(passed 7-0
Diekhoff + Rollo absent)

ORDINANCE 07-15

TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED "HISTORIC PRESERVATION AND PROTECTION" TO ESTABLISH A HISTORIC DISTRICT - Re: 2102 West Vernal Pike (Vivian Galligan, John Galligan Jr. and John Galligan III, Petitioners)

WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission and established procedures for designating historic districts in the City of Bloomington; and

WHEREAS, the Historic Preservation Commission held a public hearing on July 12, 2007 for the purpose of allowing discussion and public comment on the proposed historic district designation of 2102 West Vernal Pike; and

WHEREAS, at the July 12, 2007 meeting the Historic Preservation Commission found that the building has historic and architectural significance that merits the protection of the property as a historic district; and

WHEREAS, the Commission has prepared a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in BMC 8.08.10; and

WHEREAS, the Commission voted to submit the map and report to the Common Council which recommend local historic designation of said properties;

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

SECTION I. The map setting forth the proposed historic district for the site is hereby approved by the Common Council, and said historic district is hereby established. A copy of the map and report submitted by the Historic Preservation Commission are attached to this ordinance and incorporated herein by reference and two copies of them are on file in the Office of the Clerk for public inspection. The property is located at 2102 West Vernal Pike and is further described below:

A part of the Northwest quarter of Section 32, Township 9 North, Range 1 West described as follows, towit:

Commencing at a point which is 1591 feet South and 47.7 feet East of the Northwest corner of aforesaid Section 32, which point is the center line of the Vernal Pike; thence East 21.8 feet to the corner of a stone post; thence Northeast 45.5 feet to a 12 inch hard maple tree which is 10.5 feet North and 44.4 feet East of the aforementioned stone post; thence East 213.2 feet to a point; thence South 130 feet to a point; thence in a Southwesterly direction at an angle of 92 degrees, a distance of 158.7 feet to the center line of the Vernal Pike; thence along and with the center line of the Vernal Pike 146.15 feet to the place of beginning, containing .54 acres, more or less.

Subject to any and all easements, setbacks, highways, rights-of-way, conditions, covenants and restrictions of record as shown in the office of the Recorder of Monroe County, Indiana.

SECTION II. The "2102 West Vernal Pike" shall be classified as "notable."

SECTION III. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic Districts," is hereby amended to insert a line regarding the "2102 West Vernal Pike" which shall read as follows:

2102 West Vernal Pike

SECTION IV. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 1st day of August, 2007.

~~DAVE ROLLO, President~~
Bloomington Common Council
STEPHEN VOLAN, Vice President

ATTEST:

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 2nd day of August, 2007

Regina Moore
REGINA MOORE, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 2nd day of August, 2007.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled "The List of Designated Historic Districts" in order to designate "2102 West Vernal Pike" as a historic district and rate it a "notable" structure. The Petitioners sought these actions and, after a public hearing on July 12, 2007, the Historic Preservation Commission recommended them to the Common Council based upon certain historic and architectural criteria set forth in Title 8 (Historic Preservation and Protection). Endangered by the encroachment of modern commercial development, this Queen Anne style farmhouse is the best example of its kind on the west side of town and is important in its integrity of setting as well as the architecture of the house itself. The survival of a fieldstone wall which surrounds the house enhances the site's historic significance and, is identified as an additional notable resource. Once this ordinance has been adopted, the property would be regulated by the requirements that apply to all historic and architecturally worthy districts so designated by the Common Council. These regulations preserve and protect the property from demolition and include the review of exterior modifications.

Note: This ordinance was revised after distribution in the Legislative Packet on Friday, July 13, 2007 and introduction at the Regular Session on July 18, 2007. The revision is found in Section 1 and replaces the legal description for the property.

Signed copies to:
Legal (10) CA/CA (3) controller
Controller Clerk
Hist. Pres. Comm. File
HAND BMC (2)