

November 9, 2023

City of Bloomington Hearing Examiner:

On June 30, 2023, a building permit was applied for an addition onto the existing home. An as-built survey was provided that clearly marks the current house and the addition at a 9.6 and 9.64-foot side yard setback. We had anticipated the need for a variance, yet the staff approved the plans as submitted and issued a permit on July 14, 2023. We questioned staff on the setback, who stated this was not an issue. We assumed that this was allowed due to the recent changes to R-1 Zoning to allow smaller lots and dense development.

After the framing inspection, City staff discussed with Dorpinghaus Construction about the permit being issued in error, and a variance was required. This application for a variance is an attempt to clear up the issue created with the permit issuance.

A City of Bloomington goal is to improve the aging housing stock. That includes additions to create a home that meets the expectations of a homebuyer or resident who desires to stay in the neighborhood. This home was constructed in 1954, before the City of Bloomington Incorporated. The 9.6-foot setback was legally nonconforming when the City adopted the 1962 zoning ordinance and the required 10-foot setback.

The variance request, if approved, would remove the non-conforming issue for the existing home and allow for the permit-approved and issued expansion to remain.

We look forward to your support in correcting errors that we were part of but have issues to deal with.

Steve Dorpinghaus