1st: 6/6
COMMITTEE: 6/13 D.P. 50
FINAL: 6/20 - 6-0

ORDINANCE 90-23

TO AMEND CHAPTER 2.21 OF
THE BLOOMINGTON MUNICIPAL CODE ENTITLED
"DEPARTMENT OF LAW"

WHEREAS, the Bloomington Human Rights Commission unanimously approved two amendments to the Bloomington Human Rights Ordinance on May 10, 1990; and

WHEREAS, these amendments are necessary to bring the Bloomington Human Rights Ordinance into compliance with the laws of the state of Indiana;

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

SECTION I. Section 2.21.070 (8) Powers and duties, Paragraph 7, shall be amended to read "I.C. 4-21.5-1 et seq" in lieu of "IC Chapter 4-22-1" wherever such appears in this section.

SECTION II. Section 2.21.070 (8) Powers and duties, Paragraph 7, shall be amended to read "thirty days" in lieu of "fifteen days" wherever such appears in this section.

SECTION III. Severability. 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 IV. 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 20 day of June, 1990.

Iris Kiesling
IRIS KIESLING, President
Bloomington Common Council

ATTEST:
Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21 day of June, 1990.

Patricia Williams
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 22 day of June, 1990.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance amends the Bloomington Human Rights Ordinance to bring it into compliance with state law.

Signed copies to
Barbara McKinney
Legal Dept
BMC file
2. for our code

BLOOMINGTON PLAN COMMISSION
FINAL STAFF REPORT SUBDIVISION
Location: 700 N Guy Rd.

Case No: ZO/DP-46-90
Date: June 11, 1990

PETITIONER: Name : George and Rosalie Dragoo
Address: 700 N. Guy Rd.

COUNSEL: Name : SAME
Address:

PRELIMINARY HEARING DATE: June 11, 1990

FINAL HEARING DATE: Petitioner has asked for waiver of 2nd hearing.

REQUEST: Petitioner is requesting a subdivision of two acres from a total of twenty acres and a rezone of those two acres from MD to RE.

PROPOSAL SUMMARY:

EXISTING LAND USE ANALYSIS: Currently the 20 acres are zoned MD and are farmland. Surrounding this property are single family houses to the east and limestone quarrying to the north, west and south.

EXISTING ZONING ANALYSIS: The zoning surrounding this acreage is MD to the north, south and west, and RS and RH to the east.

IMPACTS AND ISSUES:

a. Subdivision Code compliance
b. Access
c. R.O.W. dedication
d. Sidewalks
e. Grades
f. Sewer/Water availability
g. Storm water drainage
h. Tree preservation/ landscaping

a. This subdivision complies with the code with the exception of sidewalks. A determanent sidewalk variance is requested.

b. Access will be from Guy Rd. The petitioner has obtained a driveway permit from the Monroe County Highway Engineer.

c. Guy Road and Duncan Dr. are local streets with a R.O.W. dedication requirement of 60 ft. Therefore, R.O.W. dedication must be 30 ft from the centerline of both streets.

d. Sidewalks along the street frontage are required. Petitioner is asking for a determinant variance from the BZA.

e. The grades are not prohibitive.

f. A septic permit has been issued for this 2 acre lot. Public water is available.

g. Storm water drainage will follow existing flow lines.

h. Existing trees on the site will remain undisturbed except where removal is necessary for building and driveway placement.

RECOMMENDATIONS AND COMMENTS: Staff recommends approval of the subdivision request with waiver of the second hearing. R.O.W. dedication of 30 feet from the center of Guy Road is required. Determinant sidewalk variance is requested. There are currently no sidewalks serving this area.

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BLOOMINGTON PLAN COMMISSION
FINAL STAFF REPORT REZONING
Location: 700 N Guy Rd.

CASE NO: ZO/DP-46-90
DATE: June 11, 1990

PETITIONER: Name : George and Rosalie Dragoo
Address: 700 N .Guy Rd.

COUNSEL: Name : SAME
Address:

PRELIMINARY HEARING DATE: June 11, 1990
FINAL HEARING DATE: Petitioner is requesting waiver of the second hearing.

REQUEST: Rezone of 2 acres from a total 20 acres from MO to RE. Subdivision of these two acres is also requested.

EXISTING USE AND DESCRIPTION: The existing land use is farmland with single family dwellings to the east and quarry land to the west, north and south.

PROPOSED USE AND DESCRIPTION: The two acres being subdivided would be the site of a home. The remaining 18 acres would remain farmland.

UTILITIES
SEWER : A septic permit has been issued for the 2 acre parcel.
WATER : Public water is available.

QUESTIONS AND ISSUES:
Impact of Change
A. Land Use Relationships
The existing landuse in this area is single family homes and farmland. Since this rezone will allow for a single family dwelling to be built, there is no conflict in land use relationships. The property to the north, south, and west of this 2 acre parcel of land is owned by the petitioner. It is currently to remain farmland per the desire of the owner.
B. Physical Impacts
Physical impacts to the area will be minimal. No severe grading or site disturbance will be necessary to place the house. A full review of any proposed grading or filling will occur at the time a building permit is requested.
C. Traffic Considerations
Access to the property will be from Guy Road. A driveway permit has been obtained from the County Highway Engineer and R.O.W. of 30 feet from the centerline of the road will be required to be dedicated. Dedication along Duncan on the north side of the property line will also be required.
D. Policy Implications
Proposed use of the area is not in conflict with policy. The Tapp Road Master Plan projectss this area to develop with light manufacturing or residential land use. The existing roads were created for light traffic, and vehicles are required to travel through an established residential area. Under these circumstances, residential development is preferable to industrial. Guy St. and Duncan Dr. could be extended as cul-de-sacks or in a U configuration at some time in the future to afford access to a residential subdivision.
E. Range of Possible Use
The range of possible uses will be limited to a single family dwelling.
F. Utility Availability
The two acre parcel has been granted a septic tank permit, and public water is available.

RECOMMENDATIONS AND COMMENTS: Staff recommends approval with waiver of the second hearing. Right-of-way dedication will be required and a determinant sidewalk variance will be requested.