lot in the NW corner (a sort of "implied half cul-de-sac") is the source of this variance request. The small area with orange hatching shows the size of the variance we are requesting. That is, the orange hatched area shows where the proposed garage would be out of compliance if the variance were not granted.
- See sheet A-100 in the accompanying drawing set for a fully dimensioned site plan.

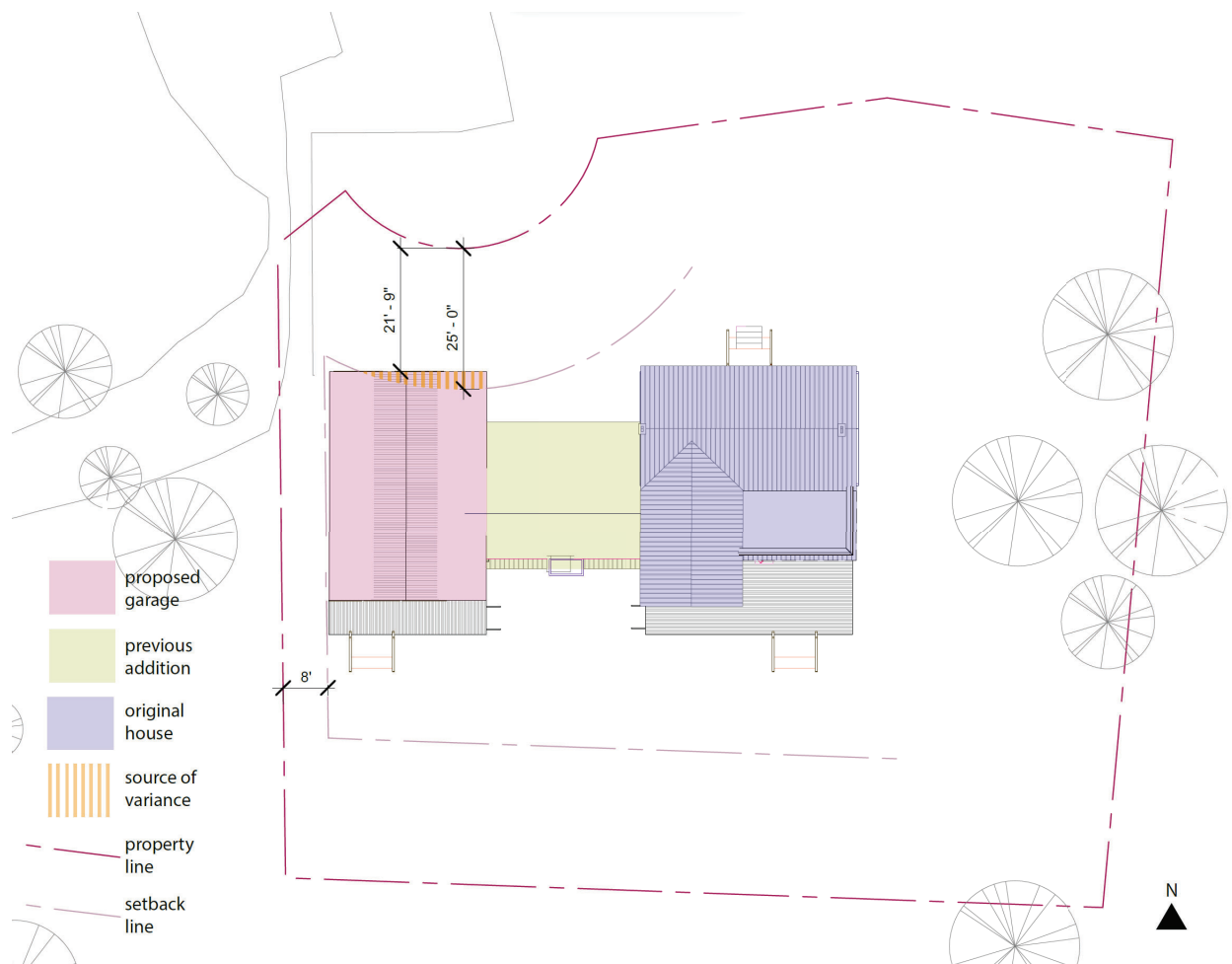


Figure 2. Site context of the existing property from a professional survey.

- The irregular shape of the lot is apparent in the bold line encompassing the property. Note especially the winnowing depth of the property in the north-west corner, exacerbated by the circular chunk eaten out of that portion of the property. This implied cul-de-sac, which is not perceptible in the field (see Figure 3) would—were it to exist—require removal of the north-west portion original, historic fence.
- The red line running east-west shows the plane created by the front of the original Faris house. The façade of our proposed garage would rest along that red line.
- The rightmost red line running north-south shows that a length of 25' perpendicular to the façade line eats a bit into the cul-de-sac.
- The leftmost red line running north-south shows that it is about 20' from the façade line to the cul-de-sac. (Figure 1 and sheet A-100 indicate that the measurement is 21' 9".)

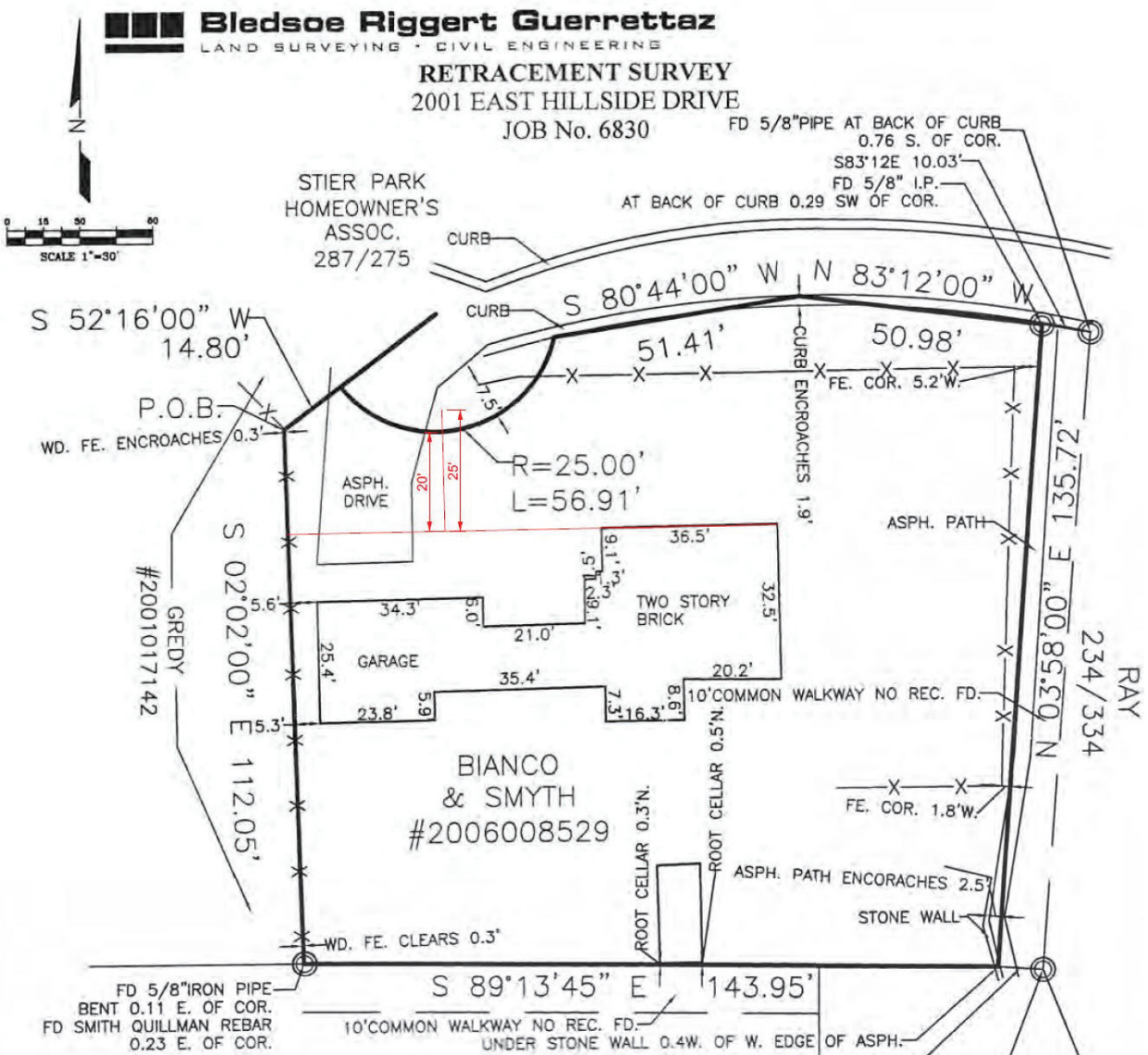


Figure 3. Site context of the existing property from Google Earth satellite imagery.

- The white line running east-west shows the plane created by the front of the original Faris house. The façade of our proposed garage would rest along that white line.
- The yellow line running north-south and perpendicular to the white line is 25' in length. When looking at the site as it exists, the proposed garage therefore appears to meet *both* UDO requirements to a front-facing garage (i.e., it is both flush with the main dwelling *and* 25' from the front of the property).

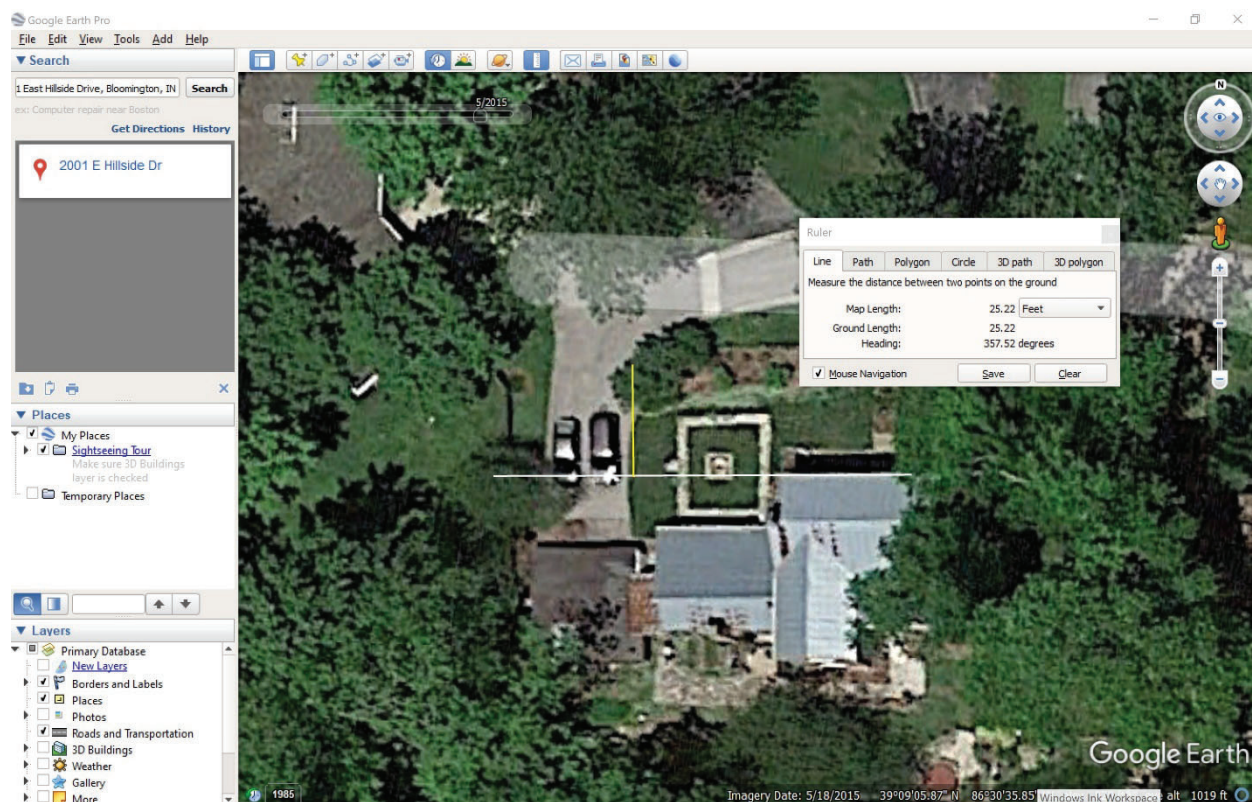


Figure 4. Maintaining historical axes in the interior.

- The red dotted lines show the proposed addition maintaining the same north-south boundaries (i.e., east-west axes) as the original Faris house.
- The orange dotted line shows the proposed addition maintaining the east-west line-of-sight from the original Faris house.

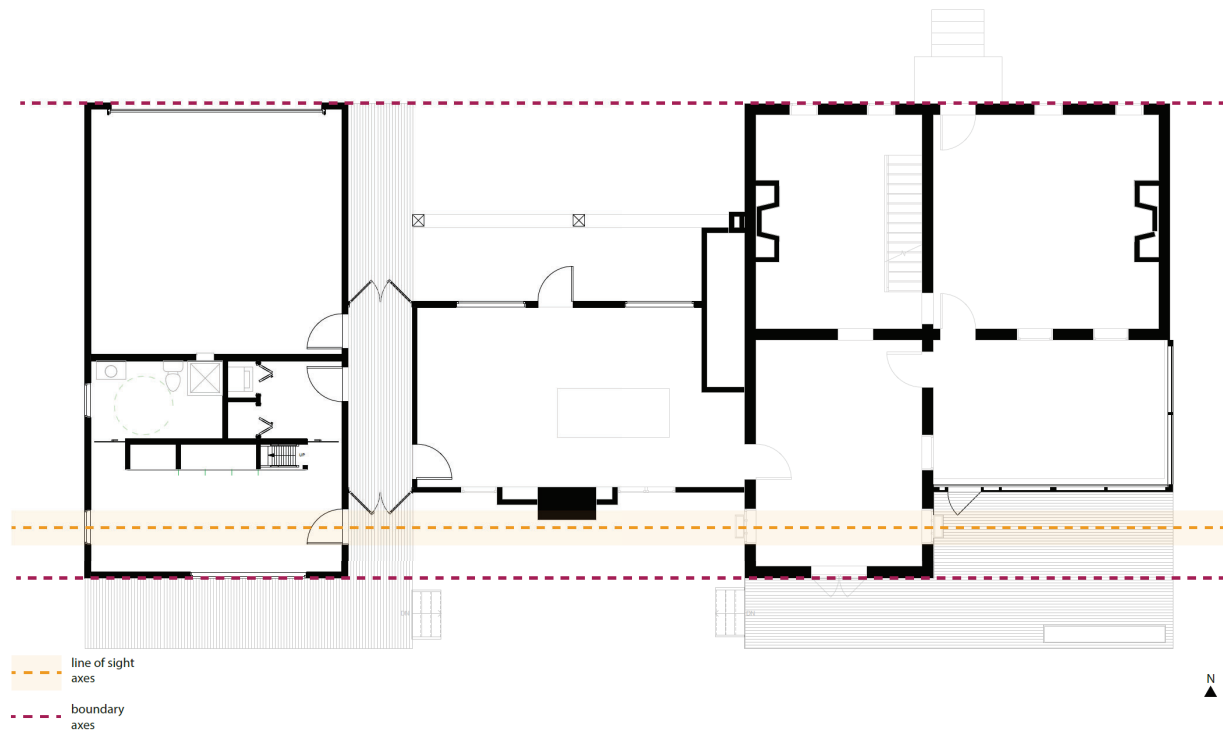
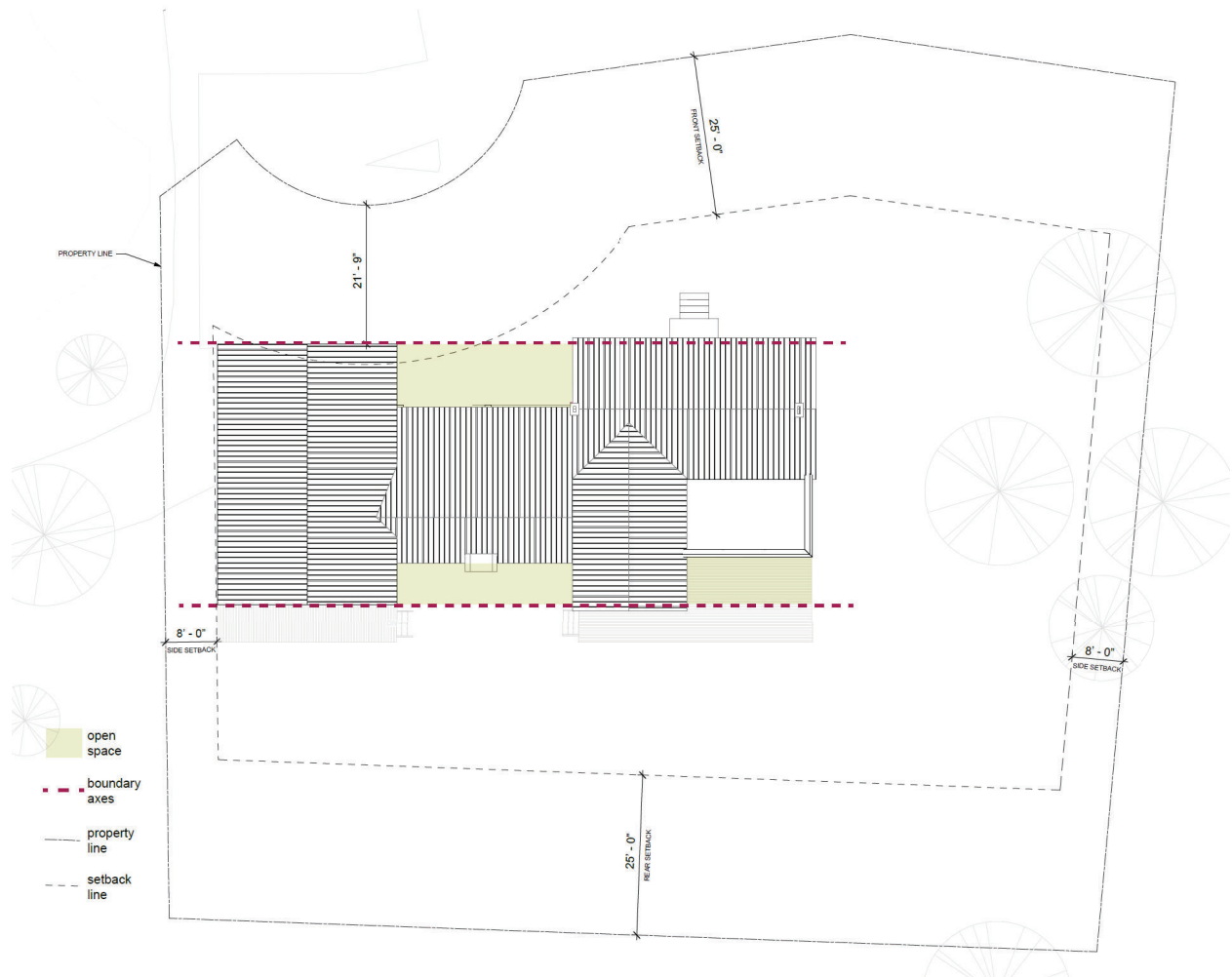
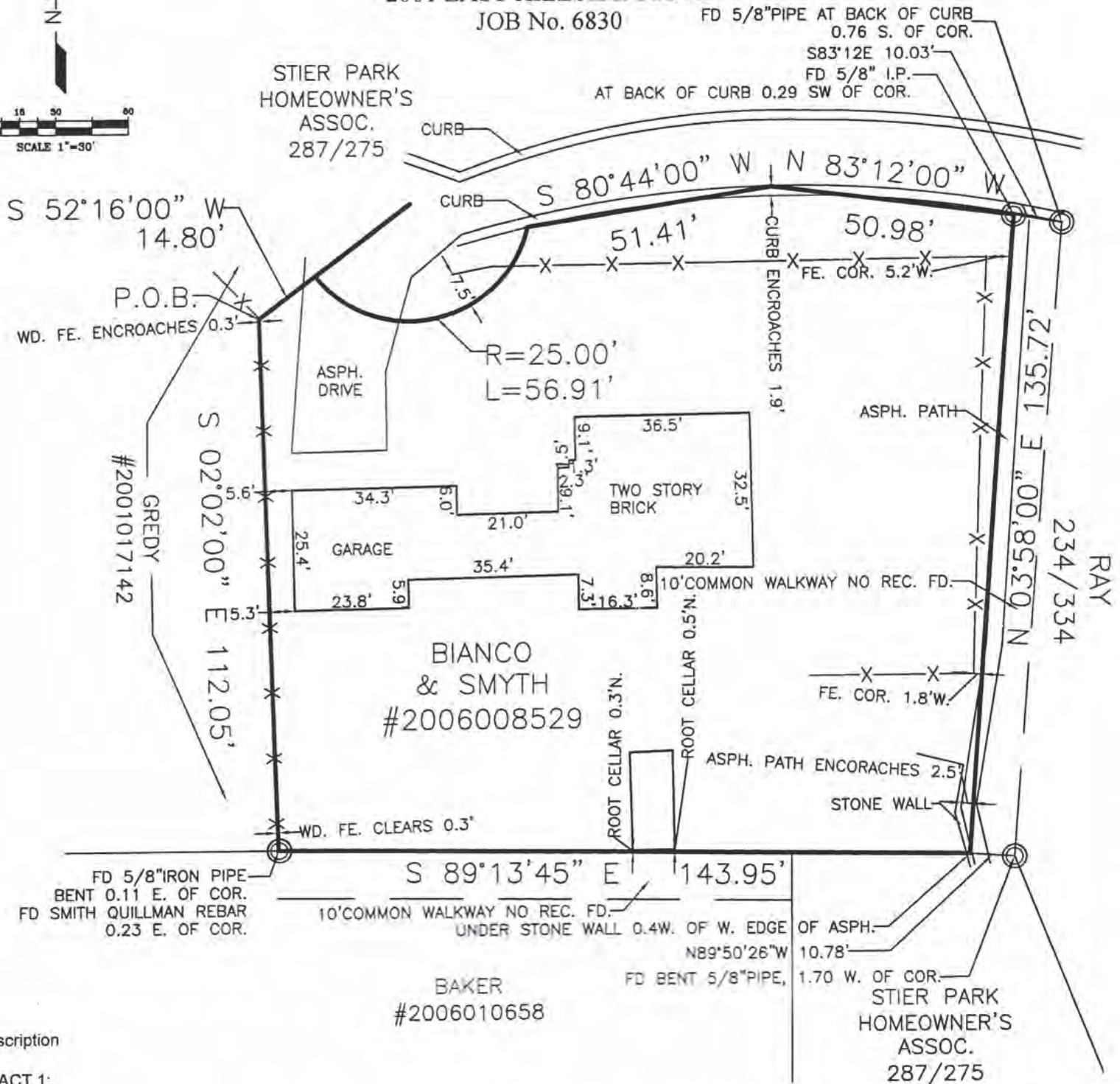


Figure 5. Maintaining historical axes on the exterior.

- The red dotted lines show the proposed addition maintaining the same north-south boundaries (i.e., east-west running axes) as the original Faris house.
- The yellow areas show the regularity of open (i.e., unroofed) space within boundaries implied by the roofed portion of the existing and proposed structures.



RETRACEMENT SURVEY
 2001 EAST HILLSIDE DRIVE
 JOB No. 6830



Description

TRACT 1:
 A part of Seminary Lot 135 in the City of Bloomington, Indiana, described as follows: Beginning at a point that is 427.56 feet North and 483.61 feet West of the Southeast corner of said Seminary Lot 135, thence South 02 degrees 02 minutes East for a distance of 112.05 feet, thence South 89 degrees 13 minutes 45 seconds East for a distance of 143.95 feet, thence North 03 degrees 58 minutes East for a distance of 135.72 feet to a private street right-of-way, thence Westerly over and along said private street right-of-way by the following courses and distances: North 83 degrees 12 minutes West, 50.98 feet; South 80 degrees 44 minutes West, 51.41 feet to the intersection point with a cul de sac 50 feet in the diameter, thence Southwesterly over and along the arc of said cul de sac for a distance of 56.91 feet, thence leaving said private street right-of-way and running South 52 degrees 16 minutes West for a distance of 14.80 feet to the Place of Beginning. Containing 0.45 acre, more or less.

TRACT 2:
 An easement for ingress and egress over the driveway from the above described real estate to East Hillside Drive as it presently exists.
 This survey was executed according to survey requirements contained in Sections 1 through 19 of 865 IAC 1-12.

FARIS HOUSE RENOVATION

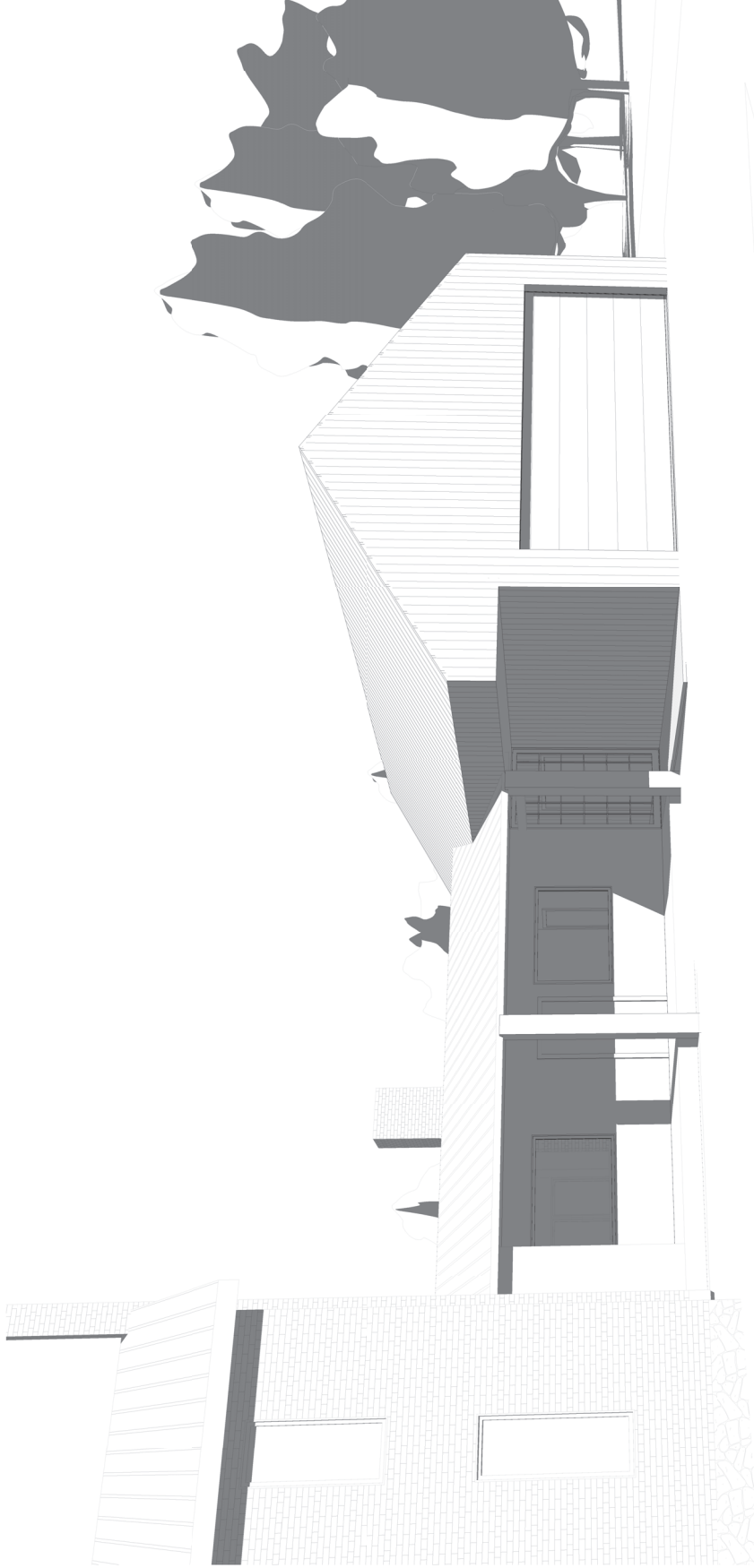
2001 E Hillside Dr, Bloomington, IN 47401

TEAM CONTACT INFORMATION:

PATRICK DIMOND
DANIEL GREEN
JACOB POWERS-BIR
DANNY WEDDE

SHEET LIST:

SHEET SHEET TITLE
GENERAL
G-001 GENERAL INFORMATION
DEMOLITION
D-102 DEMOLITION PLAN
ARCHITECTURAL
A-100 SITE PLAN
A-101 FLOOR PLANS
A-102 WALL SECTIONS
A-201 EXTERIOR ELEVATIONS
A-202 EXTERIOR ELEVATIONS
A-303 INTERIOR ELEVATIONS
A-401 SECTION
A-701 PERSPECTIVES
A-702 AXONOMETRIC



Project Name:

**FARIS HOUSE
RENOVATION**

Client:

REGINA SMYTH & WILLIAM BIANCO

Address:

2001 E HILLSIDE DR
BLOOMINGTON, IN 47401

No. Description Date

GENERAL INFORMATION

Project Number: 2021
Date: 06/19/2021
Drawn by: DAN GREEN
Checked by:

G-001

Scale:

Project Number	2021
Date	08/19/2021
Drawn by	DAN GREEN
Checked by	
Scale	1/4" = 1'-0"

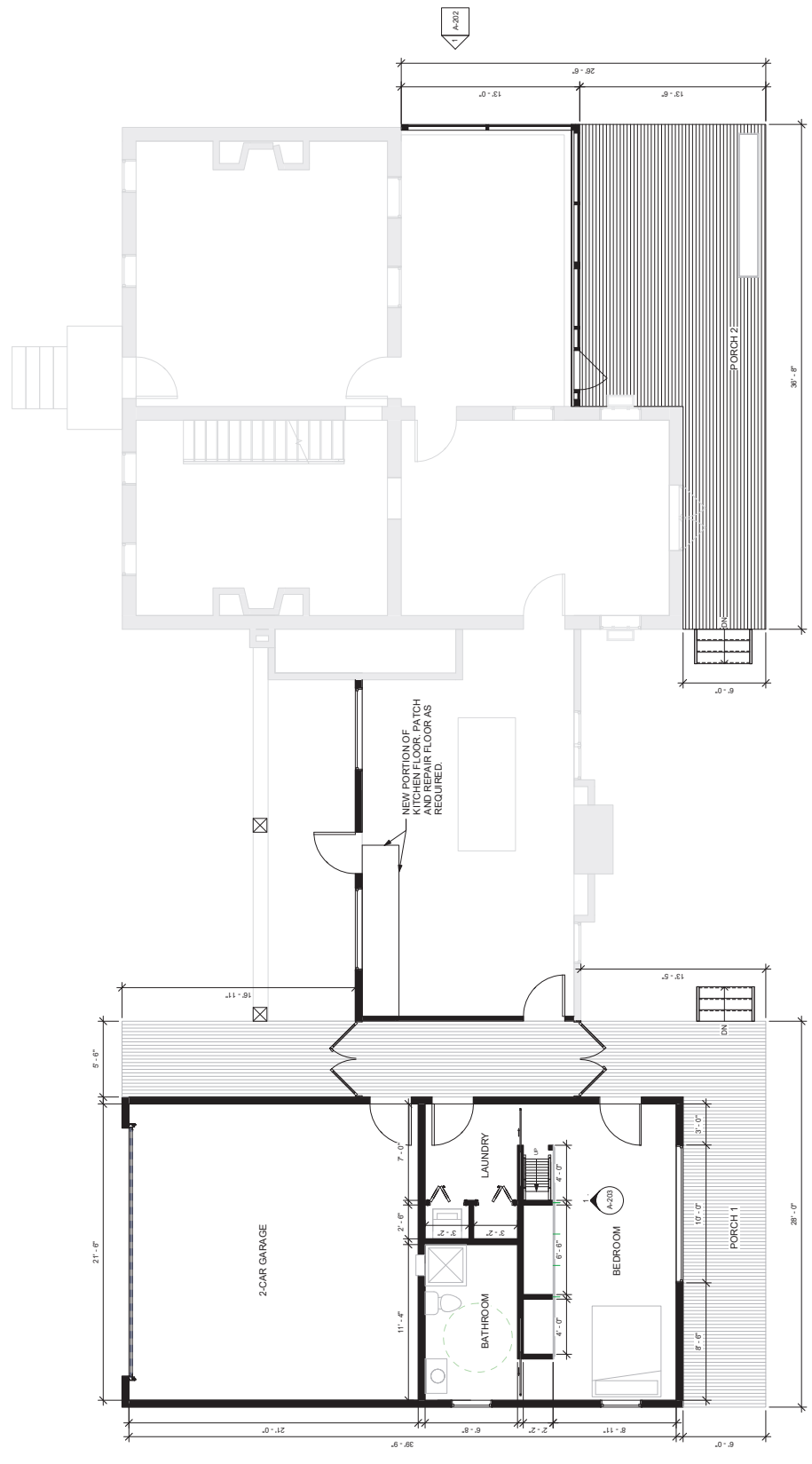
FLOOR PLANS

A-101

Arch Work: Co-op

FARIS HOUSE RENOVATION
 Client: REGINA SMYTH & WILLIAM BIANCO
 Address: 201 E HILLSIDE DR
 BLOOMINGTON, IN 47401

No.	Description	Date



A-201

A-202

1 FIRST FLOOR PLAN
1/4" = 1'-0"

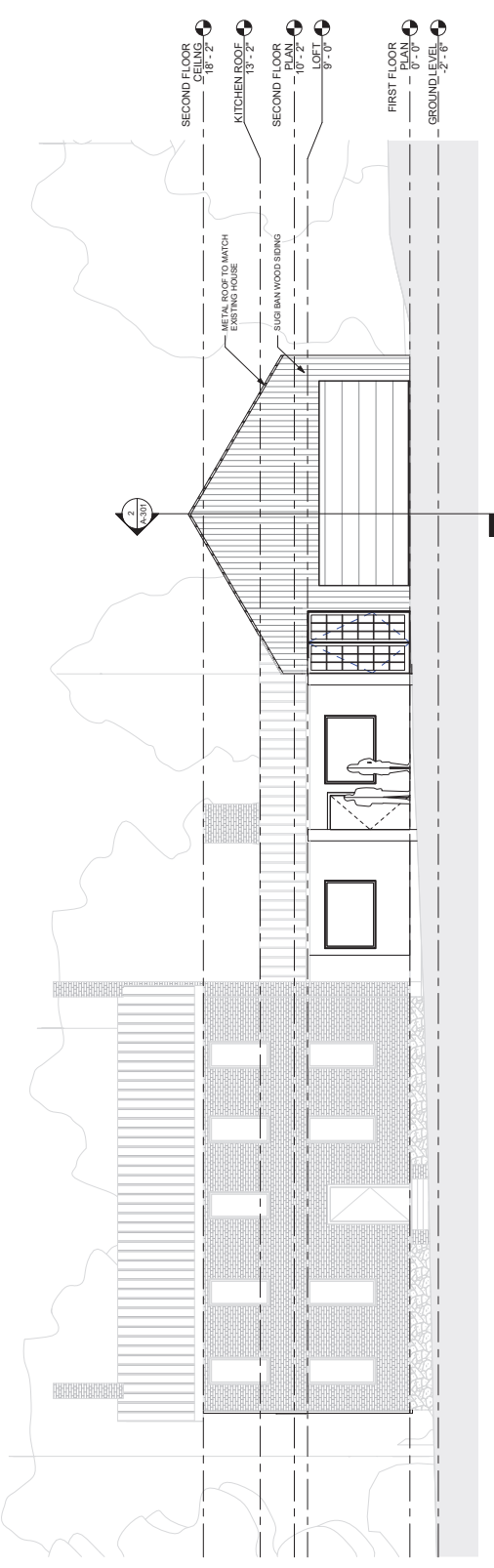
Arch Workers Co-op	
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FARIS HOUSE RENOVATION
 REGINA SMYTH & WILLIAM BIANCO
 Address: 201 E HILLSIDE DR
 BLOOMINGTON, IN 47401

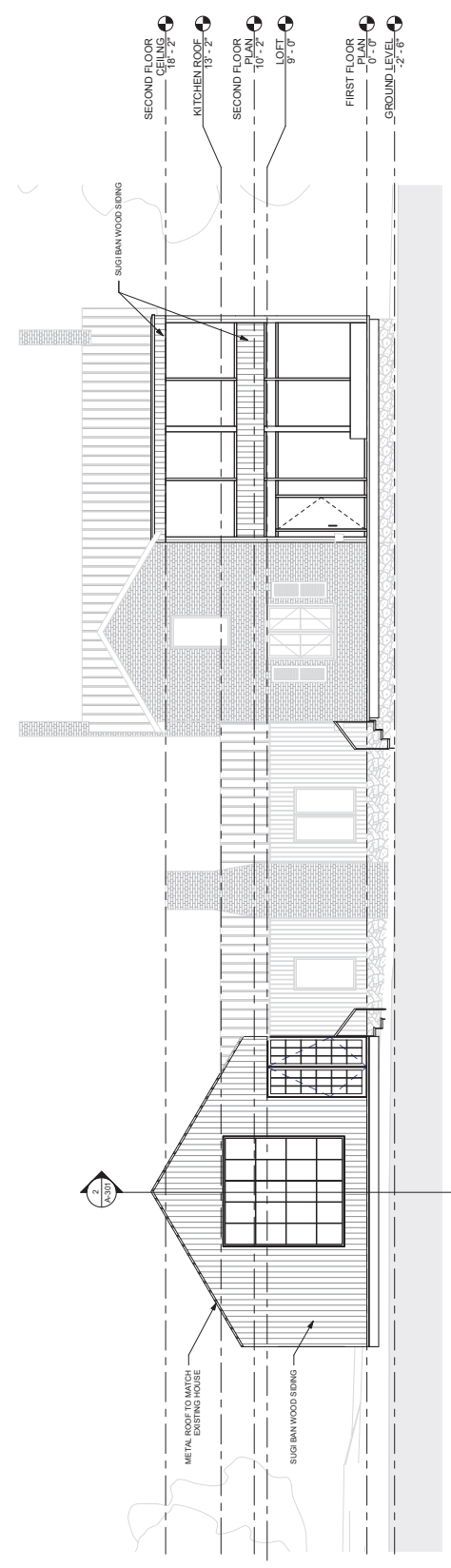
No.	Description	Date

EXTERIOR ELEVATIONS
 Project Number: 2021
 Date: 06/19/2021
 Drawn by: DAN GREEN
 Checked by:
 Scale: 3/16" = 1'-0"

A-201



1 NORTH ELEVATION
 3/16" = 1'-0"



2 SOUTH ELEVATION
 3/16" = 1'-0"

Arch Workers Co-op

2001 E HILLSIDE DR
BLOOMINGTON, IN 47401

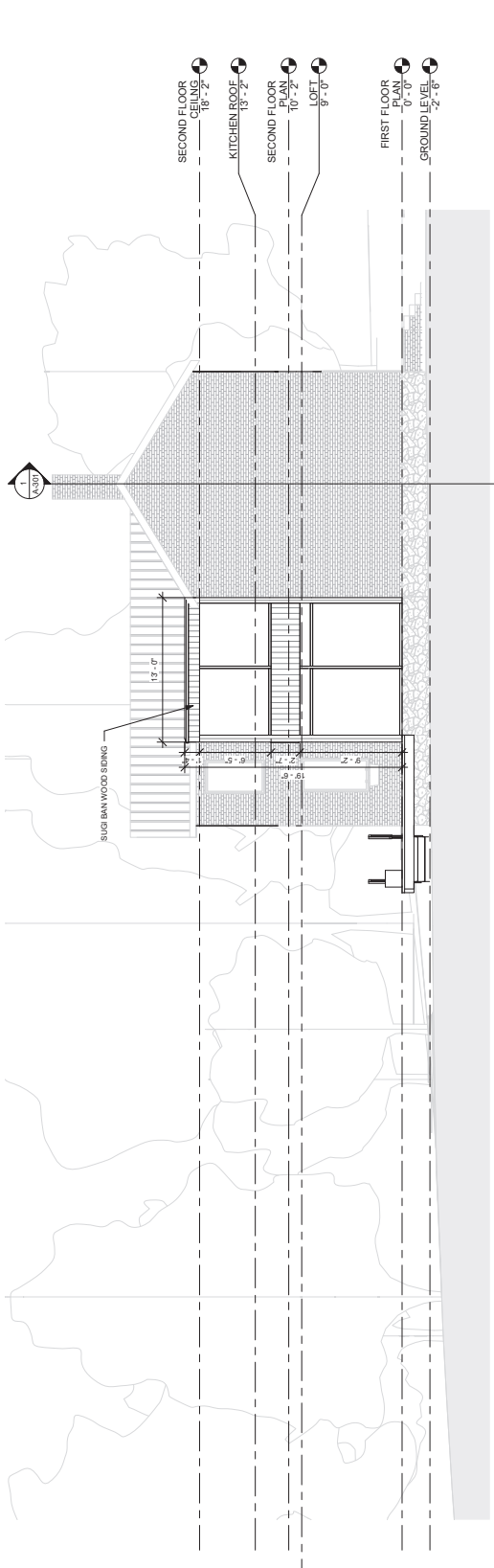
FARIS HOUSE
RENOVATION
REGINA SMYTH & WILLIAM BIANCO

Project Name:
Client:
Address:

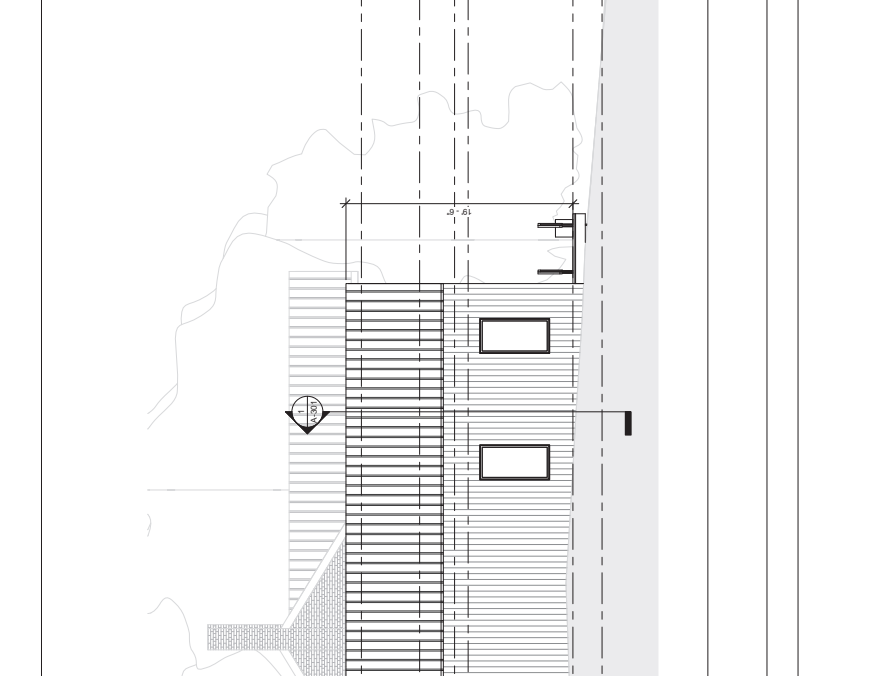
No.	Description	Date

EXTERIOR ELEVATIONS
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 Date: 06/19/2021
 Drawn by: DAN GREEN
 Checked by:

A-202
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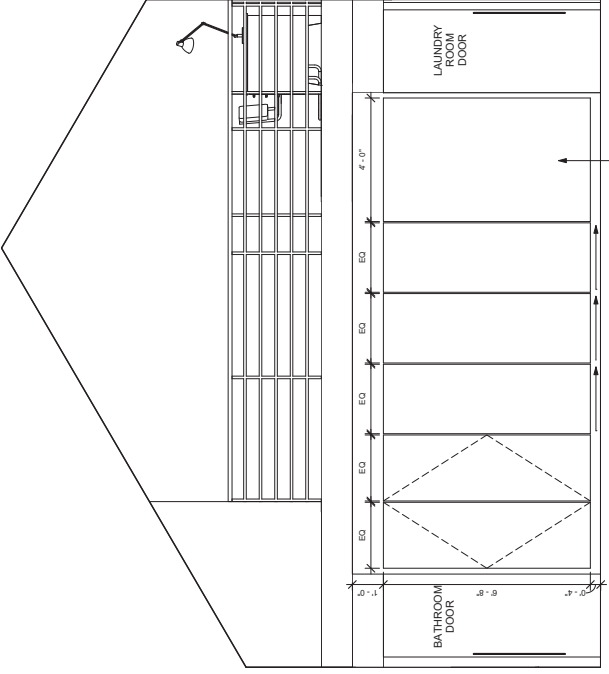
**1 EAST ELEVATION
3/16" = 1'-0"**



**2 WEST ELEVATION
3/16" = 1'-0"**

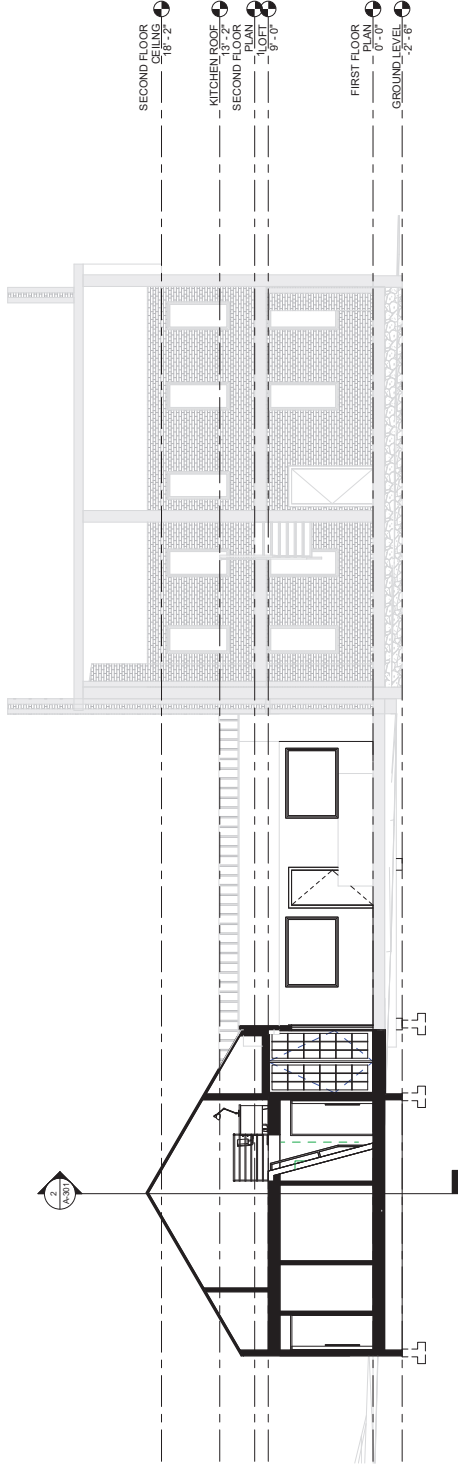
<p>Ach Workers Co-op</p>		<p>FARIS HOUSE RENOVATION REGINA SMYTH & WILLIAM BIANCO</p>	<p>Project Name: 201 E HILLIDE DR BLOOMINGTON, IN 47401</p>
<h3>INTERIOR ELEVATIONS</h3>			
Project Number: 2021	Date: 06/19/2021	Author:	Checker:
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No.	Description	Date

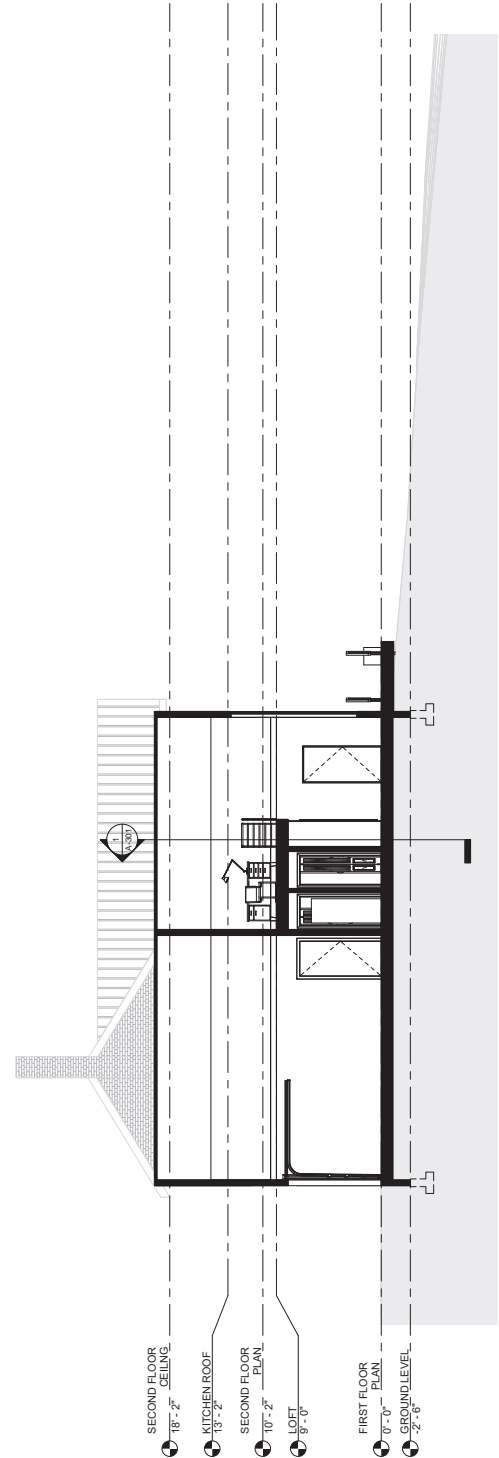


① CASEWORK WALL ELEVATION
1/2" = 1'-0"

Arch Workens Co-op				
Project Name: FARIS HOUSE RENOVATION Client: REGINA SMYTH & WILLIAM BIANCO Address: 201 E HILLSIDE DR BLOOMINGTON, IN 47401				
SECTIONS Project Number: 2021 Date: 08/19/2021 Drawn by: DAN GREEN Checked by:				
A-301				Scale: 3/16" = 1'-0"



1 LONGITUDINAL SECTION
3/16" = 1'-0"



2 GROSS SECTION
3/16" = 1'-0"

Scale

A-701

Checked by
DAN GREEN

Drawn by
DAN GREEN

Date
06/19/2021

Project Number
2021

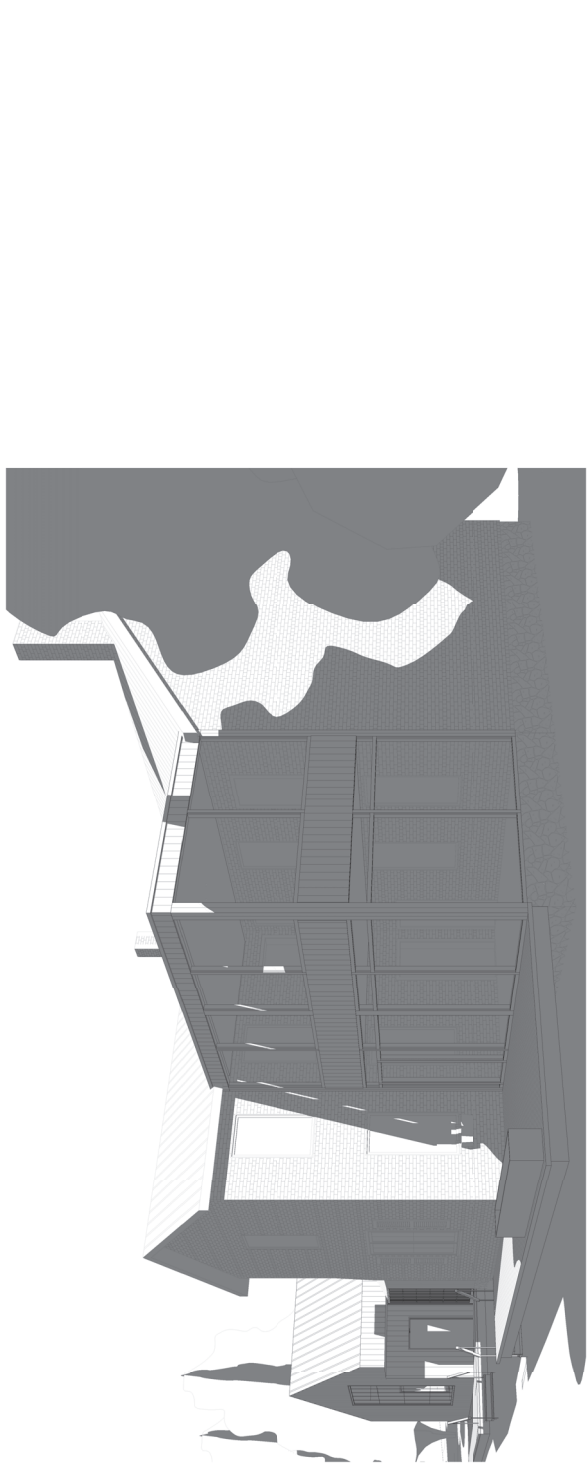
PERSPECTIVES

No.	Description	Date

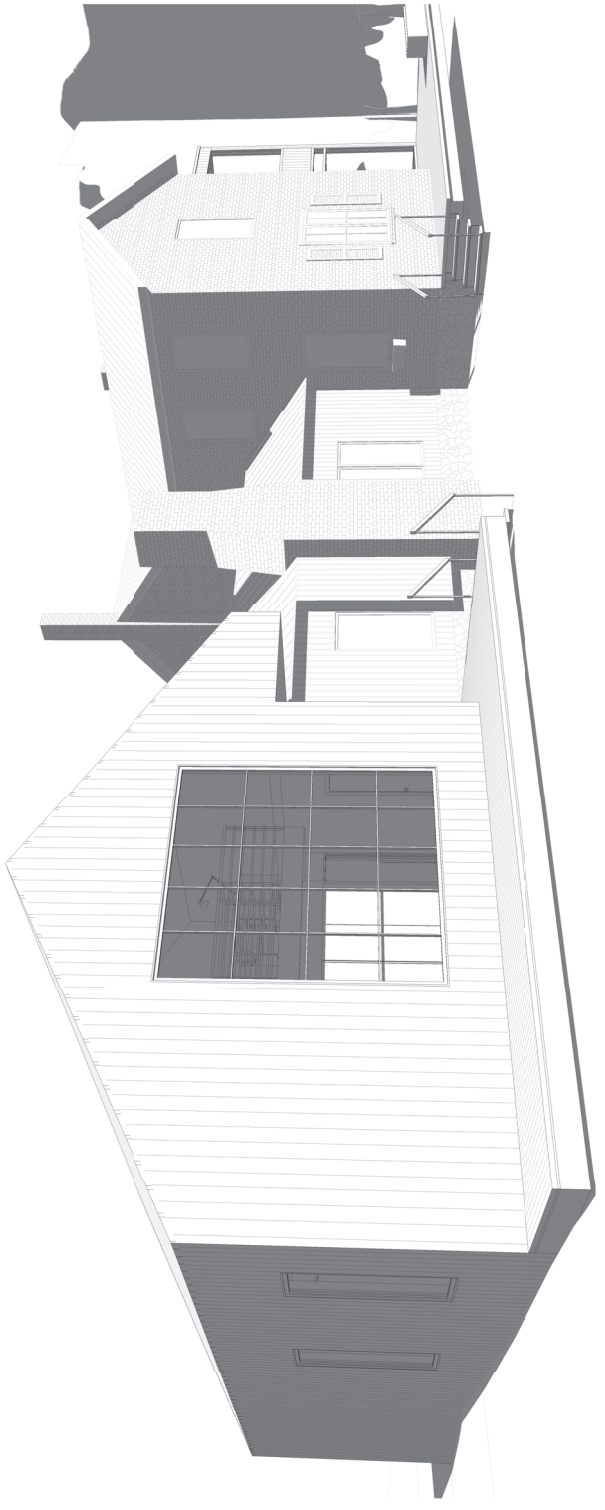
Project Name:
FARIS HOUSE
Client:
REGINA SMYTH & WILLIAM BIANCO
Address:
201 E HILLSIDE DR
BLOOMINGTON, IN 47401

Arch Workers Co-op

② EXTERIOR - SOUTHEAST CORNER



① EXTERIOR - SOUTHWEST CORNER



Scale

A-702

Checked by

Drawn by

Date

Project Number

2021

06/18/2021

DAN GREEN

AXONOMETRIC

No.	Description	Date

Project Name:

FARIS HOUSE RENOVATION

Client:

REGINA SMYTH & WILLIAM BIANCO

Address:

2001 E HILLSIDE DR
BLOOMINGTON, IN 47401

Arch Workline Co-op

