

MONROE COUNTY PLAN COMMISSION ADMINISTRATIVE MEETING



**Tuesday, September 6, 2022
5:30 pm**

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: 845 8541 9468
Password: 418555

Agenda
Plan Commission Administrative Meeting
5:30 p.m. – 7:00 p.m.
Tuesday, September 6, 2022
VIRTUAL MEETING

Please take notice that the Monroe County Plan Commission will hold an Administrative Meeting (Work Session) on Tuesday, September 6, 2022 at 5:30 PM. The following meeting will be held via teleconference. The link for the teleconference can be found on the Planning Department's website (<https://www.co.monroe.in.us/egov/apps/document/center.egov?view=item;id=10208>). For information about the teleconference meeting, you may call (812)349-2560 or email (PlanningOffice@co.monroe.in.us) our office. The work session agenda includes the following agenda items for the regularly scheduled Tuesday, September 20, 2022 Plan Commission meeting:

ADMINISTRATIVE BUSINESS:

1. County Council Presentation – Fiscal Year 2021-2022 Planning Department Report

UNFINISHED BUSINESS: None.

NEW BUSINESS:

1. REZ-22-7

Rieman Rezone from PB to AG/RR

PAGE 14

Preliminary Hearing. Waiver of Final Hearing Requested.

One (1) 4 +/- acre parcel in Clear Creek Township, Section 14 at
8245 S Fairfax RD, parcel no. 53-11-14-200-008.000-006.

Owner: Rieman, Brook & Corey

Zoned PB & ECO2. Contact: acrecelius@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, 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.

County Council Work Session

July 26, 2022

Monroe County Planning Department Update

E: PlanningOffice@co.monroe.in.us



Updates

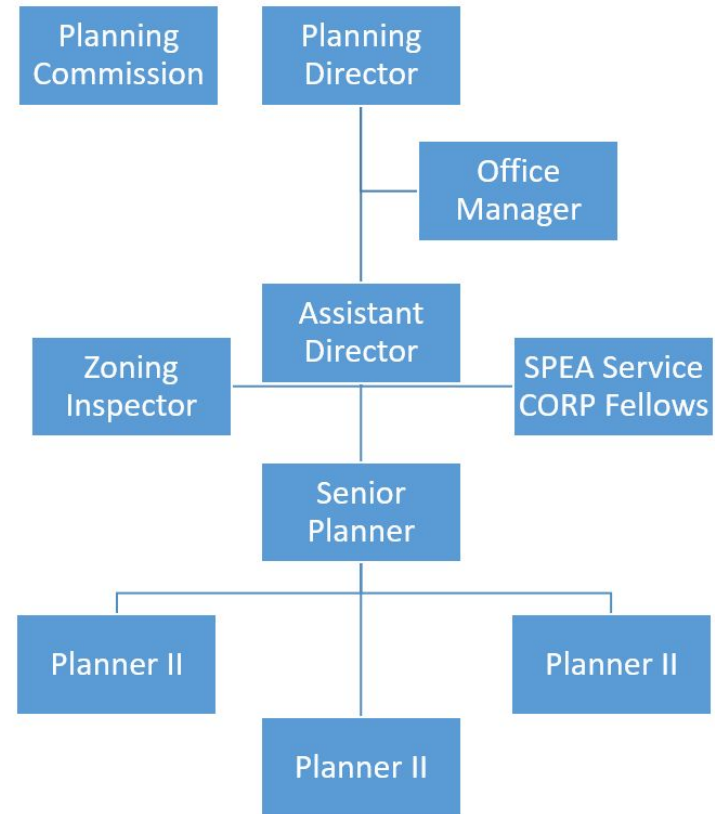
1. Planning Department Overview
2. Planning Petitions Filed
3. Permits Issued
4. CDO Update



Planning Department Overview

8 Full Time Staff Members

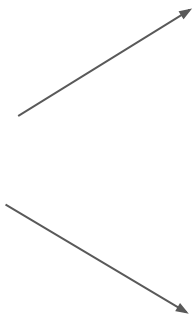
- **Office Manager** - answers all phone calls, handles financials, and transcribes meeting minutes.
- **Zoning Inspector** - all residential building permits and enforcement
- **Planner II's** - serves as "Planner of the Day" at least 3 times per week, assists the public in planning petitions
- **Senior Planner** - Assists Planner II's, staffs Historic Preservation and coordinates meeting packets and attendance
- **Assistant Director** - Assists Planner II's, serves as Floodplain Administrator, assists in long range planning, supervises the Zoning Inspector and shares supervision of SPEA Fellows
- **Director** - Assists all staff and coordinates with other departments, leads long range planning.



Planning Department Overview



Building Permit
Application
(Residential or
non-residential)

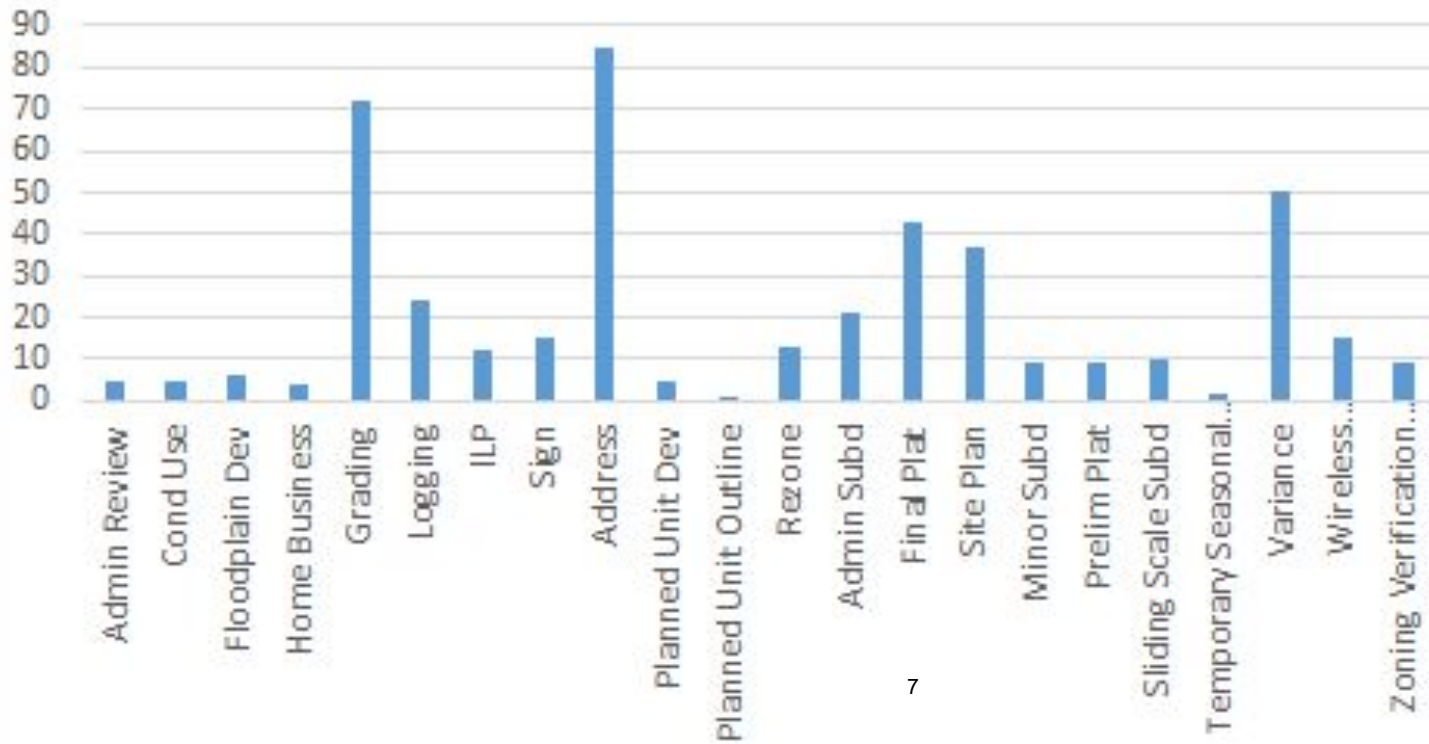


Meets requirements,
permit can be issued
(Zoning Inspector)

Needs Planning
Process(es) prior to
permit issuance

Planning Petitions Filed

Planning Petitions 7/1/2021-6/30/2022



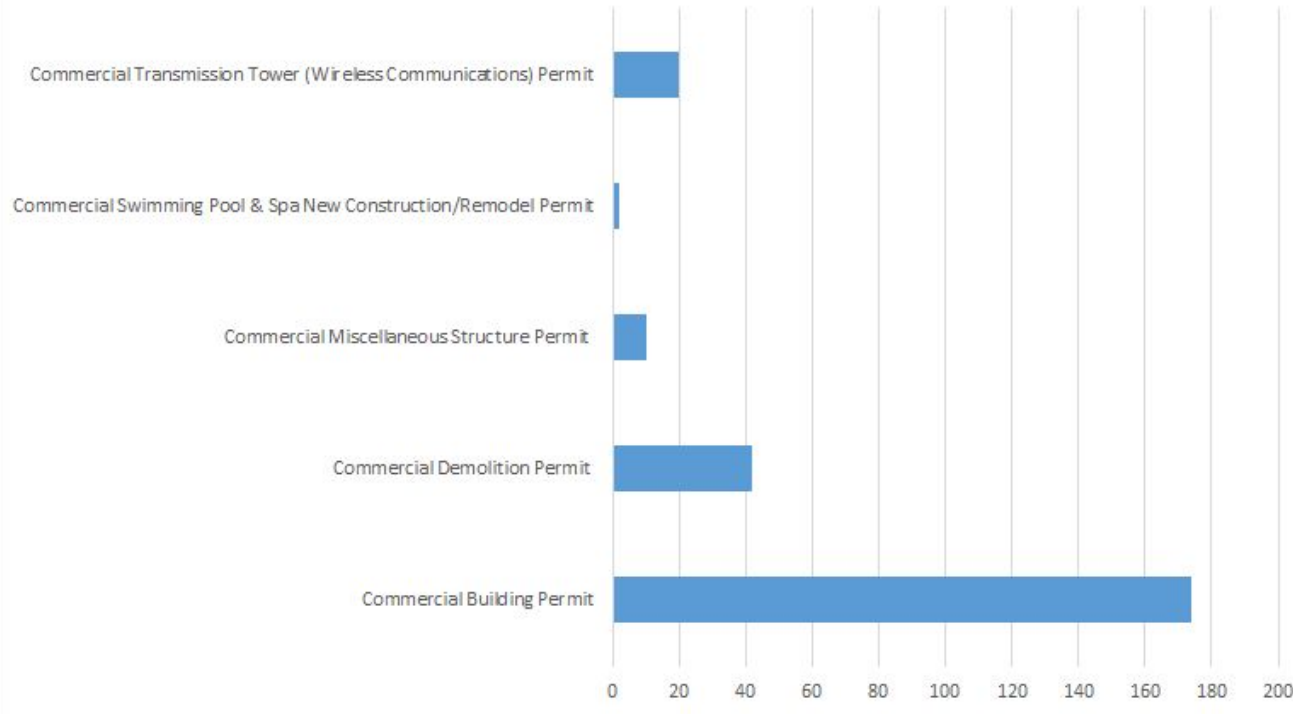
452 TOTAL
Filings

\$64,645.30

Permits Issued



Commercial Permits 7/1/2021-6/30/2022

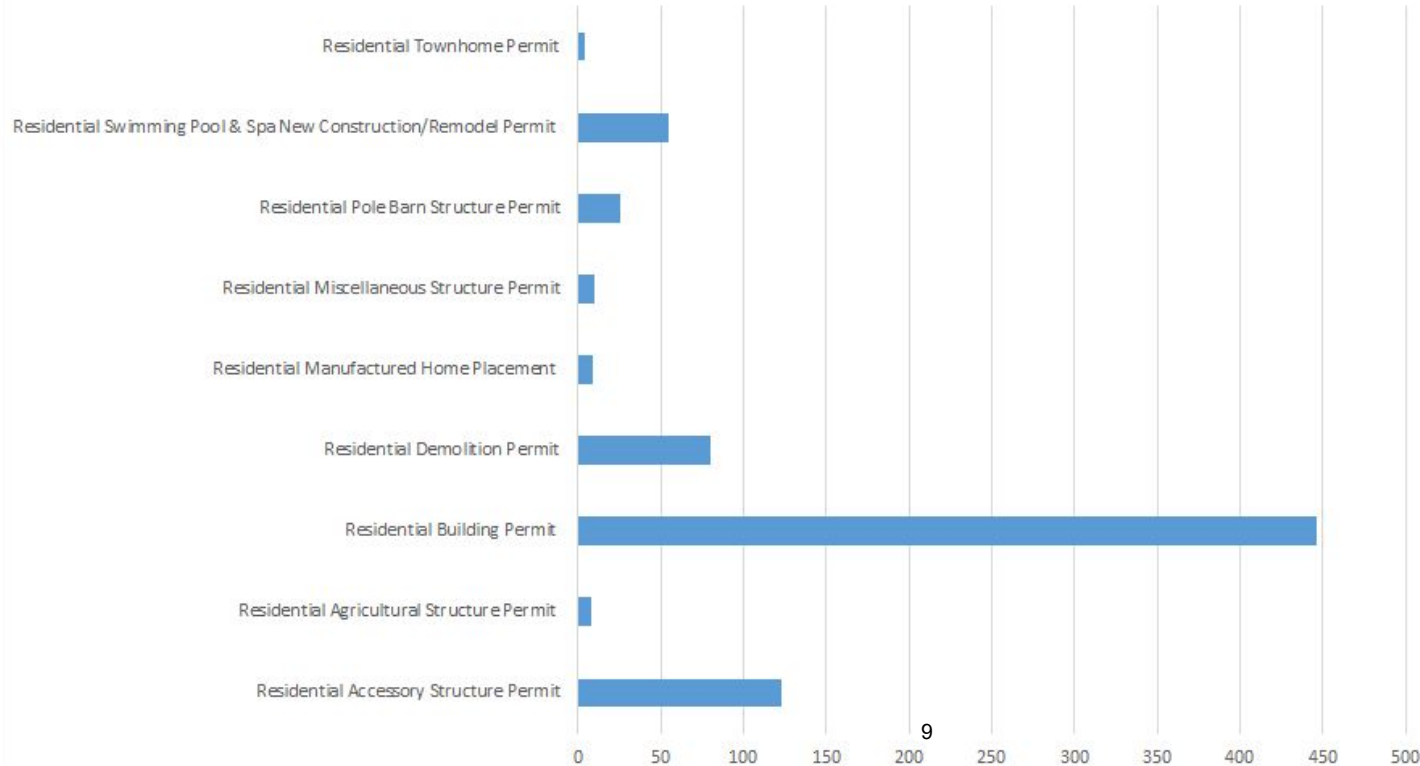


248 TOTAL
Permits

Permits Issued



Residential Permits 7/1/2021-6/30/2022

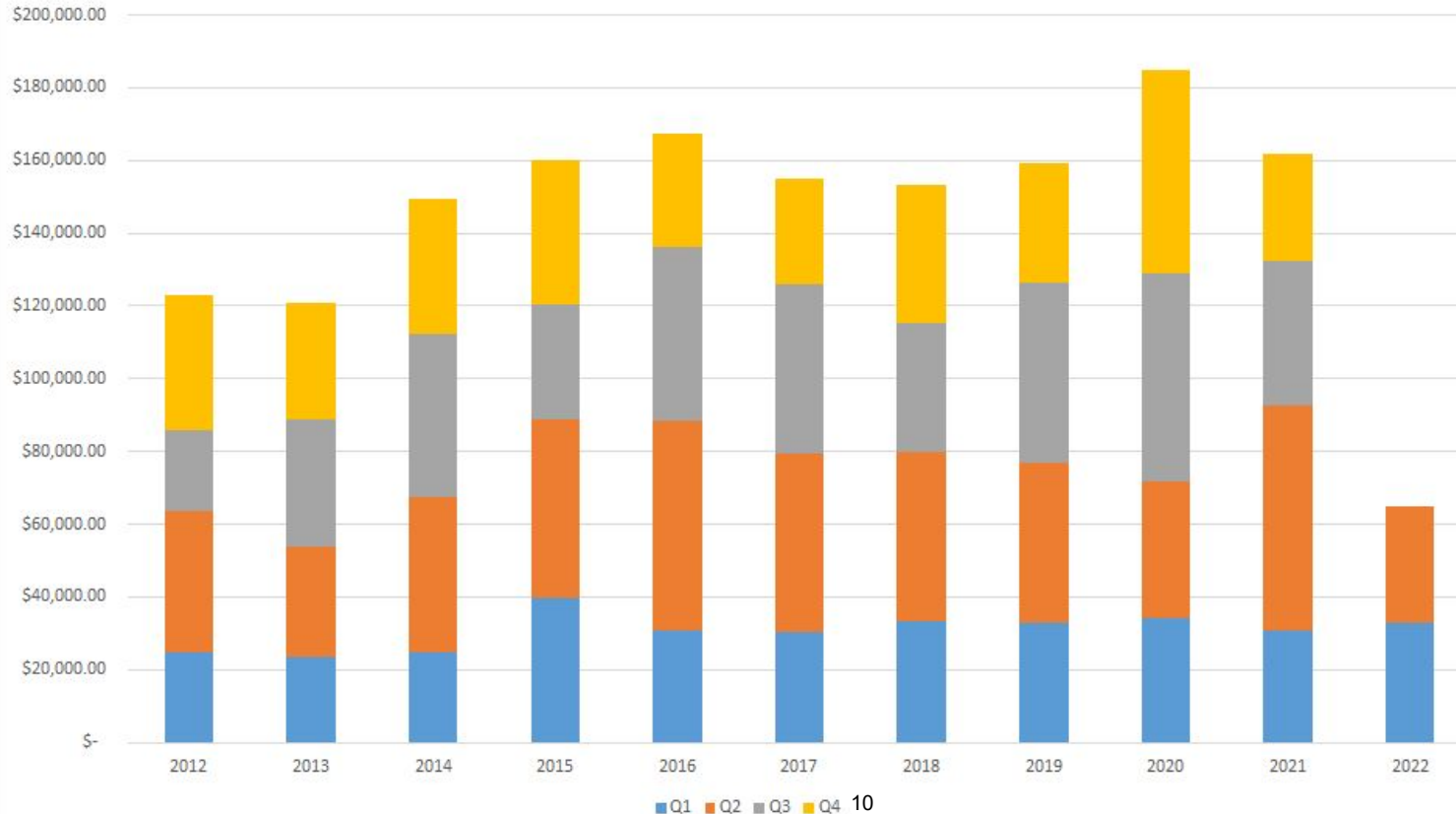


761 TOTAL
Permits

\$66,440

Revenue Summary 2012 - Present

Average Quarterly Earnings 2012-Present



CDO Update

Table of Contents Organization

CHAPTERS	TITLES
Chapter 800	Basic Provisions
Chapter 801	Zoning Districts (MODULE 2)
Chapters 802 - 804	Use Table and Special Uses (MODULE 2)
Chapters 805-806	Design Standards (MODULE 3) [i.e. lot sizes, building design, etc]
Chapters 808 - 815	Development Standards (MODULE 3) [i.e. parking standards, landscaping, open space requirements, etc]
Chapters 816 - 822	Overlays and Special Districts (MODULE 2) [i.e. ECO, PUDs, Historic Preservation, Karst, Floodplain]
Chapters 824 - 827	Subdivision Standards
Chapters 828 - 836	Administration
Chapter 837	Definitions (MODULE 3)



Public Engagement

- Module 1 - Held stakeholder meetings (July - August 2020 via Zoom)
- Module 2 received public comment via 3 in-person public meetings Aug-Sept 2021, township trustee meetings, and a Zoom meeting.



Asking people to give us their feedback via the www.monroecdo.com website

CDO Update

Timeline



Module 2 Draft - Fall 2022

Module 3 Draft - Fall/Winter 2022

Public Engagement - Spring 2023

Public Hearings - Fall 2023

MONROE COUNTY PLAN COMMISSION**September 20, 2022**

PLANNER	Anne Crecelius
CASE NUMBER	REZ-22-7
PETITIONER	Brook Rieman
ADDRESS	8245 S Fairfax RD, parcel #53-11-14-200-008.000-006
REQUEST	Rezone Request from PB to AG/RR Waiver of Final Hearing Requested
ACRES	4 +/- acres
ZONE	PB, ECO2
TOWNSHIP	Clear Creek Township
SECTION	14
PLATS	Unplatted
COMP PLAN DESIGNATION	Rural Residential

EXHIBITS

1. Petitioner Letter
2. Petitioner Site Plan

RECOMMENDATION

Staff recommends the Plan Commission forward a **Positive Recommendation** to the County Commissioners based on the findings of fact and subject to the Monroe County Highway Department & MS4 Coordinator reports.

Plan Review Committee – August 11, 2022

- Forwarded a positive recommendation to the Plan Commission.

Plan Commission Regular Meeting – September 20, 2022 (Preliminary Hearing)**Plan Commission Regular Meeting – October 18, 2022 (Final Hearing)****SUMMARY**

The petition site is one parcel totaling 4 +/- acres located in Clear Creek Township. The petitioner is proposing to amend the Zoning Map from Pre-Existing Business (PB) and Environmental Constraint Overlay Area 2 (ECO2) to Agricultural Rural Reserve (AG/RR) and ECO2. The petition site contains a Single Family Residence. The existing residence was built in approximately 1970 per the property report card. If the request is approved by the County Commissioners the petitioner intends to pursue an addition of the existing structure and/or construction of a detached garage on the petition site. If the request is denied the use of a residence will be retain it's a pre-existing non-conforming status and the authority of Chapter 803 of the Monroe County Zoning Ordinance.

The Zoning Map amendment would be from PB to AG/RR. Listed below are the definitions of these zones per Chapter 802.

Pre-Existing Business (PB) District. The Pre-Existing Business (PB) District is defined as that which is primarily intended to accommodate commercial and business service uses that were in operation prior to the adoption of this zoning ordinance. The intent of the PB District is to identify locations of commercial activity that are not supported by the Comprehensive Land Use Plan, but where commercial and service operations continue to exist. This District is identified for the purposes of maintaining commercial activities with business zoning, while at the same time not allowing for the expansion of new business activity proximate to the location of the PB District. Expansion of the business is permitted within the lot of record. The type of business may change to one of equal or lower intensity as identified on Table 2-1 *Permitted Land Uses*.

Agriculture/Rural Reserve (AG/RR) District. The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses associated with agriculture uses and limited, very low density, rural non-farm related single family uses and not in (major) subdivisions. Its purposes are to encourage the continuation of agriculture uses, along with the associated single family residential uses, to discourage the development of residential subdivisions and non-farm-related nonresidential uses, to protect the environmentally sensitive areas, such as floodplain and steep slopes, and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the AG/RR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the agriculture-related uses. The development of new non-farm residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

LOCATION MAP

The petition site is one lot of record, parcel number 53-11-14-200-008.000-006. The site is located at 8245 S Fairfax RD in Section 14 of Clear Creek Township.

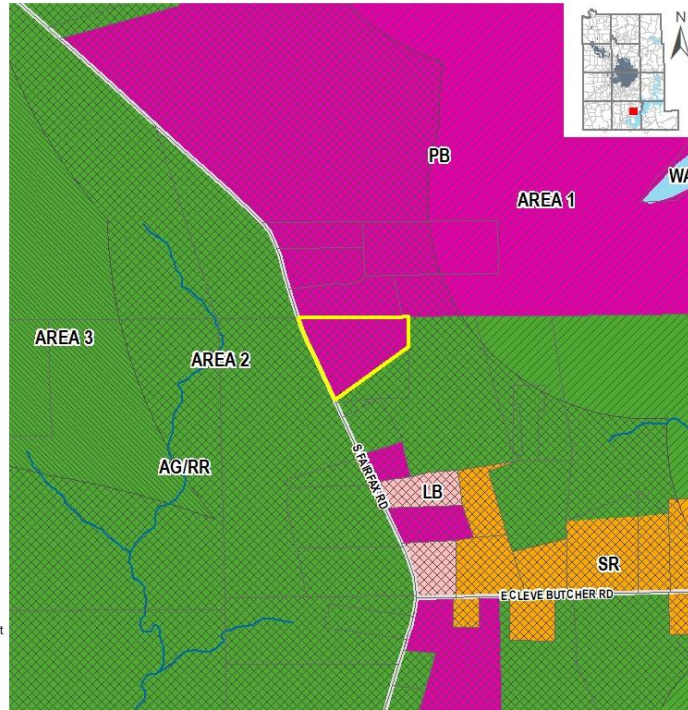
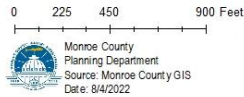


ZONING

The zoning for the petition site is Pre-Existing Business (PB). Adjacent zoning is Pre-Existing Business and Agricultural Rural Reserve. The petition site is a currently developed with a Single Family Residence.

Current Zoning

-  Petitioner
-  Parcels
-  Roads
-  Lakes
-  Hydrologic Features
- ECO Areas**
 -  Area 1
 -  Area 2
 -  Area 3
- Monroe County Zoning**
 -  AG/RR - Agriculture/Rural
 -  LB - Limited Business
 -  PB - Pre-Existing Business
 -  SR - Suburban Residential
 -  WA - Water



SITE CONDITIONS & INFRASTRUCTURE

The site is location within the Environmental Constraints Overlay Area 2. The petition site is currently developed with a SFR and does contain slopes that exceed 15%. There are no known karst features.

SITE PICTURES



Photo 1. Pictometry photo looking east.



Photo 2. At the entrance of the property looking south.



Photo 3: Looking east.



Photo 4: Looking south.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the **Rural Residential** designation of the Monroe County Comprehensive Plan. Points that align with the proposed rezone are highlighted in **green**. Points that differ are highlighted in **grey**. The plan states the following for this designation:

The Rural Residential use category includes **rural property, environmentally sensitive areas**, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of the Farm and Forest category is no longer applicable. Generally, these areas are characterized by active or potential mineral extraction operations nearby, **steep slopes, and the remaining forest and/or agricultural land where roadways and other public services are minimal or not available.**

The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren, Bloomington, Richland, Bean Blossom, Washington, and Benton Townships are designated Rural Residential. Most often this category adjoins or is very close to the Farm and Forest Residential areas. Current Rural Residential densities are usually greater than 64 homes per section and some portions of the Rural Residential area have already been subdivided or developed at urban densities.

To maintain Rural Residential property use opportunities, an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. Where appropriate infrastructure is available, home clustering with open space dedications may be an option in this residential category. Open space can serve a variety of uses including recreational opportunities for local residents, limited accessory agricultural uses, or buffering of an adjoining use. Contiguous Resilient Land shall be available

for each dwelling adequate to support either two independent conventional septic fields or one replaceable mound system. Sufficient space for buildings traditionally associated for this type of use must also be provided. In addition, public roadways shall not experience less than the Monroe County Level of Service standard existing at the time this Plan is adopted. New subdivision road traffic lanes that access County roadways shall not exceed the capacity of traffic lanes for adjoining public roadways. State highways, major collectors, or arterial roads are exempt from this requirement.

FINDINGS OF FACT - REZONE

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 Comprehensive Plan designates the petition site as MCUA Rural Residential;
- “includes rural property, environmentally sensitive areas,”;
- The intention of the petitioner if the rezone is approved is to continue the residential use and pursue an addition of the existing structure and/or construction of a detached garage;

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

Findings:

- See Findings under Section A;
- The rezone request is to change 4 +/- acres from PB & ECO2 to AG/RR and ECO2;
- The current use of the petition parcel is a Single Family Residential and is developed with an existing SFR and accessory structures;
- Adjacent uses are residential or commercial and adjacent zoning is AG/RR and PB;

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

Findings:

- See Findings under Section A and Section B;
- The site contains some buildable area (slopes 15% and under) but some steep slopes;
- The petition site doesn’t contain any FEMA Floodplain;
- There are no known karst features;

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

Findings:

- Property value tends to be subjective;
- The effect of the approval of the rezone on property values is difficult to determine;

(E) Responsible development and growth.

Findings:

- See Findings under Section A, Section B, and Section C;
- Access is off of S Fairfax Road;
- According to the Monroe County Thoroughfare Plan, S Fairfax Rd is classified as a Major Collector road;

EXHIBIT 1: Petitioner Letter

Brook and Corey Rieman

8245 S Fairfax Rd.

Bloomington, IN 47401

To whom it may concern,

We own the property at 8245 S Fairfax Road and we are asking for a re-zone from PB to AG zoning. The home we purchased has always been a single family residence and has never been used for business in its history. Neighbors who have lived in the area since the house was built will attest to this. We have asked Monroe county what kind of business was conducted here, if any and there is no record of it. We believe it was zoned PB in error, along with the house to the north which has also never been used for business purposes. We ask that our house be zoned to AG which other nearby neighbors are zoned. We understand we must have the house re-zoned in order to add on to our house or build a garage.

Thank you for your time and consideration,

Brook Rieman

A handwritten signature in black ink that reads "Brook & Corey Rieman". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

EXHIBIT 2: Petitioner Site Plan

Site Conditions Map

- Major Collector [70']
- Petitioner
- 2-Foot Contours
- 15% Slope (County/ECO2)**
 - 0 - 15
 - > 15
- Local Roads [50']
- Parcels

0 25 50 100 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 7/6/2022

