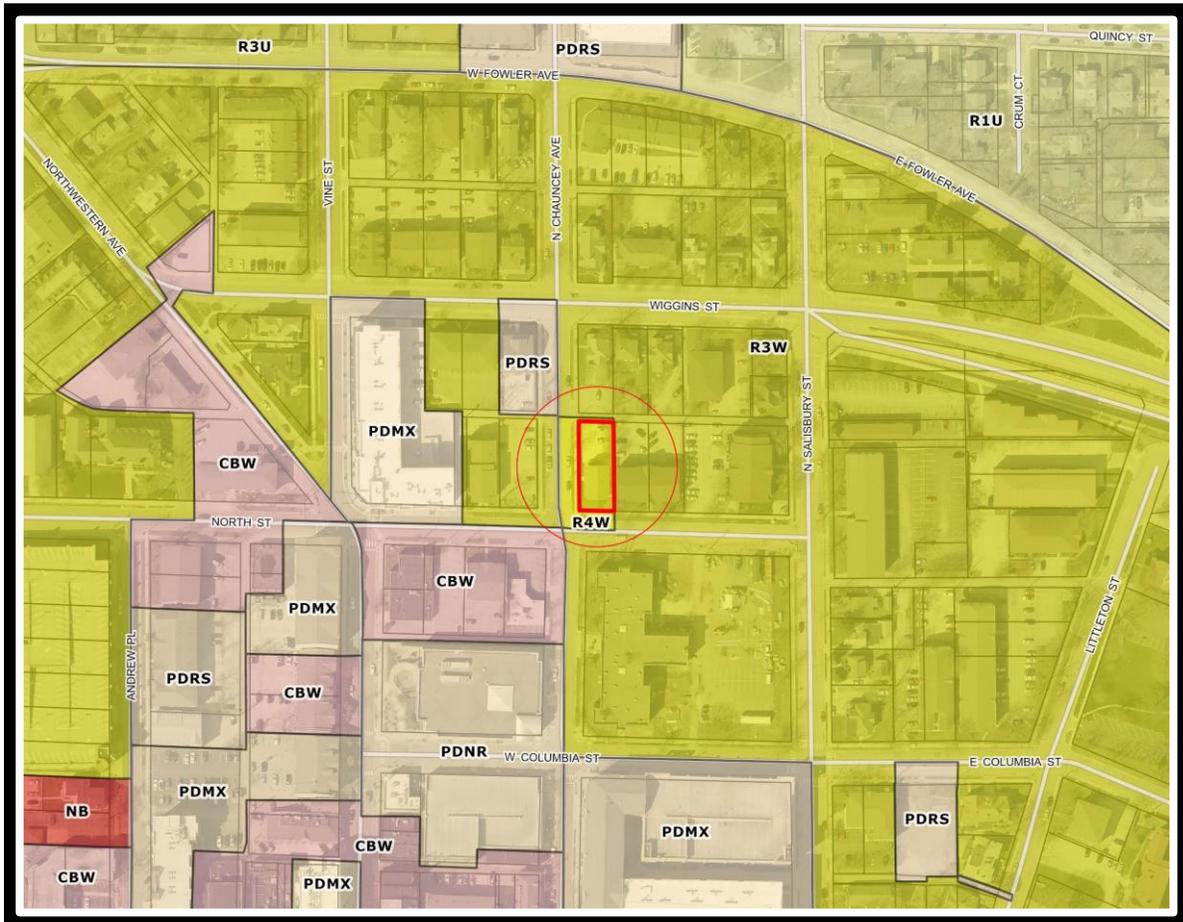
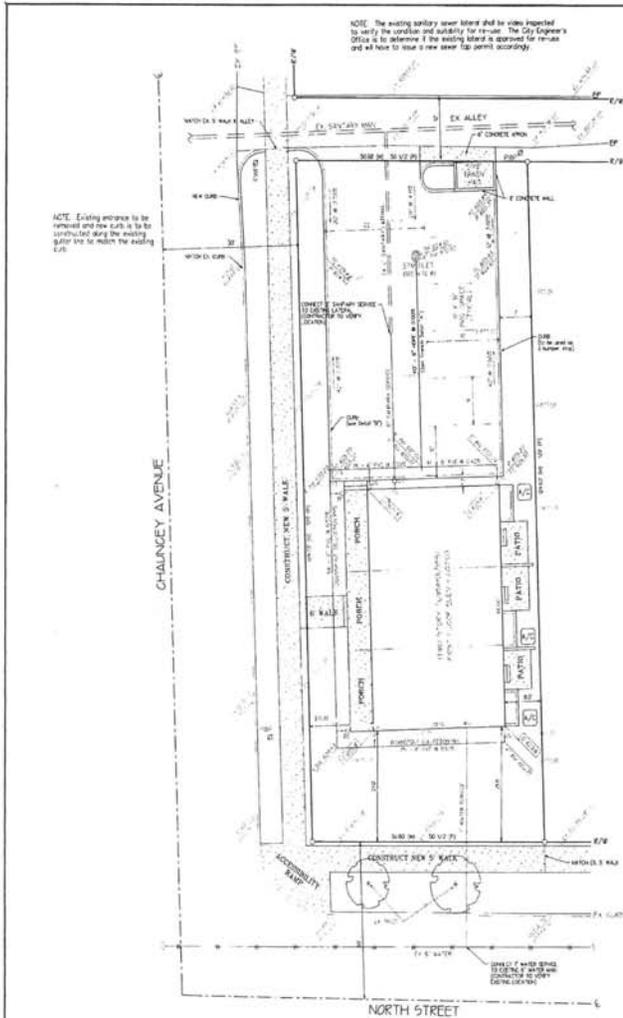

**BZA-2063
RESONS, LLC
(variances)**

**STAFF REPORT
December 1, 2021**



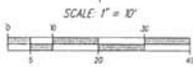


NOTE: The existing sanitary sewer lateral shall be video inspected to verify the condition and suitability for reuse. The City Engineer's Office is to determine if the existing lateral is approved for reuse and all have to have a new sewer tap permit accordingly.

NOTE: Existing entrance to be removed and new curb is to be constructed along the existing gutter line to match the existing curb.

SITE AND UTILITY PLAN

NOTE: The basement is to be used only as a utility room (i.e. washer, dryer, furnace, water heater and storage). It may not be used as habitable space.



- Landscaping Notes**
- Plant material selection, handling, inspection, storage and planting shall be in accordance with the Standards of Practice in the "Tree Manual" for the City of West Lafayette.
 - Each tree shall be planted so that the root flare is visible at the top of the root ball when the root flare is not visible and be inspected. Do not cover the top of the root ball with soil. In cases where the root flare is not visible, soil may need to be placed from the top of the root ball to expose the root flare.
 - Water with 1/2" of overhead horizontal bark mulch. Do not place mulch in contact with the tree trunk. Maintain the mulch free of weeds for a minimum of three years after planting.
 - Remove of limbs, tops and any from the trunk and root ball. Remove wire and stakes and stumps from the upper half of the root ball.
 - Stake trees only when necessary. Trees with light container soil balls and trees in windy areas are examples of situations that may require staking.
 - Prior to planting the contractor and provide 24 hour notice to the West Lafayette Drainage Administration (phone: 765-755-5533) to schedule an inspection during planting of the indicated plant material.

LANDSCAPING PLANT SCHEDULE

Key	Quantity	Botanical Name	Common Name	Size
A	5	Swings redbud	Japanese Lic. Tree	2 1/2' b&b
B	3	Orchid Crabapple	Rebun Tree	2 1/2' b&b
C	2	White Spring Snow	Crabapple Tree	2 1/2' b&b
D	24	Desert Korean Lic	Shrub	3 gal
E	24	Spring Snowberry	Shrub	3 gal
F	0	Hostas	Hosta-perennials	1 gal
G	3	Asian Lilac	Floral Shrub	2 1/2' b&b
H	3	Asian Lilac	Floral Shrub	2 1/2' b&b

GRASED & LANDSCAPED AREA = 2,125 sq ft. (ACT)

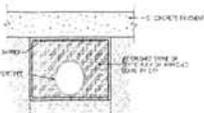
ASPHALTED AREA = 3,038 sq ft. (ASPT)

TOTAL AREA (Grass & ASP) = 5,163 sq ft. (TOTE)

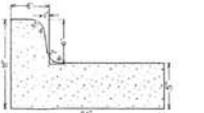
NOTE: All tree details for the landscaping plan will be approved by the City of West Lafayette as part of the final submittal plan submitted for this project.

SITE PLAN NOTES

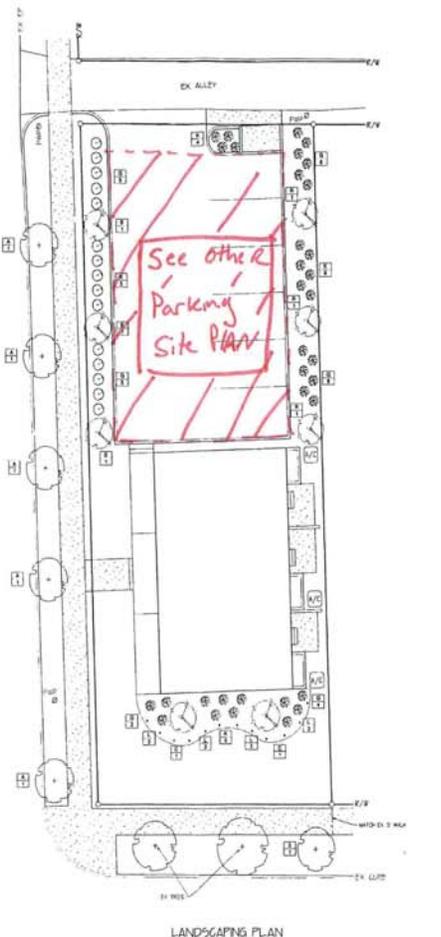
- WATER**
- WATER SERVICE TO BE WITH CONNECTION TO EXISTING WATER MAIN BY ADAMS-MEADOW WATER COMPANY IN THE NORTH STREET RIGHT-OF-WAY. CONTRACTOR TO VERIFY LOCATION OF EXISTING WATER MAIN.
 - SANITARY SEWER SERVICE TO BE FROM EXISTING SANITARY LATERAL PER CITY OF WEST LAFAYETTE APPROVAL. CONTRACTOR TO VERIFY THE LOCATION OF THE EXISTING SANITARY LATERAL.
 - BEFORE TO CONSTRUCTION THE CONTRACTOR SHALL DO A "TEST HOLE" WITH BALANCE TO VERIFY SUITABLE SOILS AT EVERY SET POINT FOR PROPOSED STORM DRAINAGE SYSTEM. STORM DRAINAGE SYSTEM TO BE CONSTRUCTED PER CITY OF WEST LAFAYETTE STANDARDS AND REQUIREMENTS.
 - CONTRACTOR TO COORDINATE EXACT UTILITY LOCATIONS WITH PLANNING DEPARTMENT.
 - IF DOMESTIC WATER LINE FOR THE APPLICABLE TO BE 1/2" CIP 200 LB POLYETHYLENE.
 - PROPOSED STORM DRAINAGE TO BE CITY OF LAFAYETTE STANDARD TYPE A PRECAST CONCRETE MANHOLE WITH A KENNETH R-246 FRAME AND GRATE ON APPROVED SOILS.
 - ALL STORM PIPES TO BE 12" IN SMALLER BENCH MARK EXCEPT IN THE LAWN AREAS.
 - MANHOLE PIPES TO BE CONNECTED TO 8" PVC COLLECTION PIPE AS SHOWN IN THE PLAN.
- MISCELLANEOUS**
- ALL PROPOSED DRIVE AREAS TO BE 4" CONCRETE OVER COMPACTED SUBGRADE.
 - ALL PROPOSED PARKING AND DRIVING AREAS TO BE 5" CONCRETE OVER COMPACTED SUBGRADE.
 - ALL CURBS TO BE 6" TYPE A CONCRETE COMPACTED CURB AND GUTTER (SEE DETAIL 'C').



TRENCH DETAIL 'A' - INFILTRATION PIPE



TYPE B COMBINED CURB AND GUTTER DETAIL 'B'



LANDSCAPING PLAN



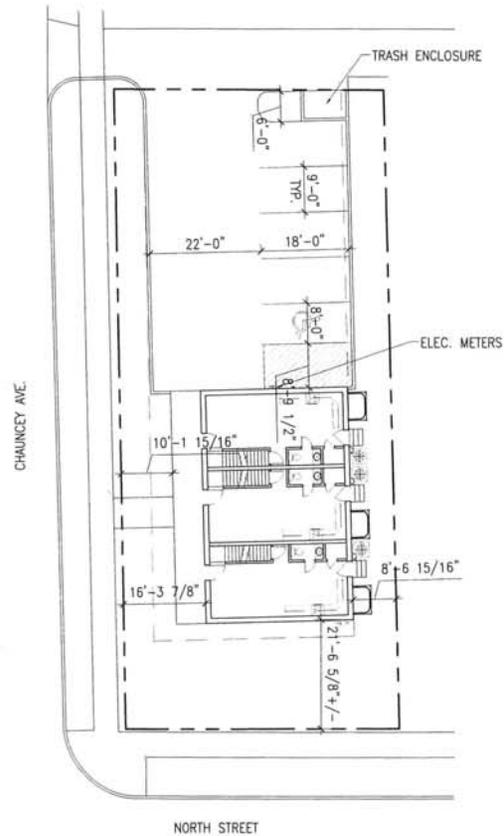
C & S ENGINEERING 92597E.GDD

• Civil Engineers • Land Surveyors •

SITE AND LANDSCAPING PLANS
CHAUNCEY TOWNHOUSES P.D.
CITY OF WEST LAFAYETTE, INDIANA

REVISIONS	1	1/14/05	JAC	JAC	1" = 10'	SHEET NO.	2
	2	1/16/05	JAC	PJC			5
	3	10/27/04	JAC	1/2/05/05	N/A	9/29/04	A-925(K-48)

1718 Monon Avenue, Lafayette, IN 47904 PH: (765)429-4101 FAX: (765)429-4194



302 N. Chauncey
Basement
Renovation

September 16, 2021

Site Plan

Schematic Design

Architect:

KJG Architecture, Inc.
527 Sagamore Parkway W., Suite 101
West Lafayette, Indiana 47905
Phone: 765-487-4588 Fax: 765-487-4589



1 ARCHITECTURAL SITE PLAN

SCALE: 3/16"=1'-0"

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner and owner, represented by attorney Chris Shelmon, is requesting the following variances to permit the addition of a third bedroom in three existing units in an R4W zone:

1. To allow a lot width of 50.68' instead of the allowed 70' (UZO 4-2-1);
2. ~~To allow a 21' frontage setback instead of the required 20' along North Street (UZO 4-2-2);~~
3. To allow a 10' setback instead of the required 12' from Chauncey Avenue, (setback of 12' based on averaging) (UZO 4-2-2);
4. To allow 5 parking spaces instead of the required 9 parking spaces (UZO 4-6-4);

on property located at 302 N. Chauncey Avenue, (Lot 19 in the Wiggins Addition), West Lafayette, Wabash 19 (NE) 23-4.

AREA ZONING PATTERNS:

The property was most recently rezoned in August of 2020 from PDRS to R4W (Z-2797). Previously the property was rezoned in January of 2004 from R3W to PDRS for the Chauncey Townhouses Planned Development (Z-2216). The design intent of the planned development was to build a new structure (in place of the previously converted single-family home) that retained the look of the old homes in the vicinity that were converted to student apartments.

The property is surrounded by R3W zoning to the north, south, east, and west. To the southwest is CBW zoning and to the northwest is PDRS and PDMX zoning.

AREA LAND USE PATTERNS:

This area is near the core of West Lafayette's downtown area. In fact, this building is across North Street from the recently remodeled Morton Center/City Hall. Numerous redevelopment efforts over the last two decades have been steadily transforming the Historic Chauncey Village neighborhood into a dense, mixed-use, downtown environment. Higher-density multi-family and retail uses are creating an increase in pedestrian traffic.

TRAFFIC AND TRANSPORTATION:

North Street is an urban local road and Chauncey Avenue is classified as a primary

arterial according to the adopted *Thoroughfare Plan*. Because this site is located in the urbanized sewer area of West Lafayette the setbacks are reduced to 20'.

Based on the submitted site plan, there are no anticipated changes to access. Parking requirements for a university-proximate residence with living areas over 825 sq.ft. is 3 spaces per unit (UZO 4-6-4). The existing units are over 900 sq.ft. The property currently has 3 units, making the required parking 9 spaces. The parking spaces negotiated in the planned development were 1 space per bedroom. Petitioner is reducing the existing nonconforming number of parking spaces on site from 6 regular spaces to 4 regular spaces plus one accessible space for a total of five.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Public utilities serve the site. Because all abutting properties are zoned residentially, there is no bufferyard requirement.

STAFF COMMENTS:

Petitioner is requesting this variance to increase the living area in the existing three units and add a total of three bedrooms; they plan to convert a portion of the basement to bedrooms. The site would then have three three-bedroom units for a total of 9 bedrooms. Adding the additional bedrooms and living area is the impetus for these requests. (Changing the basement from storage into living space was not permitted under the terms of the planned development; this explains rezoning the site to R4W.) The site is required to come into conformance if the use is expanded. Expanding the living area and adding bedrooms is considered an expansion.

This site is inside the study area of the West Lafayette Downtown Plan. This block is recommended for Downtown Edge, which should continue the mixed-density residential transition begun on the east half of the block to the west and continuing east. Any non-residential uses, consistent with the intent of the Downtown Edge land use category, should be focused on the North/Chauncey intersection. Increasing the bedrooms in the existing structure is in line with the plans, allowing continued use until a larger project includes this site that better aligns with the plan.

Staff recognizes the three variance requests as part of an effort to legitimize a previously developed structure in the PDRS zone that has since become a noncomplying structure due to its rezone to R4W. The request for lot width reduction can be supported by staff because the lot and structure are already in place, all of the proposed changes are occurring within the existing structure.

The setback request from North Street is not required because the required setback of 25' is reduced to 20' from North because the site is in the urbanized sewer area of West Lafayette. (See UZO Section 4-2-2 footnote 11.)

The setback from Chauncey could be reduced by averaging to 12', but this reduction would not be enough to make the existing structure conforming because it was built with a 10' setback.

Petitioner seeks to have 5 parking spaces as opposed to the required 9. The current 6 spaces serving the site have been adequate since the building's construction in 2005 and was approved in the original PD negotiation process for the site. The reason for the reduction from 6 to 5 is to accommodate an addition of a handicapped spot which staff deems as valuable. Recent plan developments in the area have been granted a parking standard of 0.3 spaces per bedroom, if approved this site will provide 0.56 spaces per bedroom. In the R4W parking is based on unit size, and the existing units already require 3 spaces per unit. Expanding the units by adding an additional bed would not change that parking standard.

Regarding the ballot items:

1. The Area Plan Commission at its October 20, 2021 meeting determined that the variances requested **ARE NOT** use variances.

And it is staff's opinion regarding all three variances that:

2. Granting these variances **WILL NOT** be injurious to the public health, safety, and general welfare of the community. The exterior of the structure and the use will continue since its original construction and it will have no ill effect on the community.
3. Use and value of the area adjacent to the property included in the variance requests **WILL NOT** be affected in a substantially adverse manner. The building footprint will remain, use will stay the same and will have no effect on its neighbors. The additional beds will allow a few more students to live closer to campus.
4. The terms of the zoning ordinance are being applied to a situation that **IS NOT** common to other properties in the same zoning district. This property was originally developed as a planned development and thus was originally constructed per negotiated standards. Those standards were approved by the city and APC staffs and allowing three more bedrooms will not significantly change the previously negotiated plans. Removing the original PD limitations will simply allow the site to be consistent with the neighboring converted homes.
5. Strict application of the terms of the zoning ordinance **WILL** result in an unusual or unnecessary hardship as defined in the zoning ordinance. The building was built under the standards of the negotiated planned development. The addition of three bedrooms to this existing building would be a benefit by marginally increasing density in this neighborhood; the ordinance itself is causing the hardship.

Note: Questions 5a. and 5b. need only be answered if a hardship is found in Question 5 above.

5a. The hardship involved **IS NOT** self-imposed or solely based on a perceived reduction of or restriction on economic gain. The rezone from PDRS to R4W has caused restrictions that are inhibiting improvements that are reasonable to the use

and size of the site. The expansion of 3 more bedrooms are not requiring the variances.

5b. The variances sought **DO** provide only the minimum relief needed to alleviate the hardship because the variance requests do not add any additional relief other than what is required to legitimize the structure. Even if the bedrooms were not added these variances are required to bring the site into compliance.

STAFF RECOMMENDATION:

Variance #1: Approved

Variance #2: not required

Variance #3: Approved

Variance #4: Approved