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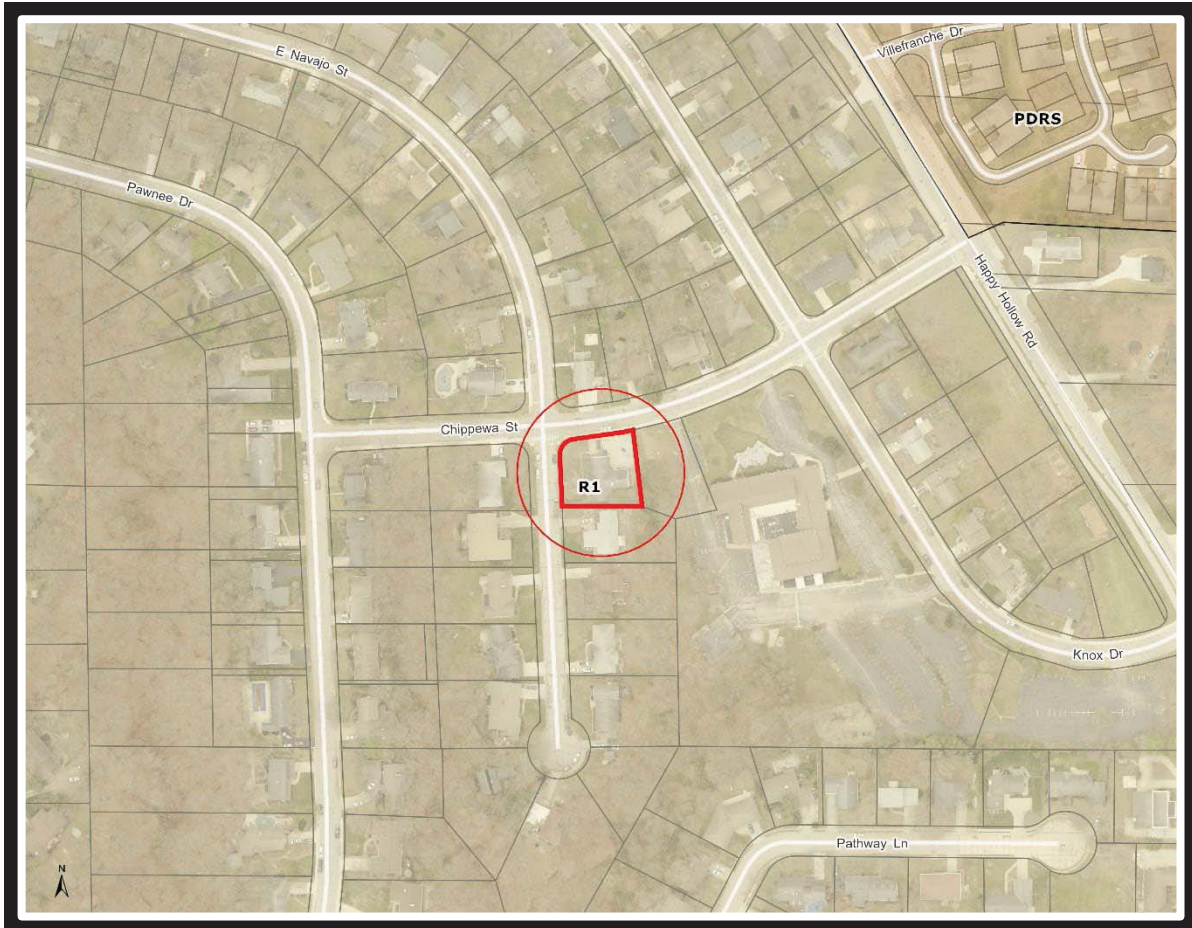
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**BZA-2097**  
**ROBERT AND JULIA KOLOUCH**  
**(variances)**

**STAFF REPORT**  
**May 18, 2023**

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**BZA-2097**  
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**Variances**

**Staff Report**  
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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioners and owners are requesting the following variances for a proposed addition to a single-family residence in an R1 zone:

1. To increase the maximum coverage by all buildings from 30% (or 3,767 sq ft) to 33% (or 4,116 sq ft, an increase of 3% or 329 sq ft); and
2. To reduce the minimum vegetative coverage from the required 40% (5,050 sq ft) to 37.5% (4,781 sq ft).

The property is located at 200 E Navajo St, Lot 111 in Wabash Shores Second Addition in West Lafayette, Wabash 08 (SW) 23-4.

**AREA ZONING PATTERNS:**

The site in question is zoned R1, as is all surrounding land. There have been no other BZA or rezone requests in this area in several decades.

**AREA LAND USE PATTERNS:**

The site is improved with a single-family dwelling, an in-ground pool with surrounding patio space, and a small garden shed.

The rest of this short cul-de-sac consists of other single-family dwellings, and Covenant Church is to the east.

**TRAFFIC AND TRANSPORTATION:**

The property has access from Chippewa Street, an urban local road according to the adopted *Thoroughfare Plan*. The petitioners plan to increase the width of the driveway area, without increasing the existing 24' curb cut.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

The site is served by Indiana-American Water and city sewer.

**STAFF COMMENTS:**

The reason for these two variance requests stems from the petitioners' desire to renovate and add on to their existing house. Together with the existing conditions in the backyard (the pool and pool patio), the additions to the home would increase the lot coverage, more than the allowed amount for R1 districts. The vegetative coverage will also decrease with

the home additions.

The home appears to have been built around the time West Lafayette adopted the zoning ordinance, though it is not clear how the rear setback of 12' – 8 ½" came about; the current required rear setback is 25'. Since the additions being proposed do not further encroach on the rear setback, neither the City of West Lafayette nor staff require the petitioners obtain the additional variance, though they have been notified of the option. The pool, pool patio and fence also appear to be nonconforming; in conversations with city staff, it was determined that variances would not be required.

This part of West Lafayette was platted many years ago; this lot has been in existence at least as far back as 1966, according to County Assessor's records. The small lot to the east, owned by the church, appears to be unbuildable due to a small ravine. The nature of the land as well as the lot lines have created a unique situation for the petitioners, which is unlike the rest of this development. Most of the other homes along this cul-de-sac have deeper backyards, which would likely help to contribute to the lot coverage under consideration in this request.

Regarding the ballot items for both requests:

1. The Area Plan Commission at its meeting on March 15, 2023 determined that the variances requested **ARE NOT** use variances.

And it is staff's opinion that:

2. Granting these variances **WILL NOT** be injurious to the public health, safety, and general welfare of the community. Slightly increased building coverage and slightly decreased vegetative coverage will not negatively affect the public's general welfare.
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 homes surrounding this property will not be impacted in any way from having more building coverage on this property and less vegetative coverage. The home is not being built any closer to those property lines, nor any higher than the existing home.
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. The lot size and shape in this case is not common to other properties in this area, in that it is smaller and has a shorter backyard.
5. However, strict application of the terms of the zoning ordinance **WILL NOT** result in an unusual or unnecessary hardship as defined in the zoning ordinance. The petitioners do not need to add four additions on to their home in order to use it as a single-family dwelling. They could and currently do meet the zoning ordinance requirements for lot coverage, without changing anything on the property. In fact, the petitioners could reduce the amount or size of any of the additions being proposed to meet the lot coverage requirements.

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

5a. The hardship involved **IS** self-imposed or solely based on a perceived reduction of or restriction on economic gain. The variances being sought are only to provide additional square footage for the petitioners, at their request. The expansion is self-imposed.

5b. The variances sought **DO NOT** provide only the minimum relief needed to alleviate the hardship. There is no minimum relief because there is no hardship.

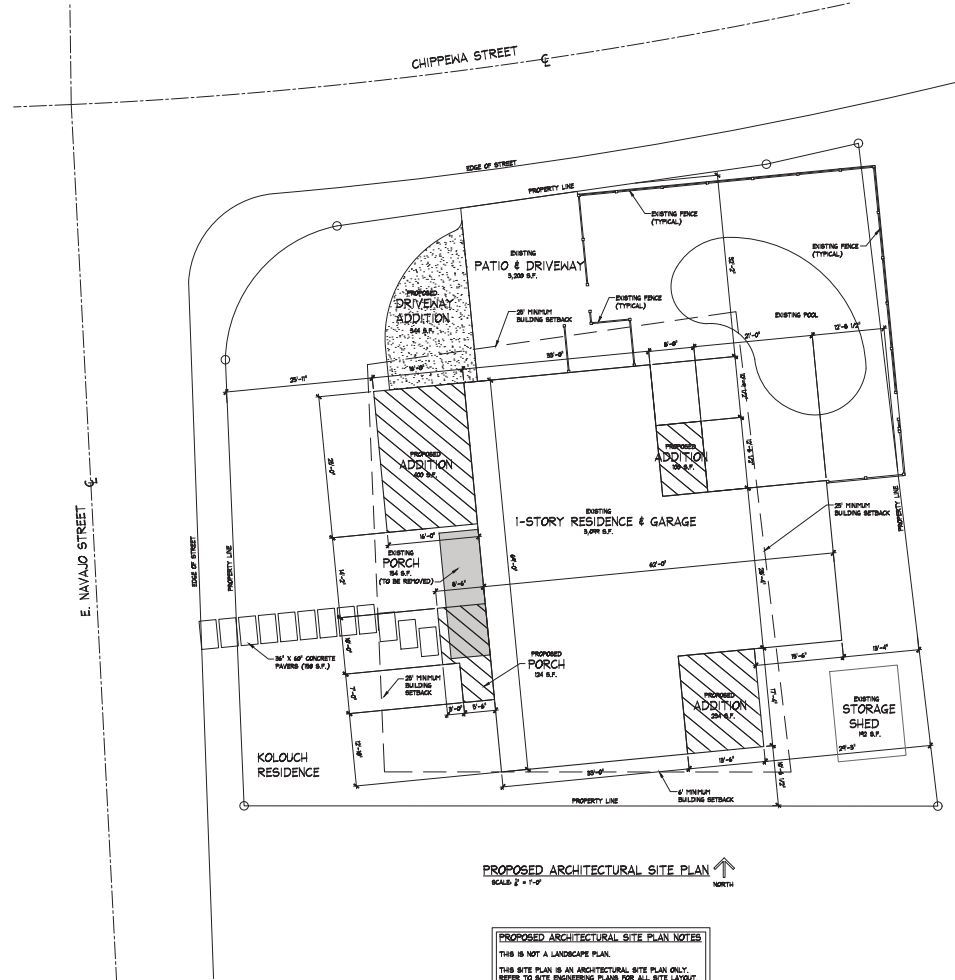
**STAFF RECOMMENDATION:**

Variance #1: Denial

Variance #2: Denial

PROPOSED ADDITION

CALCULATIONS	
MAXIMUM BUILDING COVERAGE:	
CLASH S.F. (LOT SIZE) X 35% = 5,387 S.F.	
EXIST. BLDG. COVER (HOUSE & GARAGE) = 3,098 S.F.	
DETACHED STORAGE SHED = 40 S.F.	
PROPOSED ADDITION = 88 S.F.	
3,098 S.F. + 40 S.F. + 88 S.F. = 3,226 S.F. < 5,387 S.F. BLDG. COVERAGE	
4,106 S.F. IS NOT LESS THAN REQUIRED 3,226 S.F.	
(88 S.F. GREATER)	
DOES NOT MEET CRITERIA	
MINIMUM VEGETATIVE COVER:	
CLASH S.F. (LOT SIZE) X 35% = 5,387 S.F.	
BLDG. COVERAGE = 4,106 S.F.	
HARD SURFACE COVERAGE = 3,146 S.F.	
EXISTING PATIO & DRIVEWAY = 3,339 S.F.	
PROPOSED ADDITIONAL DRIVEWAY = 341 S.F.	
CONCRETE PATIO & DRIVEWAY = 96 S.F.	
TOTAL COVERAGE = 7,483 S.F.	
CLASH S.F. = 5,387 S.F.	
OVERLAPAGE = 2,106 S.F.	
CLASH S.F. IS NOT GREATER THAN REQUIRED 5,000 S.F.	
(2,106 S.F. LESS)	
DOES NOT MEET CRITERIA	



PROPOSED ARCHITECTURAL SITE PLAN  
SCALE: 1/8" = 1'-0"

**PROPOSED ARCHITECTURAL SITE PLAN NOTES**  
 THIS IS NOT A LANDSCAPE PLAN.  
 THIS SITE PLAN IS AN ARCHITECTURAL SITE PLAN ONLY.  
 REFER TO SITE ENGINEERING PLANS FOR ALL SITE LAYOUT.  
 THIS PLAN IS FOR DESIGN INTENT ONLY.  
 ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH LOCAL  
 AND STATE REQUIREMENTS AND SPECIFICATIONS



**K&G RESIDENTIAL**  
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**DISCLAIMER:**  
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**PROPOSED ARCHITECTURAL SITE PLAN**  
 KOLOUCH RENOVATION  
 200 E. NAVAJO STREET  
 WEST LAKE AVENUE, BIRMINGHAM, AL 35209

PROJECT DATE: 05.12.2023  
 SHEET REVISIONS: NO. DESCRIPTION DATE  
 PROJECT NUMBER: R0222 020 CHECKED BY: JEY  
 SHEET NUMBER: **C101**