ORDINANCE 86 - 9
To Amend the Zoning Maps from ML to MG
and Grant Outline Plan Approval
RE: (NW corner SR 45 & Hwy 37) Bill Brown Assoc.

WHEREAS, the Common Council passed a Zoning Ordinance amendment and adopted new incorporated zoning maps on June 7, 1978 which are now incorporated in Title 20 of the Bloomington Municipal Code; and

WHEREAS, the Plan Commission has considered this case, MG/PCD-108-85 and recommended that the petitioner, Bill C. Brown Associates, be granted an amendment to the Bloomington zoning maps and request that the Common Council consider their petition for rezoning of certain property:

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT;

SECTION I. Through the authority of IC 36-7-4 that the zoning be changed from ML to MG for property located at the northwest corner SR 45 and Hwy 37 and more accurately described as follows:

A part of the Northeast quarter of Section 12, Township 8 North, Range 2 West, Monroe County, Indiana,bounded and described as follows: Beginning at an iron pipe on the North line of said Section 12, said point of beginning being 935.61 feet West of the Northeast corner of said Northeast quarter; thence from said point of beginning and with the North line of said Section 12 and running South 89 degrees 29 minutes 03 seconds West for 824.68 feet and to an iron pipe; thence with an existing fence line and running South 00 degrees 33 minutes 40 seconds West for 2236.34 feet and to an iron pipe; thence leaving said existing fence line and running South 34 degrees 27 minutes 43 seconds East for 339.97 feet and to an iron pipe on the Northerly right of way line of State Road 45; thence with said Northerly right of way line and running North 55 degrees 49 minutes 43 seconds East for 622.27 feet and to a concrete right of way monument; thence continuing along said right of way line and running North 44 degrees 22 minutes 20 seconds East for 170.50 feet and to an iron pipe; thence leaving said right of way line and with an existing fence line and running North 00 degrees 33 minutes 40 seconds East for 2052.67 feet and to the point of beginning. Containing 43.92 acres, more or less.

Also, a part of the Southeast quarter of Section 1, Township 8 North, Range 2 West, Monroe County, Indiana, bounded and described as follows: Beginning at an iron pipe on the South line of said Section 1, said point of beginning being 1298.22 feet West of the Southeast corner of said Southeast quarter; thence from said point of beginning and running North 00 degrees 33 minutes 40 seconds East for 479.00 feet and to an iron pipe; thence South 89 degrees 29 minutes 03 seconds West for 462.00 feet and to an iron pipe; thence South 00 degrees 33 minutes 40 seconds West for 479.00 feet and to an iron pipe on the South line of said Section 1; thence with the South line of said Section 1 and running North 89 degrees 29 minutes 03 seconds East for 462.00 feet and to the point of beginning. Containing 5.08 acres, more or less.

Also, a part of the Southwest quarter of the southeast quarter of Section 1, Township 8 North, Range 2 West, bounded and described as follows, to wit: Beginning at the Southwest corner of the Southeast quarter of said Section 1 running thence East with the South line of said Section 875.00 feet to the southwest corner of a five (5) acre tract in said Southwest quarter of said Southeast quarter now or formerly owned by William Weimmer, thence North 495.00 feet to the land now or formerly owned by Homer L. Curry; thence West 457.50 feet; thence running South parallel to the West line of said quarter quarter 208.75 feet; thence running West 417.50 feet and to the West line of said quarter quarter; thence South along the West line of said quarter quarter 286.25 feet and to the point of beginning. Containing 8 acres, more or less.

Also, a part of the Northeast quarter of Section 12, Township 8 North Range 2 West, in Monroe County Indiana, bounded and described as follows: to wit: Beginning at the Northeast corner of said Northeast quarter, said corner being marked by a 5/8 inch iron pin; thence South 00 degrees 18 minutes EAst (assumed bearing), 1486.86 feet along the East line of said quarter to a PK masonry nail in the centerline of State Road 45; thence South 55 degrees 23 minutes West 1166.56 feet along said centerline to a PK masonry nail; thence North 00 degrees 11 minutes East 2137.47 feet along the East line of that tract conveyed to Harry L. and Edith Weimr (Deed Record 156, page 338), to a 5/8 inch iron pin on the North line of said quarter; thence North 89 degrees 36 minutes East 273.20 feet along said North line to a 5/8 inch iron pin; thence North 89 degrees 08 minutes East 672.30 feet along said North line to the point of beginning. Containing 39.62 acres, more or less. Said described tract being and intended to be part of that real estate partitioned to Harvey Weimer in the Weimer Farm petition (Civil Order Book A-29, pages 144-145), the West line of said described tract being the partition boundary line as described in Deed Record 156, page 338 in the trustee deed to Harry L. and Edith Weimer.

Excepting therefrom that part being taken as Right of Way in Circuit Court Case C69-C454 containing approximately 8.25 acres.

Also, a part of the WEst half of the East half of Section 12, Township 8 North, RAnge 2 West, Monroe County, Indiana, described as follows: Beginning at a point that is 1444.78 feet south and 568.00 feet east of the Northwest corner of the West half of the east half of Section 12, thence South for 60.00 feet, thence east for 240.00 feet, thence 60.00 feet North, thence West 240.00 feet to the point of beginning.

Also a part of the WEst half of the East of Section 12, Township 8 North, RAnge 2 West, in Monroe County, Indiana, described as follows: Beginning at a point that is 848.56 feet East and 2550.50 feet South of the Northwest corner of the West half of the East half of the said Section 12, thence North 01 degrees West for 311.90 feet; thence South 35 degrees 57 minutes east for 277.43 feet; thence South 61 degrees West for 180.00 feet and to the point of beginning. Containing in all .56 acres, more or less.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that the approved outline plan be amended and that the above designated property be designated a Planned Commercial Development.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19 day Feb, 1986.

James Regester

JAMES REGESTER, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County Indiana, upon this 20 day of Feb., 1986.

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 21 day of Feb, 1986.

3/10/86 signed copies:
1. Petitioner
2. Planning
3. Legal

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Approval would amend the existing outline plan and would rezone from ML to MG and include in the outline plan a parcel adjacent on the northwest side of the original approval.

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 86-9, is a true and complete copy of Plan Commission Case Number MG/PCD-108-85 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 27 1986.

Timothy A. Mueller
Planning Director

Date: 1/29/86,

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this ____day of _____,

Patricia Williams
Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution#_____

Type of Legislation:

Appropriation	____	End of Program	____	Penal Ordinance	____
Budget Transfer	____	New Program	____	Grant Approval	____
Salary Change	____	Bonding	____	Administrative Change	____
Zoning Change	X	Investments	____	Short-Term Borrowing	____
New Fees	____	Annexation	____	Other OUTLINE PLAN AMENDMENT	

ML to MG

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure ____ Emergency ____
Unforseen Need ____ Other_____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date		
Revenue Expected for Rest of year		
Appropriations to Date		
Unappropriated Balance		
Effect of Proposed Legislation(+/-)		
Projected Balance	$	$

Signature of Controller_____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes____ No X

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion. This parcel is outside the corporate limits and there will be not impact on City costs or revenues.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency submitting legislation Bloomington City Plan Commission

By Tim Mueller Date 1/29/86