ORDINANCE 83-3

To Amend the Bloomington Zoning Maps. Dated June 7, 1978

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, ZO-41-82, and recommended that the petitioner, Earl Eberle 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 18-7-4 that the zoning be changed from RE, Residential Estate District, to BG, General Commercial District for property located at 5625 E. State Road 46 more particularly described as follows:

A part of the Southwest quarter of the Southeast quarter of Section Thirty-One (31), Township Nine (9) North, Range One (1) East, beginning at a point that is one hundred fifty-four and sixty-nine hundredths (154.69) feet North and two hundred forty-one and forty-seven hundredths (241.47) feet West of the Southeast corner of the said quarter quarter and on the center line of State Highway #46; thence running North for a distance of 539.11 feet, thence running South seventy-seven (77) degrees West for a distance of three hundred twenty-one and five tenths (321.5) feet; thence running South fourteen (14) degrees west for a distance of four hundred twenty-one (421) feet, more or less, and to the center line of the State Highway #46; thence running over and along the center line of the said State Highway #46 the following courses and distances; North eighty-seven (87) degrees East two hundred thirty-five (235) feet; South eighty (80) degrees East one hundred (100) feet; south seventy-five (75) degrees East ninety-eight (98) feet and to the place of beginning, containing in all four and two hundredths (4.02) acres, more or less. EXCEPTING THEREFROM a Part of the Southwest quarter of the Southeast Quarter of Section Thirty-One (31), Township Nine (9) North, Range One (1) East, in Monroe County, Indiana, bounded and described as follows, to-wit: Beginning at a point that is One Hundred Fifty-four and Sixty-nine Hundredths (154.69) feet North and Two Hundred Forty-one and Forty-seven Hundredths (241.47) feet West of the Southeast corner of said quarter quarter, said point being in the centerline of State Road #46; thence North One (01) degree Five (05) minutes Fifty-seven (57) seconds West over and along an established fence line for a distance of Five Hundred Thirty and Sixty Hundredths (530.60) feet; thence South Seventy-eight (78) degrees Fifty-six (56) minutes Twenty-one (21) seconds West continuing on and along an established fence line for a distance of Two Hundred Sixteen and Fifty-four Hundredths (216.54) feet; thence South Two (02) degrees Thirty-five (35) minutes East for a distance of Four Hundred Fifty-one and Forty-seven Hundredths (451.47) feet to the centerline of State Road #46; thence South Eighty-two (82) degrees Thirty-three (33) minutes East over and along said centerline for a distance of Ninety-nine and Twenty-six Hundredths (99.26) feet; thence South Seventy-six (76) degrees Twenty-five (25) minutes Twenty-one (21) seconds East continuing on and along said centerline for a distance of One Hundred Six and Ninety-two Hundredths (106.92) feet to the place of beginning. Containing Two and Thirty-two Hundredths (2.32) acres, more or less. Containing in all, after deducting said exception, One and Seventy Hundredths (1.70) acres, more or less. ALSO, a part of the Southwest quarter of the Southeast quarter of Section Thirty-one (31), Township Nine (9) North, Range One (1) East, bounded as follows, to-wit: From the point of intersection of the center line of Indiana State Highway #46 and the East line of said quarter quarter section, go Westwardly along the center line of said Highway 46 a distance of Six Hundred Eighty-three (683) feet to the beginning point; from said beginning point thence Westwardly Three Hundred Twenty-two (322) feet along the center line of said highway, thence North Three Hundred Thirty (330) feet, thence Northeastwardly Two Hundred Thirty-seven (237) feet to a point North of the point of beginning, thence South Four Hundred Twenty-one (421) feet to the point of beginning, containing Two and one half (2½) acres, more or less. Containing in all 4.20 acres, more or less.

EXCEPTING THEREFROM, all that area North of a line beginning at a point on the East property line Two Hundred Twenty-Two (222) feet North of the Southeast corner of the above-described 4.20 acre tract and running due East to a point where said line intersects with the West property line of said tract.

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 16th day of February, 1983.

Katherine Dilcher

KATHERINE DILCHER, 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 17 day of February, 1983.

Patricia Williams

PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 17th day of February, 1983.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones the site of Ebco Sales Company (lawn and garden supplies), an existing non-conforming business in a RE zone. The petitioner proposes to expand his building. The rezoning does not include the steep rear portion of the site.

****ORDINANCE CERTIFICATION++++

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 83- 3 , is a true and complete copy of Plan Commission Case Number ZO-41-82 , which was given a recommendation of Approval by a vote of Ayes: 8 , Nays: 1 , Abstentions: 0 , by the Bloomington City Plan Commission on January 10 , 1983.

Date: January 14 , 1983.

Timothy A. Mueller
Tim Mueller, Planning Director
Planning Department

Received by the Common Council Office on this 17 day of January , 1983.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

FISCAL IMPACT STATEMENT

Appropriation Ordinance # _____ 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	

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

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen 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. The site is not in the city and will not be annexed. The rezoning will enable expansion resulting in increased tax revenue for taxing jurisdictions without changes in service costs.

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: City Plan Commission
BY: Tim Mueller DATE: January 14, 1983