

ORDINANCE NO. 73-39

An Ordinance to Amend Ordinance
No. 73-11, Site Planning Regulations

BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA:

Section 1. That sections 01.04, 01.05.02, 08.01, 09.04, and
09.05 of Ordinance No. 73-11 be amended to read
as follows:

01.04 Enactment

Except as hereinafter provided no building permit for
a new structure shall be granted within the territorial
jurisdiction of the city.

- A. No building permit may be issued until and unless the
site plan for such building, structure or development
shall first have been reviewed and approved as provided
by these regulations and a certificate of compliance
with this ordinance shall have been issued by the
secretary of the Plan Commission.
- B. No building permit may be issued under the authority
of this ordinance if such issuance would permit the
installation of a building or facility which would
not be compatible with the surrounding area.

01.05.02 Any residential lot of record zoned for single family
purpose having frontage on an existing street shall be
excluded from these regulations.

08.01 Application Submission. Whenever any development of land is
proposed to be made the developer or his agent shall submit
an application for a certificate of approval and two copies
of the development plan with the Plan Department, at least
five (5) days before the meeting at which the Commission
is expected to consider such application and plan.

09.04 Approval.

The Planning Department shall review all applications
and development plans within ten (10) days of the filing
of such plan to determine if the standards and criteria
required by these regulations have been met. Having
completed such review and determination the Planning
Department may act in one of the following ways:

- A. In any development which does not require new streets
or drives for access to the proposed structures and
where not more than two structures are proposed to be
built, and when so recommended by the City Engineer the
secretary to the Plan Commission may issue a certificate
of compliance with the Site Plan Ordinance.
- B. For any development requiring new streets or drives,
including more than two structures or having
significant drainage, sewage, soil, or topographic
problems the Planning Department shall forward a report

and recommendation to the Plan Commission which shall review the site plan at its first regular meeting after receipt of the Planning Department report.

Approval of the Plan Commission:

- 1) Shall be based upon favorable review and comment of the Planning Department.
 - 2) Shall have determined the standards and criteria required by these regulations have been met.
 - 3) May establish conditions specifically stated and made part of the approval. Any such conditions must be in accordance with criteria established in these regulations.
 - 4) Shall be effective for a maximum period of one year unless, upon application of the developer, the Commission grants an extension.
- C. For any development requiring additional technical advice the Planning Department may request such advice from any appropriate city department, board or advisory committee. The report of the Planning Department to the Plan Commission shall include any comments received from such an advisory study.
- D. Any person who is not in agreement with the decision of the Planning Department or the Engineering Department may apply to the Plan Commission as set forth in this ordinance.

09.05 Appeal.

Any person feeling himself aggrieved at any action of the Commission upon any proposed development plan, may apply in writing to the Board of Zoning Appeals, within five (5) days of the decision by the Plan Commission or the City Engineer, prior to its regular monthly meeting, for modification of the action complained of, and such application shall be considered by the Board of Zoning Appeals at such time and in such manner as it may determine. No permit shall be issued by the City Engineer's Office prior to the termination of the five-day (5) appeal period.

Nothing in this section shall be construed to allow any use not otherwise permitted in the district regulations for the zoning district in which a development site is located as provided in the Zoning Ordinance of the City of Bloomington.

Section 2: That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, on the 8 day of May, 1973.


Charlotte T. Zietlow, Council President

ATTEST:


Grace E. Johnson, City Clerk