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(Ruff)

ORDINANCE 03-04

TO AMEND THE BLOOMINGTON ZONING MAPS FROM RE1 TO PUD AND TO AMEND THE PRELIMINARY PLAN FOR THE CANADA FARM PLANNED UNIT DEVELOPMENT (PUD)
RE: 3902 & 3942 South Sare Road
(Wininger Stolberg Group, Petitioners)

WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning", including the incorporated zoning maps, and Title 21, entitled "Land Use and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

WHEREAS, the Plan Commission has considered this case, PUD-02-03, and recommended that the petitioners, Wininger Stolberg Group, Inc., be granted a rezone of the property located at 3902 & 3942 S. Sare Road from RE1 to Planned Unit Development and also be granted a preliminary plan amendment of the Canada Farm PUD. The Plan Commission thereby requests 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 6.84 acres be rezoned from RE1 to PUD, the preliminary plan be approved, and the list of permitted uses be amended for the property at 3902 & 3942 South Sare Road. The property is further described as follows:

A Part of section 15, Township 8 North, Range 1 West, Monroe County, Indiana, and being more particularly described as follows:

COMMENCING at a PK nail found at the northeast corner of the Northeast Quarter of said Section 15; thence SOUTH 00 degrees 10 minutes 14 seconds West 1054.06 feet on the east line of said Northeast Quarter; thence NORTH 89 degrees 17 minutes 17 seconds West 403.49 feet to a 5/8" rebar found; thence NORTH 89 degrees 16 minutes 16 seconds West 1169.80 feet to a 6 1/2" axile set flush; thence SOUTH 33 degrees 53 minutes 52 seconds West 1269.94 feet to a 5/8" rebar with cap stamped "SNA"; thence SOUTH 55 degrees 56 minutes 37 seconds East 215.29 feet to a 5/8" rebar with cap stamped "SNA"; thence 316.25 feet on a 2787.69 foot radius tangent curve to the left whose chord bears SOUTH 59 degrees 16 minutes 55 seconds East 316.08 feet to a 5/8" rebar with cap stamped "SNA"; thence SOUTH 62 degrees 31 minutes 56 seconds East 93.76 feet to a 5/8" rebar with cap stamped "SNA"; thence SOUTH 11 degrees 19 minutes 28 seconds West 861.64 feet; thence NORTH 89 degrees 51 minutes 35 seconds West 649.84 feet to a 1/2" rebar with cap stamped "UTT" at the POINT OF BEGNNING; thence SOUTH 14 degrees 40 minutes 49 seconds East 628.97 feet to a 1/2" rebar with cap stamped "UTT"; thence SOUTH 20 degrees 54 minutes 01 seconds East 72.80 feet; thence SOUTH 05 degrees 36 minutes 42 seconds East 87.21 feet to the northwestern right-of-way of Sare Road; thence on said northwestern right-of-way the following two (2) courses: 1) 632.29 feet on a 7750.64 foot radius non-tangent curve to the right whose chord bears SOUTH 56 degrees 12 minutes 41 seconds West 632.11 feet; 2) SOUTH 05 degrees 36 minutes 42 seconds East 132.38 feet; thence leaving said right-of-way NORTH 00 degrees 32 minutes 55 seconds East 461.86 feet; thence 06 degrees 25 minutes 28 seconds West 210.01 feet; thence NORTH 83 degrees 32 minutes 14 seconds East 199.27 feet; thence NORTH 08 degrees 40 minutes 25 seconds West 496.47 feet; thence NORTH 89 degrees 58 minutes 59 seconds East 341.15.feet to the POINT OF BEGINNING, containing 11.11 acres more or less.

SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

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 this 26th day of MARCH, 2003.

CHRIS GAAL, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 27th day of MARCH, 2003.

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 27th day of March, 2003.

JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance rezones 6.84 acres on S. Sare Road from RE1 to Planned Unit Development and amends the preliminary plan for Parcel G of the Canada Farm PUD to allow for 38 single family lots on 11.11 total acres.