

ORDINANCE 18-03

**TO AMEND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE, ENTITLED
"HISTORIC PRESERVATION AND PROTECTION"
TO ESTALBISH A HISTORIC DISTRICT -
Re: The Batman-Waldron House at 403 West Kirkwood Avenue
(Nancy Garrett, Petitioner)**

- WHEREAS, the Common Council adopted Ordinance 95-20 which created a Historic Preservation Commission and established procedures for designating historic districts in the City of Bloomington; and
- WHEREAS, on December 15, 2017, Nancy Garrett submitted an application to the Historic Preservation Commission for the historic designation of property she owns at 403 West Kirkwood Avenue; and
- WHEREAS, on January 25, 2018, the Historic Preservation Commission held a public hearing for the purpose of allowing discussion and public comment on the proposed historic district designation of "The Batman-Waldron House" at 403 West Kirkwood Avenue; and
- WHEREAS, at the January 25, 2018 meeting the Historic Preservation Commission found that the building has historic and architectural significance that merits the protection of the property as a historic district; and
- WHEREAS, the Commission has prepared a map and written report which accompanies the map and validates the proposed district by addressing the criteria outlined in BMC 8.08.10; and
- WHEREAS, the Commission voted to submit the map and report to the Common Council which recommended local historic designation of "The Batman-Waldron House,"

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

SECTION 1. The map setting forth the proposed historic district for the site is hereby approved and said historic district is hereby established. A copy of the map and report submitted by the Historic Preservation Commission is attached to this ordinance and incorporated herein by reference and two copies of the map are on file in the Office of City Clerk for public inspection. The legal description of this property is further described as:

013-16380-00, Original Plat 137

SECTION 2. The Batman-Waldron House shall be classified as "outstanding."


SECTION 3. Chapter 8.20 of the Bloomington Municipal Code, entitled "List of Designated Historic and Conservation Districts," is hereby amended to insert a line regarding "The Batman-Waldron House" which shall read as follows:

The Batman-Waldron House 403 West Kirkwood Avenue

SECTION 4. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances 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 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21st day of February, 2018.


DOROTHY GRANGER, President
Bloomington Common Council


ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 22nd day of February, 2018.

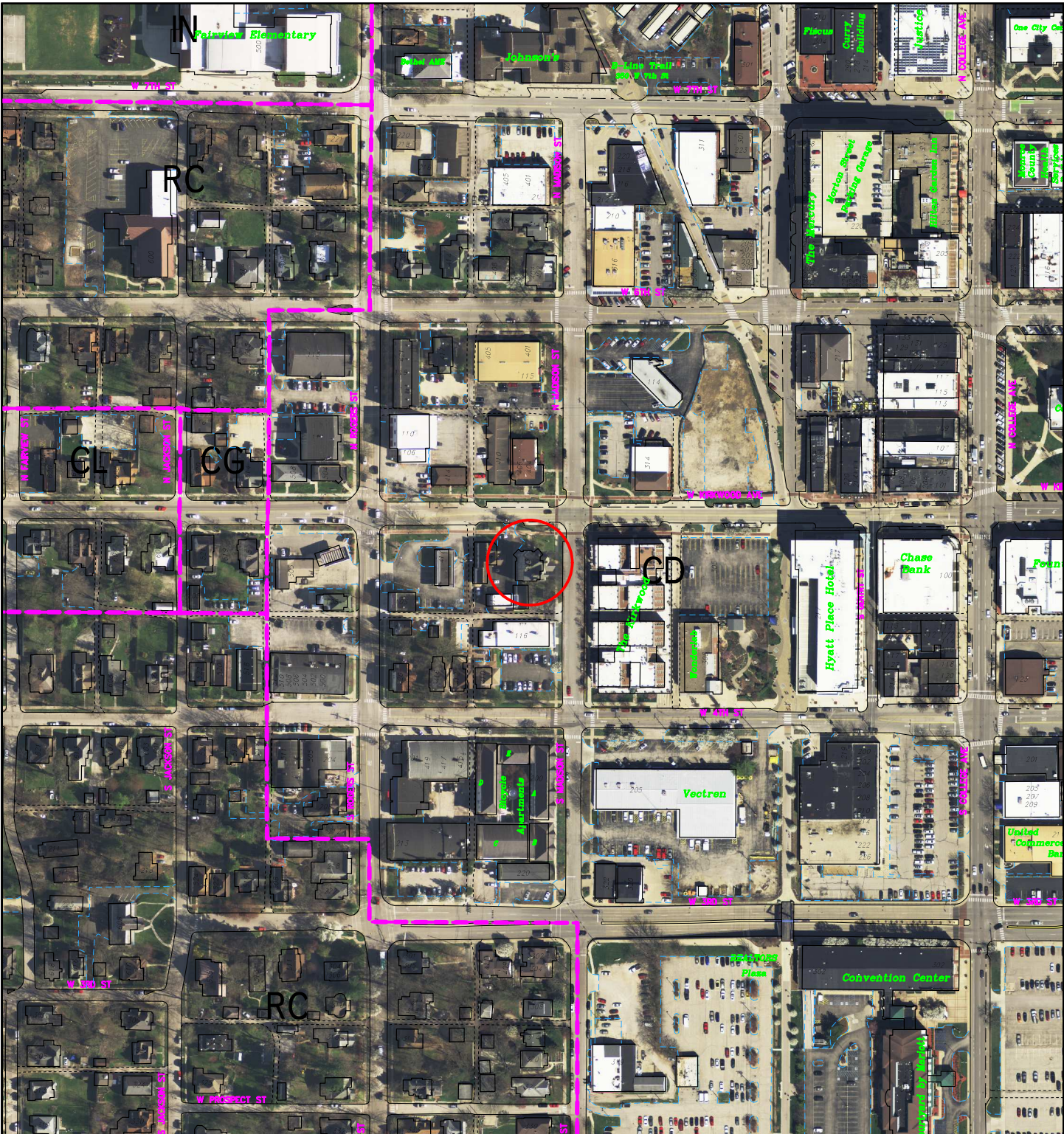

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 22nd day of February, 2018.


JOHN HAMILTON, Mayor
City of Bloomington

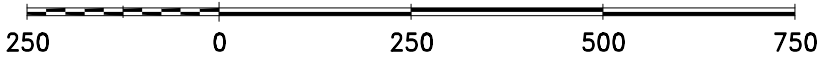
SYNOPSIS

This ordinance amends Chapter 8.20 of the Bloomington Municipal Code entitled “The List of Designated Historic District” in order to designate the Batman-Waldron House at 403 West Kirkwood Avenue as a historic district. The Bloomington Historic Preservation Commission, in conjunction with Nancy Garrett, the current homeowner, sought this designation as a contingency to receive Bloomington Urban Enterprise Association (BUEA) grant funding to aid in the restoration of a chimney stack on the roof. The BUEA grant application was submitted to the BUEA board on October 3, 2017 and funding will be dispersed once the restoration work has been completed, which includes reconstruction of the chimney stack, replacement of damaged shingles caused by the falling stones in the chimney stack, and replacement of historic metal gutters that were damaged when the stones from the chimney fell down the roof. The Bloomington Historic Preservation Commission recommended it to the Common Council by a vote of 5-0. The Batman-Waldron House is locally significant for its eclectic representation of Queen Anne architecture, and its use of limestone as the main structural material. The extent that limestone is used throughout the house is unmatched by other residences found in the City of Bloomington, and represents the wealth and prosperity of some of the earliest settlers to Bloomington, Ira C. Batman and his wife, Mary J. Batman, daughter of wealthy real estate developer, John Waldron. The house is both architecturally significant and historically significant for its ties to the Batman and Waldron families as well as for the rare Patterned Masonry Queen Anne style that it employs, something found on only a small portion of architecture in America. Along with this designation it is also recommended that the property be rated as “outstanding” because the Batman-Waldron House is listed as part of the larger Bloomington West Side Historic District in the National Register of Historic Places. Once this ordinance has been adopted, the property will be regulated by the requirements that apply to all historic and architecturally worthy district so designated by the Common Council. These regulations preserve and protect the property from demolition and include the review of exterior modification.



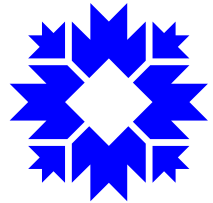
Ord 18-03 – Historic Designation of 403 W. Kirkwood – Batman-Waldron House
 Aerial Photo and Zoning Map

By: shermand
 1 Feb 18



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City of Bloomington
 Council Office



Scale: 1" = 250'

For reference only; map information NOT warranted.

MEMO

January 29, 2018

RE: The Batman-Waldron House

To: City Council

From: Rachel Ellenson, Historic Preservation Program Manager, City of Bloomington

At its January 25, 2018 meeting, the Bloomington Historic Preservation Commission voted to recommend historic designation for the Batman-Waldron House by a vote of 5-0, based upon the following criteria:

- (1) Historic:
 - a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, nation; or is associated with a person who played a significant role in local, state, or national history; or
 - c) Exemplifies the cultural, political, economic, social, or historical heritage of the community.

- (2) Architecturally worthy:
 - a) Embodies distinguishing characteristics of an architectural or engineering type; or
 - e) Contains any architectural style, detail, or element in danger of being lost; or
 - f) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or
 - g) Exemplifies the building environment in an era of historic characterized by a distinctive architectural style.

SYNOPSIS

The Batman-Waldron House is locally significant for its eclectic representation of Queen Anne architecture, and its use of limestone as the main structural material. The extent that limestone is used throughout the house is unmatched by other residences found in the City of Bloomington, and represents the wealth and prosperity of some of the earliest settlers to Bloomington, Ira C. Batman and his wife, Mary J. Batman, daughter of wealthy real estate developer, John Waldron. The house is both architecturally significant and historically significant for its ties to the Batman and Waldron families as well as for the rare Patterned Masonry Queen Anne style that it employs, something found on only a small portion of architecture in America. The house was constructed c. 1895 and is rated as “outstanding” in 2015 Bloomington Historic Sites and Structures survey. It is a two-story residence and commercial structure that houses The Garret, a local antique store.

APPLICATION FORM
Historic Designation
Historic Preservation Commission of the City of Bloomington

Case Number: HD 18-01

Date Filed: December 15, 2017

Date of Commission Hearing: January 11, 2018

Request: Conservation or Historic District: Historic District

Address of proposed district or description of boundaries:

403 West Kirkwood Avenue Bloomington, IN 47404

Petitioner's Name: Nancy Garrett

Petitioner's Address: 403 W. Kirkwood Ave. Bloomington, IN Phone Number: 812-339-4175

Owner's Name: Nancy Garrett

Owner's Address: 403 W. Kirkwood Ave. Bloomington, IN Phone Number: 812-339-4175

Preparer's Name: Rachel Ellenson

Preparer's Address: 401 N. Morton St. Bloomington, IN Phone Number: 812-349-3507

Instructions to Petitioners

The petitioner must attend a preliminary meeting with the staff of the Bloomington Historic Preservation Commission in the Housing and Neighborhood Department during which the petitioner will be advised as to the appropriateness of the designation. **Petitioner, at the time of filing, must present a list of property owners and adjacent property owners to the Commission.** Notice, by first class mail must be postmarked 10 days before the public hearing at which the action is taken. Upon receiving a complete application, the Commission will appoint an Ad Hoc Historic District Committee. If the petitioner is other than the Historic Commission or the district larger than one structure and its accessory buildings, then the Committee will appoint property owners within the proposed district and the Common Council member in that jurisdiction to a special committee which will coordinate required public meetings concerning the designation. The Ad Hoc Committee will determine if secondary and primary areas will be assigned to the district and will categorize each building on the basis of merit.

A vote will be taken at the next regular meeting of the Bloomington Historic Preservation Commission after appropriate educational meetings have taken place. The Commission meets every other Thursday at 5:00 P.M. in the McCloskey Room of Showers City Hall on Morton Street. The petitioner or his designee must attend the scheduled meeting in order to answer any questions or supply supporting materials. If you feel uncertain of the merits of designation, you also have the right to attend a preliminary hearing, which will allow you to discuss the proposal with the Commission before the hearing during which action is taken. Action by the Commission must occur within ninety days of the filing date, unless a preliminary hearing is requested.

Please respond to the following questions and attach additional pages for photographs, drawings, surveys, as requested.

1. A legal description of the proposed district.
2. Provide photographs of the structure(s) proposed for designation. If the district contains several structures, provide a representative sampling.
3. Provide a zoning map and a geographic information system map showing the proposed boundaries of the district. This material may be obtained from staff.
4. Provide copies of any listing on a state or national registry or historic survey information pertinent to the property(s).
5. If the designation is proposed on grounds other than architectural significance, supply evidence of the historic linkages described. Such evidence as deed transfers, Sanborn maps, City Directories and Atlases, written histories, when available, or oral histories may be used.

An historic district must be ruled to meet one of two following criteria by the Historic Preservation Commission:

Historic:

- a) Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, nation; or is associated with a person who played a significant role in local, state, or national history; or
- b) Is the sight of an historic event; or
- c) Exemplifies the cultural, political, economical, social, or historical heritage of the community.

Architecturally worthy:

- a) Embodies distinguishing characteristics of an architectural or engineering type; or
- b) Is the work of a designer whose individual work has significantly influenced the development of the community; or
- c) Is the work of a designer of such prominence that such work gains its value from the designer's reputation; or
- d) Contains elements of design. Detail, materials, or craftsmanship which represents a significant innovation; or
- e) Contains any architectural style, detail or element in danger of being lost; or

- f) Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city; or
- g) Exemplifies the built environment in an era of history characterized by a distinctive architectural style.

Please describe under which category(s) the proposed district qualifies to be locally designated.

Basis for Historic Significance:

- Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, nation; or is associated with a person who played a significant role in local, state, or national history
- Exemplifies the cultural, political, economical, social, or historical heritage of the community

Basis for Architectural Significance:

- Embodies distinguishing characteristics of an architectural or engineering type
- Contains any architectural style, detail or element in danger of being lost
- Owing to its unique location or physical characteristics, represents an established and familiar visual feature of a neighborhood of the city

Owner Signature: Nancy L. Garrett Date: 12-15-17

Petitioner Signature: _____ Date: _____

Preparer Signature: Racul Elkar Date: 12-15-17

403 W. Kirkwood Avenue (Batman-Waldron House)



The property at 403 West Kirkwood Avenue qualifies for local designation under the following highlighted criteria found in Ordinance 95-20 of the Municipal Code (1): a and c, (2): a, e, f, and g.

(1) Historic:

- a. Has significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state, nation; or is associated with a person who played a significant role in local, state, or national history; or
- b. Is the site of a historic event; or
- c. Exemplifies the cultural, political, economic, social, or historical heritage of the community.

(2) Architecturally Worthy:

- a. Embodies distinguishing characteristics of an architectural or engineering type; or
- b. Is the work of a designer whose individual work has significantly influenced the development of the community; or
- c. Is the work of a design of such prominence that such work gains its value from the designer's reputation; or

- d. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- e. Contains any architectural style, detail, or other element in danger of being lost; or
- f. Owing to its unique location or physical characteristics, represents an established and familiar visual feature of the city; or
- g. Exemplifies the building environment in an era of historic characterized by a distinctive architectural style.

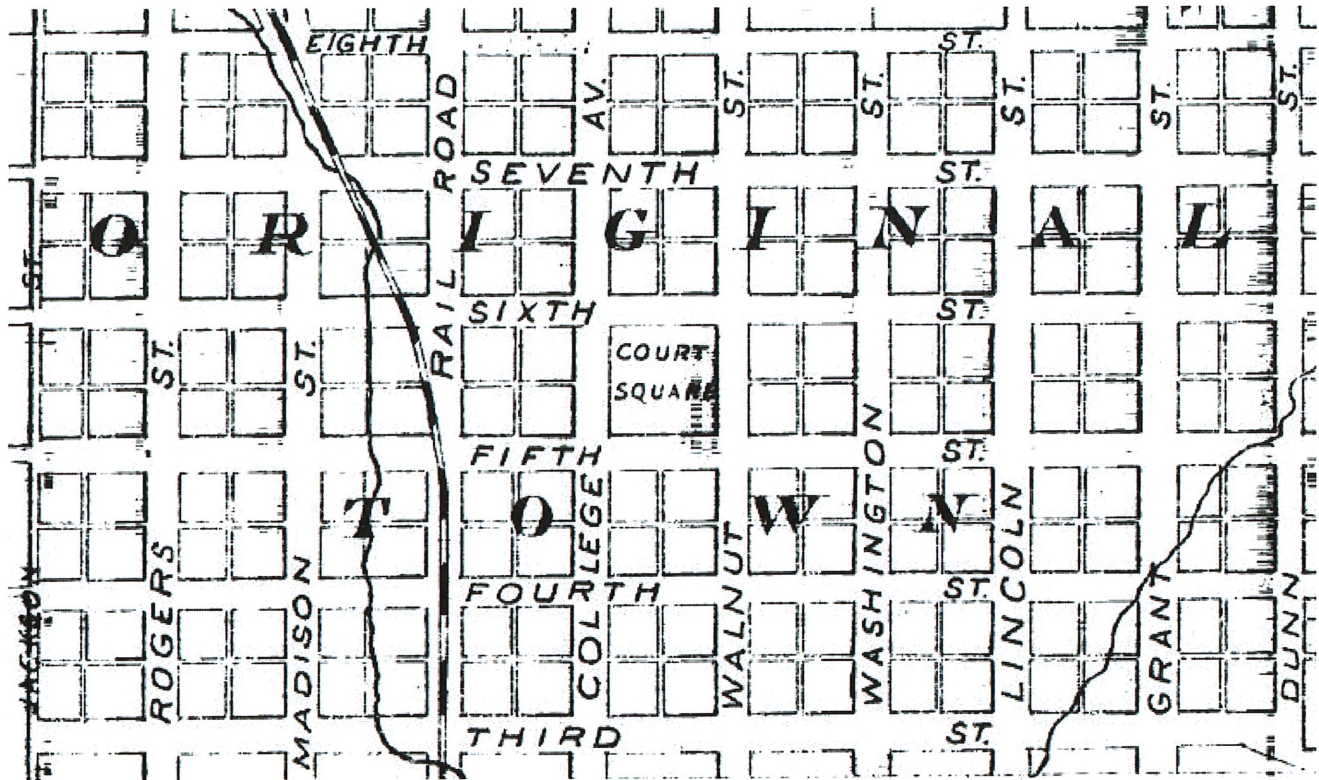


Figure 1: 1856 Atlas (Bloomington Original Plat)

This property is cited in the 2015 survey of Historic Sites and Structures and is classified as “outstanding.”

105-055-26465 c. 1895 Commercial, 403 West Kirkwood Avenue; Queen Anne; Architecture

Legal Description: 013-16380-00, Original Plat: 137, Legal Parcel Size (acres): .200

Ownership Timeline:

- 1895-1921 – Ira C. Batman, Mary J. Batman
- 1921-1927 – William Telfer, Lillie Telfer
- 1927-1928 – C.F. Tourner Coal Company
- 1928-1929 – Charles E. Sharp
- 1929-1932 – Weir Funeral Home, E.T. Weir
- 1932-1937 – Central Federal Savings and Loan Association
- 1937-1974 – Bloomington Labor Temple Association, Inc.
- 1974-2005 – Dennis Garrett, Nancy Garrett
- 2005-present – Nancy Garrett

Contributing Structures

- Batman-Waldron House

Non-Contributing Structures

- Detached Garage (constructed c. 1980)
- Shed (constructed c. 1980)

The Batman-Waldron House, is a large, multi-story single family residence that has been reused for commercial purposes. It is located on the southwest corner of W. Kirkwood Avenue and S. Madison Street. The property is part of the City of Bloomington's original plat that was surveyed in 1818 by James Borland.¹ It was originally built for Ira C. Batman and was possibly designed by well-known local architect, J.L. Nichols, although records are inconclusive. The structure is included in the National Register of Historic Places as a contributing structure in the Bloomington West Side Historic District. The house was constructed in 1895, according to local construction news releases.² This is further corroborated by the 1892 Sanborn Fire Insurance Map of downtown Bloomington, which shows a single story structure on the property until the construction of the Batman House, which shows up on the 1898 survey of the same area. A secondary structure was built behind the main house by 1913 but has since been razed.³ A garage and a shed have replaced the original garage.

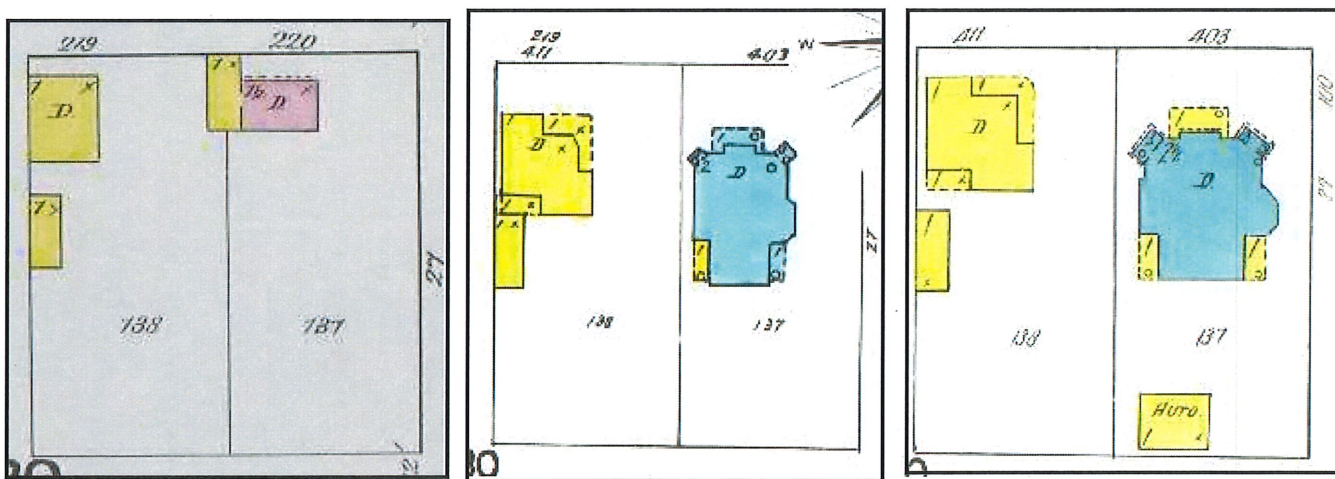


Figure 2, 3, 4: 1892 Sanborn Fire Insurance Map, 1898 Sanborn Fire Insurance Map, 1913 Sanborn Fire Insurance Map.

¹ Nancy Hiestand, "Report on Proposed Local Designation: 322 E. Kirkwood (Kirkwood Manor)," 2016: 2.

² Research by Bill Coulter: *Bloomington Telephone*, (December 12, 1895).

³ Indiana University Bloomington, "Union List of Sanborn Maps: Bloomington (Monroe County), 1892, 1898, 1913,"

<https://libraries.indiana.edu/union-list-sanborn-maps>.

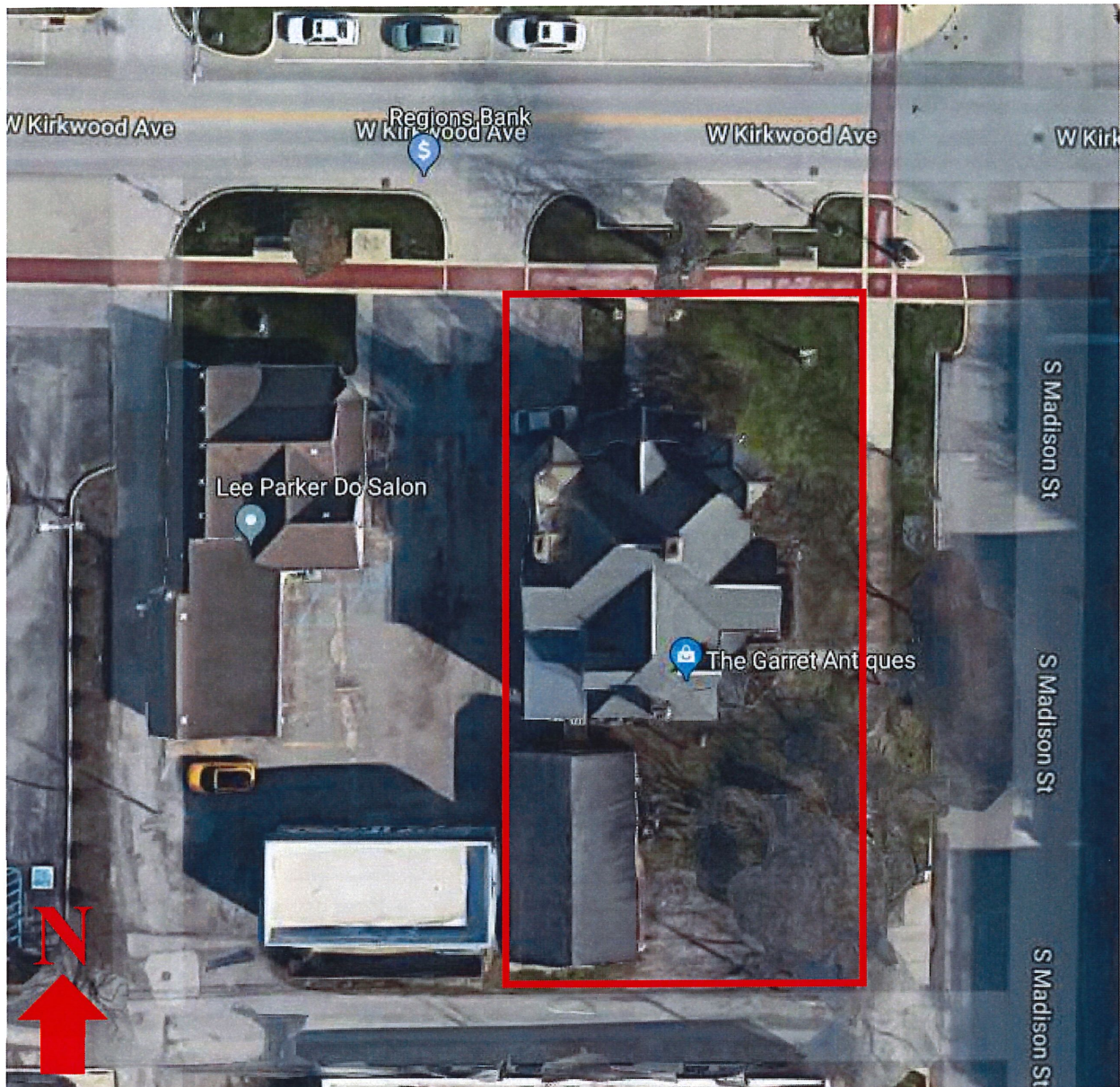


Figure 5. Aerial map showing location of the Batman-Waldron House on the SW corner of W. Kirkwood and S. Madison.

The house is representative of Patterned Masonry Queen Anne high-style architecture with ornate decorative stone detailing decorating the exterior of the structure. Queen Anne architecture is identifiable by steeply pitched, irregular roof patterns, asymmetrical facades, and eclectic detailing.⁴ The decorative detailing subtype Patterned Masonry, found on about 5% of Queen Anne structures, is described as having masonry walls with patterned brickwork or stonework and relatively little wooden detailing. Stone decorative panels are frequently inset into the walls.⁵ Queen Anne was the dominant domestic style of architecture in American between 1880 and 1900, further popularized by mail order catalogs and expanding rail networks that spread the popularity of the style across the US.⁶

⁴ Virginia Savage McAlester, *A Field Guide to American Houses* (New York: Alfred A. Knopf, 2013), 345.

⁵ *Ibid.*, 346.

⁶ *Ibid.*, 350.

Within Bloomington, there are several examples of high-style Queen Anne architecture, but none match the grandeur and scale of the Batman-Waldron House. Commissioned by Ira Batman in 1894 as wedding present to his wife, Mary Waldron, the two-story limestone mansion features ten rooms, two rectangular towers with bracketed eaves and cross timbers, and an asymmetrical floorplan with gabled roofs. Most notably, the entire structure is constructed on rock faced limestone, an uncommon material to execute the Queen Anne style. Various limestone carvings and stylistic details are inlaid throughout the façade of the structure, avoiding a “flat” façade while still maintaining a consistent material throughout.⁷

Directly associated with the limestone boom in Indiana prior to the 20th century, the Batman-Waldron House exemplifies the Batmans’ wealth and social prominence within the city and the West Side Neighborhood. Ira Batman was born in Lawrence County, Indiana in 1862 to a farming family. He graduated from Indiana University in 1885, after which he briefly taught school in Columbia City before coming back to Bloomington and entering into the law offices of Buskirk & Duncan. In 1888, Ira formed a law partnership with Henry Duncan under the name Duncan & Batman. After Duncan passed away in 1911, Ira entered into partnership with Robert G. Miller and W. Blair. During this time, Batman also served as Bloomington’s attorney and was elected as the Monroe County attorney for two of those years. By 1904, he was elected to the lower house of the General Assembly of Indiana, and in 1916, he was elected judge of the Appellate Court where he served for eight years. Subsequently, in 1905, Ira was elected as a member of the board of trustees at Indiana University. In his personal life, Ira was a member of the Benevolent and Protective Order of Elks, the Columbia Club, and was an active member of the Christian Church. In 1886, Ira married Mary T. Waldron, daughter of wealthy real estate investor and businessman, John Waldron, and in 1895, they moved into their extravagant house on Kirkwood Avenue.⁸ Representative of their collective wealth and community prominence, the Batman-Waldron house is one of the last remaining examples of the elevated social class prevalent in this part of Bloomington prior to 1900. Beginning in the 20th century, a demographic shift began to shape the West Side Neighborhood as working class families began building single-family residences and implementing smaller scale construction with less ambitious architectural styles.⁹

The Batman-Waldron House is a prominent staple of the downtown Bloomington landscape and if it were lost to natural deterioration or redevelopment, the city would lose a significant tangible representation of wealth, social prominence, and exemplary Queen Anne architecture that is unmatched throughout Bloomington. Presently, work is being completed on the house to reconstruct a fallen chimney, further establishing the need for local designation. The house is at risk of severe structural deterioration if it is left to stand unprotected, and once designation is established, the house will be held to a higher standard of historic preservation. This will make it possible to address other areas of structural degradation in the future. Staff recommends approval of local historic designation of the Batman-Waldron House.

⁷ National Park Service, “National Register of Historic Places: Bloomington West Side Historic District,” *Library of Congress* (1997): Section 7, Page 9.

⁸ “Ira Coleman Batman (1862-1934,” *Find A Grave*, www.findagrave.com/memorial/57811005/ira-coleman-batman.

⁹ National Park Service, “Bloomington West Side Historic District,” Section 7, Page 9.



Figure 6. Batman-Waldron House (August or September 1907).¹⁰

¹⁰ Indiana University Bloomington, "Archives Photograph Collection: Ira Batman House."
<http://webapp1.dlib.indiana.edu/archivesphotos/results/item.do?itemId=P0020035>.







West elevation; East elevation





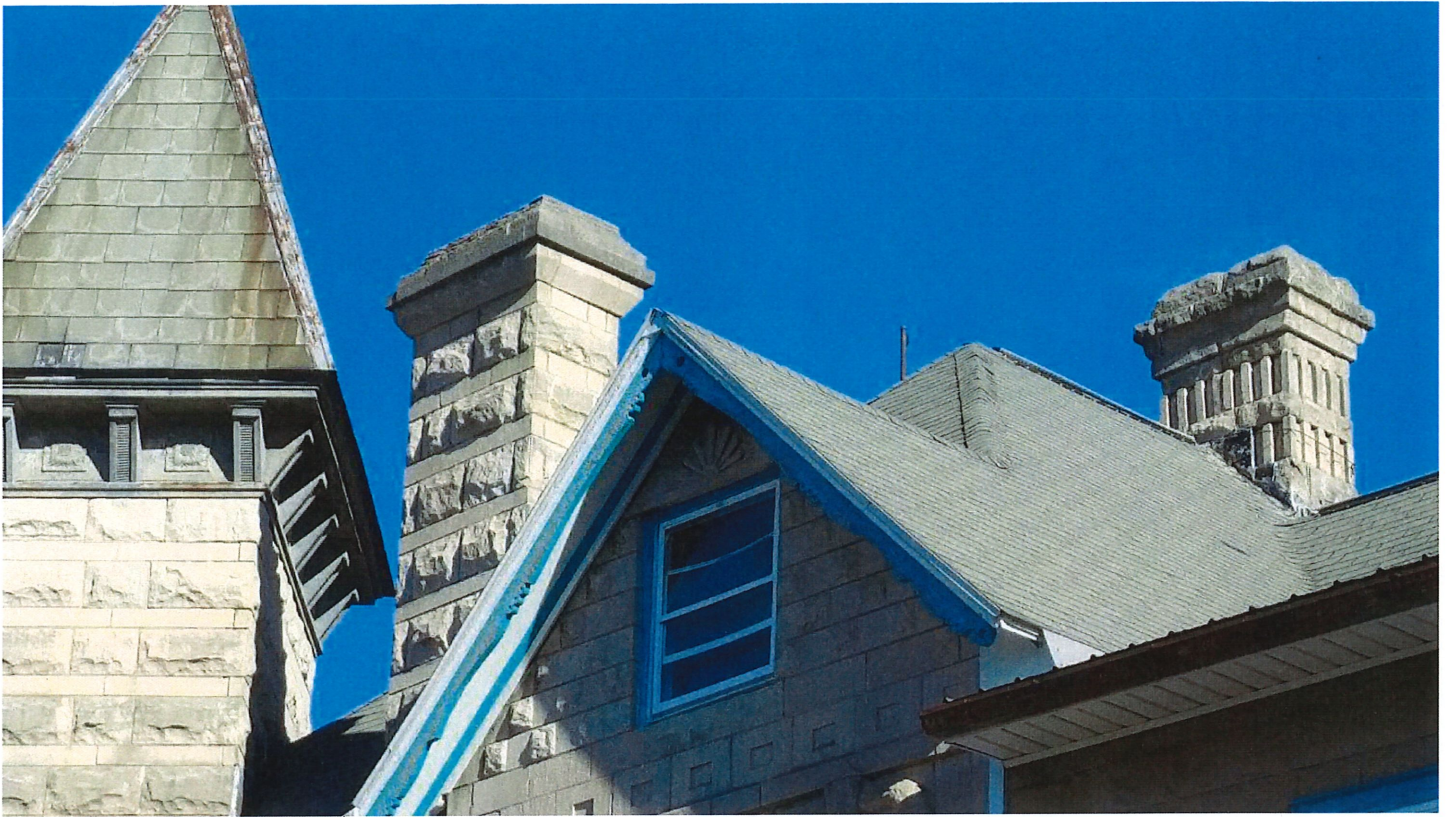
North facade limestone detailing





Front porch column detailing; Front porch step detailing





Limestone chimney detailing and West gable detailing



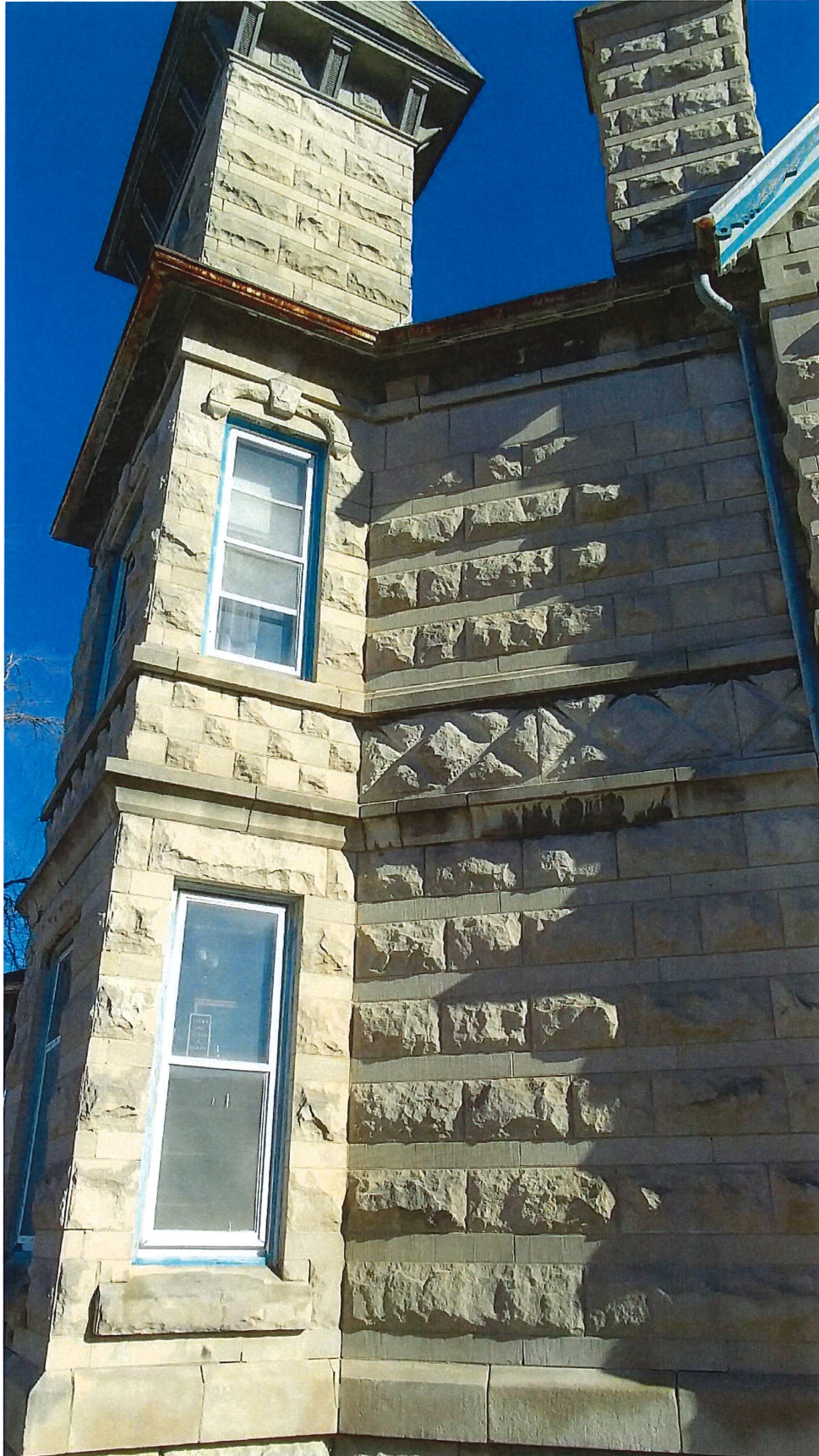


Above: entrance column carved limestone detailing (non-original); up-close carved limestone detailing at base of column





Above: bracketed tower detailing; tower side detailing





East elevation rear porch and second story



Reconstructed limestone chimney; shed and garage on rear portion of lot

