

CITY OF BLOOMINGTON



PLAT COMMITTEE

January 11, 2021 @ 4:00 p.m.

Via Zoom:

<https://bloomington.zoom.us/j/94212934454?pwd=RFJ1MjIjTS1pXWTJWaGgzQ01DRGdsUT09>

**BLOOMINGTON PLAT COMMITTEE
STAFF REPORT
Location: 2707 S Rogers Street**

**CASE #: DP-30-20
DATE: January 11, 2021**

PETITIONER: Kenny Blackwell
PO Box 3400, Bloomington, IN 47403

CONSULTANT: Todd Borgman
2755 E Canada Dr, Bloomington, IN 47401

REQUEST: The petitioner is requesting Preliminary Plat approval or a 2-lot subdivision of 0.36 acres.

BACKGROUND:

Area: 0.36 acres
Current Zoning: R2 Residential Medium Lot
Comp Plan Designation: Neighborhood Residential
Existing Land Use: Vacant
Proposed Land Use: Vacant
Surrounding Uses: North – Dwelling, Single-Family
East – Dwelling, Single-Family
South – Golf Course
West – Dwelling, Multi-family

REPORT: The property is located at 2707 S Rogers Street and is currently zoned R2 Residential Medium Lot and is not developed. The surrounding properties to the north, east, and west are also zoned R2 and have been developed with single-family dwellings. The property to the south has been developed with a golf course and is outside of City limits. This property fronts on S Rogers St and W Country Club Dr. The property is currently awaiting development.

The petitioner is proposing to subdivide the property to create 2 lots, no land use has been proposed at this time. Lot 1 will be approximately 0.19 acres in size and lot 2 will be approximately 0.18 acres in size. An ingress/egress easement starting at the east side of the site will be located in the interior of lot 2 allowing access to the site from Rogers Street. The site can be accessed from an existing drive cut along S Rogers Street. Lot 1 can be accessed through an ingress/egress easement that goes through Lot 2.

PRIMARY PLAT REVIEW: The Plan Commission or Plat Committee shall review the primary subdivision petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6) (Approval Criteria) and the following standards:

All subdivision proposals shall be consistent with the need to minimize flood damage.

All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of 50 lots or five acres.

All subdivision proposals shall minimize development in the SFHA and/or limit intensity of development permitted in the SFHA.

All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

PROPOSED FINDINGS: The proposed plat meets all of the subdivision regulations, with the exception of sidewalk and tree plot widths. The Planning and Transportation Director is authorized to approve modified sidewalk design per 20.04.050(d)(9).

PRIMARY PLAT REVIEW:

Right-of-Way Dedication: The petitioner is required to dedicate right-of-way for Rogers and Country Club and this has been shown on the primary plat. A total of 40' of right-of-way dedication is required from the centerline.

Pedestrian Facilities/Alternative Transportation: With this subdivision request the petitioner is required to install a 7' wide concrete sidewalk that is separated from the street with at least a 5' wide tree plot along Rogers and a 10' sidewalk and 5' tree plot along Country Club. Currently on the site is an 8' wide multiuse path and 5' green space along both Rogers and Country Club. The petitioner is requesting to allow for the existing multiuse path and green space to remain. This can be approved by the Planning and Transportation Director per the UDO 20.04.050(d)(9) Administrative Adjustment

Easements: There is an ingress/egress easement that crosses lot 2 from the drive cut along S Rogers Street to the west side of the lot. This easement gives Lot 1 access to Rogers Street to utilize the existing drive cut.

Utilities: All utility service for this property will be provided by existing water and sanitary sewer lines along Rogers Street. No on-site detention is required with this subdivision.

Environmental: There are no environmental features on this site that would require preservation.

20.06.040(d)(6) Approval Criteria:

General Compliance Criteria

All petitions shall be subject to review pursuant to the following criteria and shall only be approved if they comply with these criteria.

i. Compliance with this UDO

PROPOSED FINDING: This petition is found to be in compliance with the UDO with the exception of sidewalk and tree plot requirements which can be waived by the Planning and Transportation Director.

ii. Compliance with Other Applicable Regulations

PROPOSED FINDING: This petition is in compliance with other applicable regulations.

iii. Compliance with Utility, Service, and Improvement Standards

PROPOSED FINDING: This request utilizes existing utilities, no new utility service or infrastructure is required with this petition.

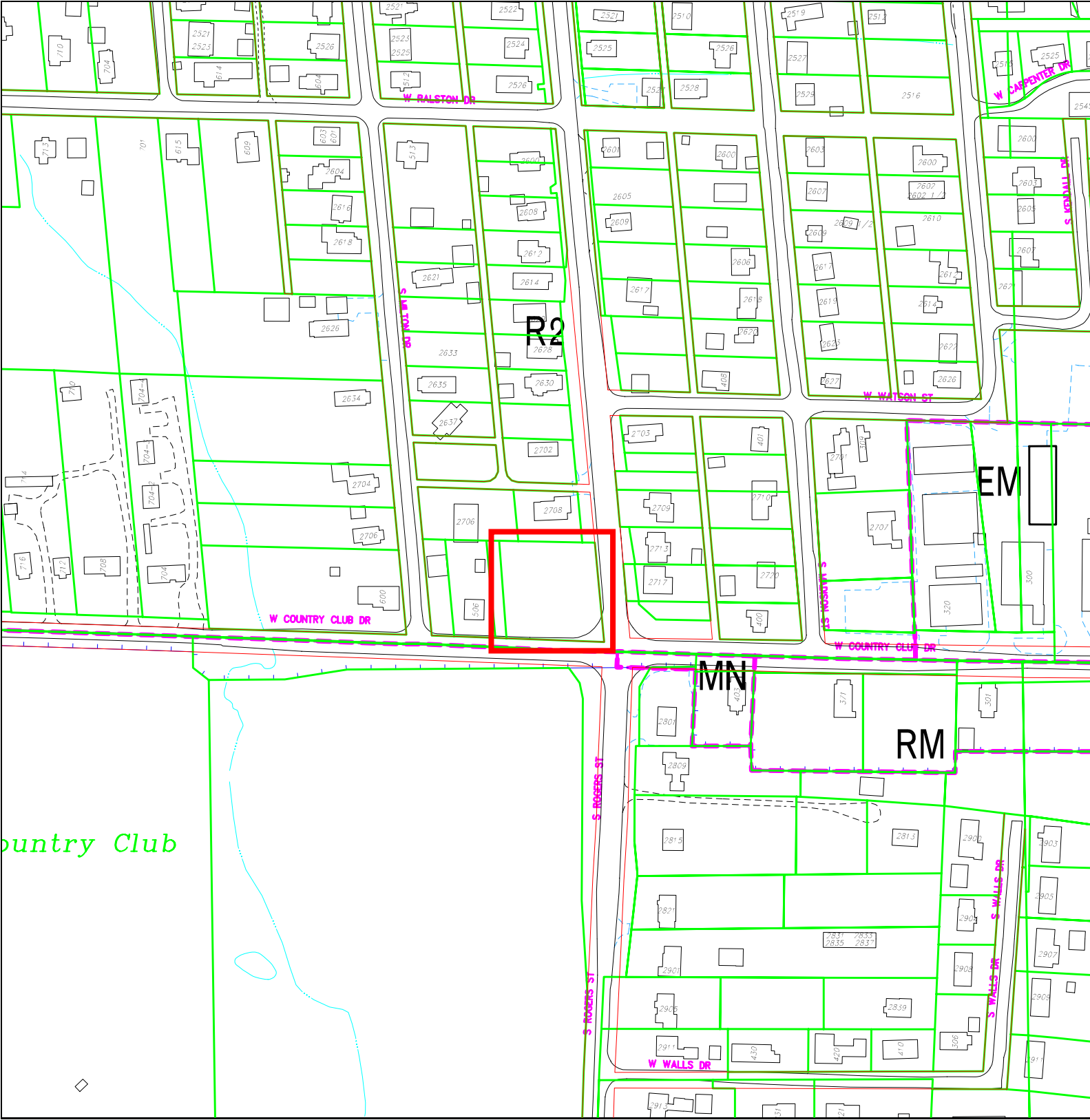
iv. Compliance with Prior Approvals

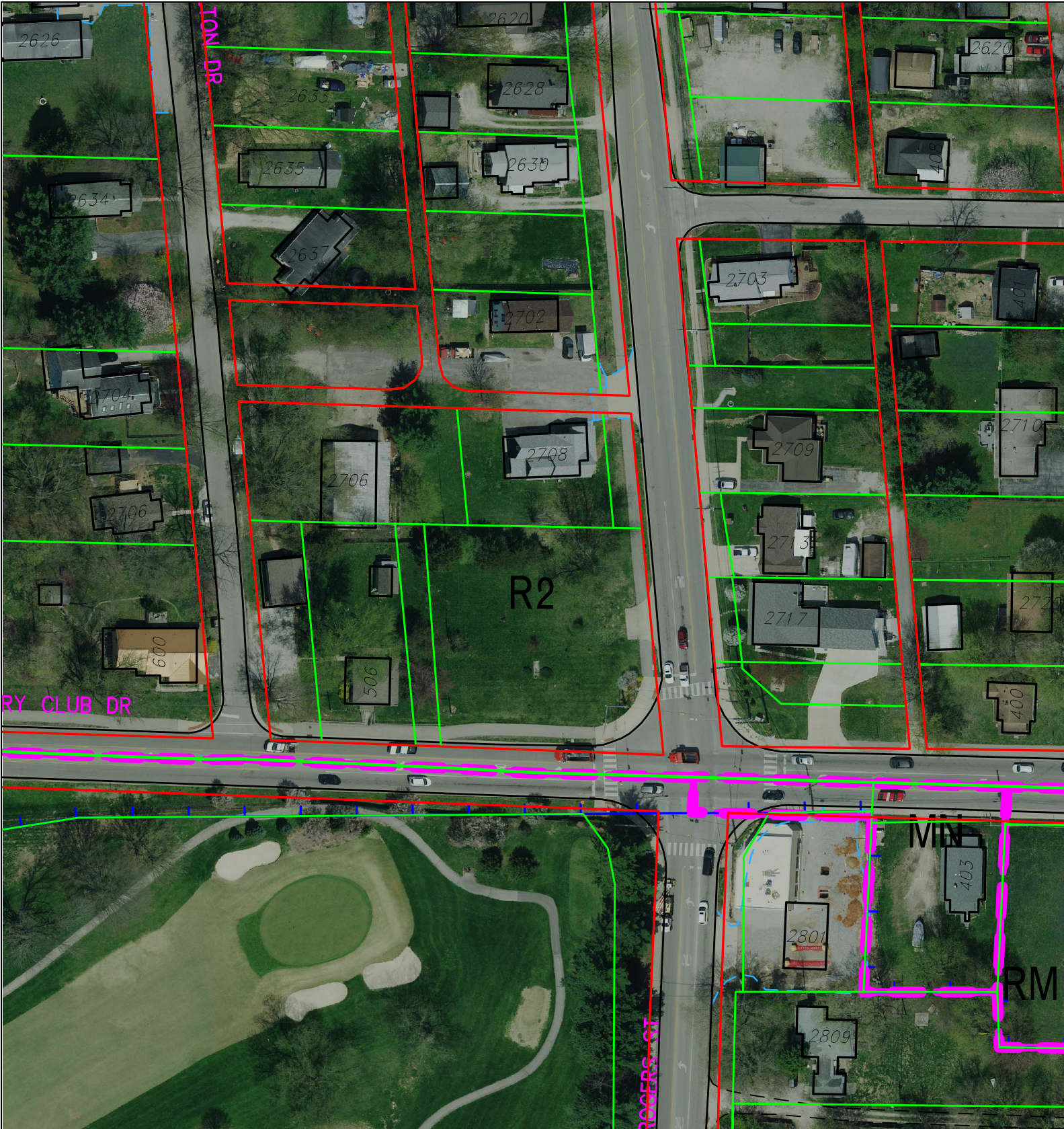
PROPOSED FINDING: No prior approvals are found related to this petition.

CONCLUSION: The proposed Primary Plat will allow for the creation of 2 lots. The proposed easement meet the minimum requirements of the Unified Development Ordinance.

RECOMMENDATION: Based on the findings in the above report, the Department recommends approval of the Primary Plat for case DP-30-20 and forwarding the secondary plat to the 2/8 meeting with the following conditions:

1. The Planning and Transportation Director approves the design of the existing sidewalk and tree plot.
2. The addresses for each lot must be shown on the final plat.
3. All easements must be defined on the plat per the language outlined in the Unified Development Ordinance.





TON DR
RY CLUB DR

R2

MIN
RM

ROGERS ST

2626
2634
2635
2637
2704
2706
600

2620
2628
2630
2702
2706
2708
506

2620
408
2703
401
2709
2713
2717
2720
400

2801
2809
403

BRINEGAR SUBDIVISION PRELIMINARY PLAT

LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 1 WEST, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT IN THE CENTER OF THE CLEAR CREEK TURNPIKE, SAID POINT BEING IN THE INTERSECTION OF THE CENTER OF SAID PIKE WITH THE SOUTH LINE OF SAID SECTION 8, THENCE RUNNING WEST 10 RODS 13 FEET, THENCE NORTH 10 RODS, THENCE EAST 10 RODS 13 FEET TO THE CENTER OF SAID TURNPIKE; THENCE SOUTH WITH THE CENTER OF SAID TURNPIKE 10 RODS TO THE PLACE OF BEGINNING, CONTAINING 0.68 OF AN ACRE, MORE OR LESS.

EXCEPTING THE FOLLOWING DESCRIBED REAL ESTATE:

A PART OF THE LOT 222 IN THE BROADVIEW PARK, A SUBDIVISION AS PER PLAT RECORDED IN PLAT CABINET B, ENVELOPE 42, IN THE OFFICE OF THE RECORDER OF MONROE COUNTY, INDIANA, AND A PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 1 WEST, MONROE COUNTY, INDIANA, AND BEING A PART OF DEED RECORD 114, PAGE 400, DEED RECORD 314, PAGE 412, DEED RECORD 392, PAGES 71-72, AND DEED RECORD 392, PAGES 380-381, ALL IN THE OFFICE OF THE RECORDER OF MONROE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT, THENCE NORTH 7 DEGREES 27 MINUTES 04 SECONDS WEST (ASSUMED BEARING) 20.51 FEET ALONG THE WESTERN LINE OF SAID LOT, THENCE NORTH 89 DEGREES 33 MINUTES 53 SECONDS EAST 234.89 FEET, THENCE NORTH 32 DEGREES 28 MINUTES 46 SECONDS EAST 35.55 FEET, THENCE NORTH 7 DEGREES 06 MINUTES 51 SECONDS WEST 91.50 FEET TO THE NORTH LINE OF THE GRANTORS' LAND, THENCE NORTH 89 DEGREES 27 MINUTES 37 SECONDS EAST 39.33 FEET ALONG SAID NORTH LINE TO THE NORTHEAST CORNER OF THE GRANTORS' LAND, THENCE SOUTH 7 DEGREES 27 MINUTES 04 SECONDS EAST 161.82 FEET ALONG THE EASTERN LINE OF THE GRANTORS' LAND TO THE SOUTH LINE OF SAID SECTION, BEING THE SOUTHEAST CORNER OF THE GRANTORS' LAND, THENCE SOUTH 89 DEGREES 27 MINUTES 37 SECONDS WEST 291.68 FEET ALONG SAID SOUTH LINE TO THE PROLONGED EASTERN LINE OF SAID LOT, THENCE NORTH 7 DEGREES 27 MINUTES 04 SECONDS WEST 20.15 FEET ALONG SAID EASTERN LINE TO THE SOUTHEAST CORNER OF SAID LOT, THENCE SOUTH 89 DEGREES 27 MINUTES 37 SECONDS WEST 36.00 FEET ALONG THE SOUTH LINE OF SAID LOT TO THE POINT OF BEGINNING AND CONTAINING 0.375 ACRES, MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT-OF-WAY WHICH CONTAINS 0.181 ACRES, MORE OR LESS, FOR A NET ADDITIONAL TAKING OF 0.194 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE

THIS SURVEY WAS PERFORMED UNDER THE DIRECTION OF THE UNDERSIGNED, AND TO THE BEST OF THIS SURVEYOR'S KNOWLEDGE AND BELIEF WAS EXECUTED ACCORDING TO SURVEY REQUIREMENTS IN 865 IAC 1.12 FOR THE STATE OF INDIANA.

DATED NOVEMBER 30, 2020

TODD M. BORGMAN
REGISTERED LAND SURVEYOR NO. 21200021
STATE OF INDIANA

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW. (TODD BORGMAN)

SURVEYOR'S REPORT

JOB NUMBER: 6183
TYPE OF SURVEY: RETRACEMENT
CLASS OF SURVEY: SUBURBAN SURVEY (865 IAC 1-12)
FIELD WORK COMPLETED: OCTOBER 06, 2020
LOCATION OF SURVEY: 2707 S ROGERS STREET, BLOOMINGTON, INDIANA

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12 (RULE 12) OF THE INDIANA ADMINISTRATIVE CODE (IAC), THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE UNCERTAINTY IN THE POSITION OF THE LINES AND CORNERS ESTABLISHED AND/OR REESTABLISHED ON THIS SURVEY AS A RESULT OF:

- 1) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS;
- 2) CLARITY AND/OR AMBIGUITY OF THE RECORD DESCRIPTION(S) USED AND/OR THE ADJOINER'S DESCRIPTIONS; AND
- 3) OCCUPATION OR POSSESSION LINES.

4) MEASUREMENTS (RELATIVE POSITIONAL ACCURACY)

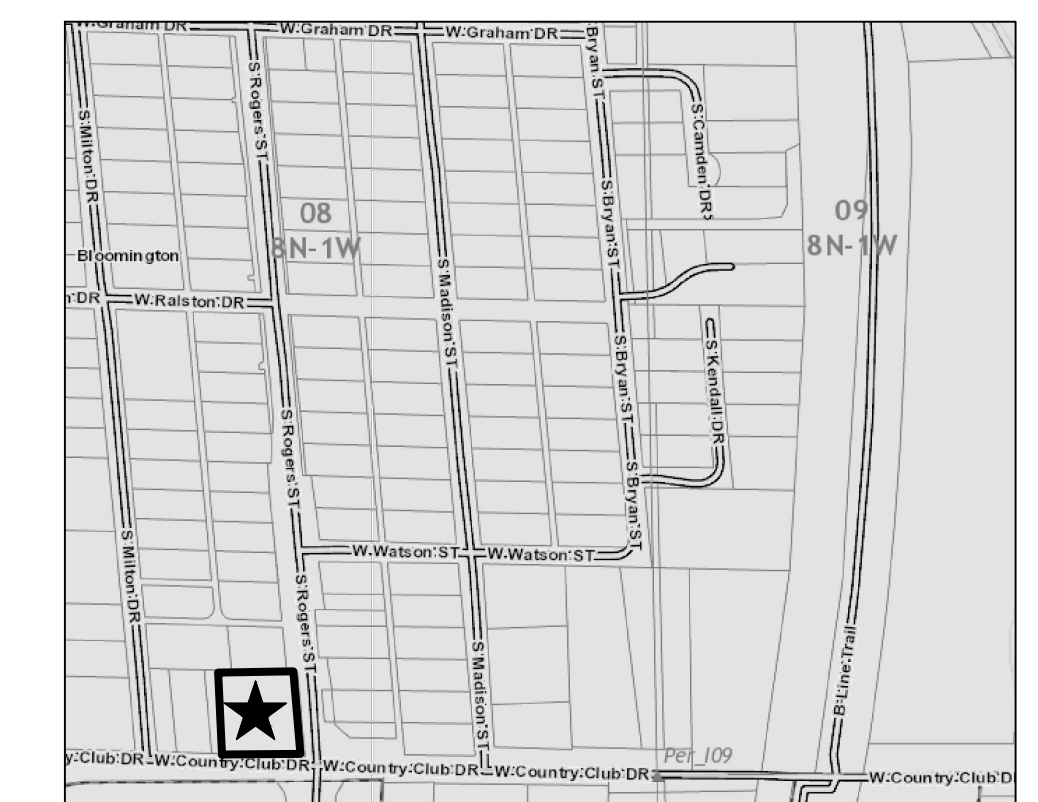
NOTE: THERE MAY EXIST UNWRITTEN RIGHTS ASSOCIATED WITH THESE UNCERTAINTIES.

- 1) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS
MONUMENTS USED IN PERFORMANCE OF THIS SURVEY ARE LABELED HEREON. UP TO 1.0 FEET OF UNCERTAINTY.
- 2) CLARITY AND/OR AMBIGUITY OF THE RECORD DESCRIPTION(S)
NONE

3) OCCUPATION OR POSSESSION LINES
POSSESSION LINES AT THE TIME OF THE SURVEY ARE LABELED HEREON. UP TO 6.7 FEET OF UNCERTAINTY.

4) MEASUREMENTS (RELATIVE POSITIONAL ACCURACY)
SUBURBAN SURVEY (+/- 0.13 FOOT PLUS 100 PARTS PER MILLION) AS DEFINED IN 865 IAC 1-12, EFFECTIVE MAY 4, 2006.

THEORY OF LOCATION
FOUND MONUMENTS FROM THE JOHN WALKER SUBDIVISION WERE HELD FOR THE NORTH LINE. THE AS-BUILT CENTERLINE OF ROGERS STREET WAS HELD. THE SOUTH LINE OF SECTION 8 WAS ESTABLISHED FROM PREVIOUS SURVEYS.



VICINITY MAP

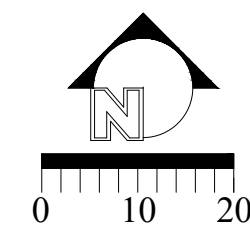
★ PROJECT LOCATION

GENERAL NOTES

1. BASED UPON A SCALED INTERPRETATION OF THE FLOOD INSURANCE RATE MAP (18105C0143D) FOR MONROE COUNTY, INDIANA, DATED DECEMBER 17, 2010, THE SUBJECT PROPERTY IS LOCATED WITHIN (UNSHADED) ZONE X.
2. ALL MONUMENTS FOUND IN PERFORMANCE OF THIS SURVEY WERE FOUND FLUSH WITH THE EXISTING GROUND UNLESS OTHERWISE NOTED, AND THE AGE AND ORIGIN OF SAID FOUND MONUMENTS ARE UNKNOWN UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF UNLESS OTHERWISE LABELED.
4. ALL SET REBAR IS A 24" REBAR WITH A YELLOW CAP STAMPED "SBA INC FIRM 0101"
5. REFERENCE IS MADE TO THE FOLLOWING SURVEYS OR PLATS.
 - A. JOHN WALKER SUBDIVISION, PLAT CABINET C, ENVELOPE 57.
 - B. SMITH NEUBECKER & ASSOCIATES, JOHN WALKER PROPERTY JOB 1962

LEGEND

RR SPIKE	M	MEASURED
STONE	F	PLATTED RECORD
REBAR	R	FOUND REBAR
IRON PIPE	SRB	SET REBAR
MAG NAIL	FIP	FOUND IRON PIPE
	FIS	FOUND IRON ROD SPIKE
	FMAG	FOUND MAG NAIL
	SMAG	SET MAG NAIL
	B/C	BUILDING CORNER
	FND	FOUND
	POD	POSSIBLE DEED OVERLAP
	PG	POSSIBLE DEED GAP
	BG	BELOW GRADE
	AG	ABOVE GRADE
	S	SANITARY SEWER
	W	WATER LINE
	F	FENCE



SCALE: 1"=20'

BASIS OF BEARINGS:
INDIANA STATE PLANE, WEST ZONE
VERTICAL DATUM: NAVD 88

SETBACK TABLE

RESIDENTIAL MEDIUM LOT (R2):
FRONT - 15' FROM RW OR THE MEDIAN SETBACK OF ABUTTING RESIDENTIAL STRUCTURES WHICHEVER IS LESS.
ATTACHED FRONT LOADING GARAGE OR CARPORT - 25' OR EQUAL TO THE SETBACK OF THE PRIMARY STRUCTURE.
SIDE - FIRST FLOOR = 5'
EACH STORY ABOVE GROUND FLOOR = 10'
REAR - 25'

OWNER/SUBDIVIDER

BLACKWELL CONTRACTORS INC &
JOE KEMP CONSTRUCTION LLC
PO BOX 3400 BLOOMINGTON, IN 47403
812-325-2303
INST 2020019656
53-08-08-403-024.000-009

ADDRESS TABLE

LOT 1 - S ROGERS STREET, BLOOMINGTON, IN 47403
LOT 2 - 2707 S ROGERS STREET, BLOOMINGTON, IN 47403

OWNER'S CERTIFICATE

THE UNDERSIGNED, BLACKWELL CONTRACTORS INC & JOE KEMP CONSTRUCTION LLC BEING THE OWNERS OF THE ABOVE DESCRIBED REAL ESTATE, DO HEREBY LAYOFF AND PLAT THE SAME INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT AND CERTIFICATE.

THIS PLAT SHALL BE KNOWN AND DESIGNATED AS ALLEN DUNN SUBDIVISION.

STREETS AND RIGHTS-OF-WAY ARE TO HEREBY BE DEDICATED TO THE PUBLIC.

IN WITNESS WHEREOF, ALLEN W. DUNN & SUSAN PETERS DUNN HAVE EXECUTED THIS INSTRUMENT AND CAUSED HIS NAME TO BE SUBSCRIBED THEREON THIS ____ DAY OF _____, 2020.

KENNY BLACKWELL _____ JOE KEMP _____

STATE OF INDIANA)
COUNTY OF _____) S.S.

BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF INDIANA AND MONROE COUNTY, PERSONALLY APPEARED KENNY BLACKWELL & JOE KEMP, ACKNOWLEDGED THE EXECUTION OF THE ABOVE REFERENCED PLAT, AS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, 2020.

MY COMMISSION EXPIRES: _____

PLAN COMMISSION AND BOARD OF PUBLIC WORKS

UNDER THE AUTHORITY PROVIDED BY CHAPTER 174, ACTS OF 1947, ENACTED BY GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADAPTED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE CITY OF BLOOMINGTON AS FOLLOWS:

APPROVED AT BOARD OF PUBLIC WORKS AT A MEETING HELD:

ADAM WASON, DIRECTOR _____

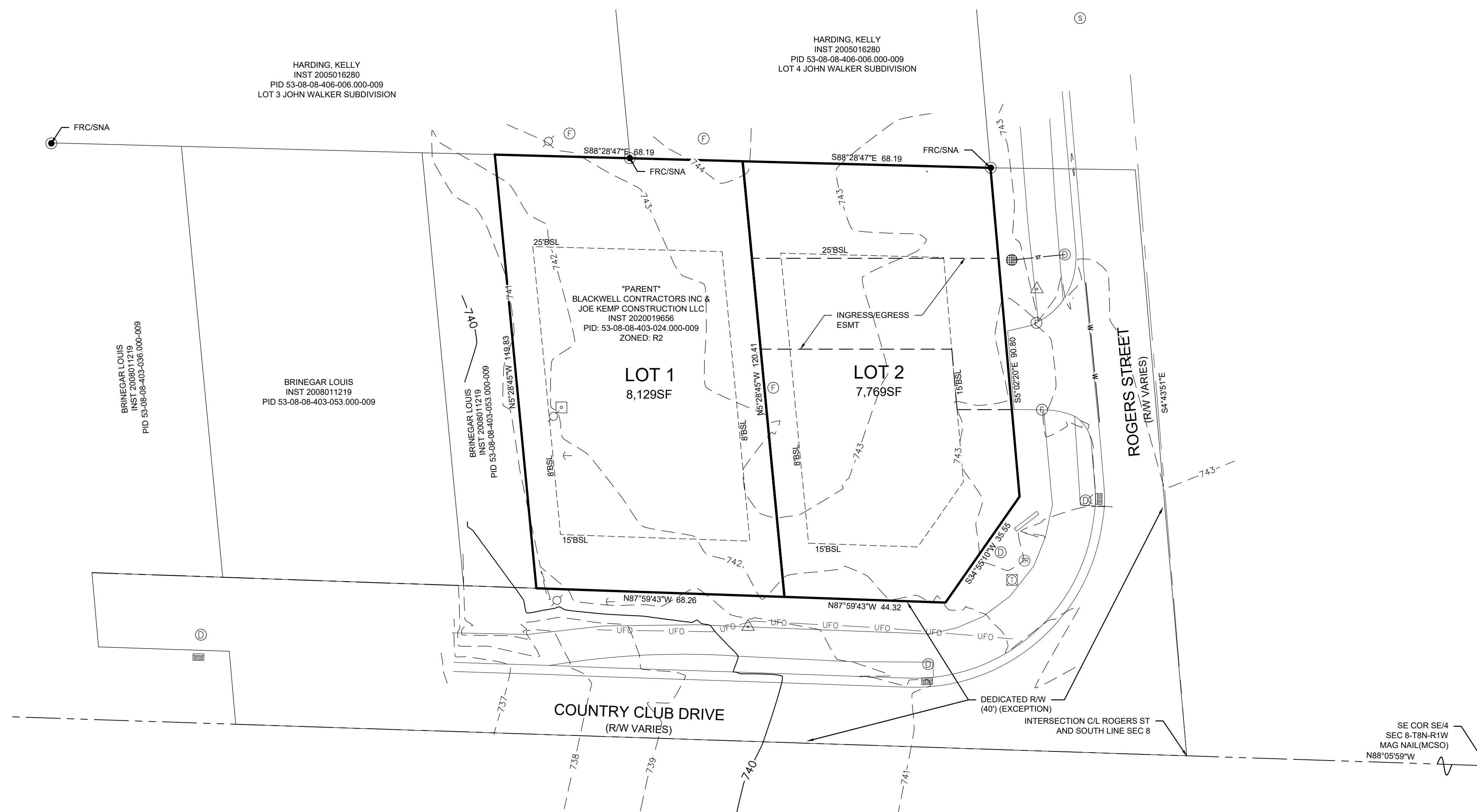
MEMBER _____

MEMBER _____

APPROVED BY THE CITY PLAN COMMISSION AT A MEETING HELD:

DIRECTOR OF PLANNING AND TRANSPORTATION _____

PRESIDENT OF PLAN COMMISSION _____





Todd M. Borgman, PS
Katherine E. Stein, PE
Donald J. Kocarek, LA
Stephen L. Smith, Founder

“Celebrating 40 years of professional design, surveying and land planning”

December 3, 2020

Keegan Gulick
City of Bloomington Planning and Transportation
401 N. Morton Street
Bloomington, IN. 47404

RE: Brinegar Subdivision, 2707 S Rogers St.

Dear Keegan,

On behalf of our client, Kenny Blackwell, we respectfully request to be placed on the January 11th agenda for the City of Bloomington Plat Committee for consideration of a 2 Lot Subdivision. With this 2 Lot Subdivision, we are requesting a waiver for sidewalk installation.

Details of the request are contained in the attached Petitioner's Statement. Also attached with this letter is the Preliminary Plat.

If you should have any further questions, please do not hesitate to contact me.

Sincerely,

Todd M. Borgman, PS
Smith Design Group, Inc.

PETITIONER’S STATEMENT

Location and Zoning– The property is located at 2707 S Rogers Street. The zoning of the site is R2 (Residential Medium Lot).

While the property is not part of Broadview Park, it is mostly surrounded by the Subdivision. The proposed subdivision would match well with neighboring lot sizes and the intended R2 Zoning.

Both Rogers Street and Country Club Drive have recently constructed sidewalks by the City of Bloomington. We feel the sidewalks accent the current landscape and should be left in place. Placing the street trees behind the sidewalk in this location would match the current conditions in all directions.