

filed 8-1 (volar)  
3/21/12

ORDINANCE 12-04

TO AMEND THE BLOOMINGTON ZONING MAPS  
FROM INSTITUTIONAL (IN) TO RESIDENTIAL MULTIFAMILY (RM) -  
Re: 718 East 8<sup>th</sup> Street  
(Cheryl Underwood, 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WHEREAS, Ordinance 06-24, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled, "Zoning", including the incorporated zoning maps, and incorporated Title 19 of the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-27-11; recommended that the petitioner, Cheryl Underwood, be denied this request to rezone the property from Institutional (IN) to Residential Multifamily (RM); and, 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 20.09.160 of the Bloomington Municipal Code, the property located at 718 East 8<sup>th</sup> Street shall be rezoned from Institutional (IN) to Residential Multifamily (RM). The property is further described as follows:

Lot Number Six (6) in Second Court of University Courts Addition to the City of Bloomington, Indiana, as shown by the plat thereof, recorded in Plat Cabinet B, Envelope 32 (Plat Book 2, pages 109-109A), in the Office of the Recorder of Monroe County, Indiana.

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 \_\_\_\_\_, 2012.

\_\_\_\_\_  
TIMOTHY MAYER, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MARK KRUZAN, Mayor  
City of Bloomington

TABLED

SYNOPSIS

This ordinance would approve the rezoning of 0.18 acre of land at 718 East 8<sup>th</sup> Street from Institutional (IN) to Residential Multifamily (RM).

\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 12-04 is a true and complete copy of Plan Commission Case Number ZO-27-11 which was given a recommendation of denial by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on December 5, 2011.

Date: December 14, 2011

*Thomas B. Micuda*  
 \_\_\_\_\_  
 Thomas B. Micuda, Secretary  
 Plan Commission

Received by the Common Council Office this 3rd day of January, 2012

*R. Moore*  
 \_\_\_\_\_  
 Regina Moore, City Clerk  
 Deputy 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.)