

**CITY OF BLOOMINGTON
ADMINISTRATIVE HEARING MINUTES**

Staff Present: Dave Ornstein, serving as Hearing Examiner
Nick Johnson, Planner; Liz O'Day, Planning Technician

Applicant Present: Kent Lawrence
Others Present: Vicki Hauser, Talla Antonczak

Item 1: **Case:** 10972AB-15
 Applicant: Lawrence Lorraine Estate
 Location: 1569 E 88th Street
 Request: The applicant requests, 1) Variances to reduce the side yard setback from 5 feet to 2.2 feet and rear yard setback from 5 feet to 4.8 feet for an existing accessory building (10972A-15); 2) Variance to reduce the side yard setback from 10 feet to 8.7 feet for an existing principal dwelling (10972B-15).

Dave Ornstein called the hearing to order at 1:45 p.m. on November 10, 2015. He explained this was a hearing for 1) Variances to reduce the side yard setback from 5 feet to 2.2 feet and rear yard setback from 5 feet to 4.8 feet for an existing accessory building (10972A-15); 2) Variance to reduce the side yard setback from 10 feet to 8.7 feet for an existing principal dwelling (10972B-15).

Ornstein stated he received copies of the materials included in Case File 10972AB-15 including the application, applicant's letter, receipt of \$220, affidavits of consent, certificate of survey, signed consent forms, notice of public hearing, verified publication in the Bloomington newspaper, returned notices and the planning staff report provided by staff. He noted that proper notification was given to the surrounding property owners.

Ornstein stated he conducted a site visit on November 10, 2015. Johnson stated the requested variances address longstanding conditions on the property and staff was able to make positive findings with the proposed variances. Ornstein asked the applicant representative if he has read the recommended conditions of approval included in the staff report and if he has any objection to the conditions listed in the staff report. Johnson clarified that the variances only apply to the existing encroachments as they are today. Lawrence stated he has read the recommended conditions and has no objection to conditions listed in the staff report. Ornstein suggested the applicant attends the City Council meeting on November 16, 2015.

The Hearing Examiner recommends approval of the 1) Variances to reduce the side yard setback from 5 feet to 2.2 feet and rear yard setback from 5 feet to 4.8 feet for an existing accessory building (10972A-15); 2) Variance to reduce the side yard setback from 10 feet to 8.7 feet for an existing principal dwelling (10972B-15) subject to the conditions listed in the staff report.

The meeting adjourned at 1:51p.m.

RECOMMENDATION

In Case 10971A-15, the Hearing Examiner recommends approval for the requested 1) Variances to reduce the side yard setback from 5 feet to 2.2 feet and rear yard setback from 5 feet to 4.8 feet for an existing accessory building (10972A-15); 2) Variance to reduce the side yard setback from 10 feet to 8.7 feet for an existing principal dwelling (10972B-15), subject to the following conditions of approval:

- 1) The side yard and rear yard setback variances are only applicable to the encroachments of the principal dwelling and accessory building shown on the plans in Case File 10972AB-15.

Prepared By: EO **Reviewed By:** NMJ