

# **MONROE COUNTY PLAN COMMISSION ADMINISTRATIVE MEETING**



**Tuesday, August 2, 2022**  
**5:30 pm** (Following Plan Commission Regular Meeting)

## **Hybrid Meeting**

### **In-person**

Monroe County Government Center  
501 N Morton Street, Room 100B  
Bloomington, Indiana

### **Virtual**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/81647669411?pwd=VWFFYWFPYjY4NjJxZGJnR2d0YkI5UT09>

If calling into the Zoom meeting, dial: 312-626-6799  
Meeting ID: 816 4766 9411  
Password: 353753

**Agenda**  
**Plan Commission Administrative Meeting**  
**5:30 p.m. – 7:00 p.m.**  
**Tuesday, August 2, 2022**  
**HYBRID MEETING**

Please take notice that the Monroe County Plan Commission will hold a **hybrid** Administrative Meeting (Work Session) on **Tuesday, August 2, 2022 following the regular Plan Commission at 5:30 PM** in the Judge Nat U. Hill III Meeting Room, 100 West Kirkwood Avenue, Bloomington, Indiana or via Zoom (<https://www.co.monroe.in.us/egov/apps/document/center.egov?view=item;id=10208>). The work session agenda includes the following agenda items for the regularly scheduled **Tuesday, August 16, 2022** Plan Commission meeting. The public may attend however public comment may not be heard. For information about the Zoom meeting, you may call (812) 349-2560 or email ([PlanningOffice@co.monroe.in.us](mailto:PlanningOffice@co.monroe.in.us)) our office.

**ADMINISTRATIVE BUSINESS: None.**

**UNFINISHED BUSINESS:**

- 1. PUO-21-1      P & G Planned Unit Outline Plan to rezone property from PB to PUD**  
One (1) 4.93 +/- parcel located in Section 29, Perry Township at 5100 W Victor  
Pike. Parcel number: 53-08-29-200-023.000-008. **PAGE 3**  
**Zoned PB.** Contact: [acrecelius@co.monroe.in.us](mailto:acrecelius@co.monroe.in.us)

**NEW BUSSINESS:**

- 1. REZ-22-6      Ray Barn Renovation Historic Preservation (HP) Overlay Rezone**  
**Preliminary Hearing. Waiver of Final Hearing Requested.      PAGE 75**  
One (1) 7.00 +/- acre parcel in Bloomington Township, Section 18 at  
4595 N Maple Grove Road. Owner: Ray, David William & Mary Lucinda  
**Zoned RE1.** Contact [dmyers@co.monroe.in.us](mailto:dmyers@co.monroe.in.us)

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, [apurdie@co.monroe.in.us](mailto:apurdie@co.monroe.in.us), as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

**MONROE COUNTY PLAN COMMISSION****August 16 2022**

<b>CASE NUMBER</b>	PUO-21-1
<b>PLANNER</b>	Anne Crecelius
<b>PETITIONER</b>	P & G Associates LLC c/o Michael Carmin, Carmin Parker PC
<b>REQUEST</b>	P & G Planned Unit Outline Plan Waiver of Final Hearing Requested
<b>ADDRESS</b>	5100 S Victor Pike Parcel #: 53-08-29-200-023.000-008
<b>ACRES</b>	4.9 +/-
<b>ZONE</b>	PB
<b>TOWNSHIP</b>	Perry
<b>SECTION</b>	29
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	MCUA Phase 1: Employment MCUA Phase 2: Southside Employment

**EXHIBITS**

1. Petitioner Outline Plan Statement (updated 7/13/21)
2. Site Plan
3. Illustration of Overnight Parking
4. Planning Use Determination
5. Letters of Remonstrance
6. Letters of Support
7. Support Petition (received 7/21/21)
8. Query into properties zoned HI
9. Query into properties within 2000' of interstate
10. Supplemental Petitioner's Statement
11. Rules for Overnight Truck Parking
12. Truck Stop Small Updated Design Standards
13. ATRI Compendium of Idling Regulations
14. I-69 Corridor Study, pages 45-48
15. Septic Permit
16. Petitioner Letter Update July 13, 2022
17. Staff Comparison between Proposed PUD Use and Conditional Use
18. 2022 Letters of Remonstrance/Support

**RECOMMENDATION**

Staff recommends **Negative Recommendation** to the County Commissioners based on the findings of fact and subject to the Monroe County Highway Department & MS4 Coordinator reports.

Should the Plan Commission give a positive recommendation, staff recommends the following conditions:

1. Prohibit overnight truck parking from idling;
2. Petitioner to propose a landscaping plan that includes screening to protect the viewshed of the adjacent historic property;
3. Dedicate and convey open space per chapter 811.
4. Entirety of parking lot to be paved per Ch. 806 standards and parking plan submission to be reviewed by the County Highway Engineer.
5. Petitioner update the outline plan to ensure standards are consistent amongst all submissions and include all required design standards including setbacks, parking, and landscaping.

**PUBLIC HEARING TIMELINE****PLAN REVIEW COMMITTEE - June 10, 2021**

- Discussion included concerns regarding safety of drivers through Monroe County with limited resources for overnight parking, and concerns with nuisance fumes from truck idling. The illustration on Exhibit 3 illustrates nearby truck overnight parking locations. The petition site is currently the only location with overnight parking in Monroe County. There were further discussions around the lack of rest stops along I-69 when construction took place and that it is causing a lack of space for truck drivers to stop and rest overnight.

#### **HISTORIC PRESERVATION BOARD - June 21, 2021**

- Discussion included neighbor concerns (see concerns from PRC), and potential impact to the viewshed of the Stipp-Bender Farm. Stipp-Bender Farm has an application pending at the state for National Historic Register Nomination.

#### **PLAN COMMISSION Regular – July 20, 2021 (Preliminary Hearing)**

- Information requested regarding areas within the county that would meet the requirements of a Conditional Use Truck Stop/Travel Plaza. **Spatial analysis into the potential locations show that there are limited existing locations suitable for a Truck Stop as defined under Chapter 813. See Exhibit 8**

#### **PLAN COMMISSION Regular – (Final Hearing)**

- August 17, 2021 - *Continued by Petitioner*
- **September 21, 2021 - Continued by Petitioner**
  - Planning has requested a copy of the septic permit from the petitioner's representative – RECEIVED
- **December 21, 2021 – Continued by Petitioner**
  - Last continuance allowed by the Petitioner per the Plan Commission Rules of Procedure
- **January 18, 2022 – Petitioner requested the Plan Commission to continue the petition – motioned and approved by a vote of 6-0.**
  - **June 7, 2022 Administrative meeting - Staff brought the item as an administrative item after six months. Plan Commission voted to hold the final hearing at the July 19, 2022 regular meeting.**
- **July 19, 2022 – Regular meeting canceled due to lack of quorum – petition scheduled for next regular session meeting on August 16, 2022 (some items scheduled for special meeting).**

#### **SUMMARY**

The petition site is located at 5100 S Victor Pike, zoned Pre-Existing Business, in Perry Township, section 29. It's 4.9 +/- acres and is developed and operating as a Sunoco Gas Station. The petition site is accessed from S Victor Pike and is approximately 500' from the intersection of S Victor Pike and S State Road 37. The petitioner is requesting a Planned Unit Development Outline Plan to create the "P & G PUD" which would permit the use of a petitioner-defined use of "Truck Stop – Small". There are no zones within the ordinance that would allow for the combination off all of the proposed uses. The use of a convenience store and daytime truck parking is a legal use and is permitted to continue no matter the outcome of this PUD request. The current use of overnight truck parking is not a permitted use.

If approved by the County Commissioners the outline plan will be adopted as a legal ordinance. Any design or use that is defined within the ordinance or states will follow Monroe County Zoning will be permitted under a development plan approval. Any change to the design or use within the document would require an amendment to the ordinance using this same process, with ultimate approval by County Commissioners.

If this petition is withdrawn by the Petitioner or is denied by the County Commissioners, the site will be required to remove the non-conforming use of overnight truck parking and conform to the legal, pre-existing non-conforming use of convenience store.

#### **BACKGROUND**

The petition site received a complaint regarding the exterior lighting in 2019, trucks idling and parking overnight, as well as an expansion of the existing parking on the site. The review of the site's aerial



imagery showed that the gravel parking surrounding the property had expanded significantly with overnight truck parking. A Use Determination was issued by the Planning Director stating that the combination of uses could either be by “Truck Stop/Travel Plaza” or “Trucking Terminal” under chapter 802, both of which are not permitted in the Pre-Existing Business (PB) zoning district. The petitioner was unable to meet the conditions of either use, and therefore applied for a Planned Unit Development (PUD) to permit the uses on the property.

The petitioner’s representative, Michael Carmin, states in Exhibit 1:

“Petitioner seeks to rezone the property to Planned Unit Development to continue the existing uses of the property - gasoline station/convenience mart, but also seeks to add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart. The proposed Planned Unit Development zone creates a Truck Stop - Small use.

Truck Stop - Small is consistent with Comprehensive Land Use Plan - Urbanizing Area. The plan identifies the parcel for employment uses. The Truck Stop - Small leverages use of existing infrastructure and primarily the principal road network system providing essential services and opportunities for highway travelers. The limited uses in Truck Stop - Small are a major step down in intensity of use otherwise allowed in the Truck Stop/Travel Plaza.

The Truck Stop/Travel Plaza use, a conditional use under the zoning code, is more intense in uses and development than petitioner seeks. Petitioner crafted the term Truck Stop – Small because it represents the travel, vehicle uses adjacent to a principal arterial road, but less intense than the scope of uses permitted in Truck Stop/Travel Plaza. No existing zone allows the mix of uses and guaranteed limited scale of such uses as proposed in this PUD. No existing zone allows for the combination of uses as have developed and petitioner seeks to continue to use on the lot.”

## **PROPOSED PLANNED UNIT OUTLINE DETAILS**

The following information is derived from the Petitioner’s statements in Exhibit 1,

### **Existing Conditions:**

- The property is a single parcel of 4.93 acres. Approximately 30% of the lot surface is paved concrete; 25% of the lot surface is stone or gravel; 30% is green space; and about 22,000 square feet of structures (9,000 square foot existing convenience mart/gasoline station office building and covered canopies over fueling stations - 1,500 and 2,000 square feet).

### **Future Development**

- The property is fully developed. No additional principal structures are anticipated. Small accessory structures may be added.
- For example, petitioner anticipates adding electric vehicle charging stations. It is uncertain whether these charging stations may require a covering, such as a small canopy, over the charging stations for use during inclement weather.
- Petitioner anticipates adding an outdoor seating area for patrons purchasing food in the convenience mart. The seating facility is best described as an open shelter house, roof covering only, with open sides on a part of the parking surface to allow placement of picnic tables or similar seating. The shelter would be located on already paved or stone surfaces and would not require the loss of green space.
- A bicycle rack would be installed in close proximity to the shelter. The bicycle rack could be used by patrons for the convenience mart but also as a rest area for bicyclists utilizing the nearby trail system.
- Signage.
  - An existing pole sign is located along the southwest property line and is estimated at 35 feet. An existing ground sign is located in the southern part of the property with sign visibility from State Road 37. The monument sign is less than seven feet in height. The

existing pole sign and monument sign will be retained.

### **Proposed Uses**

“Truck Stop – Small” - travel and vehicle uses adjacent to a principal arterial road which will include the following:

- Convenience mart/food service.
  - Dine-in facilities for the restaurant shall not exceed 1,000 square feet.
- Fuel Sales
  - The gasoline fueling service consists of three diesel fuel pumping islands under a covered canopy approximately 1,500 square feet. The gasoline fueling service uses four gasoline station pump islands under a 2,000 square foot covered canopy.
- Restaurant (small).
  - The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage. The restaurant use would be located at the east end of the existing building. A drive-thru window would be placed in the north wall at the east end or in the east wall of the building. There is no time line decided for any remodeling to add a restaurant or the accessory residential use.
  - The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage.
- Parking
  - Overnight/Transient Truck Parking
    - Will comprise 5% to 10% of the lot area located along the north property line on the west half of the property.
  - Seasonal Work Crew Parking
    - Limited seasonal work crew parking will be permitted in a designated area limited to ten parking spaces. The seasonal work crew recognizes the long established business practice for the utility companies to contract for utility easement maintenance to clear utility lines and trees and brush on a periodic basis. The crews are almost never from the local area and when under contract to provide the easement maintenance on local utility easements, the crews look for suitable areas to park vehicles and equipment overnight. This is static parking and not a sleeping or rest arrangement. There would be no occupancy of the trucks or equipment parked overnight.
  - Ride-Share Parking
    - Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours. The ride share parking will use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area.
  - Electric Vehicle Charging Stations
    - Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts for truck parking, rideshare parking, and fueling stations. Charging stations do not require a canopy.
- Accessory Uses
  - Residential
    - One 2-bedroom dwelling unit for employee/manager occupancy. The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.
    - The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.
  - Seasonal Sales
    - Seasonal sales shall be permitted on the open lot. Examples of seasonal sales

include farm produce sales, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.

### **Infrastructure**

- The property operates with an existing septic permit.
- The property is served with public water and electricity.
- There are no sidewalks existing along Victor Pike and sidewalks will not be installed.
- Storm water drainage.
  - The property is entirely surface drainage. The west and south two-thirds of the lot drains toward State Road 37 right-of-way. The grade fall from the northwest corner to the corner at the junction of Victor Pike and State Road 37 rights-of-way is 30 feet. The fall from the northwest corner to the southwest corner and along the southwest property line is eight feet. The State Road 37 right-of-way between the paved surface of the road and the property line is 75 feet in width and is an existing major drainage swale. The northeast one third of the lot drains through the green space to a small detention area in the northeast corner of the property. No new impervious surfaces will be added to the lot and the property will maintain the existing, historic storm water drainage.

### **PUD REVIEW CONSIDERATIONS**

Section 811-6 (A) of the Monroe County Zoning Ordinance states: “The Plan Commission shall consider as many of the following as may be relevant to the specific proposal:

**(1) The extent to which the Planned Unit Development meets the purposes of the Zoning Ordinance, the Comprehensive Plan, and any other adopted planning objectives of the County.**

*Findings:*

- The existing and proposed development appears to be consistent with the Comprehensive Plan per the Employment zone;
- The current use and potential expansion of the site would support Employment uses;
  - The MCUA Phase I plan designates the petition site as “Employment”;
    - Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other types of commercial uses that may not be easily integrated into a mixed-use environment;
  - The MCUA Phase II plan designates that site as “South Side Employment”;
    - This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as the Employment land use type;
- The current zoning is Pre-Existing Business; the PB zone was created in 1996 to for uses that existed but were not compatible with the 1996 zoning. This zone allows the business to continue operation but limits further “intensification” of the use;
- The proposed use is not consistent with the “Truck Stop/Travel Plaza” Conditional Use under Ch. 813 and therefore is a deviation from the Zoning Ordinance provisions;
- **Spatial analysis into the potential locations of truck stops has shown that there are limited existing locations suitable for a Conditional Use Truck Stop as defined under Chapter 813;**

**(2) The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.**

*Findings:*

- There are no zones within the ordinance that would allow for the combination off all of the proposed uses;
- The proposed plan is lacking design standards. For example, setbacks need to be provided for future development.

- The uses proposed use of a convenience mart is considered a legal use under the PB zoning. The use as a truck stop/plaza to allow overnight parking of trucks is illegal and began after 1998 but before 2003;
  - See Findings under section A, regarding use;
- (3) **The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons, which such departures are or are not deemed to be in the public interest.**  
*Findings:*
- See Findings under section A;
  - One of the purposes of the PUD, under Chapter 811, is to encourage a harmonious and appropriate mixture of uses;
  - There is not one zoning designation that covers the mix of uses requested by the petitioner;
- (4) **The proposal will not be injurious to the public health, safety, and general welfare.**  
*Findings:*
- See Findings (1), (2) and (8);
- (5) **The physical design and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects common open space, and furthers the amenities of light, air, recreation and visual enjoyment.**  
*Findings:*
- The petition site has access to water and electric, and currently uses a commercial grade septic system;
  - Future internal changes to the existing structure would require an approved Real Estate inspection permit or an upgraded commercial septic;
  - The Truck stop/travel plaza use would require a permanent right/left turn lane for access, which this site does not currently provide – the petitioner has not proposed any road improvements nor has the Highway Dept. requested a traffic study;
- (6) **The relationship and compatibility of the proposal to the adjacent properties and neighborhoods, and whether the proposal would substantially interfere with the use of or diminish the value of adjacent properties and neighborhoods.**  
*Findings:*
- The petitioner requests to “add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart”;
  - Adjacent properties are either residential or commercial in use;
  - The use as a convenience store with gasoline sales pre-dates 1997,;
- (7) **The desirability of the proposal to the County’s physical development, tax base, and economic well-being.**  
*Findings:*
- See Findings under Section 1;
- (8) **The proposal will not cause undue traffic congestion and can be adequately served by existing or programmed public facilities and services.**  
*Findings:*
- Access is derived from S Victor Pike which is designated as a Local Road in the Thoroughfare Plan;
  - S State Road 37, designated as a Freeway under the Thoroughfare Plan, is adjacent to the site is within approximately 500’ from the site’s existing driveway cut to the intersection of S Victor Pike

& S State Road 37;

- The Monroe County Highway Engineer is not requiring a traffic study for the petition site;
- All utilities are available to the petition site;
- See findings under (d);

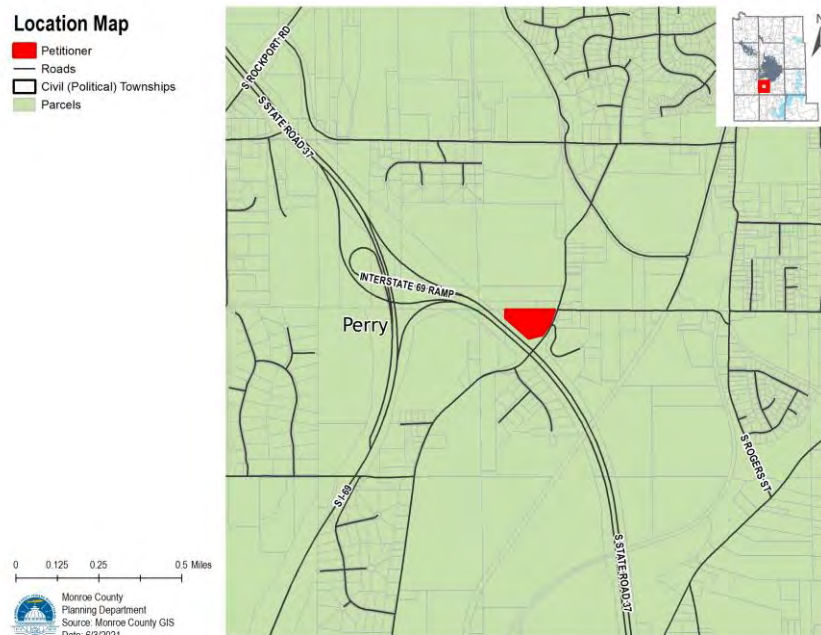
**(9) The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.**

*Findings:*

- Chapter 811 requires that a proposed PUD dedicate open space per the requirements of 811-3 (E);
- Open space and the conveyance has not been specified by the petitioner's representative;
- There is no known karst on the property;
- The drainage patterns are not expected to change as no new structures are currently proposed;
- The site is 4.93 +/- acres in size;
- A locally designated historic site is adjacent of the property to the south of S Victor Pike;

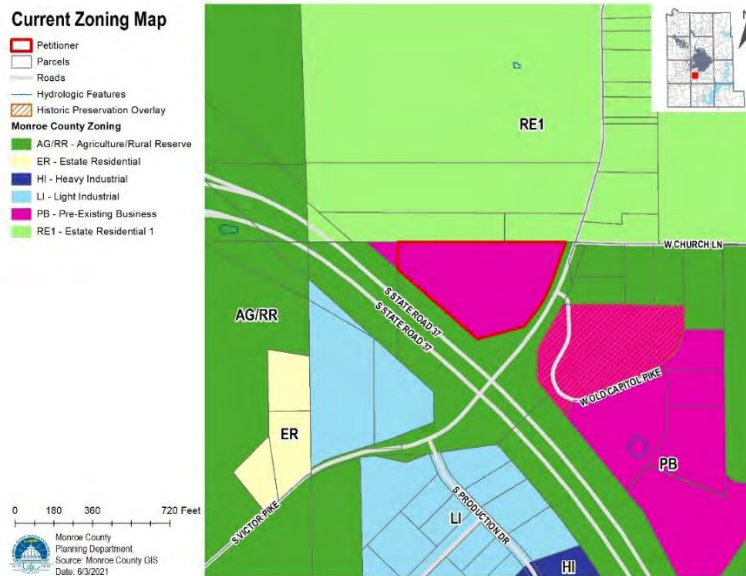
**LOCATION MAP**

The petition site is located in Perry Township, section 29, addressed as 5100 S Victor Pike. The parcel number is 53-08-29-200-023.000-008. The petition site has frontage on S Victor Pike and S State Road 37.



**ZONING AND ADJACENT USES**

The petition site is zoned Pre-Existing Business (PB). Surrounding Right-of-Way are zoned Agricultural/Rural Reserve (AG/RR). Property to the north is zoned Estate Residential 1 (RE1), property to the southwest is zoned Light Industrial (LI), and property to the southeast are zoned Pre-Existing Business (PB), and PB and Historic Designated Overlay.



## SITE CONDITIONS

The petition site is developed and contains one main building and two fuel stations. Access is derived from S Victor Pike. The site has a pre-existing commercial septic. The site contains buildable area with steep slopes only present near existing drainage ditches. South Victor Pike is classified as a “Local Road” and S State Road 37 as “Production” per the 2016 Thoroughfare Plan. The Monroe County Highway Engineer has stated that a traffic study isn’t required for the petition site.

The property is located within a “critical watershed”, called “West Fork Clear Creek/Clear Creek”. The Monroe County MS4 Coordinator has no comments on the petition..

Summary of Improvements					
Buildings	Grade	Condition	Construction Year	Effective Year	Area
Service Station, Detached Canopy C C 01		A	1990	1990	1,600
Service Station, Detached Canopy C C 01		A	2000	2000	2,367
Paving C 01	C	A	1990	1990	37,000
Paving C 01	C	A	1990	1990	3,500
C/i Building C 01	C	A	1990	2000	8,640



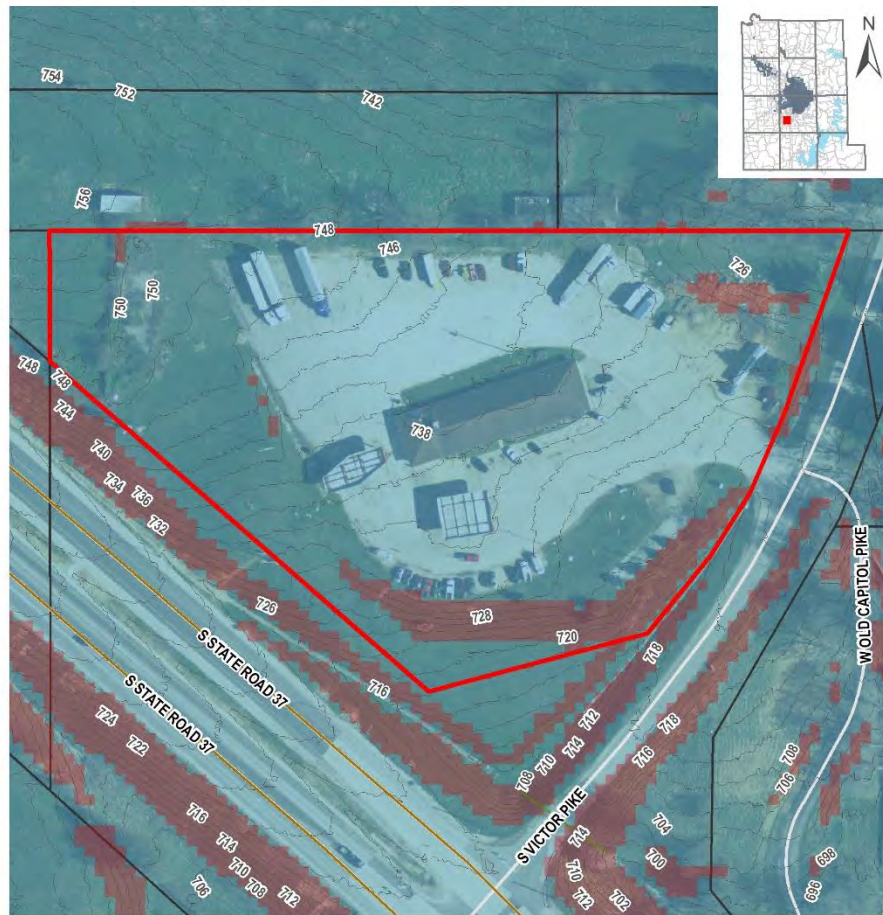
## Site Conditions Map

- Freeway
- Petitioner
- Storm Water
- 2-Foot Contours
- Local Roads [50']
- 15% Slope Restriction
  - 0 - 15
  - > 15
- Parcels
- Critical Watersheds
  - West Fork Clear Creek/Clear Creek

0 37.5 75 150 Feet



Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 6/3/2021



## SITE PICTURES



Figure 1. Pictometry photo from April 2020, looking north.





Figure 2. Looking west along S Victor Pike.



Figure 3. Looking north west.



**Figure 4: Looking southwest at the back of the convenience store.**



**Figure 5: Looking west at the current truck parking area.**





**Figure 6. Looking south at one of two canopies.**



**Figure 7. Entrance of convenience store and two of two canopies.**

### **COMPREHENSIVE PLAN DISCUSSION – PHASE I**

The petition site is located in the **Employment** districts on the Monroe County Urbanizing Area Plan portion of the Monroe County Comprehensive Plan. Points that align with the proposed PUD outline plan are highlighted in **green**. Points that differ from the MCUA districts are highlighted in **grey**.

Employment-oriented uses include light industrial, manufacturing and assembly, research and development facilities, flex/office space, construction trades, warehousing and other types of commercial uses that may not be easily integrated into a mixed-use environment.

These uses may require large, isolated sites for large-format facilities, or multiple facilities may be organized into coordinated campus-style or industrial park settings. This land use category is intended to **accommodate the expansion and changing operations** of a wide variety of companies and to foster a well-rounded and diverse economy as part of the Greater Bloomington area.

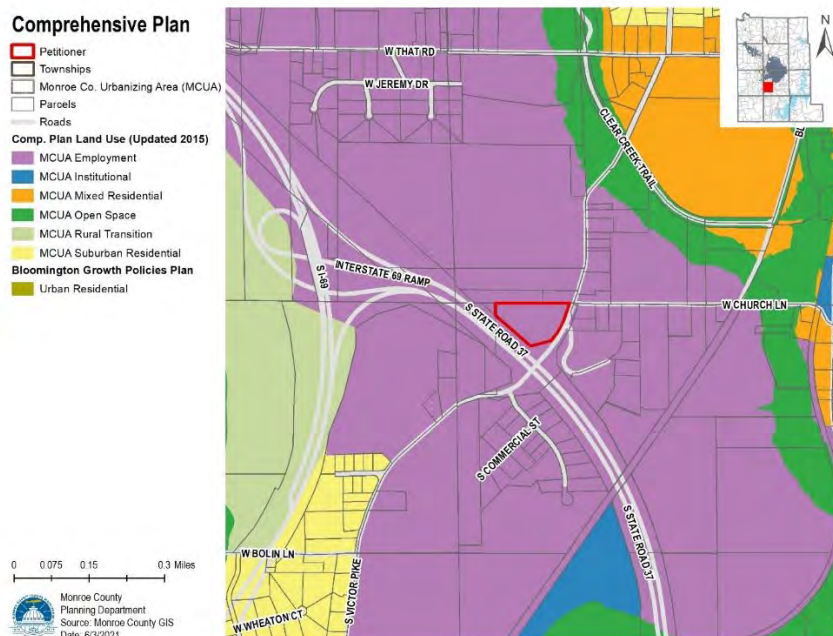
**Special attention should be paid to vehicular access management**, buffering and landscape aesthetics, building and parking orientation, and basic architectural design standards. Business support services are encouraged to be integrated into larger employment areas.

## A. Transportation

**Streets:** Employment areas require special considerations in roadway design. These areas are typically accessed through arterial connections from the freeway and require accommodations for heavy truck traffic. Arterial connections may include **mixed-use corridors**, and special attention must be paid to balance the needs of all travel modes while also facilitating industrial deliveries and commuter traffic flow. Arterial streets, such as Third Street, should not exceed five lanes in width (four travel lanes with center turn lane). Local and collector streets will typically be two or three-lanes (two travel lanes with center turn lane). Street connections are encouraged to help distribute traffic, but should be balanced with access management plans to maximize safety. Center medians for select arterial roadways should be considered to improve access management and corridor aesthetics.

**Freight:** Appropriate routes for truck traffic to and from i-69 should be designated with thoroughfares designed accordingly. Major highway access points to employment areas west of i-69 will include Sr-46, Third Street/Sr-48, 2nd Street/Sr-45 and Tapp road. Fullerton Pike will provide access to potential employment areas to the east of i-69. A new roadway connection between That road and South Walnut Street (old Sr-37) should be considered to open land between the highway and Clear Creek for employment uses.

**Bike, Pedestrian, and Transit modes:** Commuting by automobile will likely remain the primary form of transportation to work in the larger employment centers within the Urbanizing Area. However, opportunities to expand transportation options should be provided wherever possible. Streets within employment areas **should include sidewalks and/or shared-use sidepaths** and encourage connections to karst farm Greenway and Clear Creek Trail. Opportunities to expand City of Bloomington and rural Transit service to employment areas should also be explored.



## B. Utilities

*Sewer and water:* Employment-generating uses provide a fiscal benefit to the community that may warrant additional investments in and possible geographic expansion of sewer systems. Some areas designated for employment uses in the land Use Plan are located outside of current sewer service areas, most notably the area between Clear Creek and SR 37. Additional studies should be undertaken to determine the potential for sewer expansion and necessary capital improvements to serve these areas. Additional studies and surveys may be required to determine the geographic restrictions within developable areas.

*Power:* Where possible, overhead utility lines should be buried to minimize disruption during major weather events. Care should be taken to locate underground utilities in a manner that does not interfere with site development or business expansion. Opportunities to create redundant power systems with new electrical substations should be explored.

*Communications:* State of the art communications systems should be prioritized in employment areas. Street infrastructure improvements should reserve space for burial of fiber-optic systems and/or other forms of high-speed internet and communications networks.

### **C. Open space**

*Park Types:* Employment areas should provide open spaces primarily through the preservation of sensitive lands and creation of landscape buffers. Where opportunities exist, shared use path connections to the broader greenway network should be incorporated, providing a recreational amenity and alternative transportation option for employees, as well as linkages to the broader Bloomington/Monroe county system.

*Urban Agriculture:* Community gardens and urban agricultural systems should be encouraged in near employment areas as a recreational and wellness opportunity for employees. However, soil suitability in existing industrial areas should be verified.

### **D. Public Realm Enhancements**

*Wayfinding:* Regularly-located route signage for truck traffic to and from I-69 should be provided. business and industrial parks may incorporate multi-business panel signs at gateway locations to improve wayfinding, and should use high- quality materials, be aesthetically coordinated with surrounding architecture, and include attractive landscape features.

*Lighting:* Roadways should be lighted for safety and will typically require taller poles ( $\pm 30$  feet).

*Street/Site furnishings:* Street furnishings will be limited in employment districts, but may include bus stops/shelters and benches.

### **E. Development guidelines**

*Open Space:* Open space in employment areas should be provided on-site (with the exception of significant environmental preservation areas) and determined through maximum lot coverage requirements, with 15 to 20% of a site reserved for landscaping, buffering, stormwater management and outdoor amenities for employees.

*Parking ratios:* Parking needs will vary by business. In campus and business park settings, shared parking arrangements should be encouraged, although most businesses will require some amount of dedicated parking. Large industrial facilities, warehouses, and flex/r&d space will often have relatively low parking needs (e.g. 1 space per 2,000 square feet). Parking requirements should be based on the needs of individual businesses as opposed to mandatory minimum requirements.

*Site Design:* Buildings should be oriented toward the front of the lot to create a street presence, but will typically be set back from the front property line by 30 to 50 feet. Parking in front of the building should be avoided, and limited to small visitor-oriented parking lots with close access to the main entrance. Employee parking should be located to the rear or side of the building. Sufficient maneuvering aisles and loading spaces will be necessary for freight delivery. Loading docks and bays should be oriented away from public streets or screened with landscaping or architecturally integrated walls extending from the building.

*Building form:* Industrial, flex and warehouse buildings should balance economic construction with basic aesthetics. Office components and main visitor entrances should be located on the front facade, be designed as distinct elements from the rest of the building, and incorporate high amounts of window transparency. Facilities may require light-controlled environments, but where possible, high windows above eye level should be incorporated, particularly along street-facing facades. Buildings will have simple forms and flat roofs. Parapets should be used to screen rooftop mechanical units.



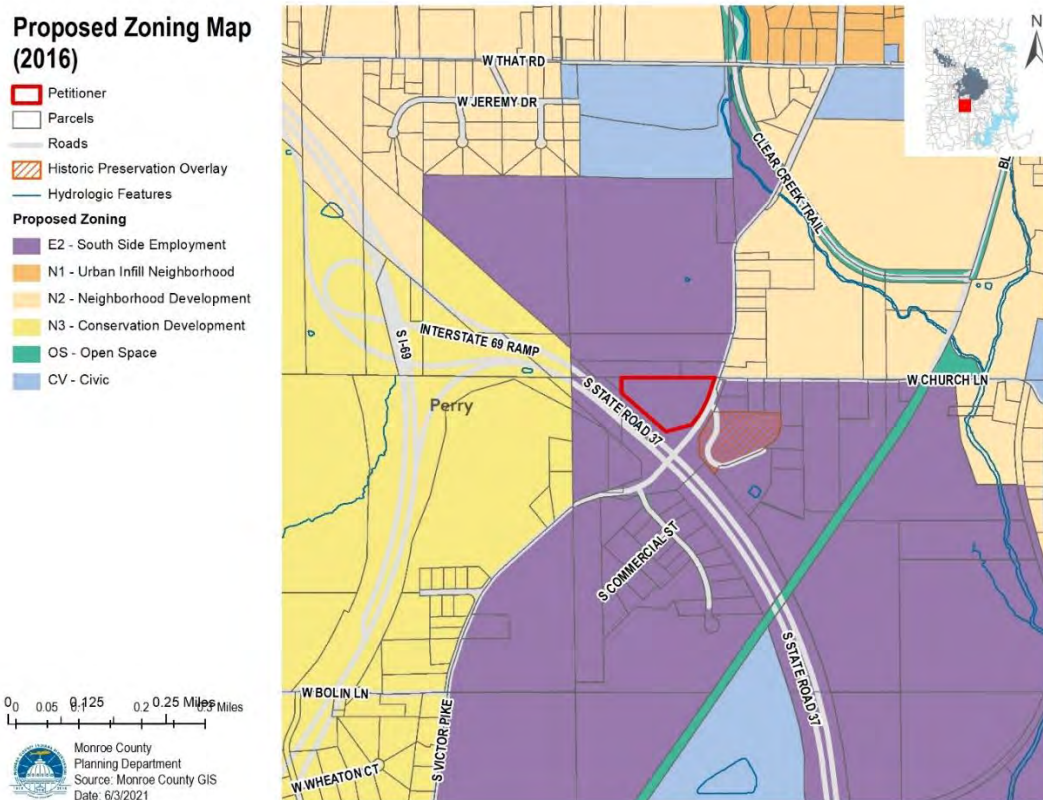
**Materials:** Acceptable primary building materials include brick, stone (natural or cultured), pre-cast concrete panels, concrete masonry units, architectural metal panels, fiber-cement siding and eifS (exterior insulated finishing Systems). Smooth-faced and textured-faced metal panels are preferred, but corrugated or ribbed panels are also acceptable. Split-faced block may be acceptable if combined with other primary materials. Careful attention should be paid to how materials are installed, joined, and detailed, particularly at edges, corners and material transitions. Shadow lines, expression lines and variations in color and texture are encouraged to break up monolithic facades. Trees, shrubs and other vertical landscape elements should be incorporated along large, blank facades.

**Private Signs:** Sign designs should be coordinated with the character of the building, and may be building-mounted or ground-mounted monument signs. Pole signs should be prohibited. Monument signs should be located in landscape beds and may include exterior ground lighting. Digital and changeable copy signs are not appropriate. Sites will typically require directional signage for visitors, employees and freight delivery.

## COMPREHENSIVE PLAN DISCUSSION – PHASE II

### South Side Employment

This district includes lands with access to and high visibility from I-69/SR 37, and generally designated as the Employment land use type in the Urbanizing Area Plan. Currently, this area is largely undeveloped, with some existing office and industrial development and rural residential uses. Additional employment-oriented development should preserve landscape character and be sensitively buffered from nearby residential districts, and benefit from Tax Increment Finance district opportunities.



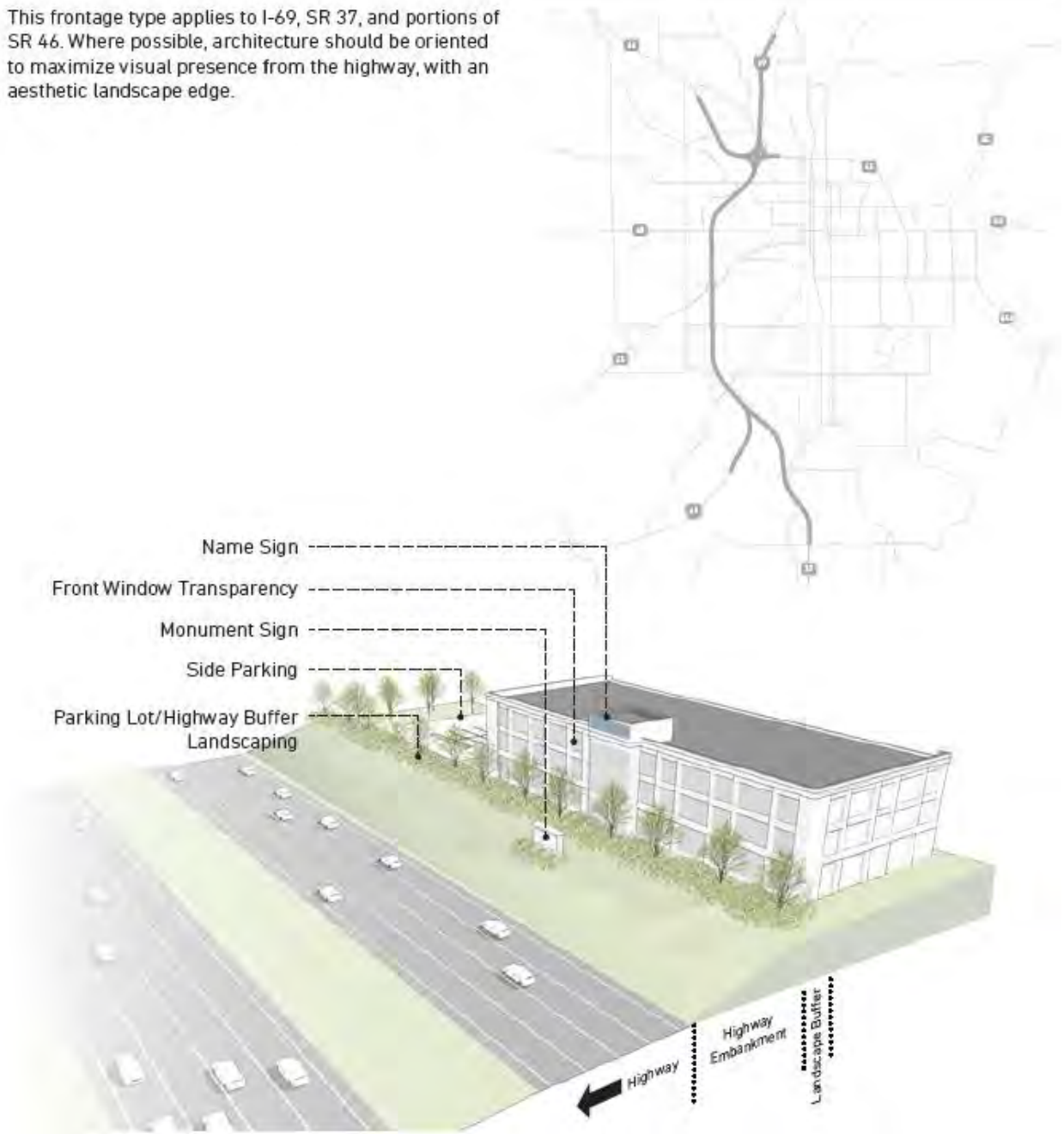
### Existing Planned Unit Developments

In general, it is the intent of this zoning framework to eliminate the need to establish new Planned Unit Developments by creating an expedited, consistent and predictable set of zoning requirements and approval procedures. However, existing planned developments represent a significant investment by property owners in establishing specific development plans and standards for their properties in conformance with pre-existing development approval procedures. All planned developments in effect prior to the creation of new zoning districts and standards should continue to be considered in effect,

similar to an overlay zone. Opportunities to eliminate the planned unit development overlay will also be accommodated and should be encouraged. PUDs with expired outline plans or without development plans may be reviewed and rezoned entirely, subject to recommendations of this zoning framework.

## Highway Frontage

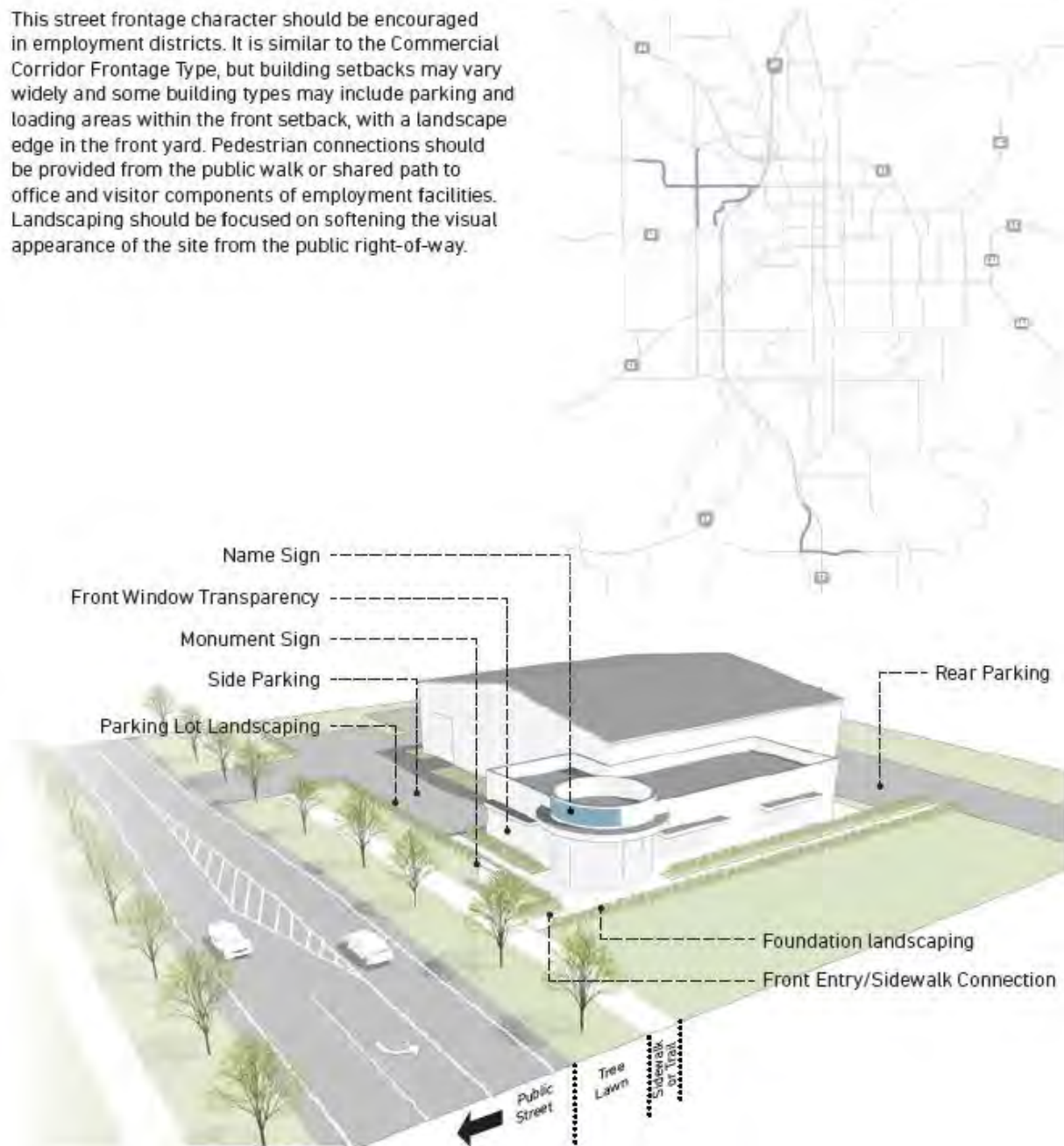
This frontage type applies to I-69, SR 37, and portions of SR 46. Where possible, architecture should be oriented to maximize visual presence from the highway, with an aesthetic landscape edge.





## Employment Frontage

This street frontage character should be encouraged in employment districts. It is similar to the Commercial Corridor Frontage Type, but building setbacks may vary widely and some building types may include parking and loading areas within the front setback, with a landscape edge in the front yard. Pedestrian connections should be provided from the public walk or shared path to office and visitor components of employment facilities. Landscaping should be focused on softening the visual appearance of the site from the public right-of-way.





116 West 6<sup>th</sup> Street, Suite 200  
P.O. Box 2639  
Bloomington, Indiana 47402-2639  
TEL: 812.332.6556  
FAX: 812.331.4511  
michael@carminparker.com

July 13, 2021

Monroe County Plan Commission  
501 N. Morton Street, Suite 224  
Bloomington, IN 47404

RE: PUD Petition - Amended

P & G Associates petitions for a rezoning of its property located at 5100 S. Victor Pike, Bloomington, Indiana consisting of 4.93 acres. The property is zoned Pre-existing Business. The property has long been the site of a gasoline station/convenience mart.

The property is located at the intersection of Victor Pike and State Road 37 which is a signalized intersection.

Petitioner seeks to rezone the property to Planned Unit Development to continue the existing uses of the property – gasoline station/convenience mart, but also seeks to add additional limited uses that have developed on the property over time ancillary to the gasoline station/convenience mart. The proposed Planned Unit Development zone creates a Truck Stop – Small use.

Truck Stop – Small is consistent with Comprehensive Land Use Plan – Urbanizing Area. The plan identifies the parcel for employment uses. The Truck Stop – Small leverages use of existing infrastructure and primarily the principal road network system providing essential services and opportunities for highway travelers. The limited uses in Truck Stop – Small are a major step down in intensity of use otherwise allowed in the Truck Stop/Travel Plaza. **Petitioners proposed uses in this PUD barely resemble the extensive and intense uses identified in the Truck Stop/Travel Plaza conditional use described in the zoning ordinance.**

The Truck Stop/Travel Plaza use, a conditional use under the zoning code, is more intense in uses and development than petitioner seeks. Petitioner crafted the term Truck Stop – Small because it represents the travel, vehicle uses adjacent to a principal arterial road, but less intense than the scope of uses permitted in Truck Stop/Travel Plaza. No existing zone allows the mix of uses and guaranteed limited scale of such uses as proposed in this PUD. No existing zone allows for the combination of uses as have developed and petitioner seeks to continue to use on the lot.

Development. The property is fully developed. No additional principal structures are anticipated. **Small accessory structures may be added. For example, petitioner anticipates adding electric vehicle charging stations. It is uncertain whether these charging stations may require a covering, such as a small canopy, over the charging stations for use during inclement weather. Petitioner anticipates adding an outdoor seating area for patrons purchasing food in the convenience mart. The seating facility is best described as an open shelter house, roof covering**





only, with open sides on a part of the parking surface to allow placement of picnic tables or similar seating. A bicycle rack would be installed in close proximity to the shelter. The bicycle rack could be used by patrons for the convenience mart but also as a rest area for bicyclists utilizing the nearby trail system. The shelter would be located on already paved or stone surfaces and would not require the loss of green space. The property is a single parcel of 4.93 acres. Approximately 30% of the lot surface is paved concrete; 25% of the lot surface is stone or gravel; 30% is green space; and about 22,000 square feet of structures (9,000 square foot existing convenience mart/gasoline station office building and covered canopies over fueling stations – 1,500 and 2,000 square feet).

Parking: Overnight transient truck parking will comprise 5% to 10% of the lot area located along the north property line on the west half of the property. The ride share parking will use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area. In addition to transient truck parking, limited seasonal work crew parking will be permitted in a designated area limited to ten parking spaces. The seasonal work crew recognizes the long established business practice for the utility companies to contract for utility easement maintenance to clear utility lines and trees and brush on a periodic basis. The crews are almost never from the local area and when under contract to provide the easement maintenance on local utility easements, the crews look for suitable areas to park vehicles and equipment overnight. This is static parking and not a sleeping or rest arrangement. There would be no occupancy of the trucks or equipment parked overnight. Easy access to State Road 37 is an important consideration when identifying a parking area.

The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.

The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage.

Ownership. The single parcel is under single ownership. No subdivision of the lot is planned and the project will remain under single ownership. All open spaces on the lot will remain as part of the single parcel under single ownership and maintained by the lot owner.

Existing building. The existing single story structure is approximately 9,000 square feet block wall development with a pitched roof. The maximum height of the building is estimated at 22 feet subject to possible second story addition for a residence. The gasoline fueling service consists of three diesel fuel pumping islands under a covered canopy approximately 1,500 square feet. The gasoline fueling service uses four gasoline station pump islands under a 2,000 square foot covered canopy.

Signage. An existing pole sign is located along the southwest property line and is estimated at 35 feet. An existing ground sign is located in the southern part of the property with sign





visibility from State Road 37. The monument sign is less than seven feet in height. The existing pole sign and monument sign will be retained.

Facilities. The property operates with an existing septic permit.

The property is served with public water and electricity.

There are no sidewalks existing along Victor Pike and sidewalks will not be installed.

Storm water drainage. The property is entirely surface drainage. The west and south two-thirds of the lot drains toward State Road 37 right-of-way. The grade fall from the northwest corner to the corner at the junction of Victor Pike and State Road 37 rights-of-way is 30 feet. The fall from the northwest corner to the southwest corner and along the southwest property line is eight feet. The State Road 37 right-of-way between the paved surface of the road and the property line is 75 feet in width and is an existing major drainage swale. The northeast one third of the lot drains through the green space to a small detention area in the northeast corner of the property. No new impervious surfaces will be added to the lot and the property will maintain the existing, historic storm water drainage.

Transient truck parking is an essential community need. There are few, if any, readily identifiable truck stops or places suitable for freight truck hauling for driver rest stops along the I-69 corridor or on the South State Road 37 corridor. Truck travel on the corridors makes use of available spaces on berms, shoulders, ramps and other areas. Transient truck parking has frequently made use of petitioner's property often without consent. Drivers identified the petitioner's gasoline station as an available place to stop and park, apparently believing there would be no harm. The tendency for truck parking developed over an extended period of time and was accepted by petitioner without thought that the truck parking was not permitted. When the issues surfaced that petitioner would need to apply for the PUD to legitimize the transient truck parking, petitioner has attempted to regulate the parking during the pendency of this petition. The petitioner has limited the parking and has begun posting rules and attempted to regulate the parking practice but has stopped short of physically barring the truck parking while this petition is pending. If the zoning petition is not approved petitioner acknowledges that he is required to take all steps reasonably available to prohibit transient truck parking on his property. However, the demand for transient truck parking continues and truck drivers remain dependent upon locations such as petitioner's property for rest stop parking in a safe environment. Petitioner seeks to formalize the transient truck parking as a permitted use through this PUD petition.

Petitioner has added signage limiting truck parking. Designated areas on the lot will be clearly identified. Petitioner is creating a system for truck drivers to check in at the office/cashier station in the building at the time of parking. Rules will be devised and copies posted and provided to drivers when they check in at the office or cashier station to report parking. Those rules will clearly prohibit truck engine idling. Enforcement of the truck engine idling becomes petitioner's responsibility but it will necessarily include prohibiting additional or future parking



by offending drivers. The property has numerous cameras, including cameras in the vicinity of the designated truck parking area.

Environmental Regulations. The gasoline service station component of petitioner's use is regulated under applicable environmental regulations, including Indiana Department of Environmental Management. Spillage reports are mandatory. Petitioner maintains absorbent materials on site in the event of any leakage or spillage. In-ground tanks are double hulled with alarms. The tanks and petitioner's facilities are subject to periodic inspections. Recently a checklist of items for inspection was extensively expanded by IDEM. Petitioner has been compliant with prior inspections. As a result of the most recent expanded inspection system, petitioner is required to make certain modifications which should be completed by the time this petition is heard. Compliance with IDEM regulations will remain an ongoing requirement regardless of the decision on this petition.

Petitioner submits it creates a false image to compare petitioner's proposed PUD uses to the truck stop/travel plaza conditional use. It is more appropriate to view petitioner's proposed PUD use as a gasoline station/convenience mart plus limited truck parking. Adding transient truck parking to the historic use of the property limited to a defined parking area and available parking spaces, under reasonably controlled conditions, provides an invaluable service to truck drivers.

Respectfully submitted,

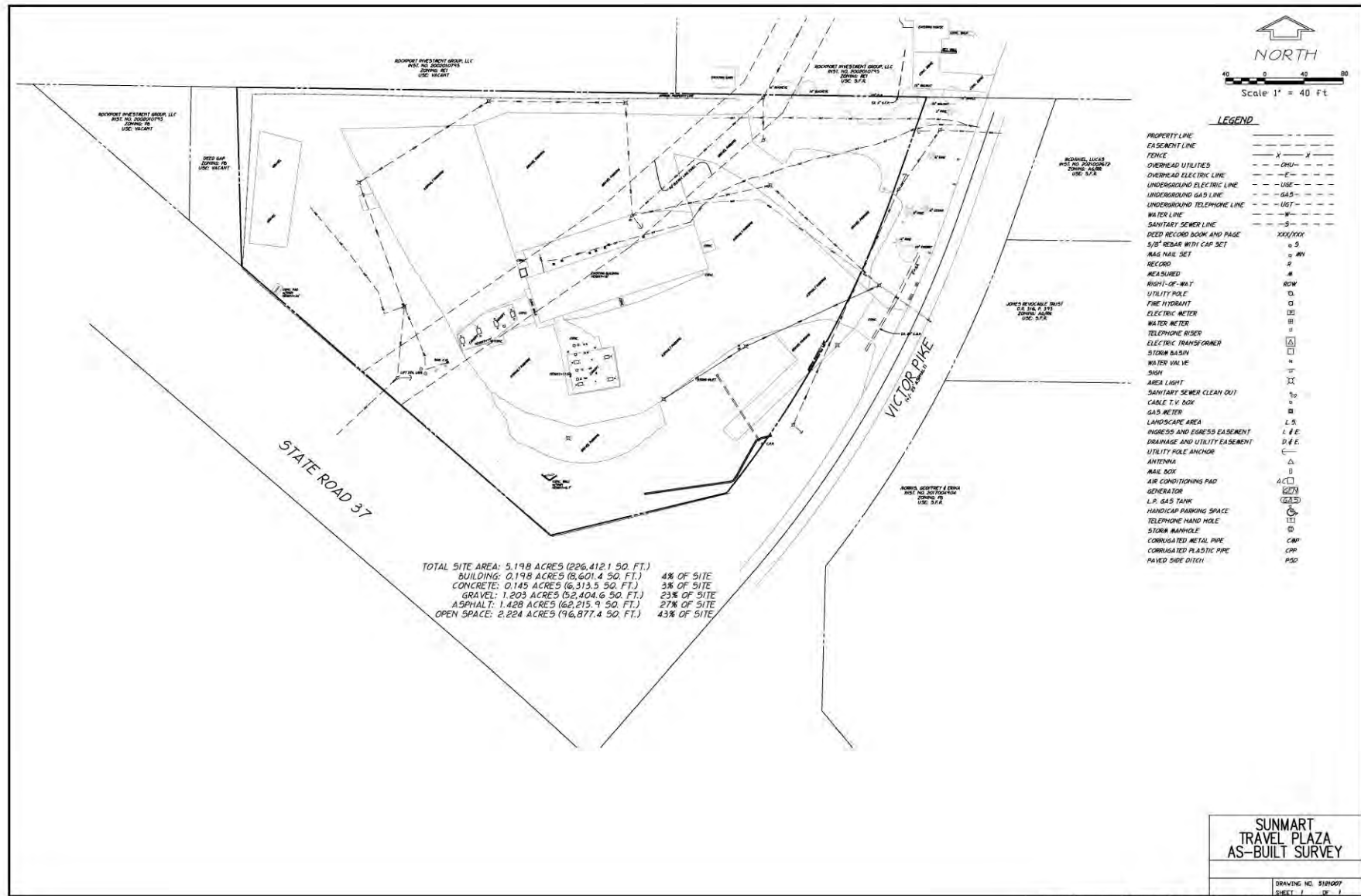


Michael L. Carmin

MLC/nem  
427557 v.3

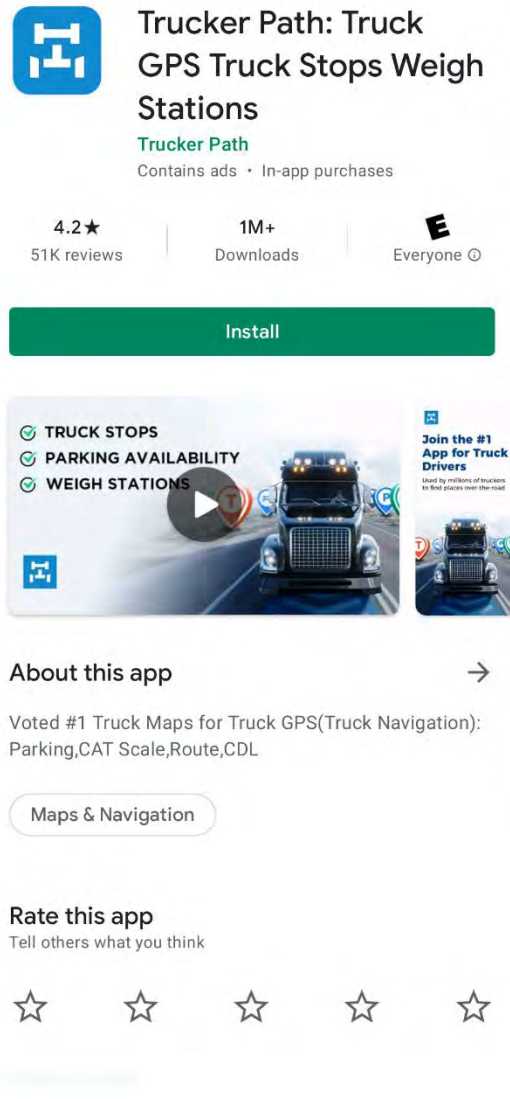


## EXHIBIT 2: Site Plan





### EXHIBIT 3: Illustration of Overnight Parking



**Trucker Path: Truck GPS Truck Stops Weigh Stations**  
Trucker Path  
Contains ads • In-app purchases

4.2★  
51K reviews

1M+ Downloads

Everyone

Install

TRUCK STOPS  
PARKING AVAILABILITY  
WEIGH STATIONS

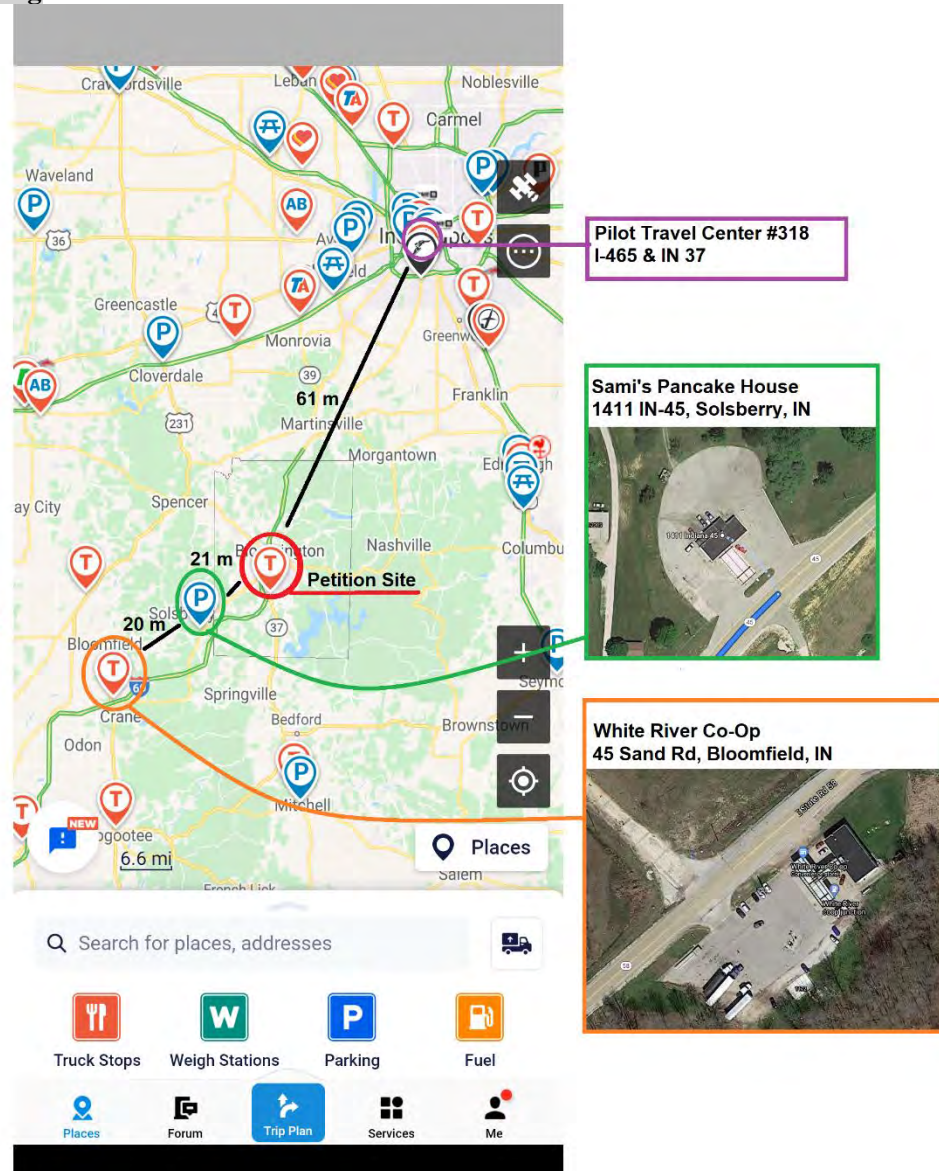
Join the #1 App for Truck Drivers  
Used by millions of truckers to find places near the road.

About this app →  
Voted #1 Truck Maps for Truck GPS(Truck Navigation):  
Parking,CAT Scale,Route,CDL

Maps & Navigation

Rate this app  
Tell others what you think

☆☆☆☆☆





## EXHIBIT 4: Planning Use Determination



**MONROE COUNTY PLANNING DEPARTMENT**  
Monroe County Government Center, 501 N. Morton St., Suite  
224 Bloomington, IN 47404  
Telephone: (812) 349-2560 / Fax: (812) 349-2967

RECEIVED

FEB 26 2020

MONROE COUNTY PLANNING

### Use Determination Form

20-AC-

*In the case where a land use is not clearly listed in Chapter 802 or Chapter 833 of the Monroe County Zoning Ordinance, the Monroe County Planning Department may issue a formal determination based on the information provided herein. This determination allows the applicant to know if a land use is permitted use or conditional use, or not permitted.*

#### PROPERTY OWNER CONTACT INFORMATION

Name: CHERIAN PILO  
Address: 5100 S. VICTOR PIKE RD  
City, ZIP: BLOOMINGTON, IN 47403  
Phone: 812-824-3106  
Email: PCSUNMART@GMAIL.COM

#### REPRESENTATIVE CONTACT INFORMATION - if applicable

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Review of a Use Determination will begin only after this form is submitted to the Planning Department by the applicant.

Upon receipt of all required information, the Planning Department will review the materials and notify the applicant of the outcome by email or mail, as indicated below.

#### Required property information:

Date: 2/26/2020

#### Notification Preference:

☒ Email ☐ Mail

Address for Land Use: \_\_\_\_\_

Parcel Number or Tax ID: \_\_\_\_\_

Total acreage: \_\_\_\_\_ Township & Section #: \_\_\_\_\_

#### Required land use information:

Business title or Owner name: CHERIAN PILO

Size of operation in total *square feet* or *acres*: \_\_\_\_\_

Number of Employees (On-site, both full-time & part-time): 13

Number of Vehicles (used in operation of industry): 0

Hours of Operation: 24 hours

Use, manufacture, or generation of any hazardous materials and/or waste:

Convenience Store, gas & diesel sales

(Continued on other side)

Required: Detailed description of the land use(s):

Note: The more complete this information, the more accurate the determination. It may also be necessary to request additional information.

Neighborhood may park overnight without charge but not ~~usually more than~~ continuously. Usually parked overnight and gone in the morning. Prairie Farms may keep one or two trucks on the property but are never idled.

Useful Code References:

Monroe County Zoning Ordinance: Chapters 802 & 833

-----Office Use Only-----

Date issued:	Additional Documents Attached: <input type="checkbox"/> Yes <input type="checkbox"/> No
Zoning of Property:	Staff name: <b>ANNE /JNJ</b>
Current use:	Is this a Change of Use, as defined in Chapter 801? <input type="checkbox"/> Yes <input type="checkbox"/> No
<u>Use Determination for Land Use:</u>	Chapter for Zoning and Use Table: <input type="checkbox"/> 802 <input type="checkbox"/> 833 <input type="checkbox"/> Bloomington UDO (2012)
Notes:	

2003 - USE-11

#### USE DETERMINATION

5100 S Victor Pike, Bloomington, In 47403-9748

Zone: Pre-Existing Business (PB)      Use Determination: Convenience Store

#### Use Definition from Chapter 802, Monroe County Zoning Ordinance

***Convenience Store.** Any retail establishment offering for sale prepackaged food products, household items, gasoline sales, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption. The maximum size for a convenience store is 3,500 square feet.*

Convenience Store is a permitted use in the Limited Business (LB) and General Business (GB) zones; as a permitted business use, it is also permitted in the Pre-Existing Business (PB) zone.

The building has been assessed as a **Convenience Market** since it was constructed. The building exceeds the maximum size for a convenience store as per the definition, but the building, which was constructed in 1990, predates the ordinance and is "grandfathered".

#### Truck Parking Not Permitted

The parking of trucks as described could be considered one of the following uses:

***Truck Stop/Travel Plaza.** A development oriented to the service of trucks, including the sale of fuel to truck drivers, and provision for support facilities for truck drivers. They may also be utilized by non-truck traffic and the interstate traveler. Business activities which are customarily accessory and clearly incidental and subordinate to the truck stop or travel plaza, may include but not be limited to: scales, truck wash, tire repair and sales, barber shop, restaurant with or without alcohol service, shower facility, convenience store, truckers lounge (for services such as television/exercise/internet access etc.), motel/hotel, laundry, chain rental, vehicle fuel and consumer propane bottle dispensing. The facility may allow for the temporary, daily, or overnight parking (excluding for the loading and unloading of cargo) of commercial motor vehicles which are en-route to or from a destination along an interstate freeway system, for free or for a fee that may be independent of any other use on the premises. The term "truck" shall mean a commercial vehicle driven by a 'truck driver' who is required to have a Class "A" CDL (Commercial Driver's License) license or equivalent.*

***Trucking Terminal.** A terminal facility used by highway-type, property-carrying vehicles, which may include truck maintenance facilities.*

A **Truck Stop/Travel Plaza** is a conditional use in the Heavy Industrial District (HI).

A **Trucking Terminal** is a conditional use in the Light Industrial District (LI) and a permitted use in the Heavy Industrial District (HI).

Overnight parking of trucks or trailers at 5100 S Victor Pike, Bloomington, In 47403-9748 is not allowed.

March 31, 2020

s/ Larry J. Wilson, Planning Director

## EXHIBIT 5: Letters of Remonstrance (three)

June 24, 2021

To: Monroe County Plan Commission

From: Patty & Dave Busch  
1250 W. Church Lane,  
Bloomington, IN, 47403

RE: **PUO-21-1** P&G Planned Unit Outline Plan

As residents of the neighborhood for over 22 years, we often enjoy the shopping convenience of the gas station/convenience store/deli located at 5100 S. Victor Pike. Having heard that this property is up for a potential change in business focus, we want to make the following comments:

**We are in Opposition to PUO-21-1 (Truck Stop-Small)** for the following reasons:

- We DO NOT support adding a new use for extended time parking or overnight parking of over the road tractor-trailer rigs.
  - The tractors usually keep their diesel engines running to power the heater or air conditioner while the driver is sleeping/resting in the cab. This diesel exhaust is a noxious emission and is a proven carcinogen. This is a potential health and safety issue to the neighborhood.
    - The US Environmental Protection Agency (EPA) classifies diesel exhaust as “likely to be carcinogenic to humans”.<sup>i</sup>
    - The National Institute for Occupational Safety and Health (NIOSH) has determined that diesel exhaust is a “potential occupational carcinogen”.<sup>ii</sup>
    - The International Agency for Research on Cancer (IARC), a part of the World Health Organization classifies diesel engine exhaust as “carcinogenic to humans”.<sup>iii</sup>
    - The National Toxicology Program (NTP) has classified exposure to diesel exhaust particulates as “reasonably anticipated to be a human carcinogen”.<sup>iv</sup>
    - “Scientists find evidence of link between diesel engine exhaust, risk of Parkinson’s.”<sup>v</sup>
  - The trailers often contain temperature sensitive cargo; necessitating an additional heating/cooling unit (Auxiliary Power Unit, or APU) to be running via diesel power, contributing to additional diesel exhaust.
  - Tractor-trailer rigs often haul hazardous cargo. A leak from a parked truck carrying hazardous liquid could create an environmental and public safety hazard to the neighborhood. Concentrating 20 rigs in close proximity increases this threat hazard.
  - Enforcement of a “no idling policy” will be very difficult due to the limited on-site staff at the business and the reluctance of drivers to shut off their rigs during rest periods. Signage alone would be an ineffective deterrent.

We do support the (as currently permitted) use of the business as a “Gas Station/Convenience Store/Deli and for the continued use of the parking lot for commuters to park cars and pickup trucks.

Respectfully Submitted,

Patty & Dave Busch

<sup>i</sup> Environmental Protection Agency. Integrated Risk Information System: Diesel engine exhaust (CASRN N.A.) 2012. Accessed at [https://cfpub.epa.gov/ncea/iris/iris\\_documents/documents/subst/0642\\_summary.pdf](https://cfpub.epa.gov/ncea/iris/iris_documents/documents/subst/0642_summary.pdf)

<sup>ii</sup> National Institute for Occupational Safety and Health (NIOSH). *Current intelligence Bulletin 50: Carcinogenic Effects of Exposure to Diesel Exhaust*. 1988. Accessed at [www.cdc.gov/niosh/docs/88-116](http://www.cdc.gov/niosh/docs/88-116)

<sup>iii</sup> International Agency for Research on Cancer. IARC Monographs on the Evaluation of Carcinogenic Risks to Humans. Vol 105: Diesel and Gasoline Engine Exhausts and Some Nitroaranes. 2013. Accessed at <https://pubmed.ncbi.nlm.nih.gov/22946126/>

<sup>iv</sup> National Toxicology Program. *Report on Carcinogens, Thirteenth Edition*. 2014. Research Triangle Park, NC: U.S. Department of Health and Human Services, Public Health Service. Accessed at [https://ntp.niehs.nih.gov/ntp/newhomeroc/other\\_background/dieselexhaust\\_508.pdf](https://ntp.niehs.nih.gov/ntp/newhomeroc/other_background/dieselexhaust_508.pdf)

<sup>v</sup> “Scientists find evidence of link between diesel exhaust, risk of Parkinson’s.” Caroline Seydel/May 19, 2020. newsroom.ucla.edu <https://newsroom.ucla.edu/releases/scientists-link-diesel-exhaust-parkinsons-disease>

## Anne Crecelius

---

**From:** Guy Loftman <guy@loftmanlaw.com>  
**Sent:** Monday, June 28, 2021 5:05 PM  
**To:** Anne Crecelius; Larry Wilson; Dave Busch; Erika Morris; Guy Loftman  
**Subject:** Deny PUO-21-1, 5100 S. Victor Pike truck stop

Dear Plan Commissioners,

Pre-existing commercial uses are designed to accommodate in-place businesses that are inconsistent with new zoning requirements. They make sense. Our family has lived at 4835 S. Victor Pike since 1974. We're downhill from the gas station and convenience store at 5100 S. Victor Pike. We've used it for the 30 years it's been there. It is an asset to our neighborhood. We support its continuation "as is".

However, we oppose the proposed expansion of the permitted use to a truck stop, as sought in PUO-21-1. We don't need more traffic on Victor Pike. We don't need more diesel exhaust from idling trucks near the little town of Clear Creek. (Our home is on the same large country block as the Clear Creek Post Office.) We don't need more toilet flushes discharged through a septic system so near to the West Fork of Clear Creek. (Health Department records show that this septic system was permitted in 1990.)

At the June 22 virtual neighborhood meeting organized by attorney Mike Carmin he stated that Petitioner does not charge any fee for overnight or driver-break parking. It is just a courtesy to truckers. It doesn't create an income flow. There is no reason shown to believe that enforcement of the current overnight parking prohibition would meaningfully affect the station's viability.

A good governmental policy is that violations of privileges should not be rewarded by increasing those privileges. Petitioner's disregard of existing restrictions is no justification for abandoning them.

It is unfortunate that state and federal authorities provided no rest stops in the hundred miles of I-69 between Evansville and Bloomington. But Petersburg, Washington and Crane are more appropriate stopping places than Victor Pike. I assume that Walmart, Sam's Club and Rural King provide ample near-by parking opportunities for truckers. Overnight truck parking on Victor Pike would be a bad solution to a problem better addressed at other locations.

Please vote "no" on PUO-21-1.

Thank you for your service on the Plan Commission.

Guy Loftman  
Connie Loftman  
Sam Cusack  
Eve Loftman Cusack  
4835 S. Victor Pike  
Bloomington, IN 47403

--

Guy Loftman  
4835 S. Victor Pike  
Bloomington, IN 47403  
(812) 679-8445  
Guy Loftman is a retired attorney, and is no longer practicing law

June 28, 2021

Monroe County Plan Commission,

We are writing to express concerns related to the proposed PUD (PUO-21-1) for the Shell gas station located at 5100 S. Victor Pike. We live across the street from the gas station, and are one of several residential properties directly impacted by noise from diesel engines idling overnight in the parking lot.

Before we bought our property in 2017, we made numerous trips to our future property in the late evening hours. One of our initial concerns was how loud the gas station might be in the overnight hours. In our trips, we never noticed any substantial noise issues. At that time, there were trucks parking overnight, but they were either unattended or parked around behind the station, far enough away they could not be heard. Prior to purchasing our home, we also looked into surrounding zoning to determine what could happen in the future with the completion of Interstate 69. We were not aware at this time overnight parking/idling was not permitted at the gas station. Only during another rezone request did we learn overnight parking/idling was not allowed.

It is also important for us to share we rarely hear any highway noise from State Road 37 in our home. The idling of the trucks is the right frequency that it vibrates the house and can be readily heard inside.

To further worsen the impact of the parking and idling, during the summer of 2019, a large amount of fill was brought in and leveled out at the northeast corner of the property. This area of the property is across the street from several homes (including us) and adjacent to one. From this point on, neighbors have been subjected to idling trucks throughout the overnight hours.

Once enforcement was opened in the spring of 2020 (as a result of a complaint filed through the Monroe County Planning Department) lighting and tree removal concerns were addressed. The mature evergreen trees that had been removed were replaced with small trees that lose their leaves every winter, which meet county zoning requirements but does little to provide a buffer between gas pump canopy lights and the surrounding properties. Additionally, as a result of the enforcement, a sign was installed stating "no overnight parking without a permit" despite no overnight parking being permitted. In an attempt to remedy the overnight parking at the northeast corner of the property, traffic cones and railroad timbers were placed in this area to block access. This area (which was formerly green space) is now being utilized for commuter parking during the day. These restrictions do not stop the trucks from parking and idling in the northeast parking area.

At the beginning of the enforcement, this area remained free of idling trucks and the nighttime hours were once again quiet. However, in recent months, it has become increasingly common for the cones to be moved at some point throughout the night to allow trucks to once again park adjacent to homes. Signs and cones give the appearance of compliance, but do nothing to help with a sleepless night when neighbors are listening to the sound of diesel engine or refrigerated truck idling. Since enforcement was started the overnight truck parking has never stopped and overnight parking is commonly in excess of 20 trucks. From county planning we were initially told the enforcement issue was closed but it is now being communicated that enforcement is still open. We are struggling to understand how enforcement opened in the spring of 2020 can still be open over a year later, with it also taking a year to file a PUD.

The petitioner has several requests in the proposal, but the allowance of overnight parking is our major area of concern, along with the ability to enforce the related zoning ordinances. Every public meeting



we have attended has had a common theme, and that is enforcement of the regulations surrounding the overnight parking proposal will be challenging, if not impossible. If the current zoning for no overnight parking is unable to be enforced by the county or the business, how will it be possible to enforce the proposed limited number of parking spots, reduction in hours for no overnight parking/idling and ensure greater distance between residential properties and parking? Currently, trucks are parking in any available flat space on the property they can find, even if that means moving cones or backing into grassy areas. It has been stated the business owners are unable to enforce the no overnight parking due to lack of staffing. Allowing this overnight parking and creating the PUD will only further perpetuate enforcement issues that surrounding property owners are forced to endure.

In reviewing the Monroe County Truck Stop/Truck Plaza Ordinance, this proposal seems to be missing many of the carefully thought out requirements (e.g. proper buffering and landscaping) that the ordinance included to help protect surrounding neighborhoods. The petitioner's representative shared that a landscaping buffer would be placed along Victor Pike where the 2019 parking lot expansion took place. We fail to see how this will be enough to alleviate the problem given the parking lot is at a higher elevation than Victor Pike and overhead power lines are present. Any trees planted to act as a buffer will simply be cut by the utility company given a utility easement runs through that portion of the property.

In closure, we support the currently permitted uses of the gas station. However, with the proximity to a residential area combined with ongoing enforcement issues, this simply is not the place to allow for overnight parking.

Geoff & Erika Morris

5075 S. Victor Pike  
Bloomington, IN 47403

**Steve's Roofing & Sheet Metal**  
**5108 South Commercial Street**  
**Bloomington, IN 47403**  
**812-824-3006**

7/14/2021

To: Monroe County Planning

Re: P&G Associates, LLC request for PUD

We would like to extend our support to P&G Associates for their request of a PUD at the 5100 S Victor Pike location. We have been business neighbors with them for over 20 years and have never had any issues with the way they run their business. We own a business on the west side of highway 37 and we own rental homes at 4998, 4976, 4995 and 4990 S Victor Pike. We have never received any complaints from our tenants regarding the gas station.

We attended the public meeting to learn what they were asking for in the PUD. All their requests seem reasonable. I also feel that allowing trucks to overnight in their back parking lot is essential for our local trucking industry.

Thank you for taking our support of their PUD into consideration. We appreciate the work you do for Monroe County!

Best regards-

George & Betty Schermer

Owners Steve's Roofing & Sheet Metal



Fri 7/16/2021 7:49 PM

Brian Hendrickson <BHendrickson@TownsendTree.com>

**Parking**

To: Anne Crecelius

This is Brian Hendrickson, Supervisor, for Townsend Tree Service. We park our trucks at Rosie's gas station off of Victor pike, it's convenient and a safe place to park. We are in the Bloomington district doing vegetation control for local utility, It's convenient for getting fuel and it allows the guys to get their lunch before leaving the pullout for the day. We park trucks in the evening and secure all trucks (not running) until the following day.

Sent from my iPhone



Mon 7/19/2021 2:48 PM

Robert J. Hupp <rhupp@TownsendTree.com>

**Townsend tree service**

To: Anne Crecelius

Hi this Robert Hupp I am the general Forman for the Bloomington area I wanted to reach out to you just letting you know this has been a great parking area for us for over 10 years we contract with duke energy to keep electricity on for Bloomington.

We start work at 7:30am to 5:30 pm these trucks are parked in the evening the guys go home we do not stay in trucks overnight and trucks do not idle overnight .

We get all the fuel here and food and water for the employees

Sent from my iPhone



Tue 7/20/2021 3:41 PM

Rick Smallwood <rickroadking214@gmail.com>

**Truck stop**

To: Anne Crecelius

I want overnight parking at the truck stop like it has been for years and should continue to be .

Thank you

Rick Smallwood

Sent from my iPhone

## Anne Crecelius

---

**From:** Hunter Henderson <hdh19942013@gmail.com>  
**Sent:** Tuesday, July 20, 2021 9:39 AM  
**To:** Anne Crecelius  
**Subject:** Shell Fuel Station

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whom it may concern,

My name is Hunter Henderson. I've worked at Sternbergs International on Dillman Road for short of 5 years now. Rosie and Pilo have always been kind to me and all patrons of their establishment. This has been a frequent place of my business over the last several years and has always been a sanitary and clean environment.

Even during the difficult time of COVID they implemented and did their part in enforcing and complying with Monroe county, state, and federal requirements and guidelines.

Closing their station because of the complaints of those who willingly, and knowingly purchased residential property near multiple commercial properties is beyond adult, or rational thinking or behavior. This will only set a precedent that those who are unhappy of neighboring businesses need only cause a big enough of a concern and our local authority and government will simply revoke their privileges of operating a business where they have for years.

This station has been operating more years than I have been alive. To close it now after all this time would be a great financial mistake for this area and create hazardous traffic in town. Closing a truck stop outside of the city limits of Bloomington as I-69 continues to increase our traffic daily would be foolish. It would drastically increase heavy truck traffic in town and at fuel stations not adequately sized for the traffic this station sees.

I greatly implore for the Monroe Co board NOT to close or implement any further restrictions upon the Shell Fuel station. I ask that this ruling be based on fact based, rational thought and decision making qualities, and not emotional pleas from adults who made a decision and now regret it and are attempting to force their will upon others.

I would love to answer or give any statements in person if need be.

Thank you,  
Hunter D. Henderson



Wed 7/21/2021 6:37 AM

David Dahms <davedhmswijs@gmail.com>

Over night parking

To: Anne Crecelius

The location in question is a vital part in the transportation industry. Would be very detrimental of losing such a location like this for parking, it save drivers time and money by allowing them to get closer to their pickups or deliveries.

Dave Dahms  
Driver

## Anne Crecelius

---

**From:** Trohn Enright-Randolph  
**Sent:** Friday, August 6, 2021 8:51 AM  
**To:** Anne Crecelius  
**Subject:** FW: 5100 S Victor Pike

FYI –

[Trohn Enright-Randolph](#)

---

**From:** [Tina Rogers](mailto:tinaclookey@yahoo.com) [mailto:tinaclookey@yahoo.com]  
**Sent:** Tuesday, July 20, 2021 3:55 PM  
**To:** Trohn Enright-Randolph <tenright@co.monroe.in.us>  
**Subject:** 5100 S Victor Pike

Good Afternoon,

I am reaching out to you today as one of your supporters. I would like to discuss the on going discussion of this property, i would first like to speak to the family that owns and operates this business. This amazing family has become just that, family. They have watched my children grow up and genuinely care for their customers and know many by first name. They even know what customers are friends with other customers. It really is just a unique situation. They make an effort and that is COMPLETELY lost in customer service today. It also makes this store unique. Unique because there is a certain amount of safety that comes with knowing your customers. Many of us would feel compelled to help the other if there ever was a problem. That being said, I, a 48 year old woman frequently run to their store for many reasons, at every hour of the day. I have sent my 19 year old daughter to their store at all different hours. I leave my car on and unlocked, for my dog who always loves to ride along, I go in and do not worry about it. It is more than safe. I attribute part of that to the fact that there are trucks parked out back and that alone deters crime. This is the store so many of us run to when we ran out of the milk we need for that recipe, someone needs stomach medicine and it's 3 am, for coffee when you forgot it (that alone should be a reason for their business, that has saved some lives.), for the kids breakfast on the way to school. Healthy options and their amazing chicken fingers, for the day you just need chicken fingers. They provide a service to many that is more than needed. I hear the issues lie within the vehicles being parked on their land, you really need to look at the fact that they house Townsend and Asphlund at times. These are often emergency management for our county and surrounding county. This keeps them close, this keeps us moving and our community running. They allow them to park there and to purchase fuel on credit if emergency services are required and fuel is needed. They do not have to do that but they do that to serve our community. Please lets not let a woman who purchased a home where an establish business has been for years, make the rules. I see this as being held hostage by someone who wants to make her own rules. I fear the city sewer treatment facility will be next. Then the race track, she may even be unhappy with Rails to Trails. It seems an easy adjustment or two and let this business continue to be a place everyone feels safe and welcomed.

I am attaching a petition to give you an idea how supported this business is by your constituents. I truly hope you hear us all when we tell you what we want. This was only 6 whole days of signatures supporting the business being allowed to operate in all the currently provided capacities.

I appreciate your time and look forward to hearing from you. I will be present this evening.

[Sent from Yahoo Mail for iPhone](#)



# PETITION

To the honorable members of the Commission of Monroe County of Indiana

The petition of the undersigned residents of Monroe County

## Argument:

We believe the Shell Station located 5100S Victor Pike, Bloomington, Indiana, 47403 should remain operating and serving our community at its current capacities as a restaurant with seating, a convenient store, a gas station and overnight parking as they deem fit for their land.

## Request:

We believe the Commission should allow current operations to continue at current level due to the unmatched accessibility and offerings anywhere in our county.

Name	Signatures	Address
Tina Rogers	T Rogers	4582 S Patricia Ln Blmngtn
Tyler Dees	[Signature]	7366 S. Coffee Dr.
Dakota Delafosa	[Signature]	954 N. Woodbridge Dr
Graze Roberts	Chase Roberts	315 W Gordon Pike
Ron Brewer	[Signature]	Bedford
Mason Grot	Wm Grot	2004 W Stanton Ct
Shane Rehmel	Shane Rehmel	7100 S McCann Ln
Amy Smith	Amy Smith	5245 S. Port Rd
Josh Prince	[Signature]	2247 W. Papco Rd
Tyler Potter	[Signature]	2232
DENNIS CLARK	Dennis Clark	KETCHUM RD
M. R. McQUEEN	M. R. McQueen	8755 Rockport Rd
Gary Smalley	Gary Smalley	117 Indiana Ave
Isaiah Butcher	[Signature]	7730 S. Liles Rd
William Deckard	[Signature]	7688 Old St
Phil STAPLETON	[Signature]	3707 Woodman Way
Ed Cole	[Signature]	6446 N. Main St
Bruce [unclear]	[Signature]	9457 E Washboard Rd



# NAME

# Signature

# Address

Eric Whitney		3400 S Sore Rd
Tan Snodgrass		616 S. Park
Brady Troth		7610 S. Harmony Rd
Nick Johnson		2327 H. Street
Joe Breeden		7085 Cory Lane #86
Jake Dechard		2894 E Hunters Glen
Kevin Dobson		2244 South 1st Apt
Mullis		5716 Koontz Rd
Kinzie Miller		3855 S Owensburg Rd
Justin Conard	JUSTIN CONARD	8090 WEST VERNAL RD
George Hillis		8550 WEST VERNAL RD
Daniel Dayhoff		154 Huron W. 1st St NE
Devon Rodriguez		7644 1st St NE
Lincoln Ellington		1700 N Walnut St
P. Shaw		680 West That Rd
Kevin W. Jackson		2811 N. C. Rd
Leian Duncan		6135 S STRAUS Boulevard
Austin Hays		900 Mcnamy Pike
Natalie Kuntz	nekuntz	7005 S Harmony Rd
Scott Bickas		3650 E Boltinghouse Rd
John Baxter		1250 Old Capital Pl
Rechele Plemons		4996 E Moorer Creek Rd
Jadore Ivey		97 Wind Rose Dr
Bryce May		625 W. Ladd Ave
Jeff May		5959 Fiscus
Amy Wright		1479 eogview drive
Kate Bixler		3201 Thrasher Rd
Tim Bailey		1251 W. Chalk
DALE DECKARD		1998 W That Rd
Mike Bell		4480 S. Rockport Rd

Justice Deckard Justin Dechard

113 E. Vine Street Mitchell

## NAME

## SIGNATURE

## ADDRESS

Josh Campbell

Ty Deckard

Bryan Meyer

Brad Wilkerson

Pat Holman

Keith Vince

Deanna Sokol

Cody Viruen

Donald Smith

John Cook

Brad Johnson

Thomas Blais

Lucas Bryant

Toby Wade

Chris Ealy

Brad Robinson

Sekrey Patton

Trey Carter

Jim Smith

Douglas Phillips

Jay Bicker

Lynn Lu

Leyuan Smith

Cora Danney

Chris Jackson

Alayna Rogers

Anna Hinkle

Debbie Craig

Chris Skinner

Jim Hill

Harp Skinson

Harp Skinson

JCS

Bryant

Pat Holman

Keith Vince

Deanna Sokol

Cody Viruen

Donald Smith

John Cook

Brad Johnson

Thomas Blais

Lucas Bryant

Toby Wade

Chris Ealy

Brad Robinson

Sekrey Patton

Trey Carter

Jim Smith

Douglas Phillips

Jay Bicker

Lynn Lu

Leyuan Smith

Cora Danney

Chris Jackson

Alayna Rogers

Anna Hinkle

Debbie Craig

Chris Skinner

Jim Hill

Harp Skinson

Harp Skinson

4420 Heatherwood Ln

6710 Stageside Rd

534 Elberta

4789 Stansford Lane

2115 I Street Nelford

8650 Fairfax Rd

7217 S Old St Rd

9341 E Mineral-holwood

1009 Zinc Mill Rd

813 I St Bedford

2778 75th Rd

1250 W Old Capital Pk

5260 S. Victor Pike

1721 Greer Lane Springfield

8050 Victor Pike Rd

3984 Nicholas Ct

305 Indiana Ave

2534 W Roman Rd Spencer

4628 N. Dunwoody Ln

3200 Longview Ave.

350 W Turner St Plouffe

1595 - Cedarhill

317 847 682

812-340-4037

45825 Patricia Ln

4307 Falcon Dr.

5908 Annex Ct

1770 S Weimer Rd

3549 W Cockburn

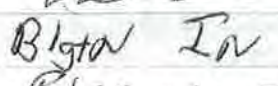


125 Dogwood Lane



# Name

# Signature

# Address





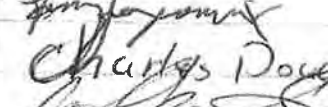
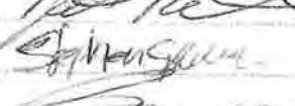
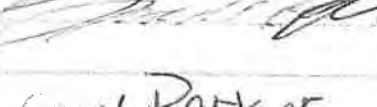
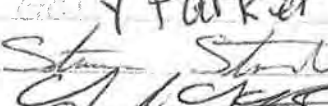

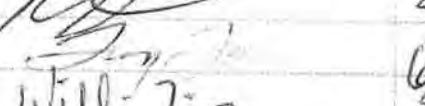
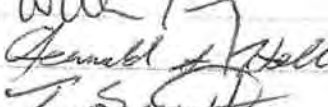
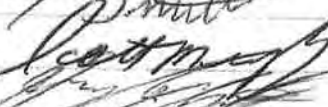

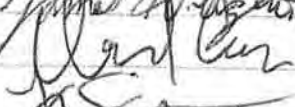




Ben Self		556 S Crimsun CT <sup>217</sup> 2180 S Old 37
Warrior Lama		
Adam Lane		
Kelly Porter		812-327-2544
h-s Smith		
Robert L Stagers	Blythe IN	47403 210
RONALD Wright	Bloomington IN	
JEFF MITCHELL	Bloomington IN	812 272 6834
DUSTIN COYLE	Bloomington, IN	<del>2060 GREEN ST</del> 2060 GREEN ST
Scott Cole	Bedford IN	1828 G Street
Dakota Heath	Bloomington IN	47403
Bill Stewart	Bloomington IN	
Jaime Smith	Gosport, IN	
BRUCE SIMPKINS	Bloomington, IN	
Sarah Ritter	Bloomington, IN	
James Featherston	Bloomington, IN	315 W Garden Pike
Bob Gardner	Bloomington, IN	
Amber Hobson		8456 S Old St Rd 37 Bloomington IN 47463
Mike Jones		3595 Pitkin Rd 46151
Jim Prince		2235 S Owensburg Rd 47463
Meghan McGowan		1217 S. ...
Toby Shaw		47403
James Padgett		4147 St
Jana Hays		611 N. Rodgers
Montell Caldwell		620 S. Walnut
MATT Webster		1503 20th Street
Gary Porter		904 W Brook St
Zachary Schofield		993 Woodsferry Rd
Cerdy Ramsey		
Mike Sackman		1835 White oak Ln



# Name

# Signature






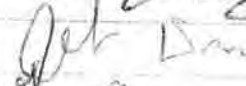
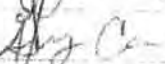







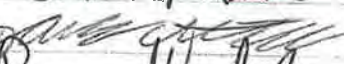


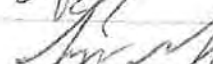
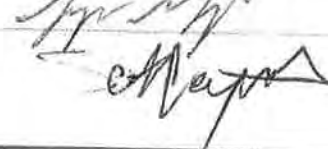
# Address

Devin New		1319 4th Bedford, I.O
Scott Bradley		6180 S Isen RD 47103
Nelson Curren		6573 S. Old St. 37
Richard Shultz		2513 W 3rd
Economy Pest Control		3625 W Bolin Ln
Long Lagneaux		2349 S. Walnut Rd
Charles E. Doyle		9172 73 Hornsburg
Jonathan Richardson		150 Helmar Dr
Stephen Sperlock		
Debra J. Fike		
Libby Parker		1742 Jeremy Dr
Steven Stewart		13458 E Hickory Hill
TABIN BREADLOVE		56XX S. Rock
MIKE GLASSCOCK		4451 W Tramway Rd
Ryan Cloc		4113 S Clear View Dr
Tony Fox		6931 S. Old St. Rd 37
William Tierney		5440 S Farmers Dr Blount
Fernell Hollon		This place is needed
Thomas Smith		1990 E Lukes Ct
Scott Murphy		9701 King Rd
Dylan Charish		
Jared Zike		6023 S. Victor Pk.
James Nugent		7378 S. Zikes Rd
DAVID COMBS		
Kyle Simpson		3924 S. Bullmill Dr.
W. H. H. H.		
Dustin Hollingsworth		
Brandon Hemmerling		

# Name

# Signature

# Address

Joshua Salinas		
Darstiny Richardson	Darstiny Richardson	5580 S. Victor Ave Bluffton
Patty Adams	Patty Adams	Victor Ave, Bluffton
Kelly Evans	Kelly Evans	W. K. Adams Dr
Danien McAdams		4245 S. Clear View Dr.
Elis Butler		5314 S. Southway Dr.
Richard Hammarbush		531 Alva Eweten
Bruce Berg		3636 S. Plaza Dr
JEB DREW		856 S. F.
Greg Carpenter		106 S. I.
Erick Rhea		6896 S. Glenview Dr.
Wan Cain		
Anthony Stephens		41 S. 7th St. 4353C
Elyzium Burns	Elyzium Burns	7905 S. Iles Rd
Benny Snapp		9363 East Sylvania Rd
Chris Evans		80 SMITH AVE
Trachel Boyer		807 Smith Ave
Shel Moore	Shel Moore	3147 W. Maple Leaf Dr
JUNIOR		7938 Ken. on de Indianapolis
J. D. Boyer	J. D. Boyer	1808 N. 2nd 200 EAST Petersh
KOBIN McAnnon	KOBIN McAnnon	5919 S. Phyllis St 47
THOMAS ZOELLER	Thomas Zoeller	1841 E. WATERSEDGE DR #96
George Gregory	George Gregory	2875 E. Carowinds Ct
Brandon Matlock	Brandon Matlock	7492 S. Old 37
Jami Matlock	Jami Matlock	" "
James Terpstra		4858 S. Rogers St
Raymond VanPelt	Raymond VanPelt	2089 W. Fullerton Pk
Jeremy Dine		" "
Alex Papp		-
Logan megrin		-
Scott Carpenter		6049 S. Bleeden



Name	Signature	Address
Deech Burke	Deech Burke	7620 S Fort Ave
Allison Lentz	Allison Lentz	365 E Summit
Scott Stephens	Scott Stephens	7144 S Lodge Rd
MARK RILEY	Mark Riley	675 E. Hobbsville Rd.
Virginia Schenker	Virginia Schenker	7325 S. Rock
Amelia Bentz-Garrett	Amelia Bentz-Garrett	9410 S. Rockport Rd.
Tan Garrett	Tan Garrett	Rockport Rd
Courtney Tiff	Courtney Tiff	1735 E 500 S Perm IN
Zachariah Thompson	Zachariah Thompson	11
Barry Moore	Barry Moore	4498 S. Rock
Lynn Monahan	Lynn Monahan	6024 W. 1st St
Justin Davis	Justin Davis	1735 Utah Rd
STEVEN L. SEITZINGER	Steven L. Seitzinger	4588 S. PATRICIA LN
DAVID M. SEIDLER	David M. Seidler	817 Wilkesstone St.
J. P. HARRIS	J. P. Harris	6458 W. Greene Canyon
John Porter	John Porter	11055 E Rader Ln
Jami Freeman	Jami Freeman	2514 S. 1st St. 7403
Cam Layhill	Cam Layhill	856 S. 1st St. 7403
John Freeman, IV	John Freeman, IV	6305 Forest View Dr. Indianapolis
CAMI MOSBY	Cam Mosby	1316 HARBOLD PK. BLOOMINGTON
RICK MOSBY	Rick Mosby	" " "
DREW HOLLERS	Drew Hollers	1276 Old Capital PK
Tenny Johnson	Tenny Johnson	818 S. Kitchen 12 Bloomington
KOD SMITH	Kod Smith	4805 S STANSIFER LN
Jason Harmon	Jason Harmon	10485 Richards St. Coal City
John Hash	John Hash	10198 E. Dobson Rd Bloomfield
Thomas Anders	Thomas Anders	6221 S Shields Ridge Rd
Bill Teasley	Bill Teasley	
Charles T Davies	Charles T Davies	7921 S Zikes Rd.
Bill Smith	Bill Smith	4337 W. Angels way
Bonnie Eisele	Bonnie Eisele	6833 S. Harmony Rd.

## EXHIBIT 8: Query into properties zoned HI

Staff reviewed areas that would meet the conditions of the "Truck Stop/Travel Plaza" requirements. The three requirements used were: 1) zoned HI, 2) greater than 10 acres, and 3) within 2,000 feet of a Major Collector. Staff also included whether a property was developed or not.

A review of the rezone petitions that requested the HI zoning from 1997 to current are as follows:

- 9 total requests: 4 denied, 2 withdrawn, 3 approved.

Table 1		
Use	Acreage	# of Parcels
Developed	29.74	10
Mine or Quarry	55.53	2
N/A	1.67	7
ROW	46.06	4
Vacant	112.94	11
<b>Grand Total</b>	<b>245.95</b>	<b>34</b>



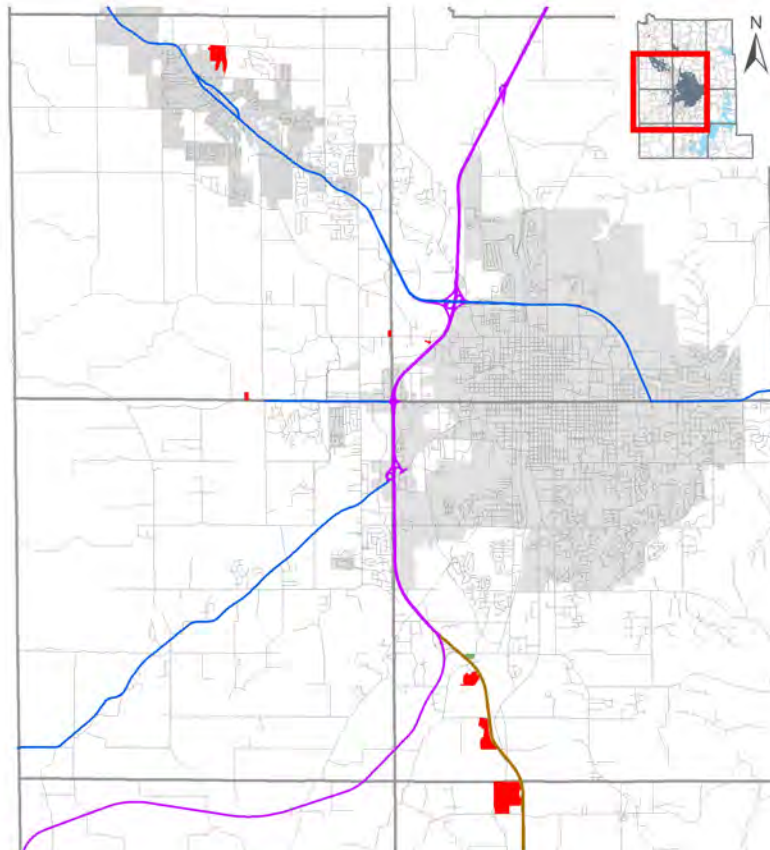
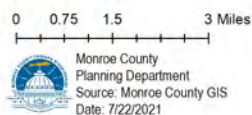
Table 2: N/A and ROW removed		
Use	Acreage	# of Parcels
Developed	29.74	10
Mine or Quarry	55.53	2
Vacant	112.94	11
<b>Grand Total</b>	<b>198.22</b>	<b>23</b>



Table 3: All tax parcels under 10 acres removed			
Note: 56% of queried parcels are under 5 acres (14/25).			
USE	ACREAGE	OWNER	DISTANCE
Mine or Quarry	15.02	Irving Materials, Inc.	
Vacant	15.16	BROWN, BILL REV TRUST	
Developed			
"Comm. Truck Terminal"	15.97	BENCKART REAL ESTATE LLC	
Vacant	18.43	BROWN, BILL REV TRUST	
Developed			
"Other Comm. Structures"	18.63	Strain, Douglas G	
Mine or Quarry	40.52	BYBEE STONE CO INC	> 2000ft
Vacant	40.79	BROWN, BILL REV TRUST	

### Heavy Industrial Zoning Map

- Petitioner
- HI - Heavy Industrial
- Major Arterial
- Freeway
- Interstate
- Roads
- Bloomington Zoning**
  - Bloomington Zoning
  - Town of Ellettsville



### **Exhibit 9: Query into properties within 2000' of interstate**

Spatial query into parcels that meet the following criteria, with no filtering by zoning:

813-10 (C) 11 Truck Stop/Travel Plaza (c): The parcel on which the truck stop/travel plaza is located must be within 2,000 feet of the centerline of the nearest interstate highway exit/entry ramp.

There are 1585 tax parcels located within 2,000' of the 8 exit/entry I-69 ramps within Monroe County. A broad categorization of development shows that:

<b>MCZO Tax Parcels w/in 2,000' of I-69 Ramps</b>	
Agricultural	18
Developed Commercial	108
Mine/Quarry	3
Residential	760
STATE or RDWY	314
Vacant	186
Grand Total	1389

Of the parcels listed as VACANT (and excluding STATE or RDWY), the acreages are shown as follows:

<b>Class = VACANT</b>		
Acreage	Count	Percent
Under 1	74	40%
1 to 3	42	23%
3 to 5	10	5%
5 to 10	26	14%
10+	11	6%
20+	23	12%
Grand Total	186	100%

Visual review of the vacant parcels that exceed 10 acres in size show that the class of “vacant” may be in error, as they appear to be agricultural farm land.



August 9, 2021

Monroe County Plan Commission  
501 N. Morton Street, Rm 224  
Bloomington, IN 47404

RE: P & G Associates PUD Petition – PUO-21-1  
Property: 5100 S. Victor Pike

### **SUPPLEMENTAL PETITIONER'S STATEMENT**

Petitioner supplements the PUD Petition with additional information and a commitment concerning the use of development of the Real Estate. Petitioner also clarifies proposed uses on the Real Estate.

Attached are a series of aerial photographs of the property at 5100 S. Victor Pike. The apparent year of each photograph is noted. Photographs are merely a daytime snapshot in time. The photographs demonstrate that truck parking and vehicle and equipment parking on the Real Estate has been in existence generally in its present configuration since 1998. Statements are enclosed by prior owners of the Real Estate (Beverly Terry and Bill Thomas) that describe the use of the property starting with the original truck stop development by Alan and Beverly Terry in 1988. Truck driver overnight parking for sleep periods has been a consistent use of the Real Estate since 1988. Vehicle and equipment parking have also been consistent uses of the Real Estate. The view shed from the farm on the south side of Victor Pike is largely unchanged, although there are more trees now on the Real Estate than in prior years.

Truck engine idling has been a matter of concern. Petitioner has developed a set of rules pertaining to the driver rest period/sleeping parking. Rules and registration are enclosed. Petitioner is creating a policy for parking lot monitoring to enforce the no engine idling. Petitioner has been in contact with and will contract with a heavy wrecker towing service that will do parking lot patrol. If driver parking violates the engine idling prohibition the driver will be awakened or whatever is necessary to get the engine idling stopped. The driver breaching the rule will be identified and records maintained. Parking is a privilege and not an entitlement and Petitioner will have the means to enforce the rules by suspending driving privileges and barring an offending driver from future parking if necessary. The parking lot patrol will be conducted by the heavy wrecker service so truck towing is a possibility for repeat violators and those who continue to park if privileges are suspended.

Engine idling is on the wane nationally. A number of states and communities have imposed prohibitions on engine idling. Enclosed is a compendium of various laws and regulations prohibiting engine idling. Indiana does not regulate engine idling at this time. Regardless, the trucking industry has evolved. Newer trucks used for long-haul trucking where driver rest



periods and sleeping is an issue are equipped with an auxiliary power unit. Petitioner spoke with a truck driver parking at the petition site. The driver advised that it was about 2010 when the newer truck cabs started being equipped with the auxiliary power units. His truck has the power unit which keeps him from idling the engine. He also reported that his truck is not equipped in any manner allowing him to hook onto an electrified parking station (EPS). He said it was not an either/or, but it was his understanding that the newer trucks, in the last ten plus years, are equipped with a power unit but it is not also equipped to connect to an EPS.

Online materials researching the auxiliary power unit (APU) discusses the auxiliary units are either electric or diesel fueled motors on the power unit. The truck driver explained the use of the APU. His explanation is consistent with materials generally available online under any search engine. The APU operates the heating and air conditioning. The APU is charged during truck operation. If the demand on the APU during overnight is heavy enough it will exhaust the stored power. The APU will turn on either the diesel motor or the electric motor to operate the heat and air conditioning until the truck is again in operation and the APU is recharged. The truck driver reported that sales materials on the APU asserts that the diesel fuel consumption for the small motor on the APU utilizes a tenth of a gallon of fuel per hour. He acknowledged that in his experience the motors are not quite that efficient and it is bit more but less than a quarter of a gallon per hour during the time the APU is operated. He also stated that the diesel truck engine, when idling, consumes a gallon of fuel per hour. The truck driver also reported that the small motor on the APU can be heard, but only at a short distance from the truck. He described the diesel powered APU as relatively quiet and not detectible more than a short distance from the truck.

The truck driver also expressed his concern that the overnight parking continue on the Real Estate. He was asked about alternative sites, such as the local big box stores (Rural King and Sam's Club) with large parking lots. He was aware of those but did not want to park at those sites. He noted there was no specific authorization for parking. There is no parking lot control. He emphasized the safety and convenience of parking at Petitioner's Real Estate, including access to food and fuel and immediate access to the state highway system. He strongly encouraged petitioner to keep the truck parking use on the property.

Very truly yours,

Michael L. Carmin

MLC/nem



## **SUNMART**

### **Rules for Overnight Truck Parking**

- All drivers must check in at the cashier's station immediately upon parking
- Truck parking in designated spaces only
- Overnight parking not to exceed 10 hours
- No engine idling while parked
- No grills or other fire sources are allowed to be used on the Sunmart property
- No littering; trash bins are provided for disposal of all trash
- No persons authorized to be in the truck cab or to sleep in the truck cab except authorized truck drivers and authorized passengers

Overnight truck parking shall be in conformance with these Rules for Overnight Truck Parking.

A copy of the rules is furnished to each driver at check-in. Violations of these Rules may result in suspension of parking privileges, vehicle towing or other sanctions.

Drivers acknowledge that strict adherence to the Rules is an essential condition for authorized parking. The Rules are intended to minimize external impacts of truck parking use and unreasonable disturbance of neighboring properties.

# SUNMART

## Truck Registration

Date \_\_\_\_\_

Driver Name \_\_\_\_\_

Driver Signature \_\_\_\_\_

Vehicle license number \_\_\_\_\_

Vehicle description (for example; color of cab, business name printed on cab or truck, truck manufacturer – sufficient description to identify a parked truck) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Acknowledge Receipt of Rules for Overnight Truck Parking

\_\_\_\_\_  
(driver signature)

Exhibit A  
Amended

**Truck Stop- Small**

Uses and Design Standards.

1. Permitted Uses. Gasoline/fuel sales; electric vehicle charging station; convenience mart; transient overnight truck parking (driver occupied); vehicle and equipment parking (unoccupied); ride-share parking; restaurant (small). Accessory uses: A single residential dwelling use; seasonal sales; outdoor seating/rest shelter (eating, pedestrian and bicyclist rest area).
2. Lot size. The minimal parcel area and road frontage should be not less than 4 acres and not larger than 6 acres with not less than 200 feet of direct road frontage on a principal arterial road. The adjacent collector road intersection shall require a dedicated left turn and/or right turn lane(s). Alternative access may include a secondary collector road at an improved principal arterial road intersection. A signalized intersection with dedicated turn lanes constitutes an improved intersection.
3. Location. The Truck Stop – Small parcel must be located within 200 feet of the centerline of a principal arterial road or adjacent to a secondary collector road connecting to a principal arterial intersection. Driveway entrance on an adjacent secondary collector road shall be located not further than 500 feet from the principal arterial road intersection.
4. Fueling stations Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.
5. Vehicle charging stations Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts.
6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.
7. Overnight parking
  - a. Transient overnight truck parking shall not exceed a 10 hour period. Transient overnight truck parking may include driver rest periods in vehicles with truck/tractor cabins designed for rest periods. Designated parking for transient overnight truck parking shall not exceed 20 parking spaces. Engine idling for parked trucks is prohibited.
  - b. Large truck/equipment parking permitted. Sleeping is not permitted. Parking for unoccupied vehicles and equipment limited to twenty (20) designated spaces.



8. Ride-share. Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours.
9. Convenience mart/food service. Dine-in seating for the restaurant shall not exceed 1,000 square feet.
10. Lot surfaces. Driveway and associated lot areas for fueling stations, charging stations, restaurant parking and convenience mart parking shall be paved. Ride-share parking, transient overnight truck parking, and associated driveway areas may be stone or gravel surfaced.
11. Landscaping. At least 25% of the lot shall be dedicated to permanent green space. A minimum of eight (8) trees shall be required in the areas in close proximity to road frontages.
12. Signage. One pole sign shall be permitted. Signage may include canopies, building exterior and monument signs. Signage in addition to a pole sign shall not exceed an aggregate of 600 square feet. The area of both sides of a monument sign shall be included in the aggregate permitted signage. Informational and instructional signage (e.g., parking designation, parking rules, and traffic control signage) shall be permitted in addition to regulated signage.
13. Lighting standards. On-site lighting shall be sized and directed to provide minimal light spillage onto adjacent properties. All outdoor lighting shall be shielded so that light emitted by the fixtures project below the horizontal plane of the lowest point of the fixture. Low pressure sodium lamps or other dark sky friendly lighting alternatives shall be utilized wherever feasible for any light not fully shielded. Pole signs and monument signs may be backlit. Lighting shall not exceed one candle power at a property line.
14. Alcohol sales. Alcohol sales for onsite consumption are not permitted.
15. Accessory Uses.
  - a. Seasonal sales shall be permitted on the open lot. Examples of seasonal sales include farm produce sales, firewood, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.
  - b. Residential. One 2-bedroom dwelling unit for employee/owner occupancy
  - c. Outdoor seating/shelter. Not to exceed 400 square feet. Bike racks must be installed adjacent to the shelter.



## Compendium of Idling Regulations

The information in this table is for reference purposes only and should not be relied upon for regulatory compliance. This information may contain errors and omissions and is subject to change. Actual state, county, or city codes should be referenced for specific requirements. Links to the various regulations can be found on the website edition of this compendium.

[TruckingResearch.org](http://TruckingResearch.org)

**Updated: March 2020**

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Arizona, Maricopa County</b>  <b>5 minutes w/ fines of \$100 - \$300</b>	<ul style="list-style-type: none"> <li>- Traffic or adverse weather conditions</li> <li>- Emergency or law enforcement purposes</li> <li>- Power takeoff involving cargo or work function</li> <li>- Conform to manufacturer's specifications</li> <li>- Maintenance or diagnostics</li> <li>- Hours-of-Service compliance</li> </ul>
<b>California</b>  <b>5 minutes w/ fines of \$300 - \$1,000</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Queuing beyond 100' of residential</li> <li>- Adverse weather conditions or mechanical difficulties</li> <li>- Vehicle inspections</li> <li>- Service or repair</li> <li>- Power takeoff involving cargo or work function</li> <li>- Prevent safety or health emergency</li> <li>- Emergency vehicles</li> <li>- Certified Clean Idle labels</li> </ul>
<b>Colorado, Aspen</b>  <b>5 minutes within any 60-minute period w/ fines up to \$1,000</b>	<ul style="list-style-type: none"> <li>- Safety reasons</li> <li>- To achieve an engine temperature of 120°F and an air pressure of 100 lbs/in<sup>2</sup></li> </ul>
<b>Colorado, Denver</b>  <b>5 minutes in any 60-minute period w/ fines up to \$1,000 (No limit if &lt;20°F for previous 24-hour period or less than 10°F)</b>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Traffic conditions</li> <li>- Being serviced</li> <li>- Auxiliary equipment</li> </ul>
<b>Colorado, Vail</b>  <b>20 minutes w/ fines up to \$1,000 (No idling if left unattended when in Lionshead or commercial core except for refrigeration vehicles)</b>	- None

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Connecticut</b>  <b>3 minutes w/ fines up to \$5,000 (No limit if &lt;20°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Ensure safety or health of driver/passengers</li> <li>- Auxiliary equipment</li> <li>- Conform to manufacturer's specifications</li> <li>- Maintenance</li> <li>- Queuing to access military installations</li> </ul>
<b>Delaware</b>  <b>3 minutes w/ fines of \$50- \$500 (15 min. if 32°F to - 10°F; No limit if &lt;-10°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Conform to manufacturer's specifications</li> <li>- Repair</li> <li>- Emergency vehicles</li> <li>- Using auxiliary equipment/power takeoff</li> <li>- Power during sleep or resting beyond 25 miles of truck stop with available electrified equipment</li> <li>- Vehicle safety inspections</li> </ul>
<b>District of Columbia</b>  <b>3 minutes w/ fines of \$500 minimum (5 min. if &lt;32°F)</b>	- Power takeoff
<b>Georgia, Atlanta</b>  <b>15 minutes w/ fines of \$500 (25 min. if &lt;32°F)</b>	<ul style="list-style-type: none"> <li>- To perform needed work</li> <li>- Traffic conditions</li> <li>- Natural gas or electric vehicles</li> </ul>
<b>Idaho, Ketchum</b>  <b>3 minutes in any 60-minute period w/ fines of \$25</b>	<ul style="list-style-type: none"> <li>- Traffic control/conditions</li> <li>- Vehicle inspections</li> <li>- Service or repair</li> <li>- To perform work functions</li> <li>- Prevent safety or health emergency</li> <li>- Recharge hybrid batteries</li> <li>- Operate equipment which runs intermittently</li> <li>- Emergency vehicles</li> </ul>
<b>Illinois:</b> <b>Cities: Aux Sable, Goose Lake, Oswego</b> <b>Counties: Cook, DuPage, Lake, Kane, McHenry, Will, Madison, St. Claire, Monroe</b>  <b>10 minutes within any 60-minute period w/ fines of \$90 - \$500 (30 min. if waiting to weigh, load or unload freight; No limit if &lt;32°F or &gt;80°F)</b>	<ul style="list-style-type: none"> <li>- Less than 8,000 lbs. GVWR</li> <li>- Traffic conditions/controls</li> <li>- Prevent a safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Service or repair</li> <li>- Government inspection</li> <li>- Power takeoffs involving cargo or work functions</li> <li>- Resting in a sleeper berth</li> <li>- Mechanical difficulties</li> <li>- Queuing</li> <li>- Idle reduction technologies</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Illinois, Chicago</b>  <b>3 minutes in any 60-minute period w/ fines of \$250 (No limit if &lt;32°F or &gt;80°F)</b>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Power auxiliary equipment</li> <li>- Service or repair or government inspection</li> <li>- Traffic conditions</li> <li>- Idle reduction technologies</li> <li>- Mechanical difficulties</li> <li>- Exhaust filter regeneration</li> </ul>
<b>Illinois, Evanston</b>  <b>5 minutes in any 60-minute period w/ fines of \$150</b>	<ul style="list-style-type: none"> <li>- Traffic control/conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency vehicles</li> <li>- Mechanical difficulties</li> <li>- To perform work functions</li> <li>- Government inspections</li> <li>- Service or repair</li> </ul>
<b>Kansas, Johnson and Wyandotte Counties</b>  <b>5 minutes in any 60-minute period w/ fines up to \$10,000 (30 min. while waiting to load or unload)</b>	<ul style="list-style-type: none"> <li>- Traffic control / conditions</li> <li>- Safety or health reasons</li> <li>- State or federal inspections</li> <li>- Mechanical difficulties</li> <li>- Emergency vehicles</li> <li>- Heat or A/C sleeper berth during rest periods</li> <li>- Service or repair</li> <li>- To perform work functions</li> <li>- Auxiliary power units</li> </ul>
<b>Maine</b>  <b>5 minutes in any 60-minute period w/ fines of \$25 - \$500 (15 min. if 0° - 32°F; No limit if &lt; 0°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Maintenance or repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- Sleeper berth A/C or heat during rest or sleep periods</li> <li>- A/C or heat while waiting to load/unload</li> <li>- Mechanical difficulties if receipt of repair is submitted w/in 30 days</li> </ul>
<b>Maryland</b>  <b>5 minutes w/ fines up to \$500</b>	<ul style="list-style-type: none"> <li>- Traffic conditions or mechanical difficulties</li> <li>- Heating, cooling, or auxiliary equipment</li> <li>- Conform to manufacturer's specifications</li> <li>- Accomplish intended use</li> </ul>
<b>Massachusetts</b>  <b>5 minutes w/ fines of up to \$500</b>	<ul style="list-style-type: none"> <li>- Being serviced</li> <li>- Delivery for which power is needed &amp; alternatives unavailable</li> <li>- Associate power needed with no alternatives</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Michigan, Ann Arbor</b>  <b>5 consecutive minutes in any 60-minute period or when unoccupied w/ minimum fines of \$100 (No limit if &lt;32°F or &gt;85°F &amp; no temperature-controlled area accessible)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety or health emergency</li> <li>- Cab comfort while waiting for assistance</li> <li>- Emergency purposes</li> <li>- Power auxiliary work equipment</li> <li>- A/C or heat during rest or sleep periods beyond 25 miles of truck stop electrification/shore power</li> <li>- Maintenance, servicing, repairing, or diagnostic</li> <li>- Conform to manufacturers specifications</li> </ul>
<b>Michigan, Detroit</b>  <b>5 consecutive minutes in any 60-minute period w/ fines of warning to \$500</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Power auxiliary equipment</li> <li>- Emergency vehicles</li> <li>- Motionless for &gt;2 hours &amp; &lt;25°F</li> <li>- State inspections</li> <li>- Hybrid vehicle recharging</li> <li>- Electric, hydrogen or natural gas powered vehicles</li> </ul>
<b>Minnesota, Minneapolis</b>  <b>5 minutes in any 60-minute period w/ fines up to \$700</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- To prevent a safety or health emergency</li> <li>- Emergency purposes</li> <li>- Maintenance or diagnostics</li> <li>- Vehicle inspection</li> <li>- Power auxiliary equipment</li> <li>- Occupied armored vehicles</li> <li>- A/C or heat during sleep or rest period or waiting to load/unload</li> <li>- Mechanical difficulties</li> </ul>
<b>Minnesota, Owatonna</b>  <b>15 minutes each 5 hours in residential areas w/ fines up to \$1,000</b>	- None
<b>Missouri, St. Louis</b>  <b>5 minutes in any 60-minute period w/ fines up to \$100 (10 min. if &lt;32°F)</b>	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Power for auxiliary purposes</li> <li>- Traffic or adverse weather conditions</li> <li>- Repair or diagnostics</li> <li>- Engaged in the delivery of goods</li> </ul>
<b>Missouri, Clay, Franklin, Jackson, Jefferson, Platte, St. Charles, St. Louis Counties</b>  <b>5 minutes in any 60-minute period w/ fines TBD (30 min. when waiting to load/unload)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety/health emergency</li> <li>- Emergency purposes</li> <li>- Maintenance/repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- During government-mandated rest periods</li> <li>- Mechanical difficulties</li> <li>- Auxiliary power units</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Nevada</b>  <b>15 minutes</b> w/ fines up to \$2,000	<ul style="list-style-type: none"> <li>- Variance has been issued</li> <li>- Emergency vehicles</li> <li>- Repair or maintain other vehicles</li> <li>- Traffic congestion</li> <li>- Maintenance at repair facility</li> <li>- Emission contained &amp; treated per commission</li> <li>- To perform specific task</li> </ul>
<b>New Hampshire</b>  <b>5 minutes</b> w/ fines TBD (15 min. if 32° to -10°F; No limit if <-10°F)	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Emergency vehicles</li> <li>- Power takeoff or heat/cool passengers</li> <li>- Maintenance or diagnostics</li> <li>- Defrost windshield</li> </ul>
<b>New Jersey</b>  <b>3 minutes</b> w/ fines of \$250 to \$1,000 (15 min. if stopped for 3 hrs. & <25°F)	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Mechanical operations</li> <li>- Waiting or being inspected</li> <li>- Performing emergency services</li> <li>- Being repaired or serviced</li> <li>- Auxiliary power unit, bunk heaters, etc.</li> <li>- Sleeper berth with 2007 or newer engine or diesel particulate filter</li> </ul>
<b>New York</b>  <b>5 minutes</b> w/ fines of \$375 minimum (No limit if stopped for ≥2 hrs. & <25°F)	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Auxiliary power or maintenance</li> <li>- Emergency vehicles</li> <li>- Within mines or quarries</li> <li>- State Inspections</li> <li>- Recharging hybrid electric vehicles</li> <li>- Farm vehicles</li> <li>- Electric vehicles</li> </ul>
<b>New York:</b> <b>Cities of New York, Larchmont Village, Mamaroneck Village</b>  <b>Counties of Rockland &amp; Westchester</b>  <b>3 minutes</b> w/ fines up to \$1,000 (1-minute if adjacent to a public school)	<ul style="list-style-type: none"> <li>- Emergency vehicles</li> <li>- Operate loading, unloading, or processing device</li> </ul>
<b>Ohio, Cleveland &amp; Maple Heights</b>  <b>5 minutes in any 60-minute period</b> w/ fines of \$150 (10 min. at loading docks/areas or if <32°F or >85°F)	<ul style="list-style-type: none"> <li>- Prevent safety or health emergency</li> <li>- Traffic conditions/controls</li> <li>- Emergency vehicles</li> <li>- Service or repair</li> <li>- Vehicle safety inspection</li> <li>- Power auxiliary equipment</li> <li>- Sleeping or resting in a sleeper berth</li> <li>- Mechanical difficulties</li> <li>- Idle reduction technologies</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Ohio, South Euclid</b>  <b>0 minutes</b> w/ fines of \$50 - \$150 (20 min./hr if loading/unloading; No limit if <32°F or >85°F)	(Same exemptions as Cleveland & Maple Heights, plus) <ul style="list-style-type: none"> <li>- Queuing</li> </ul>
<b>Oregon</b>  <b>5 minutes in any 60-minute period</b> w/ fines up to \$180 (30 minutes while waiting to or during load/unload)	<ul style="list-style-type: none"> <li>- Idle reduction technology</li> <li>- Cargo temperature control</li> <li>- Traffic conditions/controls</li> <li>- Mechanical difficulties</li> <li>- Manufacturers specifications</li> <li>- Safety regulations</li> <li>- Emergency purposes</li> <li>- Maintenance/repairs</li> <li>- Exhaust filter regeneration</li> <li>- State or federal inspections</li> <li>- Power work-related functions</li> <li>- For A/C or heat during rest/sleep periods or loading/unloading if &lt;50° F or &gt;75°F</li> </ul>
<b>Pennsylvania</b>  <b>5 minutes in any 60-minute period</b> w/ fines of \$150 - \$300 (15 min. if weighing, loading or unloading)	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergencies</li> <li>- Comply with manufacturer's specifications</li> <li>- Emergency or law enforcement purposes</li> <li>- Maintenance or repair</li> <li>- Government or security inspections</li> <li>- Power work-related operations</li> <li>- Mechanical difficulties</li> <li>- Certified Clean Idle label</li> </ul>
<b>Pennsylvania, Philadelphia</b>  <b>2 minutes or 0 minutes for layovers</b> w/ fines of \$300 (5 min. if <32°F; 20 min. if <20°F)	-None
<b>Pennsylvania, Alleghany County</b>  <b>5 minutes</b> w/ fines of a warning to \$500 (20 min. if <40°F or >75°F)	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Queuing</li> <li>- Cool down/warm up per manufacturer's recommendations</li> <li>- Sleeping/resting in truck</li> <li>- Safety inspections</li> <li>- Ensure safe operations</li> <li>- Emergency vehicles</li> <li>- Power accessory or service equipment</li> <li>- Repair or diagnostics</li> </ul>

For more information about ATRI, visit [TruckingResearch.org](http://TruckingResearch.org)



<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Rhode Island</b>  <b>5 minutes in any 60-minute period w/ fines up to \$500 (15 min. if 0° - 32°F; No limit if &lt;0°F)</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Ensure health or safety of driver/passengers</li> <li>- Power work-related operations</li> <li>- Service or repair</li> <li>- State or federal inspections</li> <li>- Emergency or law enforcement purposes</li> <li>- Auxiliary power unit/generator set</li> </ul>
<b>South Carolina</b>  <b>10 minutes in any 60-minute period w/ fines of \$75</b>	<ul style="list-style-type: none"> <li>- Traffic conditions</li> <li>- Prevent safety or health emergency</li> <li>- Emergency or law enforcement purposes</li> <li>- Service or repair</li> <li>- State or federal inspections</li> <li>- Power work-related operations</li> <li>- Sleeper berth a/c or heat during (a) rest or sleep periods; (b) &lt;40° F or &gt;80 °F; or (c) at rest areas, terminals, truck stops, or legal parking locations &gt;500' from homes or schools</li> <li>- While waiting to load/unload</li> </ul>
<b>Texas:</b> <b>Cities of Arlington, Austin, Bastrop, Benbrook, Cedar Hill, Celina, Colleyville, Dallas, Duncanville, Elgin, Euless, Fort Worth, Georgetown, Granbury, Houston, Hurst, Hutto, Keene, Lake Worth, Lancaster, Little Elm, Lockhart, Luling, Mabank, McKinney, Mesquite, &lt;NEW&gt; Nixon, North Richland Hills, Pecan Hill, Richardson, Round Rock, Rowlett, San Antonio, San Marcos, University Park, Venus, Westlake</b>  <b>Counties of Bastrop, Bexar, Caldwell, Collin, Dallas, Hays, Kaufman, Tarrant, Travis, Williamson</b>  <b>5 minutes w/ fines vary by jurisdiction</b>	<ul style="list-style-type: none"> <li>- 14,000 lbs GVW or less</li> <li>- Certified Clean Idle label</li> <li>- Traffic conditions</li> <li>- Emergency or law enforcement</li> <li>- To perform needed work</li> <li>- Maintenance or diagnostics</li> <li>- Defrost windshield</li> <li>- Owners of rented/leased vehicles</li> <li>- Hours-of-Service compliance beyond 2 miles of an available external heat or a/c connection</li> </ul>
<b>Utah, Park City, Sandy City, Summit County</b>  <b>1 minute w/ 3 warnings and fines thereafter</b>	<ul style="list-style-type: none"> <li>- Traffic controls</li> <li>- Power auxiliary equipment including refrigeration units</li> <li>- Manufacturers' specifications</li> <li>- For health or safety reasons</li> <li>- Clear windshields</li> <li>- Maintenance, diagnostics or inspection</li> <li>- Emergency vehicles</li> </ul>

<b>State, County or City Idling Limit and Fines</b>	<b>Exemptions</b>
<b>Utah, Logan, Salt Lake City &amp; Salt Lake County</b>  <b>2 minutes w/ 3 warnings and fines thereafter</b>	(Varies by jurisdiction)
<b>Vermont</b>  <b>5 minutes in any 60-minute period w/ fines of \$10 - \$100</b>	<ul style="list-style-type: none"> <li>- Public safety or emergency purposes</li> <li>- Traffic conditions or control</li> <li>- Health or safety of occupant</li> <li>- Operate safety equipment</li> <li>- Power work-related operations</li> <li>- Air-conditioning or heating a sleeper berth in model year 2017 or older vehicle</li> <li>- Maintenance or diagnostics</li> <li>- State or federal inspections</li> <li>- Idle reduction technologies</li> </ul>
<b>Vermont, Burlington</b>  <b>3 minutes w/ fines up to \$10,000</b>	<ul style="list-style-type: none"> <li>- Refrigeration units</li> <li>- Repairs</li> <li>- To perform work functions</li> <li>- Health or safety of driver or passengers</li> </ul>
<b>Virginia</b>  <b>10 minutes for diesel vehicles in commercial or residential urban areas w/ fines up to \$25,000</b>	<ul style="list-style-type: none"> <li>- Auxiliary power</li> </ul>
<b>West Virginia</b>  <b>15 minutes in any 60-minute period w/ fines of \$150 - \$300</b>	<ul style="list-style-type: none"> <li>- Traffic conditions/controls</li> <li>- Prevent safety or health emergency or in accordance w/ safety regulations</li> <li>- Emergency vehicles</li> <li>- Maintenance, service or repair</li> <li>- Federal or state inspections</li> <li>- Power auxiliary equipment</li> <li>- Security inspections</li> <li>- Mechanical difficulties</li> <li>- Sleeping or resting in a sleeper berth if &lt;40° or &gt;75° F &amp; legally parked</li> <li>- Sampling, weighing, loading or unloading</li> <li>- Waiting for a police escort for a permitted load</li> <li>- Certified Clean Idle label</li> <li>- Powered by clean diesel or biodiesel fuels</li> </ul>
<b>Wisconsin, Madison</b>  <b>5 consecutive minutes w/ fines of \$25 - \$200 (No limit if &lt;20° F or &gt;90° F)</b>	<ul style="list-style-type: none"> <li>- Prevent safety or health emergency</li> <li>- Testing, service, repair or diagnostic</li> <li>- Power auxiliary equipment including refrigeration units</li> <li>- Traffic conditions/controls</li> </ul>

For more information about ATRI, visit [TruckingResearch.org](http://TruckingResearch.org)

**Bloomington Area: Fullerton Pike to Victor Pike****Area Includes:**

Tapp Road to SR 37 Interchange

**Impacted Roads:**

Fullerton Pike, That Road, East Lane, Rockport Road, Big Sky Lane.

**Development Intent**

Development of the east side of SR 37 in this portion of the corridor is encouraged by current land use policies. West of SR 37, development of the medical park with Monroe County Hospital will continue to be encouraged within established infrastructure boundaries while further residential development is to be low density where there are no sanitary sewers – but may be at a higher density in areas where sanitary sewers are installed. Should I-69 develop, it is recommended that missing segments of roadways be completed in the area, and that at least Fullerton Pike and Vernal Pike maintain access to SR 37/I-69.

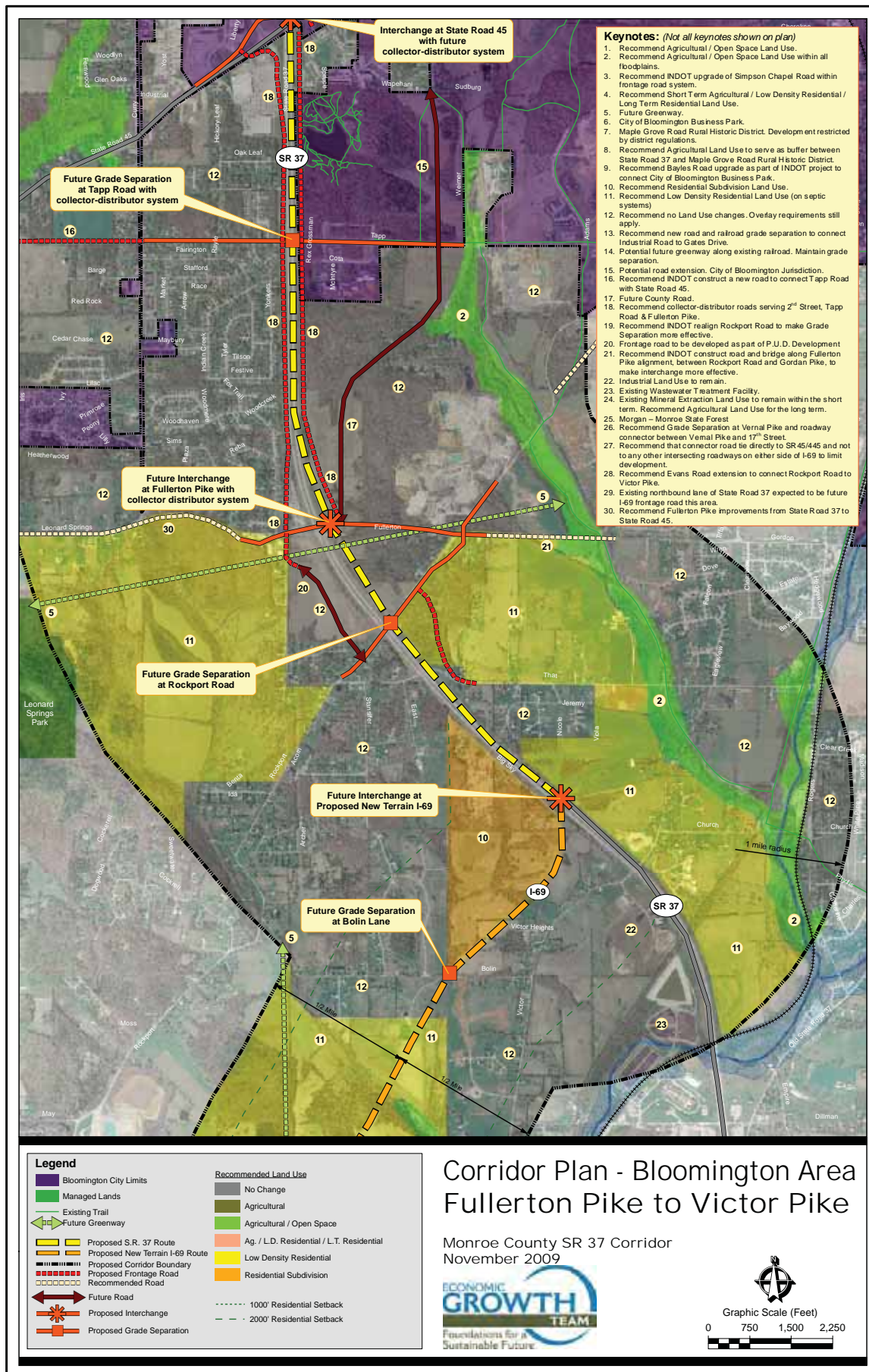
**Existing Conditions and Development Patterns**

The corporate limits of Bloomington meander along SR 37 in this area, resulting in portions of the corridor being in Morgan County's jurisdiction with others being within the City of Bloomington. Development varies in intensity throughout the area (See: *Fullerton Pike to Victor Pike Map on page 46*). East of SR 37 and west of Clear Creek, there are former quarry areas and other land available for more intense use. South of this area also east of SR 37 is a mix of residential areas. There is also significant existing residential development east of Clear Creek largely out of the corridor.

West of SR 37 between Rockport Road and Fullerton Pike is the Monroe County Hospital. It is anticipated that development of the hospital will not extend further west or south than That Road. West of the hospital, there is significant undeveloped acreage. This area includes Leonard Springs Park.

Further south, areas bounded by SR 37 to the south, Rockport Road to the west and Victor Pike to the east are currently experiencing medium density residential development. The City of Bloomington is planning to extend sewers into this area.

A significant portion of this area of the corridor is currently regulated by the County's Business Industrial Overlay (BIO). The BIO was intended to guide development of employment sites within this region, but has seen little success.





## I-69 Impact Summary

I-69 is proposed to follow the existing route of SR 37 until a point just north of Victor Pike. At this point, an interchange is proposed and I-69 is planned to route to the southwest following a new terrain route. It is proposed that the interstate be three lanes in each direction north of this SR 37 interchange and two lanes in each direction south of this point.

If I-69 is developed, Fullerton Pike and SR 37 are proposed to be developed as interchanges, while Rockport Road is proposed as a grade separation. That Road would be interrupted by the interstate due to its proximity to Rockport Road with a cul-de-sac on the west and frontage road to Rockport Road on the east. This disruption is of great concern because of the number of county residents in this area needing access to this corridor.

Should I-69 be developed with an interchange at Fullerton Pike, the interchange will need to connect to the residential areas east of Clear Creek for the interchange to be effective. Currently, Fullerton Pike stops at Rockport Road and does not cross Clear Creek. It is recommended that INDOT improve Fullerton Pike to the east by connecting the interchange to Gordon Road. Without this roadway extension, Fullerton Pike will only serve a limited residential area in the northwest quadrant of the proposed interchange and rural homes in the area. West of SR 37, both the county and Bloomington MPO have recommended an upgrade of Fullerton Pike/Leonard Springs Road from SR 37 to SR 45. The combination of improvements to Fullerton Pike east and west of SR 37 will allow the corridor to become more effective at accommodating east-west traffic on the south side of Bloomington.

The construction of I-69 would cause similar connectivity issues at Rockport Road. This route is proposed to have an interchange if I-69 is built. For a Rockport Road grade separation to provide sufficient connectivity, it will need to be tied to residential areas northeast of the area closer to the Bloomington corporate limits. However, there is a segment of Rockport Road that needs to be constructed north of Clear Creek in order for this connection to be made. It is recommended that INDOT construct this segment as part of the I-69 system.

INDOT is also considering a SR 45/Tapp Road/Fullerton Pike split interchange design as well (reference May 2007 Preliminary Alternatives Analysis and Screening for Tier 2, Section 5 ). That design would utilize a collector distributor road system to allow traffic to flow to and from any of the three roadways. Monroe County prefers the split interchange configuration for this area since it maintains connectivity to SR 45, Tapp road and Fullerton Pike.

An interchange is also proposed at SR 37 that will connect SR 37 and I-69. The most important issue to the county is that Victor Pike remains open with full signalized access to SR 37. There are several options for the interchange currently under consideration by INDOT, many of which would be acceptable to the county if I-69 is constructed – as long as they include access to Victor Pike.

### Future Land Use:

East of SR 37 In the vicinity of Rockport Road and Fullerton Pike, development is anticipated between SR 37 and Clear Creek - and shall proceed according to current land use policies.



West of SR 37 in this area, business development shall proceed per current land use policies. West of That Road there is no plan to extend sanitary sewers to the area. Therefore, this area is recommended only for low density residential development.

The area west of SR 37 between Rockport Road and Victor Pike is currently experiencing residential development. However, since the new terrain I-69 route is within this space, development shall not occur within the interstate setbacks recommended by this plan (1,000 feet where there is a wooded buffer or 2,000 feet where there is not a wooded buffer).

Several portions of this area between SR 37 and Rockport Road are currently planned for employment uses, and are part of the Business and Industrial Overlay. However, little business/industrial development has occurred in this area with the exception of one limited area at Victor Pike. The predominant land use currently existing is residential. It is recommended that the County re-evaluate the Business and Industrial Overlay and encourage only residential in this area.

Business and industrial areas already developed along the portion of the corridor will be encouraged to remain and expand within properties previously built upon. Except in developments already approved as business/industrial, no new business/industrial uses shall be approved in this area. Existing commercial/industrial businesses will be encouraged to remain. Businesses will be allowed to expand within previously developed parcels as needed to remain viable. However, the intensity of the use will not be allowed to increase beyond current condition and the businesses will not be permitted to expand onto adjacent properties.

A key development concern in areas west of SR 37 is that all roads in this area ultimately access either Rockport Road or Victor Pike. Accordingly, development in this area will result in significant increase in traffic on those two roadways. Therefore, development in this area should be monitored and limited until such time as the streets are upgraded to accommodate the development. And for that same reason, it is vital to keep Victor Pike open to the interstate corridor.

In this location and throughout the SR 37/I-69 corridor, the County definitively will not permit truck stops/fueling stations to be developed. As an intersection of SR 37 and I-69, this location might be considered for such a facility. Because of the character and intensity of existing residential and business developments, the County has reviewed this issue and specifically recommends that truck stops/fueling facilities not be developed at this location. The zoning ordinance will need to be amended to include this land use restriction.

Throughout this corridor, there are a number of historic limestone walls along roads and within properties. For this reason, rural portions of this area may be appropriate as a historic district. While not an immediate goal, any development within this area must include consideration of its impacts on this area as a possible historic district.

Throughout the SR 37 corridor, there are numerous limestone quarries – both active and inactive. The architectural grade Salem Limestone of the Bloomington area is a unique and world renowned resource. This plan supports the current policy of protecting all known deposits for mining use, regardless of whether they are actively mined, previously mined, or have the potential to be mined.



## NEW SEPTIC APPLICATION

OWS

JOE COUNTY HEALTH DEPARTMENT  
119 WEST SEVENTH STREET  
BLOOMINGTON, INDIANA 47404  
TELEPHONE: 812-333-3543

PAID: 50<sup>00</sup> RECEIPT #:DATE: 4-9-90 APPLICATION #: 103480DATE PERMIT ISSUED: 4-9-90

## HEALTH DEPARTMENT USE ONLY

APPROVED: ☒ DISAPPROVED: ☐ SIGNED: [Signature]PERMIT TERMS: # BEDROOMS: 3 WASHING MACHINE 7' x 3' x 93' DISHWASHER 9' x 3' x 70'TANK SIZE: Dual 1000 GALLONS NO. TRENCHES: 7 WIDTH 9' x 3' LENGTH 70'SPECIAL CONDITIONS plans approved by ISBH - will be installedaccording to approved plansDESIGNED REVISIONS AGREED TO BY: [Signature]  
(Owner or Agent of Owner)A. Owner's Name: Allen TerryApplicant's Name: \_\_\_\_\_ Applicant's Phone (day) 876-2525

(evening) \_\_\_\_\_

Applicant's Mailing Address: \_\_\_\_\_

## SITE INFORMATION

B. Site Address 5100 S. Victor Pike Lot # \_\_\_\_\_

(if there is not an address #, PLEASE GIVE THE ROAD NAME)

C. Township # BN Range # 1W Section # 30 (ATTACH COPY OF LEGAL DESC.)

D. Directions to Site: (THIS SECTION MUST BE COMPLETED FOR PROCESSING OF THIS APPLICATION)

Nearest Major Road Intersection (Crossroad) Victor Pike & 37 (distance) 2.50

Nearest Mailbox Number \_\_\_\_\_ Distance \_\_\_\_\_

Features Clearly Observable From Road (i.e. Buildings, Ponds, Etc.) \_\_\_\_\_

\*\*\*\*\* PLEASE DRAW A COMPLETE AND ACCURATE MAP TO THE SITE ON THE REVERSE SIDE \*\*\*\*\*

\*\* PLACE THE ATTACHED TAPE TO A TREE TO IDENTIFY ENTRANCE TO THE PROPERTY \*\*

E. Lot Size: Frontage: 400' Depth: 358' Total Sq. Ft. \_\_\_\_\_ Acres: 4.5F. Water Supply (check one): Municipal/City ☒ Well ☐ Cistern ☐ Other ☐

G. Type of Proposed Building: (Note that applicant must obtain there own soil scientist/survey, those results must be submitted to the Health Department for approval from the Indiana State Board of Health prior to issuance of permit.)

## RESIDENTIAL:

No. of Bedrooms \_\_\_\_\_

Washing Machine: yes \_\_\_\_\_ no \_\_\_\_\_

Dishwasher: yes \_\_\_\_\_ no \_\_\_\_\_

## COMMERCIAL:

Type of Business Sales & FuelMaximum work force:  
(number of 8 hour shifts/day) \_\_\_\_\_

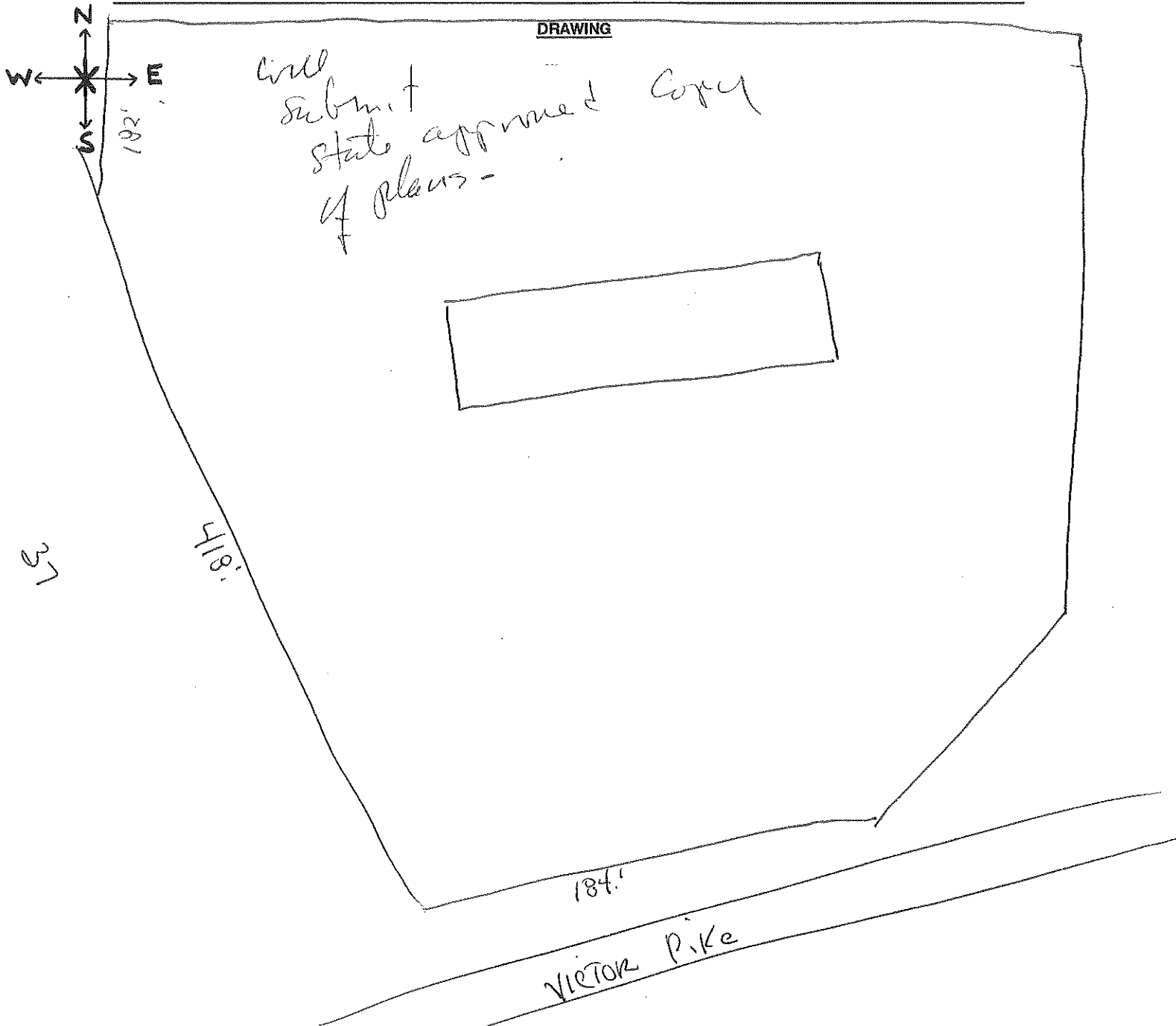
Construction: new \_\_\_\_\_ remodel \_\_\_\_\_

APPLICATION **CANNOT** BE COMPLETED WITHOUT A COPY OF THE FULL LEGAL DESCRIPTION OF THE PROPERTY.

ALL APPLICATIONS MUST BE ACCOMPANIED BY AN ACCURATE DRAWING THAT SHOWS THE FOLLOWING:

- |  |  |
|--|--|
| A. Property Lines                      | E. Septic Tank (existing or proposed)        |
| B. Water Lines                         | F. Absorption Field (existing &/or proposed) |
| C. Well or Cistern (if applicable)     | G. Distance Between Lakes                    |
| D. Existing/Proposed House or Building | H. All Creeks, Ditches, Lakes, Etc.          |

**\*\* PLEASE LOCATE ITEMS IN RELATION TO OBVIOUS LANDMARKS WHERE POSSIBLE \*\***

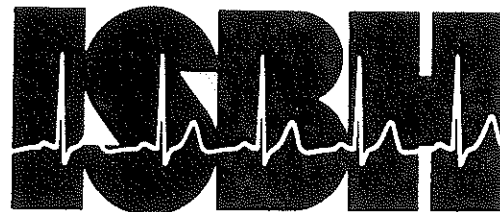


\*\*\*\*APPROVAL OF THIS APPLICATION GIVES ONLY A PERMISSION TO CONSTRUCT AT THE LOCATION INDICATED ON THE SOIL REPORT. THE PERMIT IS NOT VALID UNTIL IT IS SIGNED AFTER AN INSPECTION ON THE JOB SITE AT THE TIME OF ACTUAL CONSTRUCTION!

\*\*\*\*IF YOU WISH A DIFFERENT LOCATION TO BE CONSIDERED THAN SHOWN ON THE SOIL REPORT YOU MAY HAVE A REINSPECTION DONE FOR \$25.00.

EVAN BAYH, GOVERNOR  
MORRIS GREEN, M.D., STATE HEALTH COMMISSIONER

INDIANA STATE BOARD OF HEALTH  
1330 WEST MICHIGAN STREET  
P.O. BOX 1964  
INDIANAPOLIS, IN 46206-1964



INDIANA STATE BOARD OF HEALTH

AN EQUAL OPPORTUNITY EMPLOYER

April 4, 1990

Mr. Allen Terry  
8401 North Low Gap Road  
Unionville, IN 47468

Dear Mr. Terry:

Re: Plans and Specifications for  
Sanitary Features  
Terry Convenience Store  
Intersection of S.R. 37 and  
Victor Pike Road  
Section 29, T8N, R1W  
Monroe County

The plans and specifications for sanitary features of the proposed project have been reviewed and are hereby approved on this date.

This project includes the construction of an on-site flood dosing absorption field system which includes approximately 115 feet of 4-inch PVC sanitary sewer, dual 1,000-gallon septic tanks, a dosing tank with dual 30 GPM effluent pumps, dual force mains approximately 78 and 30 feet each in length, and 3,354 square feet of absorption field trenches for a wastewater flow of 1,200 GPD.

This project also includes the construction of approximately 300 feet of 1-inch water line connecting to a 6-inch water main along Victor Pike Road which is served by the Southern Monroe Water Corporation.

This approval letter shall act as your construction permit.

This project is approved subject to the following conditions:

1. That if pollution, health hazards, or nuisance conditions develop or are created, immediate corrective action be taken by the owner.
2. That all necessary local permits and approvals be obtained before construction is begun on this project.



April 4, 1990

3. That no change in occupancy or use of the facility served be effected if it would result in wastewater flow on the peak day in excess of 1,200 Gallons Per Day, or if it would result in wastewater being generated of a type incompatible with absorption field disposal. Any such change in occupancy or use may be made only after the board has issued a construction permit for modifications to the subject wastewater disposal facility that will allow it to accommodate increased wastewater flows.
4. That all necessary local permits and approvals be obtained before construction is begun on this project. You are hereby notified that most county and local health departments, and several conservancy districts as well, require that a sewage disposal permit be obtained before construction may begin. The sanitary features of this project must also comply with any additional local health department requirements.
5. That disinfection of the water line follow procedures outlined by applicable American Water Works Association Standards and produce bacteriologically satisfactory water in 2 successive sets of samples collected at 24-hour intervals before the facilities are released for use.
6. That plans and specifications for any changes, alterations or additions to this project as herewith approved be submitted and approved prior to such construction.
7. That sanitary features comply with any additional requirements of the Monroe County Health Department.
8. That Michael A. Hoover, Chief, General Sanitation Section, AC 317/633-0175, Division of Sanitary Engineering, State Board of Health, 1330 West Michigan Street, Indianapolis, Indiana, be notified at the time construction is undertaken so that all necessary inspections may be made.

These plans and specifications were prepared and certified by Larry W. Donovan, R.A., Vincennes, Indiana, and submitted on November 3, 1989, February 1, March 1, 19 and 30, 1990.

This Approval shall be void if construction is not begun before May 1, 1991.

If you wish to request review of this Approval, you must petition for review in writing, demonstrating that:

1. You are a person to whom the Approval is specifically directed;

April 4, 1990

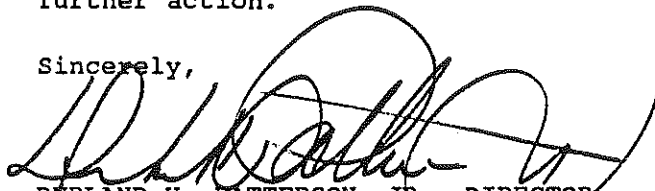
2. You are aggrieved or adversely affected by the Approval;  
or,
3. You are entitled to review under any law.

Your request for review must be filed in writing with the Director,  
Division of Sanitary Engineering, Indiana State Board of Health,  
1330 West Michigan Street, Indianapolis, Indiana 46206, on or before  
April 22, 1990.

If a petition for review is granted pursuant to IC 4-21.5-3-7, and you  
are not a party thereto, notices of any prehearing conferences,  
preliminary hearings, hearings, stays and other Orders disposing of the  
proceedings may be obtained by sending a request for notice to the  
Director, Division of Sanitary Engineering, Indiana State Board of  
Health, 1330 West Michigan Street, Indianapolis, Indiana 46206.

If you do not object to this Approval, you do not need to take any  
further action.

Sincerely,



DURLAND H. PATTERSON, JR., DIRECTOR  
DIVISION OF SANITARY ENGINEERING

BRHippensteel

Approval No. GS-5156

cc: Mr. Charles Hardesty ✓

Mr. Larry W. Donovan, R.A.

Mr. Tom Spencer

Monroe County Health Department

Monroe County Plan Commission

General Sanitation Section



116 West 6<sup>th</sup> Street, Suite 200  
P.O. Box 2639  
Bloomington, Indiana 47402-2639  
TEL: 812.332.6556  
FAX: 812.331.4511  
michael@carminparker.com

July 13, 2022

Monroe County Planning Commission  
c/o Anne Crecelius  
501 N. Morton, Room 224  
Bloomington, IN 46404

RE: P & G Associates, LLC  
Petition # **PUO-21-1**  
Our File No.: 24933-1

Dear Jackie:

P & G Associates, LLC, petitioner on the zoning petition PUO-21-1 will request that the petition be continued to the August 16, 2022 plan commission meeting.

The petition had been continued generally and was not scheduled for further consideration. However, the petition was put back on the agenda to be heard at the July plan commission meeting, not at petitioner's request. Petitioner is still involved in litigation on related matters and had anticipated continuing with the litigation. Nevertheless, since the plan commission appears to prefer that we bring closure to the zoning petition, petitioner will proceed on the zoning petition.

Petitioner had anticipated a restatement of the entire petition to collect into a single petition statement some updates and changes to specific details on the petition and site plan issues. The basic issue of the rezoning does not change but there are details to be captured and updated. In addition, petitioner had anticipated and has now issued invitations to 19 surrounding property owners to a neighborhood meeting to present the updated petition. That neighborhood meeting cannot be conducted prior to July 19<sup>th</sup>. The notice letter for the invitation for the neighborhood meeting has the meeting scheduled for August 2<sup>nd</sup>.

P & G Associates will request at the July 19<sup>th</sup> plan commission meeting that PUO-21-1 be continued to August 16<sup>th</sup>.

Respectfully submitted,

A handwritten signature in black ink that reads 'Michael L. Carmin'.

Michael L. Carmin  
MLC/gdm

436986 /24933-1



Committed to Client. Committed to Community.

## **EXHIBIT 18: STAFF COMPARISON BETWEEN PROPOSED PUD USE AND CONDITIONAL USE**

Chapter 813 Conditions for a Truck Stop/Travel Plaza and staff comments and the proposed PUD standards in red text. The proposed use should only be held to the standards of a PUD outlined under Chapter 811. The below information is a comparison to the difference in uses.

The requirements of the Conditional Use are shown in BLACK text.

### **(11) Truck Stop/Travel Plaza**

#### **(a) Applicability**

The standards of this section apply to all truck stops and travel plazas.

#### **(b) Minimum Parcel Area and Road Frontage**

The minimum parcel area for establishment of a new truck stop or travel plaza is ten acres with at least two hundred (200) feet of direct road frontage on a major collector. Dedicated left-turn and/or right-turn lanes must either exist or be constructed by the Developer. All access drives shall be oriented toward the major collector.

Does not meet: Petition site is 4.9 acres

Meets: contains ~1,160 ft of frontage along a local road and a freeway.

Does not meet: It does not contain a dedicated left-turn or right-turn lane

#### **(c) Location**

1. The parcel on which the truck stop/travel plaza is located must be within 2,000 feet of the centerline of the nearest interstate highway exit/entry ramp.
2. The major collector serving the truck stop/travel plaza shall handle any expected traffic and load increase with no more than minor traffic disruptions to adjoining or nearby (within one (1) mile) properties and no significant additional wear and tear on the roadway.
3. No more than one truck stop shall have primary access from any interstate highway interchange.
4. The minimum distance between truck stops shall be 7,000 feet measured from property line to property line.

Meets: #1 – located approximately 500' from S State Road 37 centerline.

Meets: #2.

Meets: #3 and #4 – no other truck stop nearby.

Proposed PUD standard:

Location. The Truck Stop - Small parcel must be located within 200 feet of the centerline of a principal arterial road or adjacent to a secondary collector road connecting to a principal arterial intersection. Driveway entrance on an adjacent secondary collector road shall be located not further than 500 feet from the principal arterial road intersection. The Truck Stop - Small shall be a minimum distance of 3,000 feet from a Truck Stop/Travel Plaza or other Truck Stop - Small use, measured property line to property line.

#### **(d) Parking and Fueling Stations**

Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.

Meets the standard.

Proposed PUD standard:



4. Fueling stations. Fueling areas for automobiles and fueling areas for trucks must be separated. Pump island canopies may not exceed 22 feet in height.

(e) Indoor Operation

All vehicle service and/or repair activities must be conducted within a completely enclosed building. Parts, equipment, lubricants, fuels, tires or other materials must be screened from abutting streets and property. All activities and operations shall be conducted entirely within an enclosed structure, except as follows:

1. The dispensing of petroleum products, water and air from pump islands.
2. The provision of emergency service of a minor nature.

In addition, no vehicle shall be parked on the premises for the purposes of offering the vehicle for sale and no used or discarded automotive parts or equipment or disabled, junked, or wrecked vehicles shall be located in any open area.

Would meet the standards. Has recently not met the standard by having detached semi-trailers stored on the site, but proposed PUD would be required to remove any disabled vehicles.

Proposed PUD standard:

6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.

(f) Noise

If the parcel on which the truck stop/travel plaza is located is within 1,320 feet of an R zoning district, the applicant must provide a noise impact study prepared by a qualified acoustical consultant and must propose necessary mitigation measures to ensure that noise levels at the boundary of the nearest R zoning districts will not exceed 60 dB (A) between the hours of 10 p.m. and 7 a.m. The applicant must also propose idling time restrictions and means of ensuring compliance with such restrictions. The purpose of such restrictions is to reduce noise and air quality-related impacts. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.

Does not meet: No PUD standard proposed.

(g) Overnight Parking

Overnight parking is not allowed unless Electrified parking spaces (EPS), also known as truck stop electrification, is installed for each overnight space to allow truck drivers to provide power to necessary systems, such as heating, air conditioning, or appliances, without idling the engine.

Does not meet: No PUD standard proposed for EPS.

Over-night truck parking is currently not a permitted use under the PB zoning. Chapter 802 would permit overnight truck parking under either the “Truck Stop/Travel Plaza” or “Trucking Terminal”, high-intensity uses. Trucking Terminals are permitted in the High Industrial (HI) zone or conditional (BZA approval required under chapter 813) in the Light Industrial (LI) zone.

	(i)	LB	GB	LI	HI	(C)
Truck Stop/Travel Plaza	H				C	
Trucking Terminal	H			C	P	31

Proposed PUD standard:

Overnight transient truck parking will comprise 5% to 10% of the lot area located along

the north property line on the west half of the property. The ride share parking will use less than 2% of the lot and will be located along the south portion of the improved lot, an existing gravel parking area.

7. Overnight parking. Transient overnight truck parking shall not exceed a 24 hour period. Transient overnight truck parking may include driver rest periods in vehicles with truck/tractor cabins designed for rest periods. Designated parking for transient overnight truck parking shall not exceed 20 parking spaces.

(h) Fuel Spill Containment/Hazardous Substances

A plan must be submitted showing how the truck stop/travel plaza is designed to prevent any spill from the facility or from vehicles utilizing the facility from contaminating soil or migrating off-site.

The facility shall fully comply with all Federal and State regulations regarding the reporting and containment of spills and releases of petroleum and hazardous substances. The following spills must be reported to the Planning Department within 12 hours of occurrence:

- Greater than 100 lbs. or the CERCLA Reportable Quantity (RQ) of a hazardous material;
- Petroleum spills of greater than 55-gallons; or
- Spills of “objectionable substances” – defined as, substances of a quantity and type that are present in sufficient duration and location to damage the waters of the state.

Meets requirements: Gasoline and fuel sales are permitted under chapter 802 as either “Gasoline Services Station” or “Convenience Store”. The site currently has fuel sales under the use of convenience store. The state requires the above standards for operational gas stations.

(i) Karst

Development of a truck stop or travel plaza in areas that encompass or affect sinkholes or other karst features (i.e., in “sinkhole areas”) is prohibited unless it is demonstrated that the development would have no significant detrimental impact on storm water management or ground water quality.

Meets: No signs of karst features on the petition property.

(j) Parking

All parking areas must be paved and fully comply with current Monroe County landscaping and storm water management requirements. A parking lot separated from the truck fueling/parking area must be provided for employees and passenger vehicles utilizing the facility.

Does not meet: Petition site is only partially paved.

Meets: Separate parking areas are proposed per conceptual site plan.

Proposed PUD standard:

10. Lot surfaces. Driveway and associated lot areas for fueling stations, charging stations, restaurant parking and convenience mart parking shall be paved. Ride-share parking, transient overnight truck parking, and associated driveway areas may be stone or gravel surfaced.

(k) Landscaping

1. At least 25% of the lot area shall be devoted to green area.
2. All screening shall include a fence and a dense planting of trees and shrubs, for the full length of the lot line.

Meets: #1 percentage of greenspace.

Does not meet: #2 – see below. Would require 92 trees just along the north property line to buffer between the residence and business. Likely require ~300+ plantings (bufferyard, streetscape, interior plantings, bioretention plantings, etc.) if it were to meet the full requirements.

Proposed PUD standard:

11. Landscaping. At least 25% of the lot shall be dedicated to permanent green space. A minimum of eight (8) trees shall be required in the areas in close proximity to road frontages.

#### (l) Signs and Lighting Standards

Any signs or lighting permitted in conjunction with the use shall be appropriate to the location and in harmony with the general character of the properties in the area. All on-site lighting at a truck stop or travel plaza shall be sized and directed to provide for minimal light spillage onto adjacent properties. Lighting standards shall be as follows:

1. All outdoor lighting shall be fully shielded. Fully shielded requires a lighting fixture to be constructed so that all the light emitted by the fixture is projected below the horizontal plan of the lowest plane of the lowest point of the fixture.
2. Lighting fixtures used to illuminate a sign shall be mounted on the top of the sign structure, lighting the sign downward.
3. Low-pressure Sodium (LPS) lamps or other dark sky friendly lighting alternatives are required throughout the site.
4. Search lights, laser source lights, or any similar high-intensity light shall not be permitted.

Meets: Permitted signage under chapter 807 would allow a total square footage of 600' of signage which includes a monument or pole sign, no greater than 60 sq. ft. per road frontage.

Proposed PUD standard:

Signage. An existing pole sign is located along the southwest property line and is estimated at 40 feet. An existing ground sign is located in the southern part of the property in the south edge of the improved portion of the lot with sign visibility from State Road 37. The monument sign is less than six feet in height. The existing pole sign and monument sign will be retained.

Meets: Lighting standards have been upgraded to meet the current requirement of a commercial site.

Proposed PUD standard:

13. Lighting standards. On-site lighting shall be sized and directed to provide minimal light spillage onto adjacent properties. All outdoor lighting shall be shielded so that light emitted by the fixtures project below the horizontal plane of the lowest point of the fixture. Low pressure sodium lamps or other dark sky friendly lighting alternatives shall be utilized wherever feasible for any light not fully shielded. Pole signs and monument signs may be backlit. Lighting shall not exceed one candle power at a property line.

#### (m) Adult Oriented Business

No Adult Oriented Business activities as defined by the Monroe County Zoning Ordinance.

Not addressed within the outline plan. Other uses that were specified as prohibited are listed as:

6. Prohibited uses. Vehicle repair and servicing are not permitted uses. Sales of vehicle fluids are permitted (examples: oil, engine coolant, washer fluid) and consumer installation of vehicle fluids is permitted.

(n) Security

The truck stop/travel plaza must be designed with adequate lighting, fencing, security cameras, access control, signs, etc. to mitigate the potential for crime.

Likely meets: petitioner states there are cameras in and around the property already existing.

(o) Additional Requirements

All performance standards of the Monroe County Zoning Ordinance must be met. The Board of Appeals may require design changes or additional landscaping, screening, and berms as necessary to minimize the visual and noise impact of the truck stop or travel plaza on adjacent properties.

---

**The petitioner has proposed some uses that are not defined under the Truck Stop/Travel Plaza use. The information below that is blocked is directly from the proposed outline plan with staff review below in purple.**

Electric vehicle charging station;

5. Vehicle charging stations. Vehicle charging stations (electric vehicle) shall be located in a designated area minimizing traffic conflicts for truck parking, rideshare parking, and fueling stations. Charging stations do not require a canopy.

Chapter 802 doesn't contain a definition for electric vehicle charging states.

Convenience mart;

9. Convenience mart/food service. Dine-in facilities for the restaurant shall not exceed 1,000 square feet.

The site currently used as convenience store as a legal use under the PB zone.

	(i)	LB	GB	LI	HI	(C)
Convenience Store	H	P	P			

Ride-share parking;

8. Ride-share. Vehicle parking for carpooling and ride-sharing shall be permitted. Designated parking for ride-share use shall not exceed 20 spaces. Ride-share parking shall not exceed 12 hours.

Chapter 802 doesn't define ride-share parking and would only be able to be permitted under a Planned Unit Development outline plan.

Restaurant (small);

The restaurant use would be developed within the existing building utilizing a part of the 9,000 square feet presently used for product storage. The restaurant use would be located at the east end of the existing building. A drive-thru window would be placed in the north wall at the east end or in the east wall of the building. There is no time line decided for any remodeling to add a restaurant or the accessory residential use.

Chapter 802 permits the use of a restaurant in the LB, GB zones. It doesn't restrict the size of the restaurant.

Accessory uses: A single residential dwelling use and seasonal sales.

15. Accessory Uses.



a. Seasonal sales shall be permitted on the open lot. Examples of seasonal sales include farm produce sales, fireworks and pumpkins sales. Sales and display areas for seasonal sales shall not exceed 2,000 square feet.

Chapter 802 does include definitions for uses that are similar to the proposed “seasonal sales” accessory use. Those are included below.

**Temporary / Seasonal Activity.** (Permitted in AG/RR, FR, CR, LB, GB with conditions 46; 54). Any sale made by a person, firm or corporation engaging in the temporary business of selling seasonal products or engaging in events either retail or outdoor in nature, on property owned or leased by the person, firm, or corporation. The following list identifies the kinds of temporary / seasonal activity:

- Outdoor art or craft show or exhibit;
- Christmas tree sales;
- Fireworks sales;
- Car Tent sales;
- Food Trucks;
- Outdoor public, religious, patriotic, or historic assembly or exhibit, including a festival, benefit, fund raising event, or similar use that typically attracts a mass audience;
  - For temporary uses that are not listed above, the Director shall determine whether an unlisted temporary seasonal activity use should be classified as a temporary seasonal activity. This determination shall be based upon the similarities and differences with the above listed uses and an assessment of the proposed temporary seasonal activity’s compatibility with the zoning district and surrounding land uses.

**Roadside Stand, Temporary:** (Permitted in AG/RR, FR, CR, with condition 52). A non-permanent structure (tent or table), operated on a seasonal basis which allows for local agricultural producers to retail their products and agriculture-related items directly to consumers and enhance income through value-added products.

b. Residential. One 2-bedroom dwelling unit for employee/manager occupancy. The accessory use for a dwelling would be created through remodeling of the existing single story structure by interior remodeling to create an apartment or second story loft addition to the existing building.

The ordinance does not permit residential uses in commercial zones:

Residential Uses	(i)	AG	FR	CR	ER	LR	SR	MR	HR	UR	(C)
Accessory Apartments	L	P	P	P	P	P	P	P	P		26
Accessory Dwelling Units	L	P	P	P							53; 55
Single Family Dwelling	n/a	P	P	P	P	P	P	P	P	P	1
Temporary Dwelling	L	P	P	P	P	P	P	P	P	P	3; 53

## EXHIBIT 18: 2022 Letters of Remonstrance/Support

To the Monroe County Plan Commission.

I oppose Petition PUO-22-1. I live nearby.

Petitioner proposes paved or gravel parking over the existing septic drainage field. A septic drainage field should not be used for parking. The proposal would negatively affect the existing septic system.

The maximum waste water flow permitted by the State in its April 4, 1990 letter is 1,200 gallons per day. If petitioner has not established compliance with this standard its petition should be denied. Monthly pre-Covid water use records for 2017-19 would show any months with over 37,200 gallons (1,200 gallons  $\times$  31 days), which would violate that standard. The petition should be denied if waste water compliance has not been proved, particularly in light of the proposed parking on the existing septic field.

Thank you,

Guy Loftman

4835 S. Victor Pike  
Bloomington, IN 47403

--

Guy Loftman  
4835 S. Victor Pike  
Bloomington, IN 47403  
(812) 679-8445

Guy Loftman is a retired attorney, and is no longer practicing law

**MONROE COUNTY PLAN COMMISSION ADMINISTRATIVE****August 2, 2022**

<b>PLANNER</b>	Drew Myers
<b>CASE NUMBER</b>	REZ-22-6
<b>PETITIONER</b>	Ray, David William & Mary Lucinda (owners & applicants)
<b>ADDRESS</b>	4595 N Maple Grove Road, parcel no. 53-05-18-400-068.000-004
<b>REQUEST</b>	Rezone Request to add HP Overlay Waiver of Final Hearing Requested
<b>ACRES</b>	7 +/- acres
<b>ZONE</b>	Estate Residential 1 (RE1)
<b>TOWNSHIP</b>	Bloomington
<b>SECTION</b>	18
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	<b>MCUA Suburban Residential</b>

**EXHIBITS**

1. Petitioner Letter
2. Petitioner Site Plan
3. Historical Overview submitted by petitioners
4. Historical Documentation submitted by petitioners
5. SHAARD IHSSI County Survey Description – Outstanding
6. Monroe County Interim Report 1989 – Outstanding

**RECOMMENDATION TO THE PLAN COMMISSION**

**Staff recommends forwarding a “positive recommendation” to the Monroe County Plan Commission based on the petition’s compatibility with the Monroe County Comprehensive Plan.**

**HISTORIC PRESERVATION BOARD – June 29 & July 18, 2022**

Historic Preservation Board voted 6-0 to provide a “positive recommendation” to the Monroe County Plan Commission based upon the petition meeting the following Historic Preservation Overlay criteria:

*This Historic Preservation Overlay designation will preserve historic or architecturally worthy structures that represent:*

1. *An association with events that have made a significant contribution to the broad patterns of County history;*
2. *The distinctive characteristics of a type, period or method of construction;*
3. *High artistic values;*

**PLAN REVIEW COMMITTEE – July 14, 2022**

Cancelled due to lack of quorum.

**PLAN COMMISSION – August 16, 2022**

TBD

## MEETING SCHEDULE

**Historic Preservation Board** – June 27, 2022

**Plan Review Committee** – July 14, 2022 (CANCELLED)

**Historic Preservation Board** – July 18, 2022

**Plan Commission Admin Meeting** – August 2, 2022

**Plan Commission Regular Meeting** – August 16, 2022 (Preliminary– Waiver of Final Hearing)

**Plan Commission Admin Meeting** – September 6, 2022

**Plan Commission Regular Meeting** – September 20, 2022 (Final Hearing)

**Board of Commissioners Meeting** – TBD

## SUMMARY

The petition site is one parcel totaling 7 +/- acres located in Bloomington Township at 4595 N Maple Grove Road. The petition site is zoned Estate Residential 1 (RE1) under Chapter 833 of the Monroe County Zoning Ordinance. The petitioner is requesting to rezone the site to add it to the Historic Preservation Overlay (Primary) District. HP Overlay is defined as follows:

***Historic Preservation (HP) Overlay District.** The character of the Historic Preservation (HP) Overlay District is defined as areas which contain (Primary) or which surround (Secondary) areas which contain buildings, structures or places in which historic events occurred or having special public value because of notable architectural or other features relating to the general, archeological, economic, social, political, architectural, industrial or cultural history of Monroe County, Indiana, of such significance as to warrant conservation or preservation, and which, by virtue of the foregoing, have been designated as an Historic Districts by the Monroe County Commissioners pursuant to the provisions of the Zoning Ordinance.*

The most recent Indiana Historic Sites and Structures Inventory (IHSSI) County Survey for Monroe County is made available via the State Historic Architectural and Archaeological Research Database (SHAARD). The 2014 IHSSI survey ranks the Ben Owens Farmstead as **Outstanding (O)**.

The Monroe County Interim Report 1989, ranks the Owens Farm as **Outstanding (O)**. The rating “O” means that the property has enough historic or architectural significance that it is already listed, or should be considered for individual listing, in the National Register of Historic Places. Outstanding resources can be of local, state, or national importance.

The Historic Preservation Overlay does not negate the underlying Estate Residential 1 (RE1) zoning district. Properties within the HP Overlay are subject to the regulations for both the zoning district and the HP Overlay. If there is conflict between the requirements of the zoning district and the requirements of the Historic District, the more restrictive requirements apply. It is important to note that the Historic Preservation Overlay regulations are concerned with exterior appearance and preservation of historic features, and not with other zoning or land use requirements.

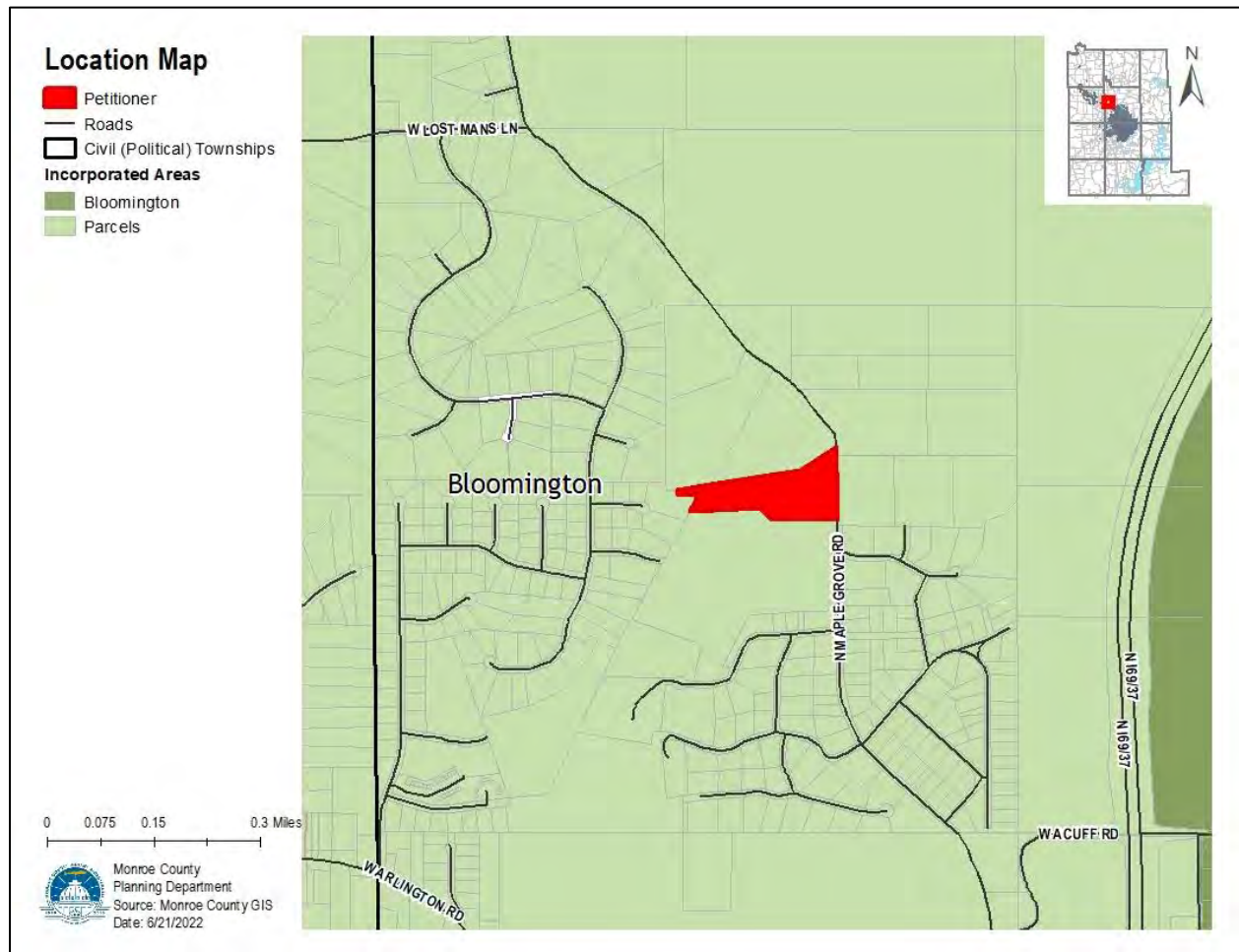
## BACKGROUND

The petition site exhibits several original structures including the farmstead house, barn, log cabin, and dry stone walls. The petitioner is planning to restore the original barn structure and renovate a portion of the barn into a separate residential unit. Please see Exhibits 1 and 3 for more information.



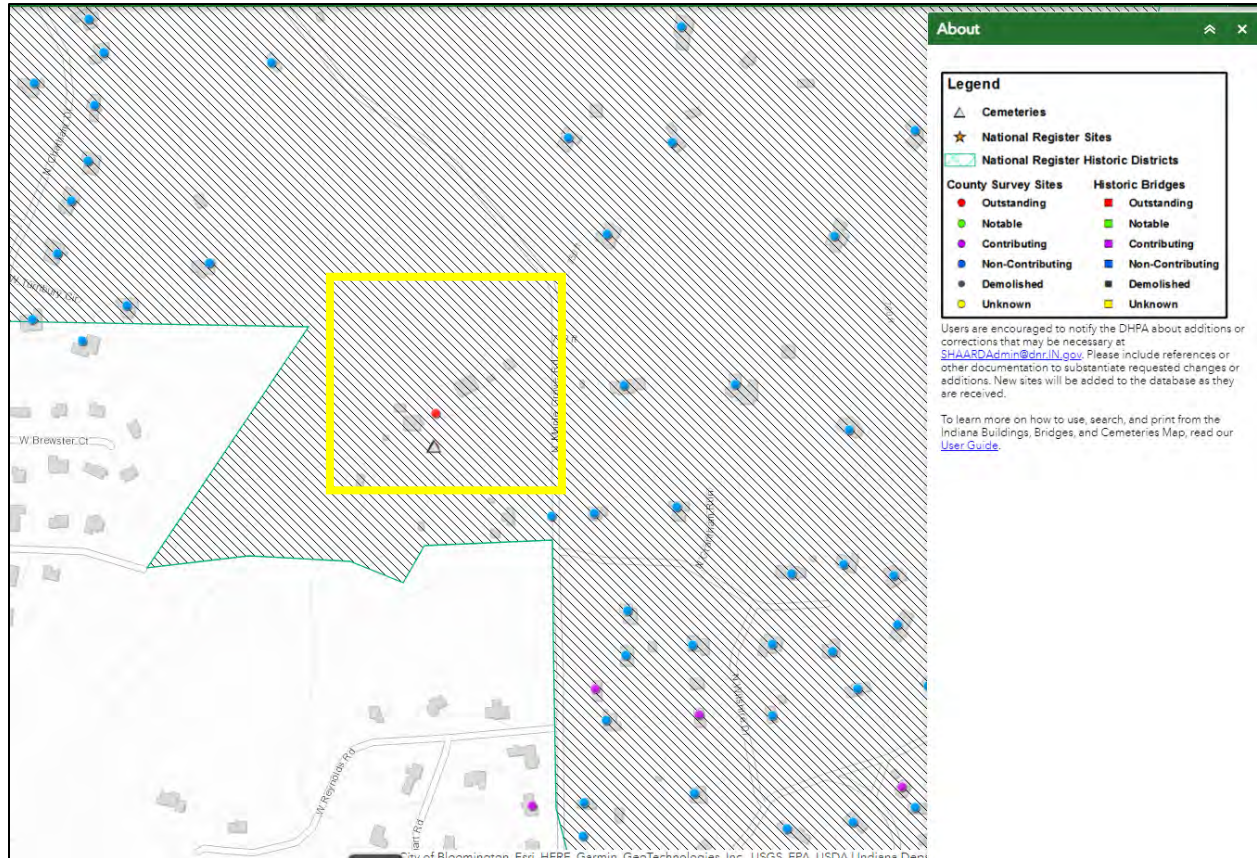
## LOCATION MAP

The parcel is located at 4595 N Maple Grove Road, Section 18 in Bloomington Township. The Parcel No. is 53-05-18-400-068.000-004. The property is listed as unplatted.



## ZONING

The petition site is located within the National Register Historic Districts. The parcel is zoned Estate Residential 1 (RE1). The adjoining properties to the north, south, and east are also zoned RE1. The adjoining property to the west is zoned PUD – Shelburne Estates. There are no commercial uses directly adjacent to the subject property. The surrounding area includes mostly residential uses.

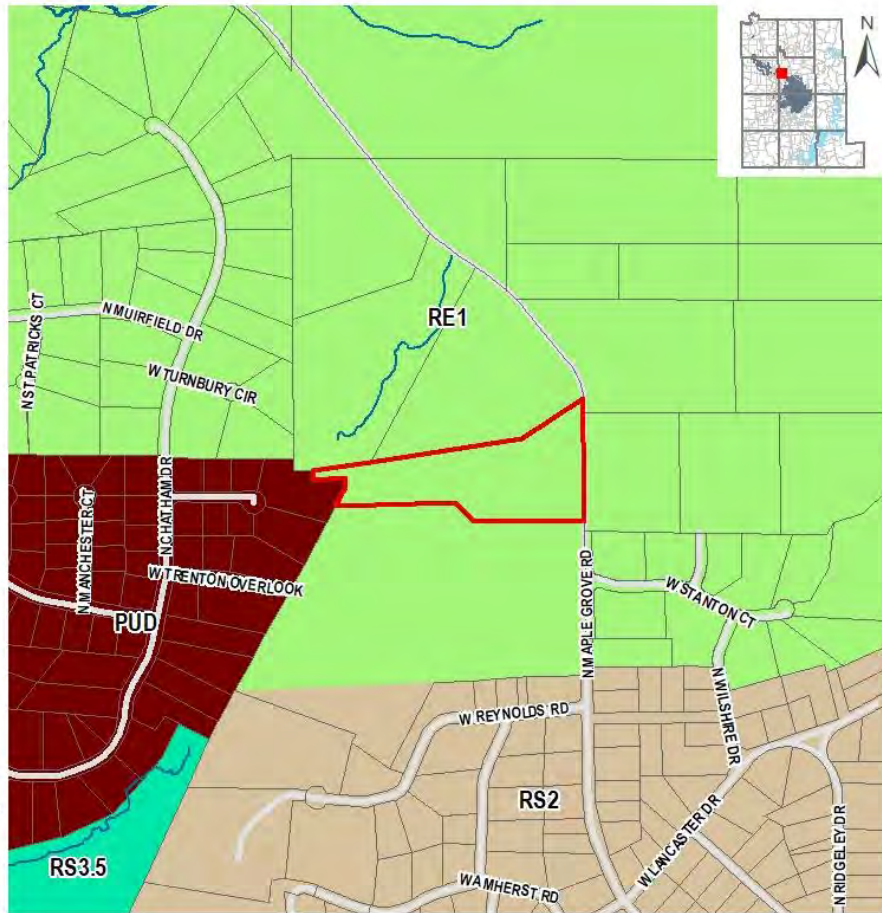
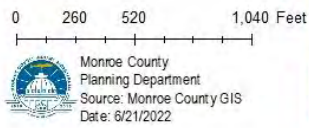


## Current Zoning Map

- Petitioner
- Parcels
- Roads
- Hydrologic Features

### Monroe County Zoning

- PUD - Planned Unit Development
- RE1 - Estate Residential 1
- RS2 - Single Dwelling Res. 2
- RS3.5 - Single Dwelling Res. 3.5





## SITE CONDITIONS & INFRASTRUCTURE

The petition site is made up of one 7 acre +/- parcel. The property exhibits numerous structures including original residence, a detached garage, a log cabin, an in-ground pool, existing barn, existing shed, an old print shop. Access to the site is via an existing driveway off N Maple Grove Road, which is designated as a Major Collector roadway according to the Monroe County Thoroughfare Plan. The petition site is not located in the Environmental Constraints Overlay (i.e. the Lake Monroe Watershed). There is no floodplain designated on the petition site. There is no evidence of karst/sinkhole features on the property.



## Highway Comments:



Ben Ayers

Remove Comment • Jun 13, 2022 at 5:17 pm

No Right of way Activity permit application has been submitted for this petition. No change of use or structural change to the existing driveway entrance is being proposed at this time. Therefore, no Right of way Activity permit is required from the Monroe County Highway Department for this request. I do not have any comments or issues with this petition at this time.

## Stormwater Comments:

No comments shared at this time.



## SITE PHOTOS



**Photo 1.** Aerial pictometry from above (2022)



**Photo 2:** Aerial pictometry from the north (2022)





**Photo 3:** Aerial pictometry from the west (2022)



**Photo 4:** Aerial pictometry from the east (2022)





**Photo 5:** Driveway entrance



**Photo 6:** Driveway entrance





**Photo 7:** “Print Shop”



**Photo 8:** Small shed



**Photo 9:** Barn to be renovated



**Photo 10:** Inside barn to be renovated





**Photo 11:** Existing single family residence



**Photo 12:** Existing single family residence



**Photo 13:** Detached garage



**Photo 14:** Walkway to pool / cemetery





**Photo 15:** In-ground pool



**Photo 16:** Cemetery



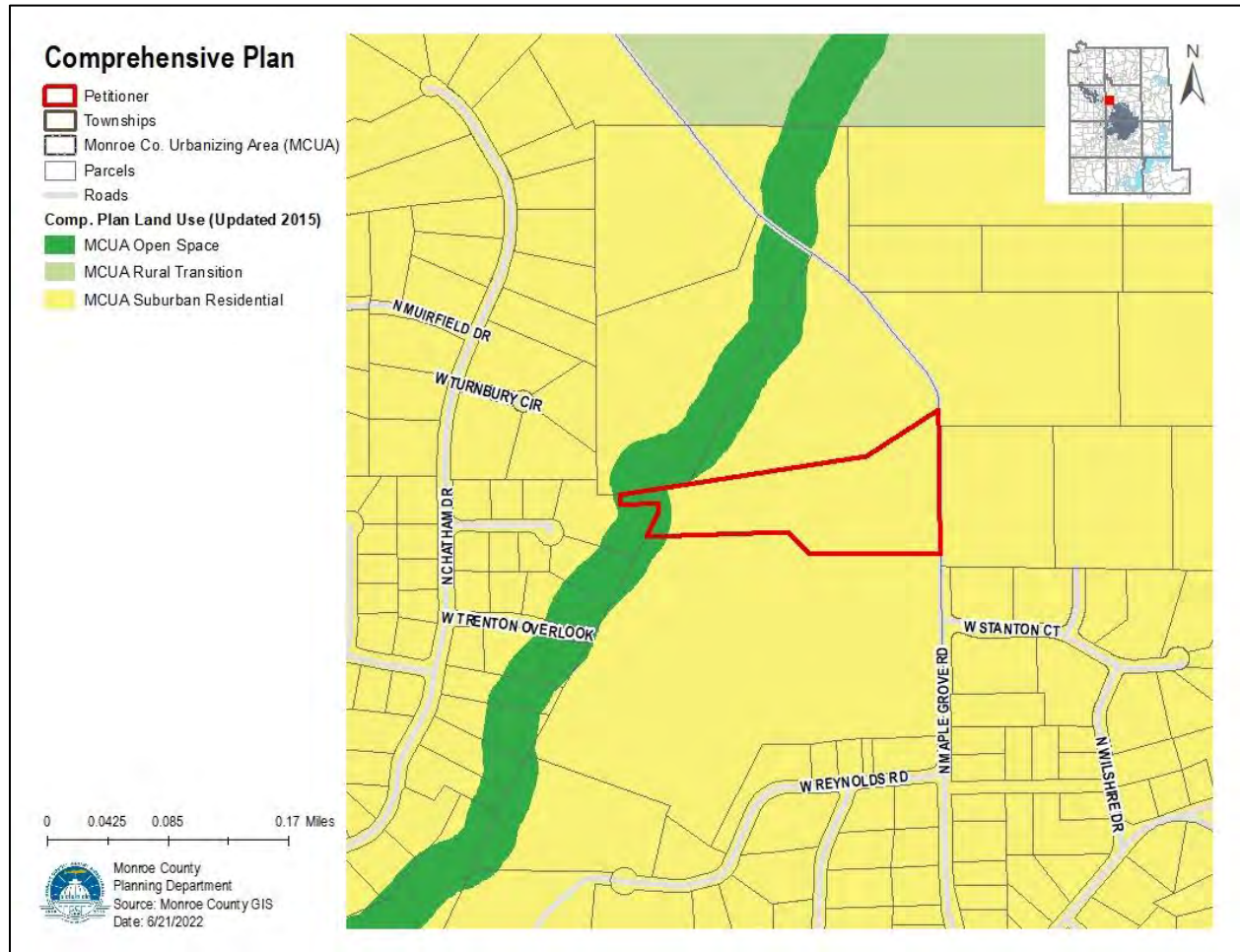


**Photo 17:** Original log cabin



**Photo 18:** Original log cabin

## COMPREHENSIVE PLAN DISCUSSION



The petition site is located in the Suburban Residential district in Monroe County Urbanizing Area (MCUA) of the Monroe County Comprehensive Plan.

**CRITERIA FOR HISTORIC PRESERVATION DESIGNATION as provided by petitioner**

To be identified as historic or architecturally worthy, a building, structure or place must possess one or more of the following significant attributes:

1. *an association with events that have made a significant contribution to the broad patterns of County history;*
2. *an association with the lives of persons significant in the County's past;*
3. *the distinctive characteristics of a type, period or method of construction;*
4. *an example of the work of a master;*
5. *high artistic values;*
6. *an example of a significant and distinguishable entity whose components may lack individual distinction; or*
7. *capability of yielding information important in prehistory or history.*

**FINDINGS OF FACT - REZONE as provided by staff**

According to Section 831-3. Standards for Amendments of the Zoning Ordinance: In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Board of County Commissioners shall pay reasonable regard to:

**(A) The Comprehensive Plan;**

**Findings:**

- The Monroe County Comprehensive Plan designates the property as MCUA Suburban Residential;
- The rezone request is to change the zone district for the petition site from Estate Residential 1 (RE1) to Estate Residential 1 (RE1) with the Historic Preservation (HP) Overlay (Primary) District;
- The Historic Preservation Overlay affects the preservation of the current structures, not the preservation of the current zoning or land use of the property;
- The Historic Preservation Overlay designation will not alter the character of the property;
- The Comprehensive Plan includes a strategy to protect existing historically important sites in the County;

**(B) Current conditions and the character of current structures and uses in each district;**

**Findings:**

- The petition site is zoned Estate Residential 1 (RE1);



- The site contains one (1) residential massed-plan/Greek Revival home constructed in 1864; one (1) original log cabin summer kitchen, a small cottage house, a slate roof English barn, a slate roof shed, and dry stack limestone walls laid in the 1870s;
- The site is adjacent to mostly residential and some agriculture uses;

**(C) The most desirable use for which the land in each district is adapted;**

**Findings:**

- The Historic Preservation Overlay can assist in preserving historic or architecturally worthy structures that represent 1.) an association with events that have made a significant contribution to the broad patterns of County history 2.) distinctive characteristics of construction, and 3.) an example of a significant and distinguishable entity whose components may lack individual distinction.

**(D) The conservation of property values throughout the jurisdiction; and**

**Findings:**

- Recent studies of historic districts throughout the country demonstrate that local historic district designation and review provisions not only protect an area's historic character – they often add value to individual properties and to the community as a whole;
- Values may vary significantly dependent upon future planning and zoning in the area;
- Local historic designated properties may be eligible for a Conditional Historic Adaptive Reuse;

**(E) Responsible development and growth.**

**Findings:**

- Access to the site will continue to be derived from N Maple Grove Road;
- N Maple Grove Road is classified as a Major Collector roadway;
- The site does not contain FEMA Floodplain;
- There are no apparent karst features on the site;
- The Historic Preservation Overlay affects the preservation of the current structures, not the preservation of the current zoning or land use of the property;
- There is a new septic system to accommodate the studio within the future remodeled barn (Permit #22002) bringing the total number of septic systems on the site to two;

## EXHIBIT 1: Petitioner Letter

May 31, 2022

Historic Preservation Board  
Monroe County Planning Department  
Bloomington, Indiana

Subject: 4595 North Maple Grove Road Bloomington, Indiana 47404

Dear Historic Preservation Board,

We are writing to request the historical preservation overlay to be added to our property on North Maple Grove Road.

Our home has long been considered one of Monroe County's historic properties. The home itself was built over 150 years ago in 1864. Many of the additional buildings on the property are also historic, including the log cabin that was constructed in 1819 and the barn that was built in the early 1860s. There is also a historic cemetery on the property. Much of the land is surrounded by dry stone walls built in the 1870s.

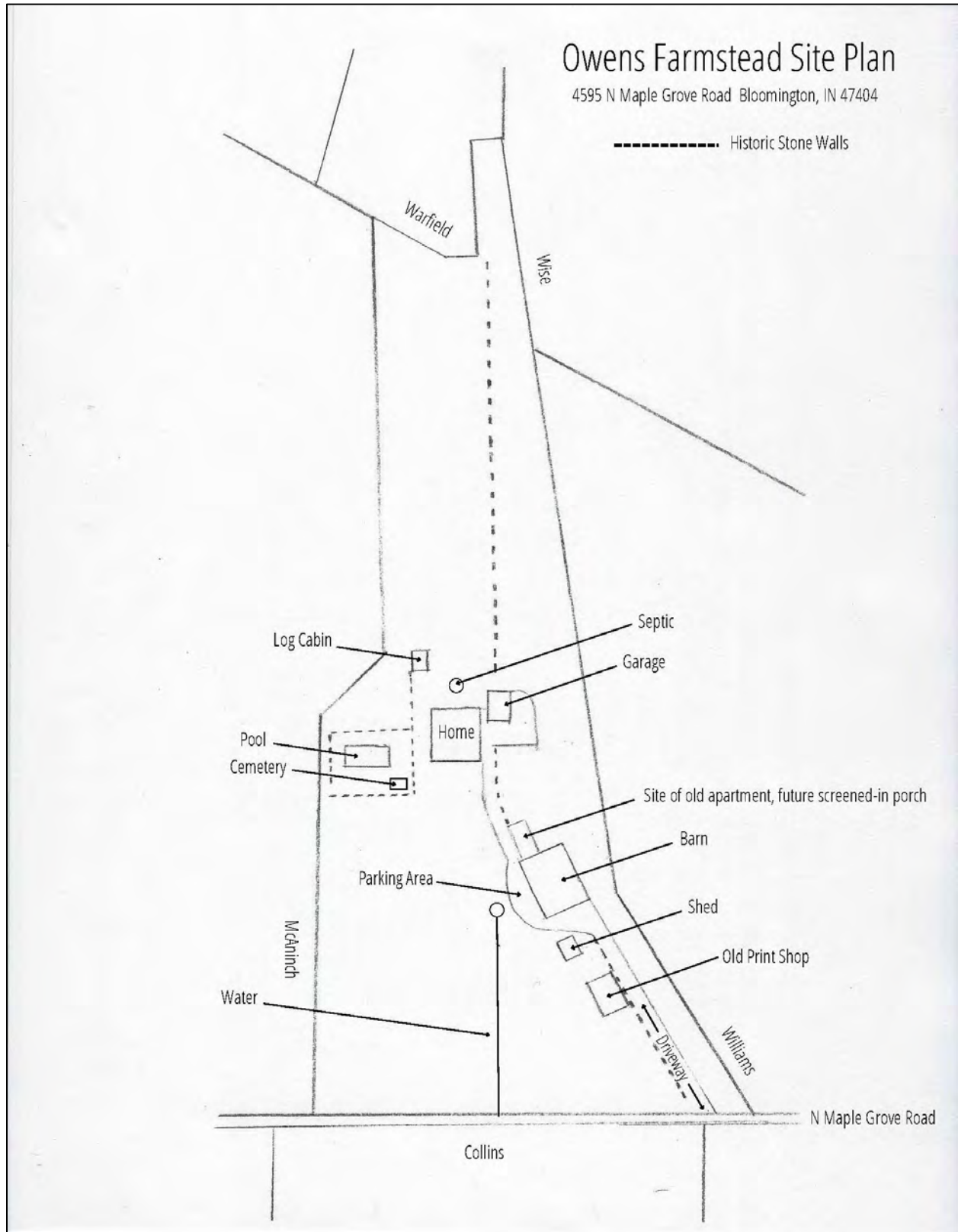
Our family has owned the property since 1984. With the exception of the original owners (the Owens Family), our family (Bauer/Ray) has owned the home for the longest period of time. Over the years, we have enjoyed preserving the history of our home, from rebuilding fallen stone walls to restoring the log cabin to replacing damaged beams in the barn. We are now ready to take on one of our biggest projects to date - restoring a section of the barn into a livable space. This historical overlay will allow us to apply for the appropriate rezoning of the property so that the barn can become our permanent residence and our daughter and son-in-law can raise their family in the primary home.

In the following pages you will learn a small bit of the rich history of this property. Our family has been collecting documents about the history of the home for decades and we've included a small selection in this application. We believe that given the history and craftsmanship of the home and surrounding structures, our property is a perfect candidate for this designation.

Sincerely,

David and Mary Ray

## EXHIBIT 2: Petitioner Site Plan



### EXHIBIT 3: Historical Overview

#### **A Brief History of the Owens Farmstead**

The Ben Owens Farmstead is considered one of the most intact Civil War-era homes in this part of South Central Indiana. John Owens purchased the 400 acre property in 1816. John was born and raised in Ireland and emigrated to the United States in 1812. At the time of the purchase, there were only 20 families living in Monroe County, making Owens one of the earliest settlers of the area.

John Owens owned 2,071 acres in Monroe and Greene County. When he died, he left his property to his children. He left the 400 acres on Maple Grove to his youngest child, an adopted step-son, Benjamin Owens. Ben, who was born in 1835, went on to build the home and barn that sit on the property today. The property remained in the Owens family for 100 years before being sold. During that time, some Owens family members were buried next a stone wall to the left of the home. It is now considered a historic Monroe County cemetery. Many of the Owens family are also buried in Rose Hill Cemetery.

The property changed ownership many times after the Owens sold it in 1917. For a time in the 1920s it sat vacant. The Telfer Family became another noteworthy owner because of the time and work they put into the home. They owned the property for 25 years, from 1946-1971. During that time, they operated a book bindery and print shop in a little outbuilding at the front of the property. It was Robert Telfer who called the property the "Fair Dodhead Farm".

By the time Frank and Beverly Bauer (Mary Ray's parents) purchased the property in 1984, it was no longer 400 acres of farmland. Instead, the property included 7 acres, with the main home, garage, pool, log cabin, barn, and print shop. Frank, an amateur historian, had been eyeing the home for ten years. Him and his wife Beverly had visited the home on one of the historic tours. When it came it came on the market, they sold their other Bloomington home and moved their family of 8 to the farmstead.

The Bauers turned the home into Monroe County's first bed and breakfast. Frank Bauer is the owner who submitted the request to have the home on the National Register of Historic Places. He was a long-time member of the Monroe County Historical Society and spent many hours researching the history of the property. They made many repairs to the home, restoring the historic features of the property. They also remodeled the Telfer's old print shop into a guest house.

In 2000, after his wife's passing, Frank Bauer sold the home to his daughter and son-in-law, Mary and David Ray. Frank moved into the print shop-turned-guest home and continued to give informal tours of the home and property. An image of the home is engraved on Frank and Beverly's gravestone in the Maple Grove Cemetery.

The Ray family raised their three children in the home and added to the list of businesses that have been run out of the home. In addition to a farm, book bindery,



and bed and breakfast, the property also became home to a maple syrup business. A portion of the barn was turned into a sugar shack and for over 10 years the family has been making maple syrup to sell at the Bloomington Farmer's Market.

The property is one of many gems in the Maple Grove area. Maple Grove is the first rural historical district in Indiana. The homestead has been featured in many historical tours over the years. The State Historic Architectural and Archaeological Research Database (SHAARD) gave the home an "Outstanding" rating.

### **The Home**

The home is a two-story Greek revival house built in 1864 by Ben Owens. The all brick exterior has a two-story portico with beautiful wooden scrollwork.

Unlike many modern homes, the Owens Home was built using materials that were either made or available nearby. The home sits on a 36" thick limestone foundation and is constructed from bricks that were fired on the property. All the walls, both interior and exterior, are brick. The interior woodwork is made of black cherry, walnut, and poplar – all from trees cut down in nearby woods.

The bricks, one of the most notable features of the home, also helped historians date the home. Many years ago one of the previous owners was doing a project on the home when they found a brick with "1864 – Vote for Douglas" inscribed in it. Since the bricks were fired on the property, this inscription helped date the home. This brick sits on display in our living room today.

The home has a very stately appearance, both on the exterior and interior. The 11 rooms all have 11 foot tall ceilings and baseboards that go up one foot. The original windows still hold their original glass panes. The doors are all wooden, constructed using wooden pegs. Above each door is a transom window on hinges to let the warm air flow from room to room. Every room has a fireplace, used to heat the big home, though most are now filled in.

The home has other unique features that reveal what life was like in the late 1800s. There are two staircases, the main grand staircase and back staircase used for servants. Between the kitchen and dining room is the dumbwaiter, used for passing food so that servants could remain unseen. As you drive up to the home, you can still see where the horse and buggy would be tied up.

### **The Barn**

The old hewn-and-pegged barn is one of the most impressive buildings on the property from a construction standpoint. It is believed to have been constructed around the same time as the home, in the early 1860s. It was built using the wedge and peg principle completely by hand and without nails. As you walk the building

today, you can still see wooden pegs holding massive wooden beams together. The barn still contains the original wide poplar boards and slate roof.

Unlike most traditional barns which face east, this barn sits at an angle which provides sunlight on all four sides.

At one point there was a small home/apartment attached to the barn. When our family purchased the property, the apartment was in disrepair and torn down. The historical part of the barn, including the siding that the small apartment was covering, was all kept intact.

In the past several years, our family has been slowly restoring the barn. We've repaired the roof and replaced damaged beams. There is still much work we hope to do to bring the old barn back to life, but given the age, it is in a great solid condition.

### **The Log Cabin**

Looking out the back windows of the home you will see the log cabin. The log cabin is believed to be a summer kitchen built in 1819, making it the oldest cabin in Monroe County. The original logs are still pegged in place.

For a time previous owners covered the cabin with siding to protect the old structure, but we have restored it so that the original logs can be visible from the outside again. It is a small, quaint building, only containing one room and a fireplace.

### **The Stone Walls**

Another impressive feat of historical construction is the dry stone walls surrounding the property. The Owens Farmstead has some of the longest stretches and most intact stone walls in the area, likely because Ben Owens and his brother Tom were the first to install the walls in the area. In the 1870s over a period of ten years they were built by hired itinerant Irishmen. They were paid \$1/day for a perch (16 ½ feet) of wall.

The walls go up 5 feet and go into the ground 2 ½ feet (below the frost line in order to protect the gardens from rabbits). The stones were field stones collected by nearby creeks and from fields while plowing. The stones were brought to the location by ox cart. The walls marked the property lines and held in cattle.

Our family has rebuilt several sections of the stone walls. Every couple of years a section will fall down and we will slowly rebuild it. In June we will be taking a class from the Dry Stone Conservancy in Kentucky to learn how to better rebuild our stone walls. It has made us appreciate all the more the extensive labor put into these walls in the 1870s.

### **Project Description**

As our children have grown and moved out of the home, many of the large rooms in the Owens home now sit empty. We would love to see the home used and enjoyed by a family again. We plan to keep the home in our family and sell it to our daughter and son-in-law and their growing family. They've outgrown their historic McDoel Gardens home and they help run the maple syrup business, so moving into our home is a good fit for them. We are excited to see the fourth generation of our family live on the Owens Farmstead.

While we are ready to downsize, we are not ready to leave the property that has been our home for the majority of our adult lives. We enjoy seeing the fruit of our labors over the years and there are still many projects on our list that we have yet to complete.

One of the big projects on our list is to finish the restoration of the barn. About 5 years ago we took the first step by completing major structural improvements. The roof and siding are the next two major projects. The old slate roof continues to leak, even after repairs. While the inside has beautiful beams and wide poplar floorboards in the loft, the exterior siding is in poor condition. A new roof and siding for the historic barn is a major expense for a barn that is no longer in use.

If granted the historical overlay and subsequent zoning approval, we will renovate a portion of the barn into our new home. Previous owners throughout the years have had multiple residences on the property, notably the apartment that had been built on the side of the barn. We feel this project will allow us to restore and honor the beautiful craftsmanship of the barn while making it a more usable space.

We plan to hire Loren Wood Builders because of their experience in remodeling historic structures. The back of the barn and the sugar shack will remain mostly as is, except for the new siding and roof. The main portion of the barn will be finished off into a living space with a living room, kitchen, bedroom, and laundry/mud room. The loft will be an additional living/family room. In the area where the old apartment used to stand (there is just an empty concrete slab right now), we will make a screened-in porch.

In the process of converting the barn, we will be able to keep many of the original features of the barn, like the pegged beams. The parts that need to be replaced, we hope to repurpose. We plan to use some of the original slate for the roof of the screened-in porch. The builders plan to put the original poplar siding through the planer to be used as siding on the interior.

Though current zoning regulations do not allow for two primary residences at the same address, we feel that our historic homestead is the perfect exception to the rule. We hope to spend many more years on the property with our family restoring and adding to the rich history of our home.

### **Ownership of the Owens Home**

Before 1809: Indians  
1809: U.S. Government  
1816: Owens  
1917: Rankin & Standish  
1927: Pike  
1927: Rankin  
1928: Loan & Trust Company  
1942: Lynch  
1944: Spurlock  
1946: Telfer  
1971: Schulthies  
1972: Faris  
1980: Penelton  
1982: Aiken  
1984: Bauer  
2000: Ray



Frank Bauer, owner from 1984-2000





Front exterior of the home









Back exterior of the home



Stone wall along the driveway





Log cabin in the back of the house



The cemetery along the stone wall





Front driveway that connects to the road,  
with the old print shop and shed to the right



View of the barn as you enter the driveway



The side exterior of the barn. Note the siding that is beginning to deteriorate







Interior of the barn in the section we hope to convert into a livable space





Interior barn details like the wide poplar boards and the wooden pegs in the beams





## EXHIBIT 4: Historical Documentation

### The G.A.R. Encampment.

At a meeting last night in the city hall of the committees which have in charge arrangements for entertaining the G.A.R. encampment in Bloomington May 25-27, the finance committee was instructed to proceed immediately to collect a fund of \$2,500. A much larger sum would be needed, except for the fact that the University will put on its Centennial celebration immediately following, so that the city and the University will be able to cooperate in many items of expense, particularly in decorations. The state also contributes \$1,000 which is not quite enough to pay for the official delegate badges and for printing the official programs. The program, however, contains considerable publicity matter for the city which justifies the division of that item of expense between the city and the state.

According to reports made by committees last night everything in connection with entertaining the encampment is in good order. The court house will be the center of all activities and local headquarters will be maintained in the rotunda while various rooms on the ground floor will be used for the convenience and comfort of guests. All visitors will be assigned to rooms in private homes from the booth which will be located in the west corridor. Boy Scouts will be on hand to conduct the people to the homes to which they have been assigned. In addition to the rooms in homes assigned, the army department is furnishing tents and cots for 1500 people. It is estimated that the attendance from outside the county will be from three to four thousand.

### NEW CHAIRMAN 2ND DISTRICT

At 1 o'clock this afternoon at Martinsville, Hal Ridenhouer of Vincennes, was elected Republican chairman of the 2nd congressional district to take the place of David R. Scott of Linton. Mr. Scott has served two terms as district chairman and is now seeking the nomination for secretary of state before the Republican state convention which meets at Indianapolis tomorrow.

Bloomington, but will be taken direct from Richmond to North Vernon and the funeral held there Friday.

### BEN R. OWENS DIES AT HOSPITAL

#### Prominent Farmer — Leaves \$80,000 In Bonds To Son and Grandchildren.

Benjamin R. Owens, one of the wealthy men of Monroe county, died last night at 9 o'clock at the city hospital following an illness of the complications of old age. Mr. Owens had been at the hospital about five weeks.

Mr. Owens lived practically all his life in Monroe county, was a farmer during all of his business career and died worth about \$80,000. For years he resided on a 400 acre farm about 4 miles north of the city and only a short time ago he sold this farm to Claude Rankin for \$39,000. His money goes to his son, Dr. Charles, and his grandchildren—Charles to receive \$10,000 and the remainder to be divided among the several grandchildren. After he sold his farm he converted his entire fortune into government bonds.

Mr. Owens was one of the upright, well known men of the community. His brother Ben I. Owens, who was also worth nearly \$100,000 died only a few months ago. His wife, who was a sister of W. T. and James Blair, died about ten years ago. He is survived by the one son, Charles, and the grandchildren located in the west.

The funeral will be at 10 o'clock Wednesday morning at the Allan funeral home in charge of Rev. Howells of the Baptist church, and the pallbearers will be James Blair, Elmer Henry, Thomas Faris, W. T. Blair, Charles Small and Henry Russell.

### ILLINOIS DEMS. PRY AT COFFIN LID OF JOHN B.

Magre, Manuel, Lucio Blanco and others, and to complete the catastrophe of the Carranza regime he was captured with all his remaining elements at Apizoca.

"Gen. Alvaro Obregon has ordered Carranza returned to the City of Mexico with all consideration, ordering all commanders not kill nor mistreat any one of his company.

"The City of Mexico is quiet.

"Orders have been issued by Governor Adolfo de la Huerta, executive of the liberal constitutional government, in compliance with all his statements, that gambling be stopped in all territory controlled by his government, which practically is the whole republic, for only three states had failed to recognize the movement headed by the state of Sonora.

"Gen. Ramon Iturbe, from Sinaloa, bottled at Mazatlan, has joined the Sonora movement, and likewise, Gen. DeSantiago of Nayarit."

Consul DeOca, in a statement, expressed the desire to co-operate with all authorities on both sides of the international boundary for the "welfare of citizens on both sides of the river."

### DROP TAX ON RETAIL SALES

(Special to The Telephone)

Washington, May 11.—Republican members of the House Ways and Means Committee today decided to abandon the proposed one per cent tax on retail sales for obtaining part of the money for the proposed soldier relief legislation.

—For the girl graduate, see H. P. Tournier's line of dependable Elgin Bracelet Watches. 121 south Walnut street

Local news—all pages.

Have you paid your carrier boy?

### —Your Friends Kuppeuheimer

good clothes are suitable



# SURVEY OF INDIANA HOUSES BUILT BEFORE 1860

LOCATION (county, street, or highway): *Maple Grove Road - (1 mi. in from #46 - 5 mi. from Bloomington  
Monroe County Court House)*

NAME OF OWNER: *Mr. & Mrs. Robert S. Telfer*

NAME OF ORIGINAL OWNER: *John Owen (deed to land - Pres. Monroe & J. Owen 1817)*

NAME OF ARCHITECT OR BUILDER: *no information; here brick with names & date scratched in it*

PRINCIPAL CONSTRUCTION MATERIAL (stone, brick, wood): *Bricks - made on place; yellow poplar - black  
Stone walls hauled from creek beds by open Walnut - cut on place*

DATE OF CONSTRUCTION: *1864 - probably 3rd house of Owen family (date given on brick)*

ARCHITECTURAL STYLE: *Old log cabin still behind present house (stone one for storage)*

*Southern - supposed to be copied from house near Lexington, Kentucky*

DATES OF LATER ALTERATIONS AND ADDITIONS:

*no information - we acquired house in 1946 from son in law  
Prof. W. O. Lynch thought it in 1940 -*

CONDITION TODAY: *Well preserved*

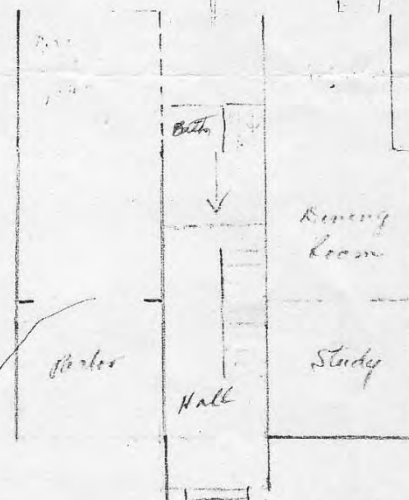
DESCRIPTIVE PUBLICATIONS (books, periodicals, newspapers, or manuscripts in which the house has been described or pictured):

Photograph or sketch of house

Sketch of floor plan



*Don't know when tall partition  
was put in  
This adapted room  
was added to provide second  
kitchen for Mrs. Benj. Owen  
back steps*



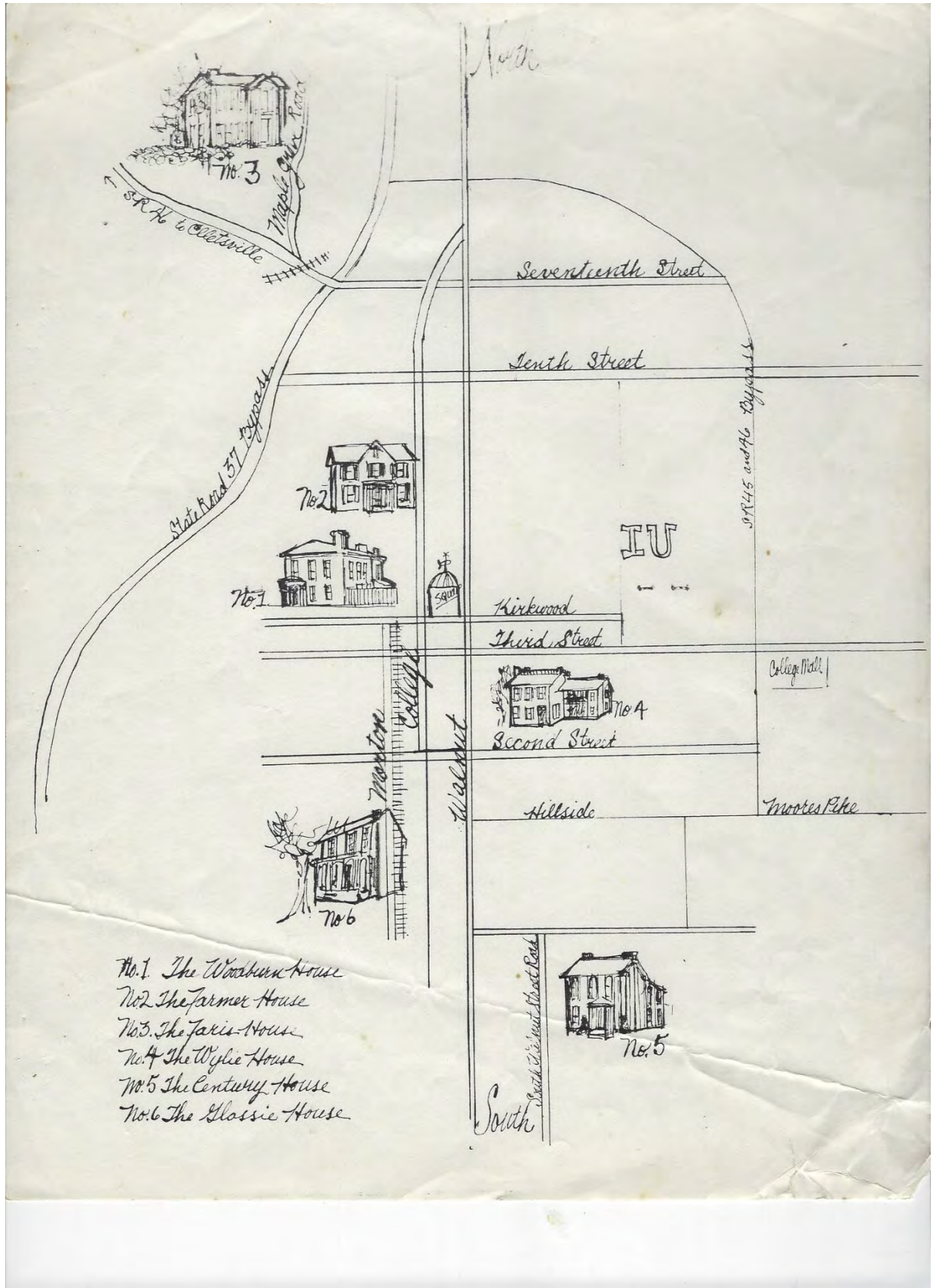
INFORMATION SUPPLIED BY:

Name *Robert Stuart Telfer (Mr. Robert S.)*

Address *R.R. 7 - Bloomington - Indiana*

*This partition  
removed 1946  
except for structural supports*

*2 story porch  
elaborate woodwork  
in railing supports*





THE BAUER HOUSE  
BED N' BREAKFAST

4595 N. Maple Grove Road  
(Owens-Telfer-Faris House)

This two-story, central hall, Greek revival brick house was built by Ben Owens in 1864. The two-story ell is original; a shed-roofed addition in the rear is modern. The windows are capped with stone lintels. The low-pitched gable roof boasts returns and a frieze. The two-story porch is attractively trimmed with "gingerbread," and the main doors are enhanced by sidelights and transoms. The house sits on foundation walls of 36" thick limestone. The walls are built of solid brick fired on the property; even interior walls are three bricks thick. A brick removed from one of the walls displayed "1864" scratched on one side of it and, on the other side, "For President, General McClellan."

In more recent history, the house has belonged to the Telfers, who called it "Fair Dodhead Farm," and the Farises. The present owners, Frank and Beverly Bauer, have adapted two upstairs bedrooms for their bed-and-breakfast enterprise.

The interior woodwork is black cherry, walnut or poplar, cut from nearby woods. Ceilings are 11 feet and baseboards one foot high. Nearly every room has a fireplace, although those in the upstairs rooms are not in use.

The outbuildings are nearly as interesting as the house. In back is a small, siding-covered log cabin that was probably used as a summer kitchen. The large barn is notable because instead of facing east in the traditional manner, it sits at an angle, and thus receives sunlight on all four sides. The hayloft in front reveals original pegged beams and square nails.

**Drystone Walls**

Maple Grove Road is lined by some of the finest stone fences found anywhere. Tradition relates that they were built by itinerant Irishmen at the rate of a "perch" or rod (about 16½ feet) a day, for which they were paid \$1.00. Stones for the construction were hauled to the site by ox cart. The walls extend downward about 2½ feet into the ground -- below the frost line -- and some stand as high as five feet. Among the highest and least disturbed of these walls are those surrounding the Owens-Telfer-Faris-Bauer House.



This impressive brick home has been known by many different names throughout its history. It has been known as the Ben Owen Farmhouse, "Fair Dothead Farm", the Telfer Farm, and the Faris Place. It was built in 1864.

Some of the most beautiful dry wall fences to be found anywhere in America encloses the fields that surround the large house. These walls are 5 feet tall and go down 2½ feet to the frost line. Stones were brought by ox cart and were "built by the perch". The perch is an old stone measure by which artisans could build about a rod of fence (16½ feet) a day, for which they were paid \$1.00 each rod.

As for the house, the cellar was built on a limestone base 36" thick. All interior walls are built of brick (3 bricks thick) which makes the house virtually soundproof. The woodwork is all black cherry, walnut, or poplar which was cut from nearby woods. Base boards are a foot high which fits in with the spacious dimensions of the rooms, and the 11 foot ceilings.

The Aiken family has lived in the house only a year and really hasn't had the time to do all they would have liked in the way of restoration.

As we enter the house, make note that we will go through all the connecting rooms on the main floor leading back to the entry.

We want to go to the left into the livingroom and diningroom areas which are furnished with antiques that the Aiken family has been collecting for many years. Notice that there are fireplaces in almost all the rooms and each is different. As in most older homes there are little "ups and downs" upon entering the different rooms, so watch your footing.

The kitchen area is very spacious with a feeling of being light and airy. At one time this room was used as a gardening room.

We go on to the right into the family room with its very large fireplace and lovely view of the back of the property. The downstairs bedroom is through this room and was originally the dining room. Going through this bedroom, we enter the library, or study, which has bookshelves from floor to ceiling.

Now we're back at the entry hall and ready to ascend the walnut staircase. On the second floor there are four huge bedrooms.

Notice the upstairs front porch that faces the spacious front lawn.

The bedroom to the very back of the second floor is occupied by the Aiken's teenage son, Tim. This bedroom is easily accessible to the family room with a nearby stairwell. We will return to the main floor by this stairwell and on to the outdoors through the back door of the house.





The history of this home on Maple Grove Road is partially recorded fact fortified by conjecture. A brick found while restoring one of the fireplaces is dated 1864; since the brick was made on the site, historians assume that the house was built at the close of the Civil War.

All of the interior walls are built of brick and the cellar is on a limestone base 36 inches thick. The woodwork is all black cherry, walnut or poplar cut from nearby woods. The ceilings are 11 feet high, baseboards a foot high and each room has a fireplace. The doors were also produced on the site and are held together with wooden pegs.

A stone fence outlines a once "rabbit proof" garden. Its walls go down 2½ feet below ground to the frost line. Stones were brought from the creek and were "built by the perch." The perch is an old stone measure by which artisans could build a rod of fence a day.

Another interesting spot on the property is the site of a small log cabin

in the back yard against one of the stone walls. Original logs are still pegged in place and a date found in the cabin suggests that it was built in 1819 when the property deed was first recorded. There is siding covering the exterior to protect the cabin now. It is hard to imagine that this cabin was once a family home since by today's standards it could be a children's clubhouse. The fireplace obviously was the heart of the home; it fills the room.

There is a large barn on the property also. It is constructed of very wide poplar boards using the wedge and peg principle. No nails were used when the barn was built in the early 1860's.

The home has been restored and the kitchen thoroughly modernized. It is presently owned and occupied by Mr. and Mrs. Gene Faris.

\*\*\*\*\*

Limited parking on the grounds.  
Please keep passageway clear to house.



# A Fright Becomes A Project

(Continued from Page 3)

is the joy of picking food from a current crop for the next meal. In July, blueberries are plentiful on the farm and everyone in the Schulteis family races for the front yard before breakfast to pick the topping for their cereal. The lovely old stone fences divide the acreage nearest the house into large garden plots. In the "Triangle" are currant bushes and arbors of grape already heavy this year with green leaves. Mrs. Schulteis has put in a large kitchen garden this year. It is bordered by strawberry plants which are in full bloom. Along the wall is a long-established asparagus bed which provides an elegant vegetable for many spring meals. The children have their own large garden in which they may

plant whatever they want. They plan to try melons this summer. During the summer, the gardens should produce rhubarb, carrots, radishes, beets, two kinds of lettuce, and a few surprises from seeds left from previous plantings.

Despite the inviting creeks, woods, and a fish-stocked pond in the front pasture, the youngsters also love to play inside. The house is so solid and roomy that children (and adults) can feel a sense of privacy impossible in modern homes. The stairways are special fun, since two of them are built in the old right-angle way which invites falls, but adds excitement. Of course, there is a lovely stairway in the grand entry hall, but no self-respecting adventurer would ascend that way! One of the surprises awaiting

the family this winter was the temperature. We moderns have become accustomed to maintaining a steady 72 degree temperature in our homes year-round. Well, this old homestead does have central heating (there are also fireplaces in every room, though all do not work), but no modern furnace is equipped to heat the vast spaciousness of this fine old house. As a result, the family slept upstairs all winter, but with the first buzz of the alarm, Mrs. Schulteis hurried downstairs to build a fire in the kitchen fireplace. By the time the children had tumbled out of bed, the kitchen was glowing with warmth and the dining room was cozy, too.

The kitchen in most homes is the center of life and this house is no exception. Thoroughly modernized, the kitchen features

lovely wooden cabinets, built-in electric range top and wall oven, and a bar working area which effectively divides the room into eating and cooking areas. The fireplace and a back window with a breath-taking view of the surrounding hills highlight the kitchen. A housewife's delight is the enormous pantry adjoining this room. Into it come all the garden vegetables for a scrubbing at the roomy sink. A spare refrigerator and a freezer add to storage capacity. The washer and dryer are also located here and one whole wall is cupboards which match those in the kitchen.

During the hot summer days, everyone in the house enjoys the lovely sunroom which was added years ago. The wide windows afford a view of tranquil grounds the stone walls, and the log cabin.

Visitors have many questions for the Schulteis family. One is whether Mrs. Schulteis ever gets frightened all by herself so far from town. Another is how in the world one makes a room 11 feet high seem homey. In answer to the first query, Mrs. Schulteis gives an emphatic No! There was one evening, however, when she discovered another facet of country living. Her husband was out of town, the children were in bed, and the bugs were beating themselves silly against the windows. To entertain herself she decided to play

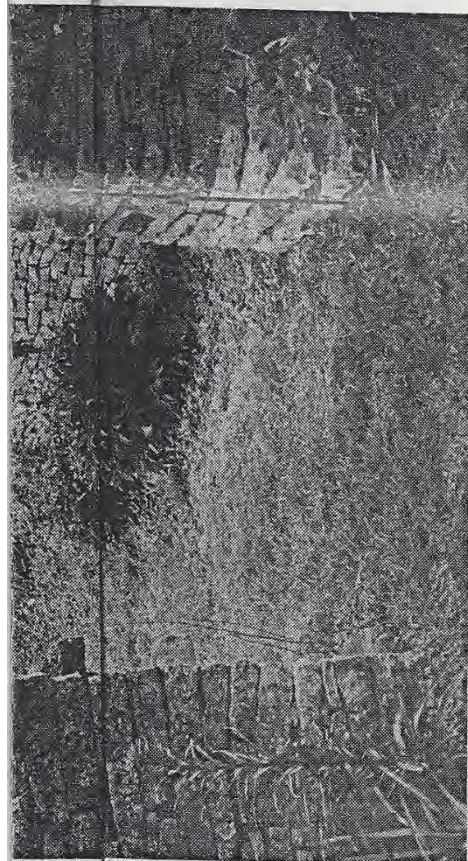


The living room is done in a lovely moss green with delicate white snow flakes floating on it. The library and dining room are in warm tones of beige and brown. The bedrooms are all done in gay light airy floral prints except for Lisa's room. The wallpaper in her bedroom is a deep sea blue-green with white flowers in it. All of her furniture is white and nicely accents the darker walls.

Dr. and Mrs. Schulteis feel the house still really awaits decorating. They have not decided

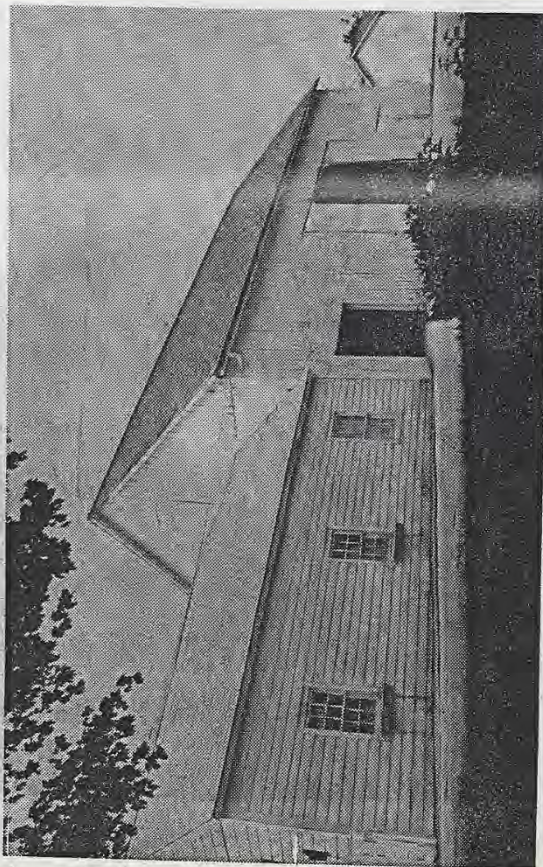


the magnificent old barn in the living room. As soon as she flipped on a dim light, an unearthly squeaking and flapping began. After screaming and shaking she discovered the unwelcome guest was a baby swallow which had fallen down the chimney. Two others from the nest tumbled down shortly afterwards. This frightening evening turned into a family pro-



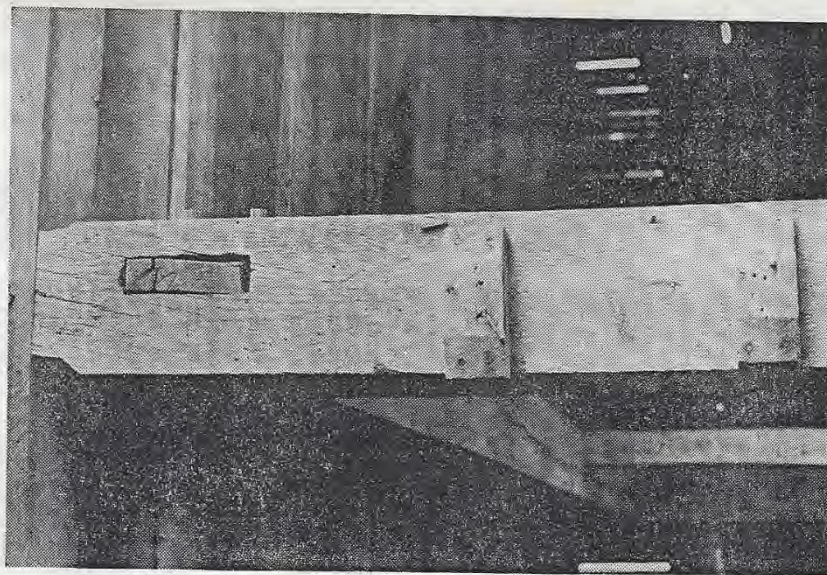
A rod of fence a day was laid by hand in the pioneer days of the old Schulteis place. These stone walls reach a height of five feet, but have

a base below ground level of two and one-half feet. The stone was hauled by ox-cart from nearby streams.



A magnificent barn rests on the farm property, a source of great fun for the Schulteis youngsters, is constructed of very wide poplar boards

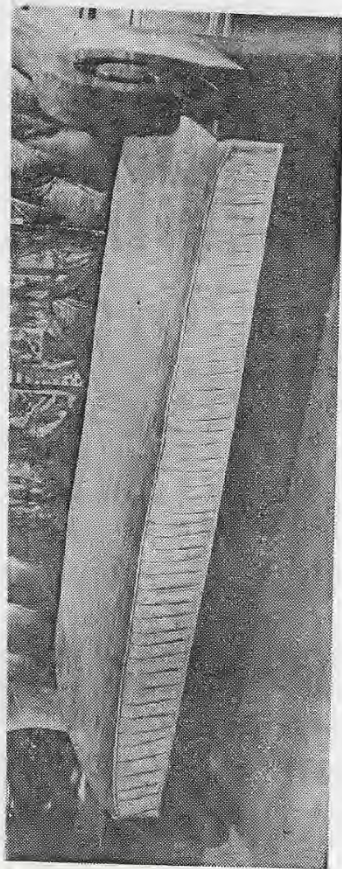
using the wedge and peg principal of construction. No nails were used in the barn built perhaps in the early 1860s.



Slots cut to accept the ends of boards were another part of the construction process for the old barn. As seen at the top of the board, the morticed joint reveals the end of a tangent board. All of this work was done by hand, revealing a truth about the craftsmanship of oldtime wood workers.

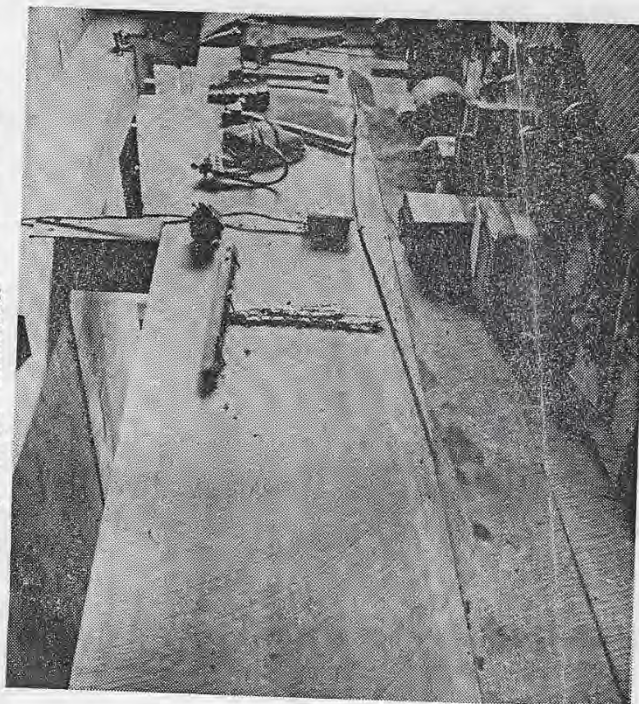


# Some Furnishings Match The Aging Of The Old Farm

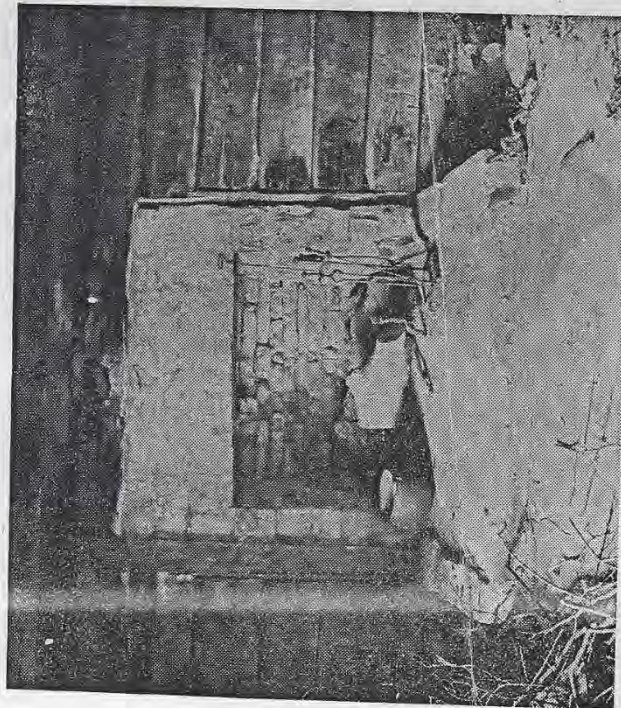


The tufted divan, probably filled with mohair, wasn't easy for sitting. Generally the seating portion was overly hard by today's standards.

The exceptionally heavy armrests, all carved by hand, are also strangely old to people of today.



Some of the poplar boards used in the interior construction of the barn on Richard Schultheis' farm property are so wide one has difficulty imagining the size of the tree from which they came.



Interior of the log cabin, probably built in 1816, indicates pioneers left themselves little room for living. The room was probably the first one built.



## America's Progress Was the Progress of Its Families As They Improved Land and Home

Within sight of modern Bloomington and the imposing Indiana University campus stand today impressive monuments to the pioneering spirit of progress — love of the land and love of the home.

Farmer John Owens recorded his deed in 1819 to 600 acres of beautiful rolling land and forest just west and north of the new town of Bloomington in the area of the present Maple Grove Road. Some of the fine virgin trees became the building logs of the cabin homestead and a family sank its roots into the land of a new western state.

Forty-five years later, a stepson whom he had adopted, Benjamin Inman Owens, had assumed title to the homestead and part of the acreage and in 1864 constructed the gracious Federal architecture home within a stone's throw of the cabin. Produced on the site, and solid brick walls stand on a 36-inch limestone foundation and woodwork is black cherry, walnut and poplar from nearby woods. Every spacious 11-foot ceiling room has its own fireplace.

Restoration and modernization by Robert and Wolcott Telfer after World War II carefully maintained the beauty and charm of the home and its surroundings . . . including the large 1860's vintage wedge-and-pin-construction poplar barn and early 19th century stone fence-walls that criss-cross the surrounding fields.



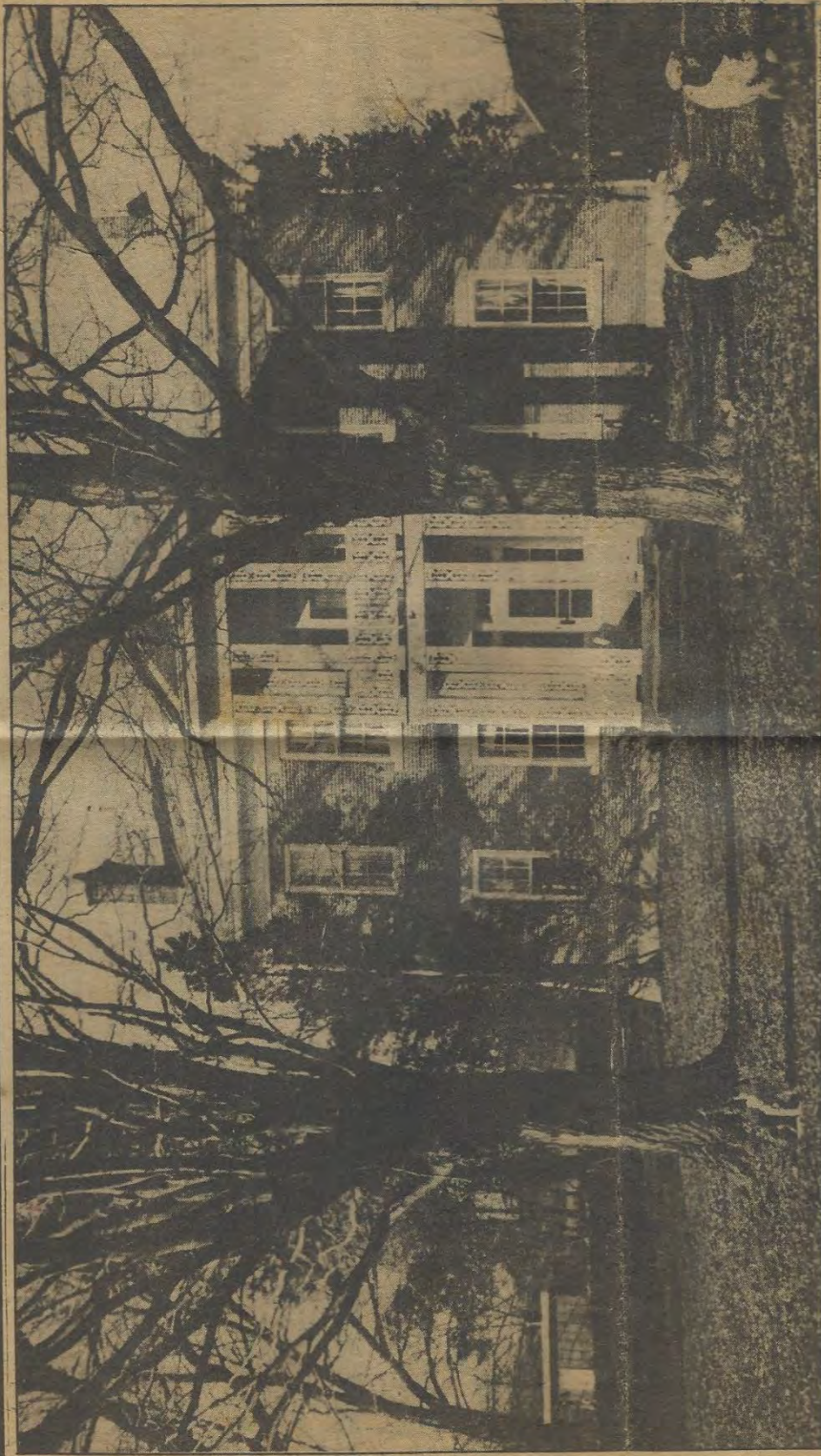


9, 1985

The Herald-Telephone

Section C

# Lifestyle



Staff photo by Don Vandewerpe

Two sheep, two maple trees and a dog grace the front yard of the 121-year-old Bauer House

## Bauer House holds hands with history

Architecture

their home and opened for business in May while, we have some great talkers who stay



# of Civil War era a plus for guests

By Dann Denny  
Lifestyle Staff Writer

In the spring of 1984, Frank and Beverly Bauer opened Monroe County's first bed and breakfast, dubbing it The Bauer House. The 121-year-old, red-brick home (located a few miles northwest of Bloomington) was built near the close of the Civil War. Yet it still stands majestically on seven wooded acres, surrounded by a meandering stone fence outlining what used to be a rabbit-proof garden. The fence, made from field stone gathered from creeks and fields on the premises, extends 2½ feet below ground level.

The Bauer House rests on a 36-inch thick limestone base, and its walls are built with bricks made on the farm more than a century ago. All of the home's woodwork is black cherry, walnut and poplar hewn from nearby woods.

Each of the 11 rooms has an 11-foot-high ceiling, and every room but the kitchen has a fireplace — though some of the fireplaces have been boarded up. The home is replete with windows holding their original panes, pocked with telltale bubbles and other imperfections. And instead of nails, the home is held together by wooden pegs.

In the backyard is a small log cabin, believed to be the oldest in Monroe County, having been built in 1819. Its hand-hewn logs are 166 years old. Not far away is a barn made of poplar boards, a swimming pool, a garage, a grainery and a printing shop.

"Some day we plan to get this place listed on the national register of historical places," says Frank, a retired army officer since 1972. "So far, we just haven't had time to do all the required paperwork."

Spare time is indeed a rare commodity for the Bauers, who also have owned and operated the Forrest Park Childcare Center for the past nine years. And with four of their six children still living at home, things get a bit hectic.

"We just finished the fall season, which is our busiest for bed and breakfast," says Beverly. "The spring is also very busy. But all the people who've come since we opened (89) have been very nice. One man stayed three weeks while he moved his family. And one family has come back three times now. Once we loaned them our car. They are like relatives."

"We get the cream of the crop," says Frank. "Almost all our guests are college educated, articulate and very friendly. We have gotten some businessmen, but most are middle-aged or young couples who are looking for something different."

"The only advertising we did was to put our name in the Visitors Guide, put out by the Bloomington/Monroe County Convention and Visitor's Bureau," says Frank. That, so it seems, was enough. It wasn't long before the Bauers began getting phone calls.

"Our first guests were two elderly women from Minnesota," says Beverly. "We were just getting started and didn't know what we were doing and they were kind of leery. They were the only guests we've had who were a little reserved."

Since that shaky start, things have gone very smoothly. For \$25 plus tax, a couple can spend the night in the venerable home and wake up to a bountiful country breakfast of blueberry muffins (made with fresh blueberries picked from bushes on the Bauer's front yard), poached eggs, sausage, toast with homemade apple butter, orange juice, coffee or tea. If guests stay more than two days, the menu will vary to include such things as scrambled eggs, cereal, pancakes and oatmeal.

"Guests come in the afternoon or evening," says Beverly. "They may go jogging or biking, and then go out to eat, see a movie or do some other activity. But most all of them take a walk around the grounds."

On their walk, guests can examine the antediluvian buildings on the grounds, or pet the animals — three sheep, one horse, two rabbits, two dogs and five cats. If they're lucky, they also will get a glimpse of some of the deer that routinely roam the premises.

"Most have breakfast around 8:30 or 9 and then leave," says Frank. "But once in a

tu noon or 1 p.m.

The Bauers have fixed up two of the five bedrooms for bed and breakfast. One has a single and a double bed; the other has a double bed. Each is filled with fresh fruit, clean towels, individually-wrapped glasses and antique furniture and artifacts.

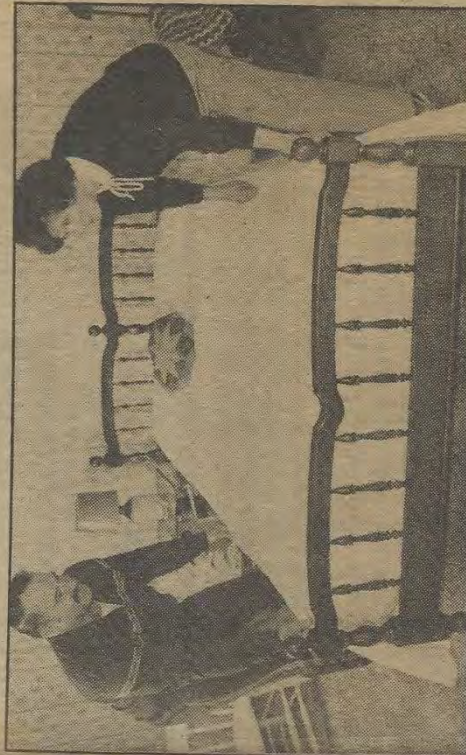
By parting the priscilla curtains, one can peer through the windows to the swimming pool, stone wall and log cabin below. Guests share a good-sized bathroom, where scented soap sits in a dish alongside an old-fashioned tub.

If the weather is nice, guests can take a dip in the pool, stroll across the grounds or walk through a door at the end of the hallway that leads onto a covered porch shaded by a pair of towering maple trees. The young at heart can press the front doorbell, which plays 24 national anthems and classical songs.

In the evening, guests generally have access to their bedroom, porch, bathroom, hallway and a combined living room/dining room. The Bauers have access to their master bedroom, bathroom, library, kitchen and family room. Breakfast is served in the living room/dining room. There are two stairways to help ensure privacy.

"We ask our guests to write their names and a comment before they leave," says Frank, opening a thick book. "As you can see, most of them say they enjoyed the peaceful and quiet atmosphere out here. The nearest home is a quarter mile away."

This was the second of a three-part series on bed and breakfast homes in the Bloomington and Nashville area. The final segment of the series will feature Nashville's Jefferson Place.



Staff photo by Don Vandewenter



Jan 9 - 1997 Herald-Times

# the area's historic family farms

By Gena Asher  
H-T Staff Writer

For many of the farmers on Maple Grove Road, the views from the kitchen windows haven't changed much since the days when their parents and grandparents farmed the rolling hills.

Beribboned with miles of dry stone fence penning in homesteads and cattle, the area has been home to Stangers, Owens, Fyffes and numerous others for generations. Machinery and economics may have changed the lifestyles, and wood and brick may now cover old log cabins, but some day-to-day activities are age-old for family farmers.



It's because so much of the family farm heritage has been preserved that the area has been nominated to the National Register of Historic Places, the first rural district in the state to achieve such a nomination.

"There are some farms on the national register but nothing like the Maple Grove Road area, where several farmsteads are linked together in a sense of rural community or neighborhood," said Marsh Davis, director of community services for the Historic Landmarks Foundation in Indianapolis.

He researched and visited the area several years ago with an eye toward such a nomination, and later sought local help from Bloomington Restorations Inc., the preservation group in Monroe County, and Preservation Development, which is processing the nomination for Historic

Landmarks Foundation.

"What's unique is that the integrity of the houses and the lifestyles in general have been preserved," said Nancy Hiestand of Preservation Development, who has tapped local sources and done research on the area as part of the nomination work. "There are families living on the farms today who can explain how the land was farmed, how the houses were built. There's also the beauty of the landscape and one of the largest collections of dry-laid stone walls in the state."

The dry-laid stone walls roll up and down the hills, penning in cattle or sometimes just forming a property line. Built in a 10-year span in the mid-19th century, the walls were first installed, Hiestand believes, by Irish brothers Tom and Ben Owens. Both original houses are still visible, one now serving as a bed and breakfast. The oldest home in Monroe County, the Daniel Stout home, is in the designated area and already is on the National Register.

The nominated area is roughly bordered by Union Valley Road to the west, Ind. 46 to the south, Maple Grove Road N-W on the north and two creeks on the east.

"Stout's Creek and Bean Blossom Creek served as both places to quarry limestone and as ways to run a mill," said Hiestand. Some farms were strategically placed to take advantage of the running water.

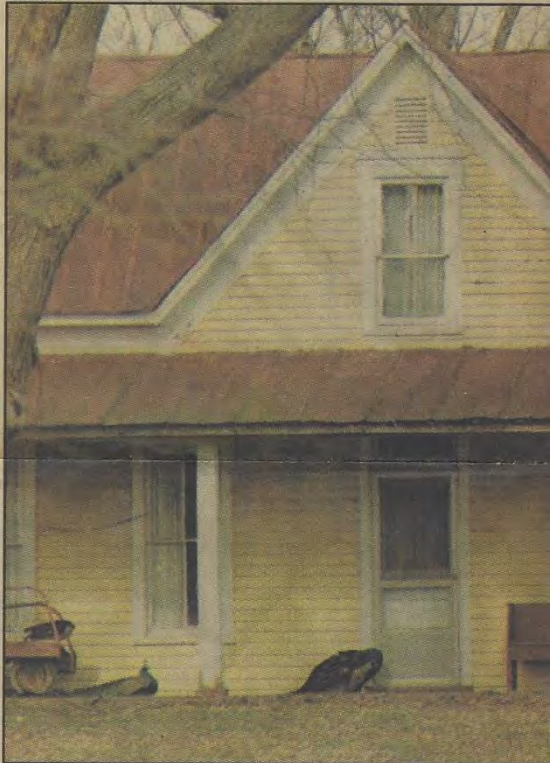
Malcolm Woollen, an architect who is Bloomington Restorations Inc.'s education committee chairman, appreciates the houses in the area. Some of the old cabins have been covered over by clapboard or brick while others reflect other styles of the periods.

"There is a collection of exceptional houses in the area," he explained, "from Greek Revival to Gothic. The Old Fyffe farm, from around the 1840s, is Classic Greek Revival, for instance. Then the Ben Owens farm is more of a throwback to the Federalist period."

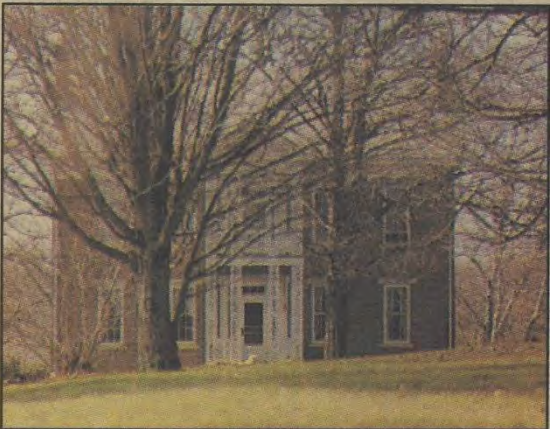
Just past the Maple Grove Church and cemetery is a yellow house where author and columnist Rachel Peden gathered most of her ma-



The Maple Grove Road area nominated to the National Register includes one house that is already on the Register. The Stout house is the oldest home in Monroe County.



Peacocks decorate the porch at the house and farm which includes one house that is already on the Register. The Stout house is the oldest home in Monroe County.



In the 1860s, two Irish brothers settled and farmed in the Maple Grove Road area. Ben Owens' original home, above, is now a bed and breakfast and across the road, Tom Owens' original home and land are still a working farm.

See FARMS / D6



## HISTORIC

### MONROE COUNTY DRIVING TOURS

# Maple Grove Road



Daniel Stout House  
Owens Farm  
Stone walls  
Maple Grove Church &  
Cemetery  
Peden Farm  
Double-Pen House  
Victorian Farmstead

Monroe County, Indiana

## HISTORY

### MAPLE GROVE ROAD

Maple Grove Road, northwest of Bloomington, Indiana, is located in central Monroe County and was an important transportation route in the nineteenth century. The road traverses an area containing farmstead clusters, stone walls, a former school, and a cemetery and church. Rather than quarrying, agriculture was the dominant commercial activity in the area, and many of the farmsteads still exhibit nineteenth century agricultural patterns.

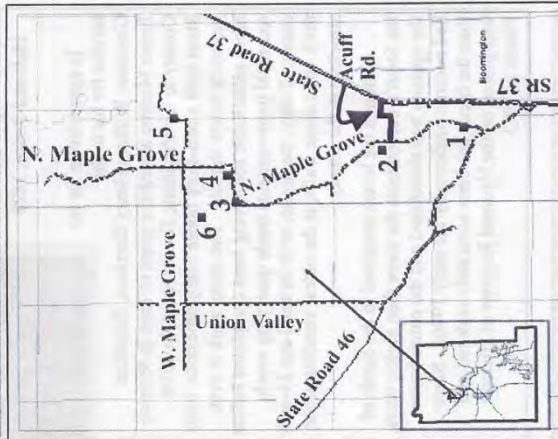
Settlement around Maple Grove Road began in the early nineteenth century, but peaked in the 1870s as families from Virginia, Maryland, Tennessee, the Carolinas, and Ireland moved into the area to farm wheat, Indian corn, and oats. They also brought with them vernacular building traditions and stylistic preferences. However, upon settlement people adapted their building traditions to the local climate, topography, and materials, giving the farms and structures around Maple Grove Road a distinctively southern flavor.

Between the 1880s and 1910, horse farming was the only available technology in the area. Beginning in the 1920s mechanized farming slowly took over agricultural practices, and smaller farmers were pushed out of the area to search for work. Along with mechanization came the depletion of nutrients in the soil, which meant the land became better suited for raising livestock by the 1950s. However, those farms that have survived the technological changes of the twentieth century not only maintain their nineteenth century features, but in some cases are still owned by the descendants of the original settlers.

Twelve houses and farmsteads in the Maple Grove Road area, plus the church and cemetery and stone walls, were listed in 1998 as a historic district on the National Register of Historic Places.

## MAP

### HISTORIC SITES



1. Daniel Stout House
2. Owens Farm
3. Maple Grove Church and Cemetery
4. Peden Farm
5. Double-Pen House
6. Victorian Farmstead

Directions to Maple Grove Road Area, northwest of Bloomington: From State Road 37 watch for a yellow cross-road sign marking Acuff Rd. From State Road 46, look for Union Valley Road.

(These sites are representative of the historic houses, farmsteads, and places in the Maple Grove Road District, but are not an exhaustive list of historic resources.)

**Please respect the privacy of the owners by viewing all sites from the road.**

More information about the history of the Maple Grove Road area can be found at the Indiana Room of the Monroe County Public Library and the library at the Monroe County History Center.



## Daniel Stout House



3655 N. Maple Grove Rd.  
Hall-and-Parlor, 1828

In appreciation for his service for his to the

Governor William Henry Harrison, President James Monroe awarded a grant of land in Monroe County to the Virginian, Daniel Stout, in 1818. Stout built a two-story house using limestone from the creek below the site. The stone work is even more remarkable for having been completed before technical improvements made quarrying much easier. Today, the house, with its hand-cut 24-inch thick solid stone walls, is the oldest standing stone structure in the county.

Although the house remained in the hands of the Stout's descendants for more than eighty years, the upstairs was abandoned and the entire house had become rundown by the early 1940s. Since then the home has been accurately restored and was placed on the National Register of Historic Places in 1973.

## Owens Farm



4505 N. Maple Grove Rd.  
Massed Plan/Greek Revival, 1864

The brick farmhouse was built by Ben Owens in 1864. It is a massed-plan house with a prominent cornice and gable returns; hallmarks of the Greek Revival style. The two-story portico with scroll-cut decoration enlivens the entrance. An early log house, possibly used as a summer kitchen, and an old hewn-and-pegged barn also stand on the property. The dry stone walls surrounding the property were laid in the 1870s.

## Stone Walls



N. Maple Grove Rd.  
ca.. 1870

Maple Grove Road is lined with the finest examples

of dry stone walls in the state. Tradition relates that they were built by itinerant Irishmen at the rate of a "perch" or rod (about 16 1/2 feet) a day, for which they were paid \$1.00. The stones for the construction were hauled to the site by ox cart. The walls go down about 2 1/2 feet into the ground - below the frost line - and some stand as high as five feet. Some of the highest and least disturbed walls surround the Owens farmhouse.

## Maple Grove Church & Cemetery



N. Maple Grove Rd.  
Greek Revival, 1876

The church was built in 1876 on land given by the Wampler family. It replaced an earlier church

on Lost Man's Lane where the foundation and cemetery of the older church can still be found. The cemetery that surrounds the current church is much older than the building. The oldest graves in the cemetery face the west wall and are nearly flush with the building, making them difficult to read. Presumably the wall was built when the headstones were already quite old.

One headstone near the southwest corner displays an unusual motif of a carved Civil War soldier and his tent. The tree-stump headstones found in the cemetery date from the Civil War and are a common type often found in south-central Indiana.

## Peden Farm



6191 N. Maple Grove Rd.  
Gothic Revival, 1880

The house consists of two parts of separate origin. The rear section was once the Wampler Schoolhouse, which stood on the hill overlooking the church just up the road. In 1876, Benny Whisenand's father

supposedly moved the schoolhouse down the hill to its present location near the farm spring. It was later divided into two rooms, and the side porch was the site where Rachel Peden chronicled her life on Maple Grove Road for the local newspaper. The steep-gabled front section was added later.

When the Pedens bought the house, it had been endlessly altered by Benny's succession of wives, leading Rachel Peden to declare the house "a superb architectural blunder that could not possibly be corrected." She later mused, "And so I thought I could make peace with the house, in time. It has come true. I love this old house. We are the best of friends."

## Double-Pen House



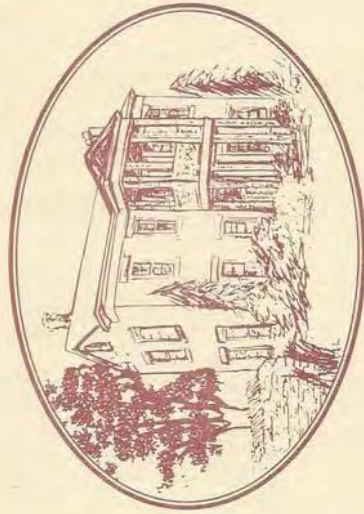
1585 E. Maple Grove Rd.  
Double-Pen, ca. 1875

Double-pen houses are named for the two "pens" or sections joined with gables on each end. This style is sometimes called the "dog-trot" because an open space between the pens is often present. In many cases, a double-pen was simply two log cabins separated by a breezeway that would be later enclosed. The home has undergone multiple renovations over time yet remains similar to its original appearance.



# Bauer House

BED & BREAKFAST



## *“A Step off the Beaten Path”*

Located just 1 mile off of  
Highway 46 West and 37 North;  
3 miles from downtown Bloomington

Frank & Beverly Bauer  
4595 N. Maple Grove Road  
Bloomington, IN 47404  
(812) 336-4383



Member of the Indiana Bed and Breakfast Association (inspected and approved)

Bauer House Bed and  
Breakfast brochure



## Welcome to the Bauer House

nestled away in the rolling hills of southern Indiana in the heart of historic Monroe County.

The Bauer House is located on 7 acres and was built in 1864 by a prominent Monroe County farmer, Benjamin Owens. The original farm consisted of 500 acres and the Owens family owned the farm for over a century. The farm is surrounded by dry stonewalls built in the 1870's and are some of the best preserved stonewalls in Monroe County. The original house contained ten rooms with a fireplace in each room and eleven foot tall ceilings. Wide plank poplar floors are original and creak just enough to feel like home.

The Bauer House invites guests to come and enjoy a quiet peaceful stay and an extended continental breakfast.

There are three large rooms from which to choose. Each room is furnished with a double bed, television, air conditioner and an antique rocking chair for your evening relaxation.



## Rates and Reservations

\$50.00 — \$60.00 plus tax per night for double occupancy, breakfast included. To guarantee your reservation we require a \$10.00 deposit for each room. Your deposit will be refunded if you cancel your reservation 7 days prior to your scheduled arrival. There is a \$5.00 charge for each additional person.

Check in: Flexible

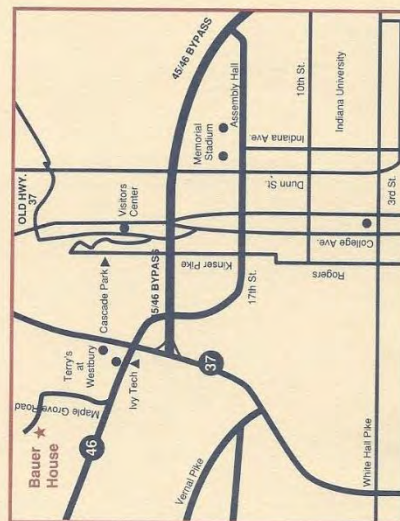
Check out: 11:00 am

Children: Please inquire

No pets • Smoking permitted outside only

Open March through November

*All prices are subject to change without notice*









## EXHIBIT 5: SHAARD IHSSI County Survey

6/21/22, 2:08 PM

<https://secure.in.gov/apps/dnr/shaard/print.html?printType=countySurvey>

IN.gov

SHAARD

### IHSSI (County Survey)



Survey Number: 105-055-21024

Rating: Outstanding

Historic Name: Ben Owens Farmstead

Year Dataset Compiled: 2014

National Register File  
Number: NR-1364

#### Survey County

County	Legal Township(s)	Quad Name(s)
Monroe	Bloomington	Bloomington

Address: 4595 Maple Grove Rd

City: -

Location Notes: -

#### Coordinates

**Easting**

**Northing**

<https://secure.in.gov/apps/dnr/shaard/print.html?printType=countySurvey>

1/4

537842

4340765

Common Name: -

Category: Building

Visible?: ☐Historic District?: ☒

Historic District Name: Maple Grove Road Rural Historic District

Ownership: private

**Use: Present**Residence: ☐Commercial: ☐Vacant: ☐Other: ☒

Describe: Farmstead

Other: ☐**Use: Past**Residence: ☐Commercial: ☐Vacant: ☐Other: ☒

Describe: Farmstead

Other: ☐**Surveys/Legal Protections**National Register: ☒State Register: ☒Hoosier Homestead: ☐National Historic  
Landmark: ☐Local Designation: ☐Protective  
Covenants: ☐Other: ☐Areas of Significance: AGRICULTURE,  
ARCHITECTURE

Other Significance: -

Endangered: No

Explanation: -

Number of  
Contributing 6  
Resources:Number of  
Non-  
contributing 2  
Resources:

Environment: Rural

Bibliography: Talked with owner

**Structure Type**Bridge: ☐Cemetery: ☐Other: ☒

Time Period(s): 1864

Condition: Good

Year Demolished: -

Integrity: Slightly Altered



Date Moved: -

Alterations: -

Style: Greek Revival

Type/Vernacular: -

**Architect/Builder****Architectural Firm****Affiliation****Replacement**Windows: ☐Roof: ☒Other: ☐**Additions**Siding: ☐Wings: ☒Other: ☐

Removals: -

**Stories**1: ☐1 1/2: ☐2: ☐2 1/2: ☒Other: ☐**Plan**Rectangular: ☐Polygonal: ☐L: ☐T: ☐X: ☐U: ☐Irregular: ☐Other: ☐**Depth**Single-Pile: ☐Double-Pile: ☒Irregular/Massed: ☐Other: ☐**Number of Bays:** 3**Foundation:** LIMESTONE**Foundation Description:** -**Walls Description:** -**Other Walls:** -**Roof**Side-Gable: ☐Front-Gable: ☐Cross-Gable: ☒Hip: ☐Pyramidal: ☐Mansard: ☐Other: ☐

Material: ASPHALT

Features: 5 brick chimneys, wood cornice and returns

**Porches**

Front: ☒Side: ☐Back: ☐

Notes: See #29

**Openings:**

6/6 double hung wood windows w/metal storms, limestone sills and lintels, slightly recessed wood panel doors w/3 light wood transoms and wood sidelights, glazed metal storms, wood trim, glazed wood panel door w/3 light transom w/glazed metal storm

**Interior:**

-

**Outbuildings:**

English barn,  
Shed,  
Other

Description: c. 1819 log cabin summer kitchen, earlier small co

Notes: Wood barn and shed have slate roofs. Earlier cottage has wood siding, metal roof, 6/6 double hung wood windows, wood door. Log summer kitchen with wood shingle roof and limestone chimney. Wood garage w/metal roof and glazed wood panel garage door.

**Statement of Significance:**

Outstanding example of a Civil War era farmstead. Outstanding features include the Greek Revival house with Gothic influences, the limestone walls, the earlier cottage house, the slate roof English barn and slate roof shed, and the log cabin summer kitchen. The two head stone cemetery also contributes to the integrity of the farmstead. The brick house was constructed in 1864 by Benjamin Owens, one of three sons of settler John Owens. The house retains most of its original features and form, the most notable alteration being a rear one story addition. The other buildings on the property also remain mostly original to their date of construction.

**Architectural Description:**

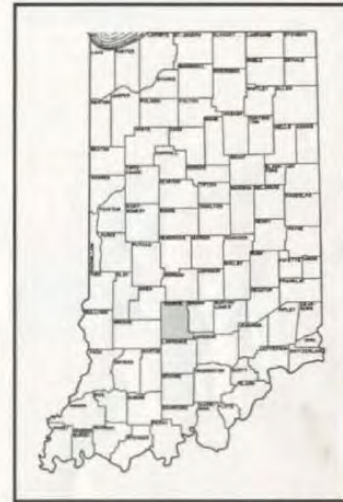
Two story front porch with pedimented gable front roof, scrolled wood columns and railing, wood floor on the second story, concrete floor and steps on first story. Pointed Gothic wood windows in the gable ends on the third story. Vinyl sliding doors and glazed wood garage door in rear addition.

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**EXHIBIT 6: Monroe County Interim Report 1989**

# Monroe County

## Interim Report



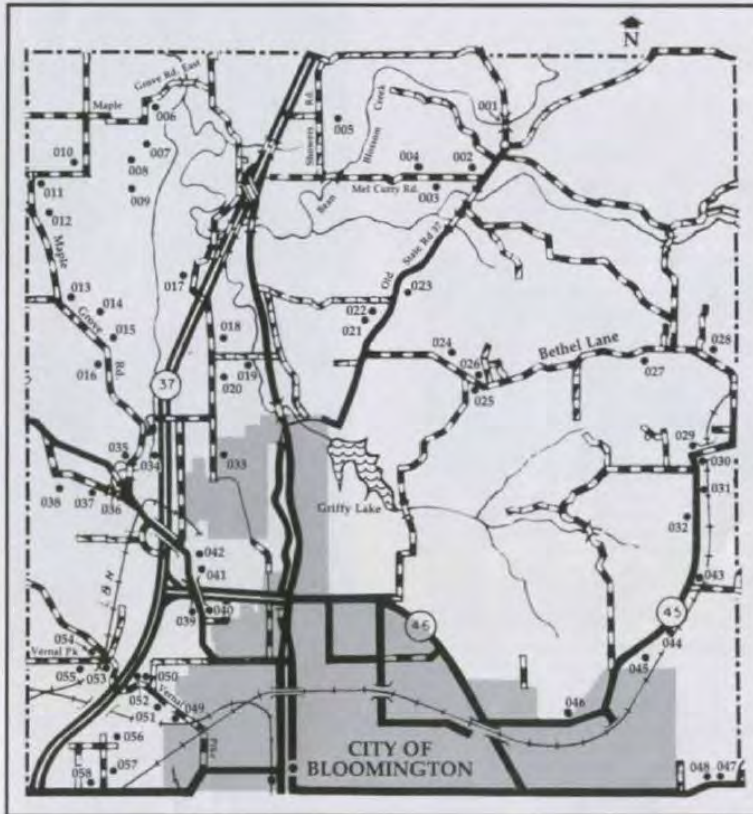
This Interim Report is designed to be utilized as a working document by government agencies, local organizations, and private citizens as the basis for a wide variety of projects.

Published June 1989

Cover Photo:  
*Draper-McNeely House, Ellettsville. Photo c.  
1890. Courtesy, Kim Mangus.*



## Bloomington Township (25001-25058)



Bloomington Township, in north central Monroe County, has been the most densely populated township since Monroe County's early settlement. Its good farmland, springs and creeks (tributaries of Bean Blossom Creek), made it attractive to farmers, and when it was chosen as the site for the county seat, it drew merchants, craftsmen and other professionals as well.

The limestone beneath the soil on the western side of this township had little impact on its early history, but by the turn of the century a number of stone companies had opened for business. Although farming continues to be a viable activity for some residents of Bloomington Township, most of the township economy is based on industry and commerce generated by Bloomington. The city accounts for most of the township's population and almost half of its land.

Even before the 1816 land sales, a number of families had settled in Bloomington Township. Among the early land purchasers whose names are still familiar to county residents are David Rogers, John Ketcham, George and James Parks, Henry Wampler, Thomas Smith, James Borland, Thomas Graham, John Buskirk and Robertson Graham. In early 1818, a site on the southern edge of this township was selected for the county seat. In April, the first county commissioners, Bartlett Woodward, Michael Buskirk and James Parks, named the county seat Bloomington. That same year Bloomington Township was officially organized and named.

The historic buildings of this township outside Bloomington are all related to the rural life of its early citizens. One of the most scenic and historic county roads,

Maple Grove Road, is located here. The oldest house in the county, the Daniel Stout House, built in 1828, and several other early farmhouses, stone walls and the Maple Grove Church cemetery are of historic importance. The encroachment of recent suburban development in the area threatens the integrity of this historic environment.

No.	Add.	Description
001	N	<b>Bridge No. 5</b> , North Old State Road 37 and Bean Blossom Creek; Warren Pony Truss, c.1920; Engineering, Transportation (639)
002	C	<b>House</b> , 3077 Mel Curry Road; Bunglow, c.1925; Architecture (055)
003	C	<b>House</b> , 2640 Mel Curry Road; Pyramid Cottage, 1901; Vernacular/Construction (055)
004	N	<b>House</b> , 2655 Mel Curry Road; Single-pen, log; c.1870; Vernacular/Construction (055)
005	C	<b>Farm</b> , 6436 North Showers Road; Double-pen, c.1865; Agriculture, Vernacular/Construction (055)
006	N	<b>House</b> , 1585 East Maple Grove Road; Double-pen, c.1875; Vernacular/Construction, Agriculture (055)
007	N	<b>House</b> , 1755 East Maple Grove Road; Gothic Revival, c.1880; Architecture (055)
008	C	<b>Farm</b> , 6250 North Maple Grove Road; Double-pen, log, c.1845; Vernacular/Construction, Exploration/Settlement, Agriculture (055)
009	C	<b>House</b> , 6245 North Maple Grove Road; Gabled-ell, c.1895; Vernacular/Construction (055)

010	N	<b>Peden House</b> , 6191 North Maple Grove Road; Gothic Revival, c.1880; Vernacular/Construction, Social history, Agriculture (055)
011	O	<b>Maple Grove Church and Cemetery</b> ; North Maple Grove Road; Greek Revival, 1876; Vernacular/Construction, Religion, Art, Landscape architecture (055)
012	N	<b>Farm</b> , 5716 North Maple Grove Road; Central Passage, c.1870; Vernacular/Construction, Agriculture (055)
013	N	<b>Dalten-Clipp House</b> , 5030 North Maple Grove Road; Double-pen, two story, log, c.1842; Vernacular/Construction, Exploration/Settlement (055)
014	C	<b>Tom Owens Farm</b> , 4910 North Maple Grove Road; Central Passage, c.1870; Vernacular/Construction, Landscape architecture (055)
015	N	<b>Stone Wall</b> , North Maple Grove Road; 1878; Landscape architecture (055)
016	O	<b>Owens Farm</b> , 4505 North Maple Grove Road; Massed-plan/Greek Revival, 1864; Vernacular/Construction, Agriculture, Landscape architecture (055)
017	N	<b>Farm</b> , 4851 Kinser Pike; Hall-and-parlor, two story, log, c.1860; Vernacular/Construction (055)
018	N	<b>Owens-Hill Farm</b> , 4600 Kinser Pike; Double-pen, c.1870; Vernacular/Construction, Agriculture (055)
019	N	<b>Stone Wall</b> , Bayles Road; c.1875; Landscape architecture (055)
020	C	<b>House</b> , 4346 Kinser Pike; Pyramid Cottage, c.1915; Vernacular/Construction (055)



**Owens Farm (25016)** This imposing brick farmhouse was built by Ben Owens in 1864. It is a massed-plan house with a prominent cornice and gable returns, hallmarks of the Greek Revival style. The two-story portico with scroll-cut decoration enlivens the entrance. An early log house, possibly used as a summer kitchen, and an old heton and pegged barn also stand on the property. The dry stone walls surrounding the property were laid in the 1870s.



**Jack Branum House (25021)** During the height of period revivals, in 1928, Jack Branum had this house built in the Tudor Revival style. To achieve a picturesque effect for the exterior walls, he ordered rustic fieldstone, an unusual choice in this limestone district. The turned stone columns at the entrance originally adorned the old Bowles Hotel, predecessor of the Graham Hotel in Bloomington.

021	O	<b>Jack Branum House</b> , 4705 North Old State Road 37; Tudor Revival, 1928; Architecture (055)
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