WITHDRAWN

ORDINANCE 17-01

TO REZONE A PROPERTY FROM INSTITUTIONAL (IN) TO RESIDENTIAL HIGH-DENSITY MULTIFAMILY (RH)
- Re: 900-902 E. Cottage Grove Avenue
(Douglas M. McCoy, Petitioner)

WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the Bloomington Municipal Code, entitled "Subdivisions", went into effect on February 12, 2007; and

WHEREAS, the Plan Commission has considered this case, ZO-22-16, and recommended that the petitioner, Douglas M. McCoy, be denied this request to rezone 0.20 of an acre from Institutional (IN) to Residential High-Density Multifamily (RH). 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 1. Through the authority of IC 36-7-4 and pursuant to Chapter 20.02 of the Bloomington Municipal Code, entitled "Zoning Districts, the zoning for the property located at 900 – 902 East Cottage Grove Avenue shall be changed from Institutional (IN) to Residential High-Density Multifamily (RH). The property is further described as follows:

> All that part of Lot number One Hundred and Twenty-two (122) in University Park, the same being a subdivision of a part of the Northeast Quarter of Section 33, Township 9 North, Range 1 West, in said County and State, as is included in the following boundaries, to wit: Beginning at the northwest corner of said Lot; running thence East one hundred and thirty-two (132); thence South sixty-six (66) feet; thence West one hundred thirty-two (132); thence North sixty-six (66) feet to the place of the beginning.

SECTION 2. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstance 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 3. 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 _____ day of _____, 2017.

_____
Susan Sandberg, President
Bloomington Common Council

ATTEST:

_____
NICOLE BOLDEN, Clerk
City of Bloomington

Withdrawn

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2017.

_____
NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2017.

_____
JOHN HAMILTON, Mayor
City of Bloomington

Withdrawn

SYNOPSIS

This ordinance would rezone the property located at 900-902 East Cottage Grove Avenue from Institutional (IN) to Residential High-Density Multifamily (RH) at the request of the petitioner, Douglas M. McCoy.

Note: On January 11, 2017, the Council adopted the following motion regarding this ordinance:

Motion to Grant Request for Withdrawal of Ord 17-01

- *This rezoning proposal comes forward with a negative recommendation from the Plan Commission certified on December 9, 2016;*
- *The petitioner has requested withdrawal of the ordinance;*
- *The Council and Petitioner agree that accepting the request for withdrawal will have the effect of defeat of the ordinance after the expiration of ninety days from certification and would also preclude a similar zoning petition from appearing on the Plan Commission docket for one year after the Plan Commission recommendation; and*

Now therefore, the Council grants the request to withdraw Ord 17-01.

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 17-01 is a true and complete copy of Plan Commission Case Number ZO-22-16 which was given a recommendation of denial by a vote of 7 Ayes, 1 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on December 5, 2016.

Date: December 8, 2016

Christy L. Langley, Secretary
Plan Commission

Received by the Common Council Office this 9th day of December, 2016.

Nicole Bolden, 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

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 _____

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

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.)

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Withdrawn