Passed: 8-0

ORDINANCE 96-38

TO AMEND THE BLOOMINGTON ZONING MAPS
FROM RS4.5 TO RM7
Re: The odd numbered addresses from 821 to 837 West 17th Street and the odd numbered addresses in the 1200 block of North Maple, as well as 1301, 1303, 1305 to 1311 & 1316 North Maple Street (North Maple Area)
(City of Bloomington, Petitioner)

WHEREAS, the Common Council adopted Ordinance 95-21 which repeals and replaces Title 20 of the Bloomington Municipal Code entitled "Zoning", and including the incorporated zoning maps, and Title 21, entitled "Land Use and Development" on May 1, 1995; and

WHEREAS, the Plan Commission has considered this case, ZO-58-96, and recommended that the petitioner, City of Bloomington, be granted an amendment to the zoning maps from RS4.5 to RM7 and request that the Common Council consider this petition;

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 and pursuant to Chapter 20.05.09 of the Bloomington Municipal Code, that the following property be rezoned from RS4.5 to RM7. The property includes the following addresses - the odd numbered addresses from 821 to 837 West 17th Street and the odd numbered addresses in the 1200 block of North Maple, as well as 1301, 1303, 1305 to 1311 & 1316 North Maple Street - and is further described below:

A part of outlot number one hundred eighteen (118) in the Plat of OUTLOTS laid off by the Bloomington Improvement Company, and situated in the Northeast corner of the Northeast quarter of Section thirty-two (32), Township nine (9) North, Range one (1) West and lying North of and adjoining Maple Heights Second Addition and recorded in the Office of the Recorder of Monroe County, Indiana, and more particularly described as follows: **BEGINNING** at the Northwest corner of said outline number one hundred eighteen (118), said point being at the intersection of the South line of Seventeenth Street, as platted, and the East line of Maple Street, as platted, said point being also 16.7 feet North of the South right-of-way line of State Highway #46, and measuring thence South along the East line of Maple Street and the West line of said outlot one hundred eighteen (118) for a distance of 150 feet; thence through said outlot one hundred eighteen (118) North eighty-nine degrees, fourteen (14) minutes East for a distance of 144.0 feet; thence through said outlot number one hundred eighteen (118) North for a distance of 150.0 feet to a point on the North line of said outlot one hundred eighteen (118), said point being also on the South line of Seventeenth Street, as platted, said point being also 16.7 feet North of the South right-of-way line of State Highway Number 46; thence South eighty-nine (89) degrees, fourteen (14) minutes West along the North line of said outlot one hundred eighteen (118) and the South line of Seventeenth Street, as platted, for a distance of 144.0 feet to the place of beginning.

ALSO, a part of outlot number 118 North of Maple Heights Addition and in the City of Bloomington, Indiana, described as follows: **BEGINNING** on the West line of said outlot 118 at a point that is 150 feet South of the Northwest corner of said outlot 118; thence South 66 feet; thence East 144 feet; thence North 66 feet; thence West 144 feet and to the place of beginning.

ALSO, a part of outlot number 118 North of Maple Heights Addition in the City of Bloomington, Indiana, described as follows: **BEGINNING** at a point on the West line of said outline number 118; 276.00 feet South of the Northwest corner; thence South

72.00 feet; thence East 74.00 feet; thence South 12.00 feet; thence East 70.00 feet; thence North 84.00 feet; thence West 144.00 feet to the place of beginning.

ALSO, a part of outlot number 118 North of Maple Heights Addition in the City of Bloomington, Indiana, described as follows: **BEGINNING** on the West line of said outlot number 118 at a point that is 348 feet South of the Northwest corner of said outlot number 118 and running thence South for a distance of 86.28 feet, more or less, and to the North line of West Sixteenth Street; thence running East over and along the said North line of West Sixteenth Street for a distance of 144 feet; running thence North for a distance of 74.28 feet, more or less, and to a point, running thence West 70.00 feet; thence North 12.00 feet; thence West 74.00 feet and to the place of beginning.

ALSO, a part of outlot number 118 North of Maple Heights Addition, in the Northeast quarter of Section 32, Township 9 North, Range 1 West, as shown by the plat thereof recorded in the office of the Recorder of Monroe County, Indiana, bounded and described as follows, to-wit: **BEGINNING** at a point on the West line of the said outlot 118 at a point 216 feet South of the Northwest corner of said lot, thence running South 66 feet, thence running East 144 feet, thence running North 66 feet, thence running West 144 feet to the place of beginning. **EXCEPTING THEREFROM** 6 feet of even width off the entire South side of the above described estate.

ALSO, a part of the South half of the East Fractional Lot #355 in the City of Bloomington, Indiana, as shown by the recorded plat thereof, bounded and described as follows, to-wit: **BEGINNING**, at the Northeast corner of said South half of said lot, running thence South along the East boundary thereof 57 feet, running thence west to a point 40 feet east of the West line of said lot; running thence North parallel with said West line 57 feet to the North line of said South half of said lot, running thence East along said North line to the place of beginning.

SECTION II. 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 18 day of September, 1996.

Patricia Cole

PATRICIA COLE, Vice President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of September, 1996.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 20 day of September, 1996.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance was initiated by the staff of Planning Department and is intended to adjust changes made in Ordinance 95-21 in order to more accurately reflect existing uses on these properties.

Signed copy to:
Planning