ORDINANCE 84 - 53

To Amend the Bloomington Zoning Maps from RH to RH/PUD
And Grant Outline Approval for the PUD
re: Block bounded by Henderson, Dunn, Atwater, and Smith (Dr. Richard Shelly)

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, PUD-56-84, and recommended that the petitioner, DR. RICHARD SHELLY, be granted an amendment to the Bloomington zoning maps and requests 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 RH to RH/PUD for property located in the block bounded by Atwater, Smith, Dunn, and Henderson, and more accurately described as follows:

A part of Lot Number 2 in Louden Addition to the City of Bloomington, Monroe County, Indiana, described as follows: Beginning at the Southeast corner of the said Lot Number 2, said point being on the North line of Smith Avenue, thence South 89° 32' West, over and along the North line of Smith Avenue, for a distance of 66.00 feet, and to the East line of a 12.00 foot alley, thence North 0° 28' West, over and along the East line of the said alley, for a distance of 104.72 feet, thence South 69° 25' 30" East for a distance of 24.80 feet, thence South 78° 20' East for a distance of 43.79 feet, and to the West line of Lot Number 1 in Louden Addition, thence South 0° 28' East, over and along the West line of Lot Number 1, for a distance of 86.60 feet, and to the place of beginning; commonly known as 515 East Smith, Bloomington, Indiana.

A part of Lot Number 1 of Louden Addition to the City of Bloomington, Indiana, described as follows: Beginning at the Southeast corner of the said Lot Number 1, said point being at the intersection of the North line of Smith Avenue and the West line of Henderson Street, thence South 89° 32' West, over and along the North line of Smith Avenue, for a distance of 66.00 feet, thence North 0° 28' West for a distance of 86.60 feet, thence South 78° 20' East for a distance of 6.21 feet, thence South 88° 15' East for a distance of 60.00 feet, and to the West line of Henderson Street, thence South 0° 28' East, over and along the West line of Henderson Street for a distance of 82.97 feet, and to the place of beginning; commonly known as 523 East Smith, Bloomington, Indiana.

A part of Lot Number 3 in Louden Addition to the City of Bloomington, Monroe County, Indiana, described as follows: Beginning at the Southeast corner of the said Lot Number 3, said point being on the North line of Smith Avenue and the West line of a 12 foot alley, thence South 89° 32' West for a distance of 50.5 feet, thence North 0° 28' West for a distance of 110.00 feet, thence South 89° 32' East for a distance of 48.67 feet, thence South 69° 25' 30" East for a distance of 1.96 feet, and to the West line of the said 12 foot alley, thence South 0° 28' East, over and along the West line of the said alley, for a distance of 109.31 feet, and to the place of beginning; commonly known as 511 East Smith, Bloomington, Indiana.

Lot Number 4 in Louden Addition to the City of Bloomington, Monroe County, Indiana, commonly known as 507 East Smith, Bloomington, Indiana.

Lot Number 5 in Louden Addition to the City of Bloomington, Monroe County, Indiana; commonly known as 503 East Smith, Bloomington, Indiana.

A part of Lot Number 12 in Louden Addition to the City of Bloomington, Monroe County, Indiana, described as follows: Beginning at the Southwest corner of the said Lot Number 12, said point being on the East line of Dunn Street and on the North line of a 10 foot alley, thence North 0° 28' West for a distance of 49.00 feet, thence North 89° 32' East for a distance of 69.59 feet, thence South 43° 43' East for a distance of 38.93 feet, thence South 59° 34' 40" East for a distance of 41.20 feet, and to the North line of the said 10 foot alley, thence South 89° 32' West, over and along the North line of said alley, for a distance of 131.62 feet, and to the place of beginning; commonly known as 339 South Dunn, Bloomington, Indiana.

Subject to the express reservation that no driveway or driveways will be constructed with access to Atwater Avenue by the grantees, their heirs or assigns, on the land herein conveyed.

SECTION II. Through the authority of IC 36-7-4 and pursuant to Chapter 20.13 of the Bloomington Municipal Code, that an outline plan be approved and that the above described parcels be designated a planned unit 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 ths 3 day of October, 1984.

Patricia A. Gross
PATRICIAL A. GROSS, 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 4 day of October, 1984.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 5 day of October, 1984.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

Approval of this ordinance would designate the block bounded by Atwater, Smith, Dunn, and Henderson as an RH/PUD. Approval would also confer outline plan approval for the proposed 19 unit, .77 acre site.

10/4/84 Signed copies to:
1. Planning
2. Legal
3. Dr. Shelly

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 84-53, is a true and complete copy of Plan Commission Case Number PUD-56-84 which was given a recommendation of approval by a vote of 7 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on September 10, 1984.

Date: September 11, 1984

Tim Mueller, Secretary
Plan Commission Director

Received by the Common Council Office this 11 day of September, 1984.

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	____	Investments	____	Short-Term Borrowing	____
New Fees	____	Annexation	____	Other	____

XXX Zoning change to PUD and Outline Plan Approval

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 XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion. All City services are already provided to this site; and, while there will be increased tax revenues, these will not have a major impact on City 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 CITY OF BLOOMINGTON PLANNING DEPARTMENT

By Tim Mueller Date September 11, 1984