

CITY OF BLOOMINGTON



February 16, 2022 @ 2:00 p.m.

Zoom:

<https://bloomington.zoom.us/j/85848575413?pwd=RIZ5dUlvenpJYzFPU2lvam5qeHJsQT09>

Meeting ID: 858 4857 5413

Passcode: 140550

CITY OF BLOOMINGTON
HEARING OFFICER
February 16, 2022 at 2:00 p.m.

❖ **Virtual Meeting Link:**

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PETITIONS:

V-03-22 **Sam DeSollar**
744 S. Morton St.
Request: Variance from buffer yard requirements.
Case Manager: Jackie Scanlan

Map: <https://arcg.is/qyjGz>

****Next Meeting: March 2, 2022**

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.

**BLOOMINGTON HEARING OFFICER
STAFF REPORT
Location: 744 S. Morton Street**

**CASE #: V-03-22
DATE: February 16, 2022**

PETITIONER: Sam DeSollar
731 E. University Street, Bloomington

REQUEST: The petitioner is requesting a variance from buffer yard requirements.

REPORT: This 0.16 acre property is located at 744 S. Morton Street. The property is zoned Residential Multifamily (RM), as are the properties to the north, west, and south. Property to the east is zoned Mixed-Use Downtown - Downtown Gateway Character Area (MD-DG). The site is currently vacant. Surrounding land uses include single-family residential to the west, north, and south, with office uses to the east across S. Morton Street. This site is located in the McDoel Gardens Neighborhood, as well as the McDoel Gardens Local Historic District. The petitioner received a Certificate of Appropriateness for the proposed site plan from the Bloomington Historic Preservation Commission, in August 2021 (COA 21-35). The petitioner has received support for the site plan, as well as for the variance request from the Neighborhood Association.

The petitioner is proposing to build an ‘artist studio or workshop’ on the site. The proposed building is a two-story structure that would contain roughly 10 studio spaces. The site would be improved with landscaping and bicycle parking with the new facility. No on-site automobile parking is planned. However, there is a loading space on the western portion of the site, so that items can be loaded in and out of the studio spaces through overhead doors in that location.

Because this is a nonresidential use adjacent to residential uses, a Type 3 buffer yard is required by Table 04-20 in the Unified Development Ordinance. Table 04-19 indicates that a Type 3 buffer yard needs to be a minimum of 20 feet deep with a variety of vegetation as described in the table. The petition site is 50 feet wide, leaving 10 feet for development if buffer yard standards are met on the north and south sides. Additionally, a 12-foot wide alley exists adjacent to the western property line, providing a built-in buffer from the uses to the west. The petitioner is requesting a variance from the 20 foot buffer yard requirement.

**CRITERIA AND FINDINGS FOR DEVELOPMENT STANDARDS VARIANCE
Buffer Yard Requirement**

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: The granting of the variance to allow no buffer yards on this

property will not be injurious to the public health, safety, morals, and general welfare of the community. The petitioner received a letter of support from the neighbor to the south and support from the neighborhood association for this in-fill project. The building meets setback standards, and landscaping in excess of all other UDO requirements will be used on-site.

- 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.*

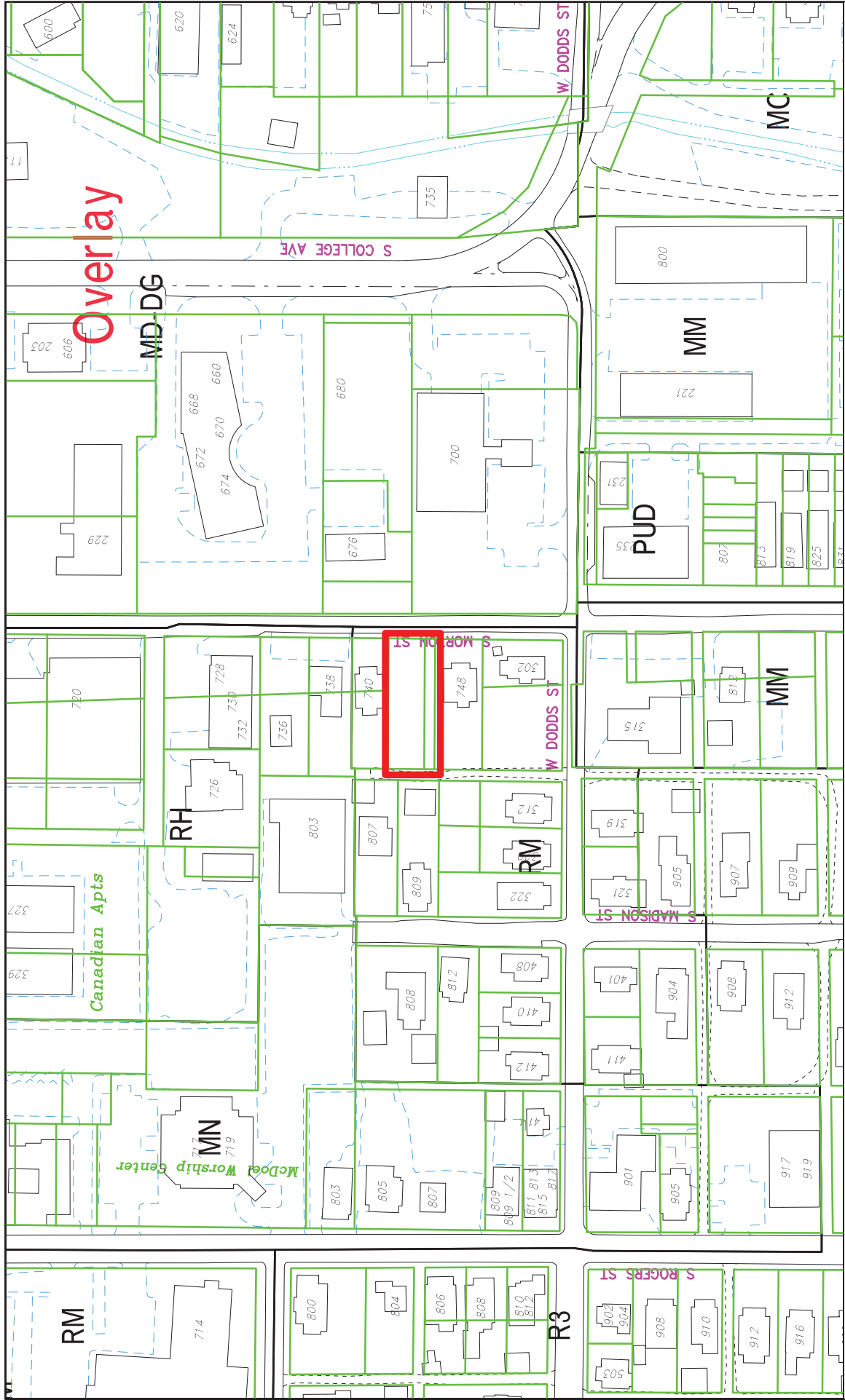
PROPOSED FINDING: No adverse impacts to the use and value of surrounding properties as a result of the requested variance are found. The addition of the artist's studio will be an improvement to a site that has long sat undeveloped. The building will meet setback requirements on all sides, and landscaping will be used to visually buffer the property on the north and south sides.

- 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: Strict application of the terms of the UDO will result in practical difficulties in the use of the property in that if the buffer yard requirements were met on this site for this permitted use, the 50' by 140' site would be reduced to a difficult 10' by 100' developable area. The difficulties are peculiar to the site because though the property and surrounding areas are zoned RM, the immediate adjacent uses happen to be single-family, which requires a much more substantial buffer yard that lots in this area can support. Additionally, this particular use on this site will not have the same effects on surrounding areas that buffer yards are intended to address, such as light pollution from vehicles, as there is no parking on-site. The site has a 12 foot alley to the west and will be leaving a mature tree at the southwest corner, and the petitioner will include additional landscaping beyond UDO requirements in order to visually shield the neighbors to the north and south. Granting the variance allows reasonable development to occur on this physically constrained site.

RECOMMENDATION: The Department recommends that the Board of Zoning Appeals adopt the proposed findings and approve V-03-22 with the following conditions:

1. This variance is for this particular site design, as submitted with the request. However, small changes and final design will be worked out with staff during the site plan stage.
2. The petitioner will work with staff to add additional vegetation along the northern property line where possible.



City of Bloomington
Planning

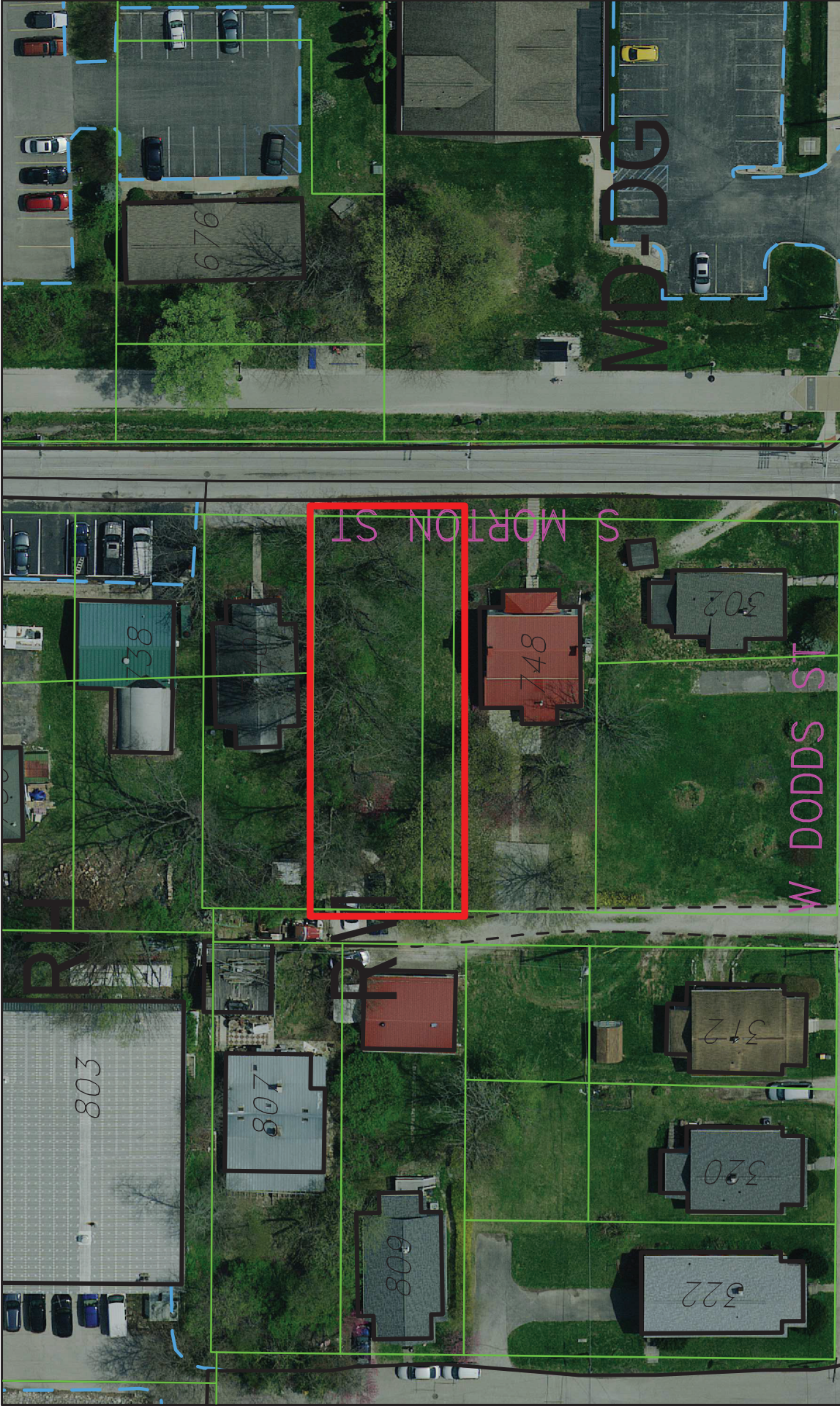


Scale: 1" = 150'



By: scanlanj
24 Jan 22

For reference only; map information NOT warranted.

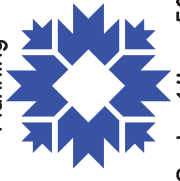


By: scanlanj
24 Jan 22



For reference only; map information NOT warranted.

City of Bloomington
Planning



Scale: 1" = 50'



I've been happily living in Bloomington for about thirteen years now. I'm an architect. I love to make things. I began the process of looking for a studio space about 10 years ago – and discovered then that there was, and still is, a dearth of available space for artists, for those who like to make things. There are a couple out there– the Fell Building, and more recently Artisan Alley. But every time I mention I am trying to build artist studios, the positive response is overwhelming.

This lengthy process has been eventful. There was a long hunt for a building or suitable property, a lot line reinstatement, a zoning code overhaul triggering a major redesign, an HPC approval, and a hunt for affordable, qualified professionals willing and available to work on the project. There has been a gradual revelation of what an amazing neighborhood McDoel gardens is. I am grateful to have incredible support for the project from the neighborhood. They want artist studios in McDoel gardens. So do I.

The proposed studio site is located along the B-line at 744 South Morton Street: there is currently a vacant lot there. The proposed building will house multiple studios with support spaces and collective resources. I've spoken with several members of the Art faculty here at IU, who have generously given their time and expertise to help me design a studio facility that works for artists. It's not fancy – finishes are intended to be used hard. It is a place to do creative work, discuss that work, and share that work. The building has places to congregate, both indoors and out, when we are able to do that again. It has individual entrances and individual HVAC systems to mitigate the challenges of the pandemic. It has private, well lit, well appointed spaces to make and create and dream.

This facility is intentionally on the B-Line. An accessible, bike-able place. To promote a less automobile dependent world, there is bike parking, but no vehicular parking, save a loading zone accessible by way of the alley. It's a low maintenance building, well insulated, solar powered. There are about ten studios, varying in size from 110 to 1000 square feet. The buffer yards required by the new zoning code seem to be intended for larger sites with incompatible, noxious uses. This site is not large: it's about 50' wide by 140' deep. Buffer yards, plus required building setbacks, would take up more than the width of the lot.

The neighborhood is funky, in a good way. It is a rare mixture of industrial, residential, and commercial along the spine of the B-Line, existing side by side. A similar mixture of uses along Rogers bounds a fabric of mostly small bungalows within. It works. Most of the buildings are fairly close together, and so the studio stands close to its neighbors, matching the existing settlement pattern. There are single family houses to each side of the lot. The building is set back from the street to align with the adjacent houses. Both the neighborhood and the Historic Preservation Commission have already officially approved the project, but I am happy to provide additional landscaping to the north to mitigate the proximity of the buildings.

I'm very excited about these studios. The neighborhood is very excited about them. There are a number of artists out there who seem to be excited about them, too. I hope you will be as well, and will be willing to approve the variance to allow it to be built.

Thank you for your help with this -

Sam DeSollar

GENERAL NOTES, continued

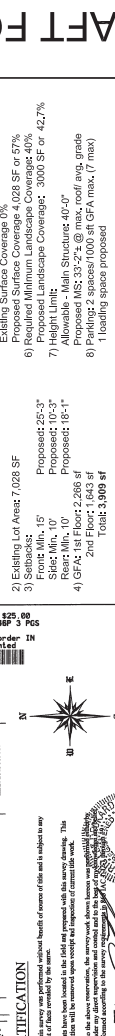
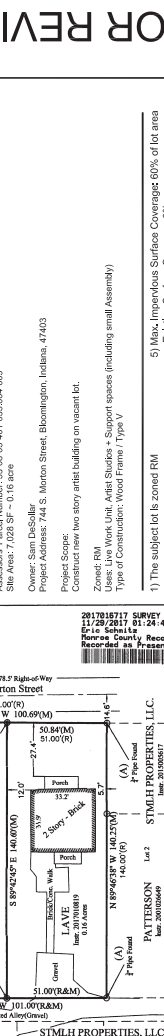
Contractor to verify specified dimensions on site. Bring any discrepancies to the immediate attention of the architect.

Where details are not specifically indicated, similar details (or description) shall apply. Any desired modifications, or openings in structural members, should be discussed with and approved by the architect or engineer before proceeding.

Drawings of existing conditions are to be used as guidelines. Any errors, omissions or conflicts found in various parts of construction shall be brought to the architect's attention prior to proceeding with construction.

Wood in contact with concrete to be pressure treated. Plywood in contact with concrete to be pressure treated or separated from concrete with 1/4" building paper.

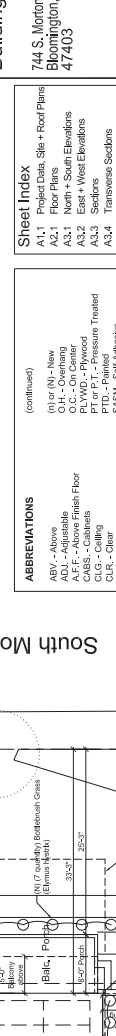
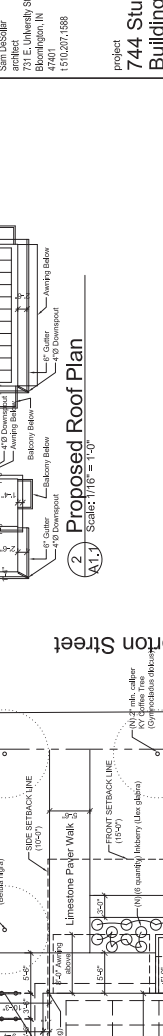
END OF GENERAL NOTES



Owner: Sam DeSollar
Project Address: 744 S. Morton Street, Bloomington, Indiana, 47403
Project Scope: Construct new two story artist building on vacant lot.
Zone: RM
Uses: Live Work Unit, Artist Studios + Support spaces (including small Assembly)
Type of Construction: Wood Frame / 1 1/2 Story V

- The subject lot to be zoned RM
- Existing Lot Area: 7,028 SF
- Setbacks:
Front: Min. 15'
Proposed: 25'-3"
Rear: Min. 10'
Proposed: 18'-1"
- GFA: 1st Floor: 2,286 sf
2nd Floor: 1,643 sf
Total: 3,929 sf
- Max. Impervious Surface Coverage: 60% of lot area
- Proposed Surface Coverage: 4,028 SF or 57%
- Required Minimum Landscape Coverage: 40%
- Proposed Landscape Coverage: 3000 SF or 42.7%
- Allowable Main Structure: 40'-0"
- Proposed MS: 33'-2" @ max. roof avg. grade
- Parking: 2 spaces/1000 sq GFA max. (7 max.)
- Loading space proposed
- Bicycle Parking: 5% of vehicle spaces (6 minimum 6 bike spaces proposed)

10) Lot is located in the McDevitt Historic District. This project has been approved by the Bloomington Historic Preservation Commission.
COA 2-1-35, granted 12 August 2021.



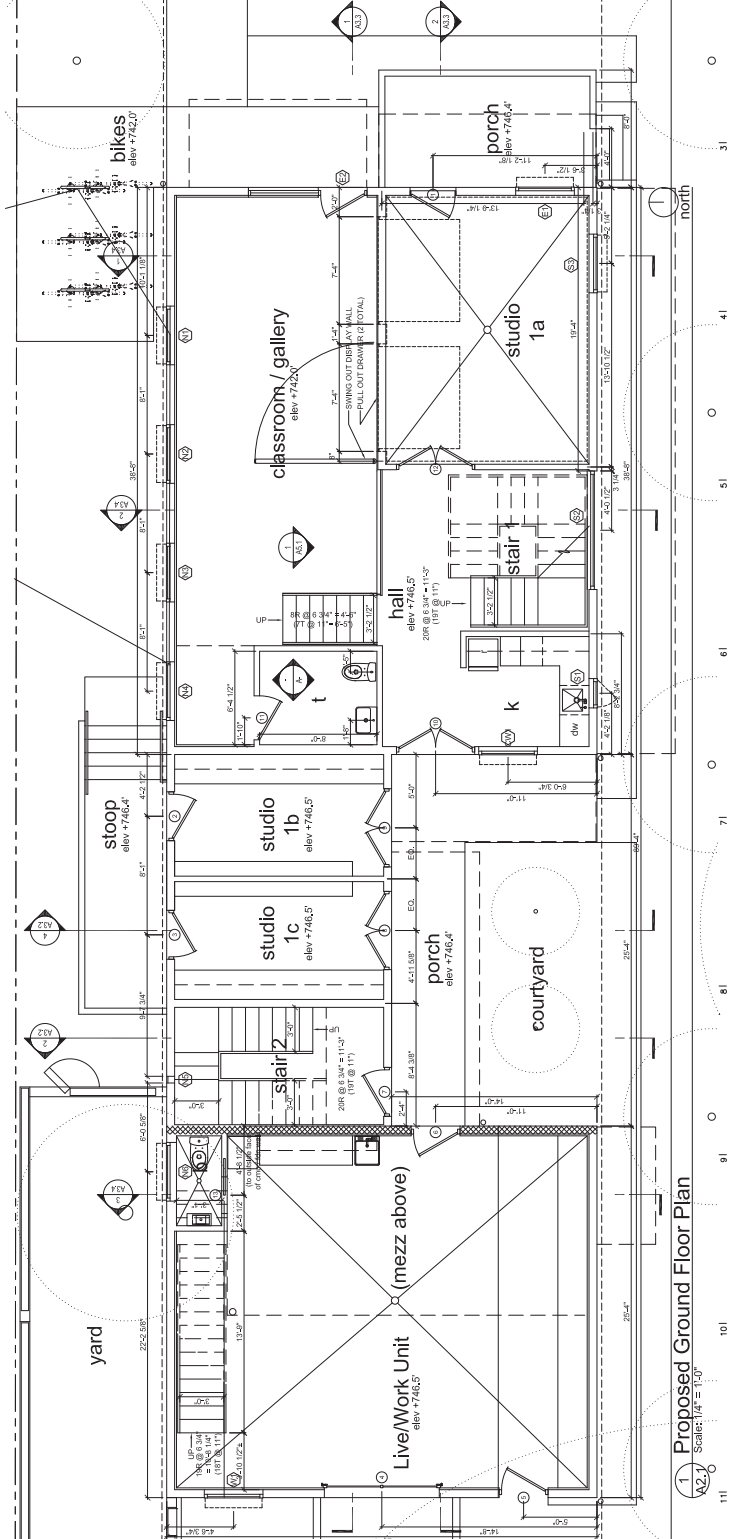
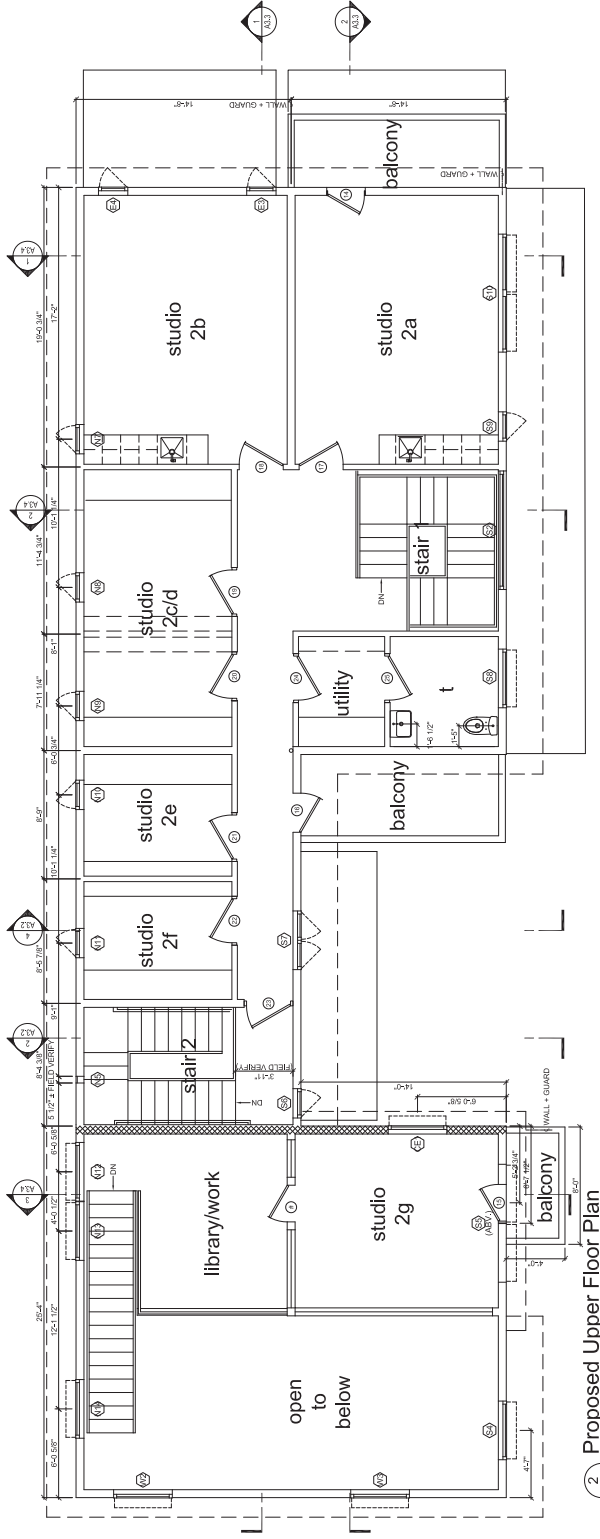
ABBREVIATIONS

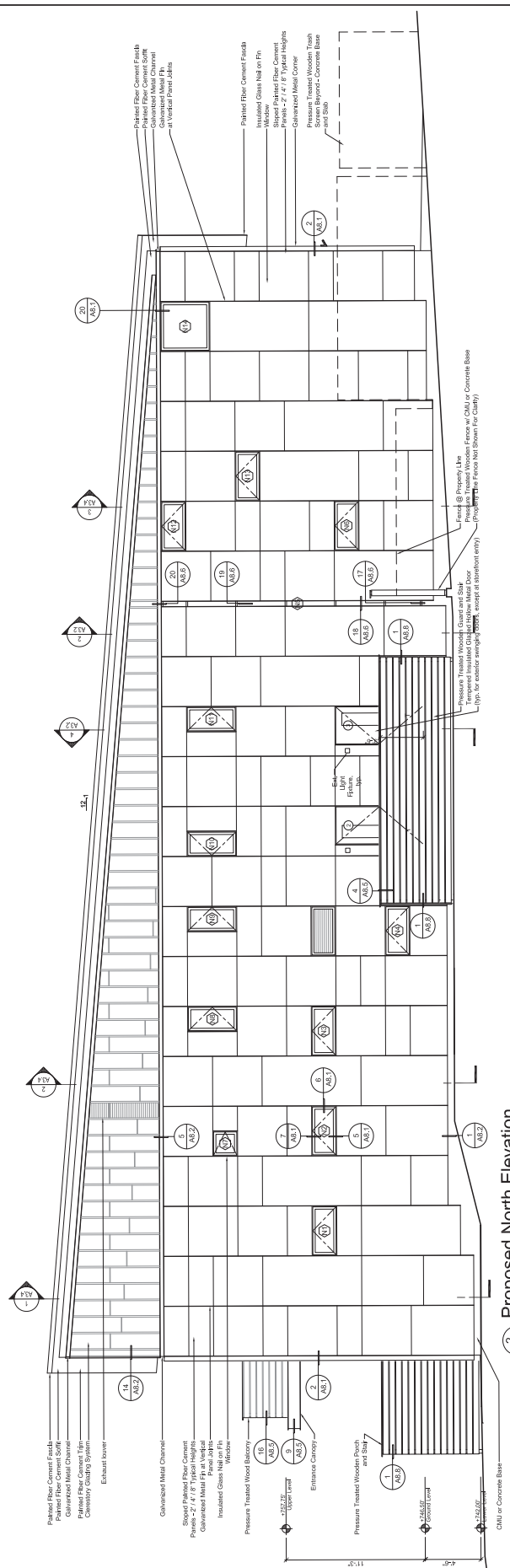
ABV - Above
ADJ - Adjacent
O.H. - Overhead
PLYWD - Plywood
PT or P.T. - Pressure Treated
CLG - Ceiling
COLR - Color
CONC. - Concrete
DW - Dishwasher
EQ - Equal
EL - Elevation
FL - Floor
(N) or (N) - New
(O) or (O) - Existing
PLYWD - Plywood
PT or P.T. - Pressure Treated
CLG - Ceiling
COLR - Color
CONC. - Concrete
DW - Dishwasher
EQ - Equal
EL - Elevation
FL - Floor
GFCI - Ground Fault Circuit Interrupt
GSM - Galvanized Sheet Metal
GWB - Galvanized Wire Braid
MTL - Metal

SHEET INDEX

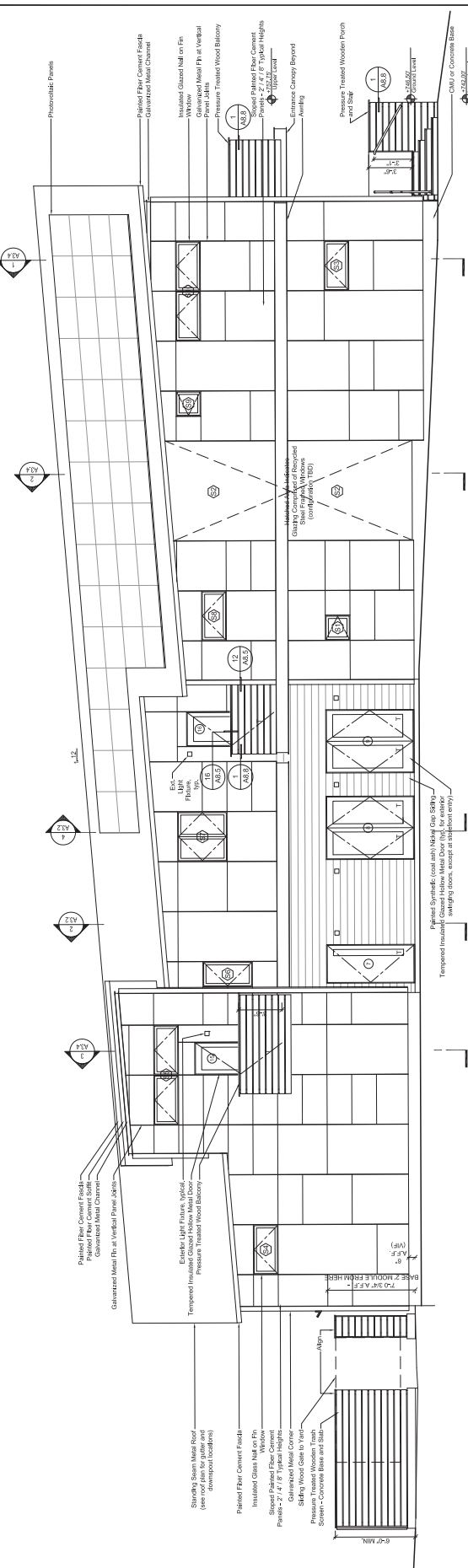
A1.1 Project Data, Site + Roof Plans
A2.1 Floor Plans
A3.1 North + South Elevations
A3.2 East + West Elevations
A3.3 Sections
A3.4 Trimmed Sections
A5.1 Interior Elevations
A8.1 Details
A8.2 Details
A8.3 Details
A8.4 Details
A8.5 Details
A8.6 Details
A8.7 Details
A8.8 Details

Project Data
Site Plan
as noted
scale:
date: 24 January 2022
sheet no.
1 of 18
A1.1 sheets





2 Proposed North Elevation
Scale: 1/4" = 1'-0"



1 Proposed South Elevation
Scale: 1/4" = 1'-0"

project
744 Studio
Building
744 S. Morton St.
Bloomington, IN
47403

architect
Sant DeSiller
and
Buckley's Street
Bloomington, IN
47401
1510.207.1588

drawing title
North + South
Elevations
scale:
1/4" = 1'-0"

date: 19 January 2022
sheet no.
3 of 18
sheets
A3.1

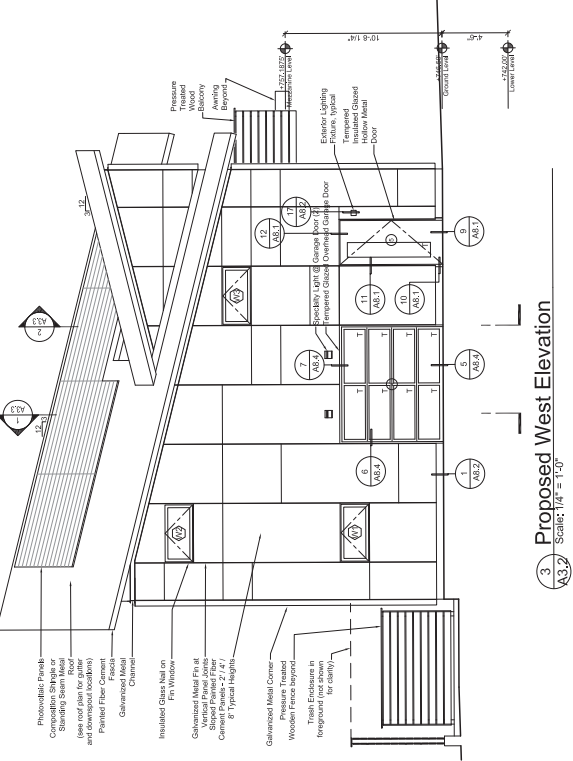
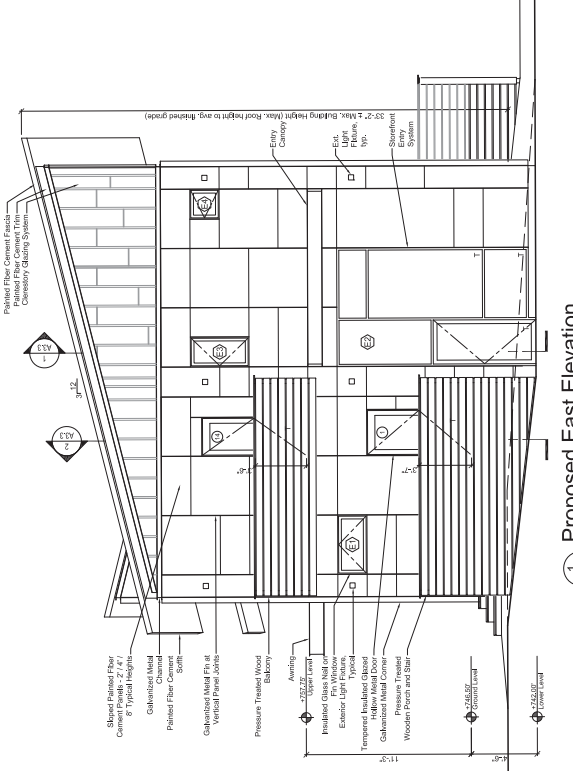
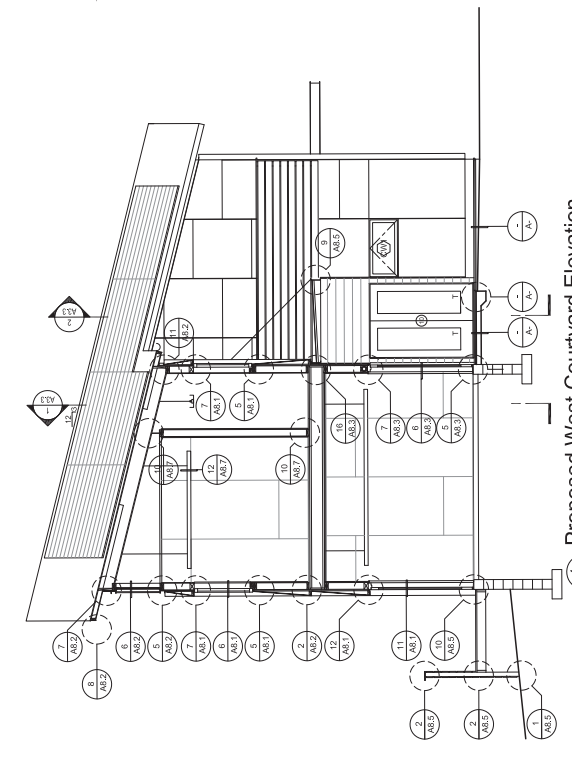
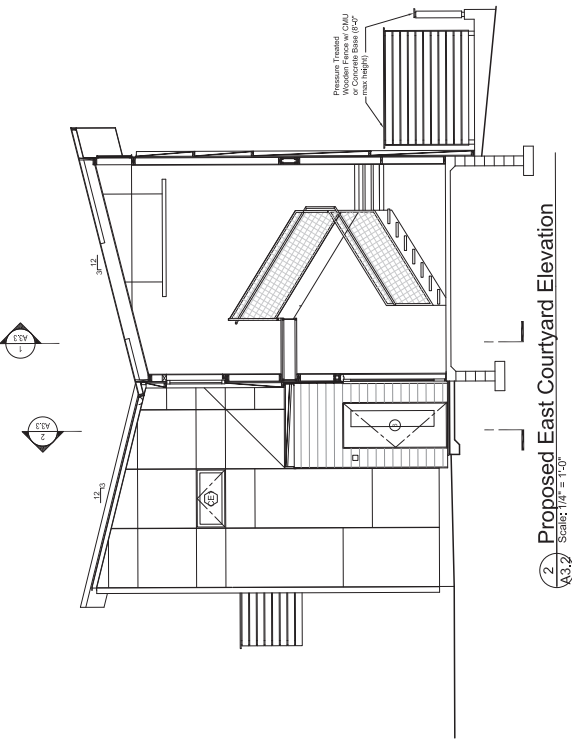
Sam DeSiller
architect
1000 Lakeside Street
Bloomington, IN
47401
1510.207.1588

project
744 Studio Building

744 S. Morton St.
Bloomington, IN
47403

drawing title
East + West Elevations
scale:
1/4" = 1'-0"
date: 19 January, 2022

sheet no.
4 of 18
sheets
A3.2





Jacqueline Scanlan <scanlanj@bloomington.in.gov>

744 S. Morton

Paul Ash <paul-liz1@att.net>
To: scanlanj@bloomington.in.gov

Mon, Jan 24, 2022 at 9:38 AM

The section of South Morton between Second and Hillside has been light industrial since long before any of us were born. Setbacks meant for new residential developments are not appropriate in McDoel. If we must tolerate upzoning by wealthy, non-local developers, why not honor historic precedents, set locally? What Sam DeSollar is proposing for 744 S. Morton was approved by an in person meeting of the McDoel Gardens Neighborhood Association. Please honor that.

Paul Ash
Sent from my iPad



Jacqueline Scanlan <scanlanj@bloomington.in.gov>

Petition for variance at 744 S. Morton Street

Jean LAVE <jlave@berkeley.edu>
To: scanlanj@bloomington.in.gov

Mon, Jan 31, 2022 at 12:45 PM

To the City of Bloomington Planning and Transportation Department

I am writing to you concerning a petition by Architect Sam DeSollar for a variance from Buffer Yard requirements for his proposed project at 744 S. Morton Street.

I live next door at 748 S. Morton. Mr. DeSollar has talked over his plans, the building design and its uses, and made a point of consulting me about its relationship to my house, throughout the planning process. I strongly support his project. It will be an interesting addition to the neighborhood, both architecturally and as an art center.

Please grant him the variance.

best regards,

Jean Lave
(owner and resident
748 S. Morton Street)