

# MONROE COUNTY PLAN REVIEW COMMITTEE



**Thursday, October 13, 2022  
5:30 pm**

## **Hybrid Meeting**

### **In-person**

Monroe County Government Center  
501 N. Morton Street, Room 100B  
Bloomington, IN 47404

### **Virtual**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNxQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 819 4721 8756

Password: 977192

**A G E N D A**  
**MONROE COUNTY PLAN REVIEW COMMITTEE**

October 13, 2022  
5:30 p.m.

**HYBRID MEETING INFO**

**IN-PERSON:** Monroe Government Center 501 N Morton ST Suite 100 B Bloomington IN 47404

**VIRTUAL LINK:** <https://monroecounty-in.zoom.us/j/81947218756?pwd=NmFoWk1BTTNsakREUFBxdUNpYXNlQT09>

**ADMINISTRATIVE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**1. REZ-22-8**

**Starts Rezone from AG/RR to LB**

**PAGE 3**

One (1) 17.29 +/- acre parcel in Clear Creek Township, Section 11 at 7955 S Fairfax RD, parcel no. 53-11-11-300-014.000-006.

Owner: Starts Living Trust c/o Lorraine Fowler

**Zoned AG/RR, ECO 1/2/3.** Contact: [acrecelius@co.monroe.in.us](mailto: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](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 REVIEW COMMITTEE****October 13, 2022**

<b>PLANNER</b>	Anne Crecelius
<b>CASE NUMBER</b>	REZ-22-8
<b>PETITIONER</b>	Starts Living Trust c/o Lorraine Fowler
<b>ADDRESS</b>	7955 S Fairfax RD, parcel #53-11-11-300-014.000-006
<b>REQUEST</b>	Rezone Request from AG/RR to LB Waiver of Final Hearing Requested
<b>ACRES</b>	17.29 +/- acres
<b>ZONE</b>	AG/RR, ECO1/2/3
<b>TOWNSHIP</b>	Clear Creek Township
<b>SECTION</b>	11
<b>PLATS</b>	Unplatted
<b>COMP PLAN DESIGNATION</b>	Rural Residential

**EXHIBITS**

1. Petitioner Letter
2. “AG/RR” Permitted and Conditional Use List
3. “Limited Business” Permitted and Conditional Use List

**RECOMMENDATION TO THE PLAN REVIEW COMMITTEE**

Recommendation to the Plan Review Committee:

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

**Plan Review Committee – October 13, 2022**

- Discussion and/or recommendation to Plan Commission.

**Plan Commission Regular Meeting – November 15, 2022 (Preliminary Hearing)****Plan Commission Regular Meeting – December 13, 2022 (Final Hearing)****SUMMARY**

The petition site is one parcel totaling 17.29 +/- acres located in Clear Creek Township. The petitioner is proposing to amend the Zoning Map from Agricultural Rural Reserve (AG/RR) and Environmental Constraint Overlay Area 1, 2, and 3 (ECO1/2/3) to Limited Business (LB) and ECO1/2/3.

The petition site contains a residential accessory structure – a log cabin style residence was on the property but has been demolished. The property is currently for sale and advertised by the petitioner who is a real estate agent and related to the property owner. The petitioner has stated the desire to rezone the property to commercial is to increase the sale value. If the request is approved by the County Commissioners the petitioner intends to sell the petition site for a commercial use. If the rezone request is denied the zoning will remain AG/RR, a zoning district where primarily agricultural and residential uses are permitted.

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

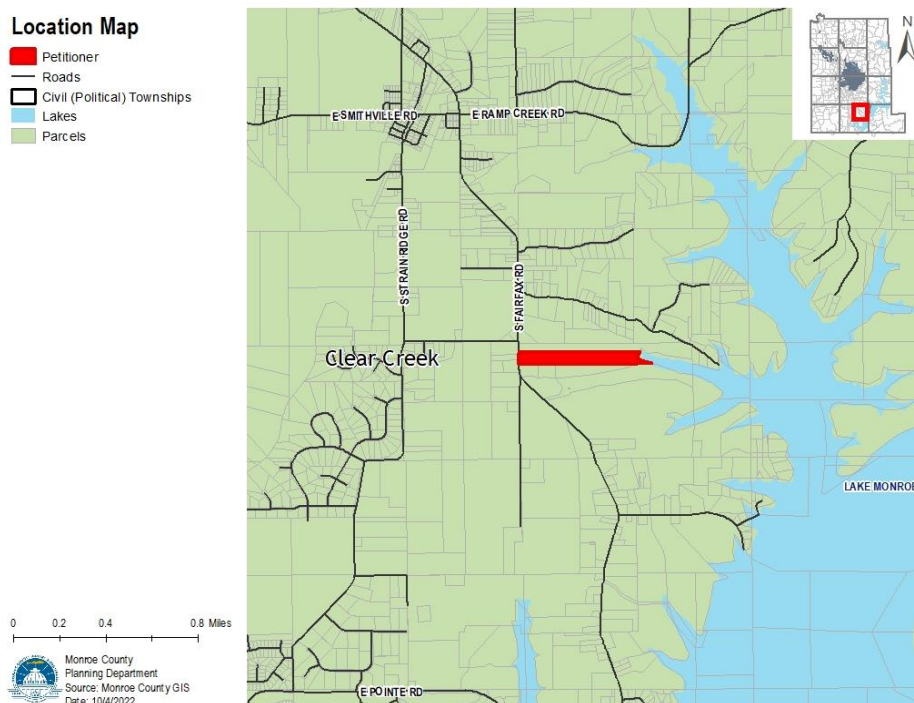
**Agriculture/Rural Reserve (AG/RR) District.** The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses 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.

**Limited Business (LB) District.** The character of the Limited Business (LB) District is defined as that which is primarily intended to meet the essential business needs and convenience of neighboring residents. Limited business uses should be placed into cohesive groupings rather than on individual properties along the highways and access control should be emphasized. Its purposes are: to encourage the development of groups of nonresidential uses that share common highway access and/or provide interior cross-access in order to allow traffic from one business to have access to another without having to enter the highway traffic; to discourage single family residential uses; to protect environmentally sensitive areas, such as floodplain, karst, and steep slopes; and to maintain the character of the surrounding neighborhood. Therefore, the number of uses permitted in the LB District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.

## LOCATION MAP

The petition site is one lot of record, parcel number 53-11-11-300-014.000-006. The site is located at 7955 S Fairfax RD in Section 11 of Clear Creek Township.



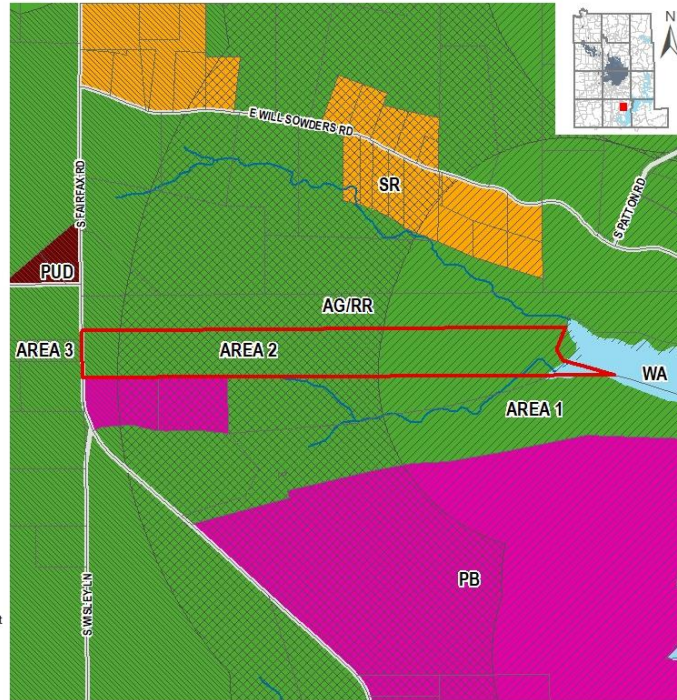
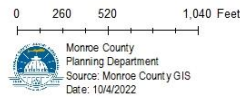
## ZONING

The zoning for the petition site is Agricultural Rural Reserve (AG/RR) and Environmental Constraint Overlay Area 1, 2, and 3 (ECO1/2/3). Adjacent zoning is Agricultural Rural Reserve. The petition site is a currently developed with a Single Family Residence.



### Current Zoning Map

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

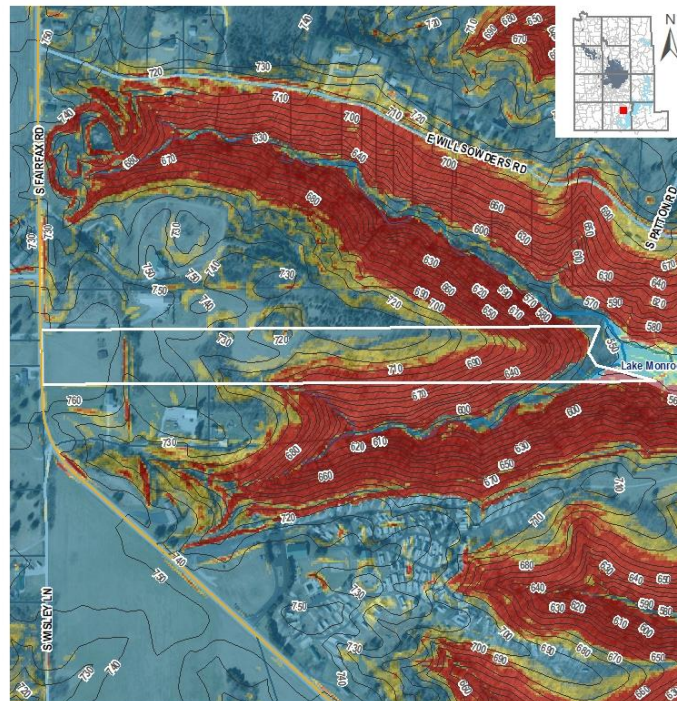


### SITE CONDITIONS & INFRASTRUCTURE

The site has frontage along S Fairfax Road, a Major Collector per the 2016 Thoroughfare Plan. The site located within the Lake Monroe Watershed and is zoned with the Environmental Constraints Overlay Area 1, 2, and 3. The petition site is currently developed with a SFR and does contain slopes that exceed 15%. There are no known karst features. The property is somewhat narrow at 270' approximately in width.

### Site Conditions Map

- Major Collector [70']
- Petitioner
- 10-Foot Contours
- Percent Slopes**
  - 0 - 12%
  - 13 - 15%
  - 16 - 18%
  - 19 - 21%
  - 22 - 24%
  - > 25%
- Local Roads [50']
- Hydrologic Features
- DNR Best Available Data**
- FLD\_ZONE, ZONE\_SUBTY**
  - A
  - Lakes
  - Parcels



## SITE PICTURES

Photo 1. Pictometry photo looking east.

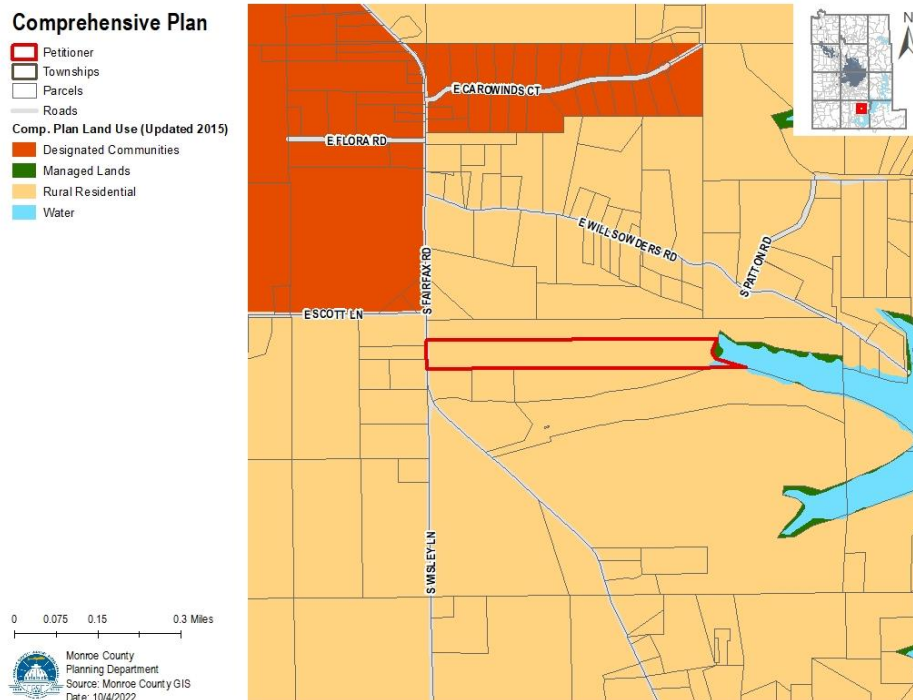
Photo 2. At the entrance of the property looking south.

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 Rural Residential;
- “includes rural property, environmentally sensitive areas,”;
- The intention of the petitioner if the rezone is approved is to allow for a commercial use, specifically for commercial “boat storage”;

**(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 17 +/- acres from AG/RR & ECO1/2/3 to Limited Business (LB) and ECO1/2/3;
- The current use of the petition parcel is a residential and is largely undeveloped – it has one residential accessory structure on-site;
- 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) and some steep slopes that drains into Monroe Reservoir;
- The site is located within all the Areas (1, 2, and 3) of the Environmental Constraints Overlay zoning districts;
- The area that borders the lake is considered 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;
- The petitioner states that their intent to rezone is to increase the sale value of the property;

**(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**



**From:** [Lorraine Fowler](#)  
**To:** [Drew Myers](#)  
**Cc:** [gregs@taskar.com](mailto:gregs@taskar.com); [Greg Starts](#)  
**Subject:** Rezone Application  
**Date:** Wednesday, September 7, 2022 8:51:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
**Importance:** High

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Dear Monroe County Planning Commission,

Hello, my name is Lorraine Fowler, I'm writing on behalf of the property located at 7955 South Fairfax Road, Bloomington, Indiana 47401. I'm the realtor and daughter of the deceased owners of this property, my parents, Arthur and Mary Starts. My eldest brother, Greg Starts, is the Trustee of this property that's held in the Starts Trust. He is attached to this email and has given his consent in my request for a rezoning of this parcel. I currently have three buyers interested in this track of land. All three buyers are interested in purchasing this property for boat storage. So in light of this interest and apparent highest and best use of this property, I'm respectfully submitting a rezone for your consideration.

Best regards,  
Lorraine



**Lorraine Fowler**

**Broker Associate/REALTOR®**

RE/MAX Acclaimed Properties

3695 S. Sare Road

Bloomington, IN 47401

Cell (812) 320-5553

**EXHIBIT 2: “AG/RR” Permitted and Conditional Use List**

<b>Agricultural Uses</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	53
Accessory Structures for Ag. Use	L	P	
Agriculture	H	P	53
Ag. Event Center, Small	H	C	
Ag. Event Center, Medium	H	C	
Ag. Event Center, High	H	C	
Ag.-Related Industry	H	P	53
Ag. Uses-Land Animal	H	P	22; 53
Ag. Uses-Non Animal	H	P	22; 53
Agritourism / Agritainment	H	P	53
Aquaculture	M	P	22; 53
Christmas Tree Farm	H	P	53
Comm. facilities for the sale, repair, and service of Ag. equip., vehicles, feed, or suppl.	H	C	53
Comm. Non-Farm Animals	M	P	53
Confined Feeding Operations	H	C	24;44
Equestrian Center	H	C	53
Equine Services	L	P	
Feed Lot	H	P	24
Feed Mill	L	P	6;25
Historic Adaptive Reuse		P	15; 44
Horse Farm	L	P	53
Nursery/greenhouse	H	P	53
Orchard	H	P	53
Pick-your-own operation	H	P	53
Roadside farm stand, Permanent	M	P	52
Roadside farm stand, Temporary	L	P	51
Stockyard	H	P	24
Winery	H	P	53

<b>Residential Uses</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Apartments	L	P	26
Accessory Dwelling Units	L	P	53; 55
Accessory Livestock	L	P	43
Accessory Use		P	5
Guest House	L	P	
Historic Adaptive Reuse		P	15; 44
Home Based Business	L	P	16
Home Occupation	L	P	16
Residential Storage Structure	L	P	15
Single Family Dwelling	n/a	P	1
Temporary Dwelling	L	P	3; 53
Two Family Dwelling	n/a	P	2
<b>Public &amp; Semipublic</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	13
Cemetery	H	P	
Governmental Facility	H	P	7;40
Historic Adaptive Reuse		P	15; 44
Religious Facilities	H	P	22
Remote Garbage/Rubbish Removal	H	C	34
Solar Farm	L	C	
Telephone and Telegraph Services	L	P	32
Utility Service Facility	M	P	31
Wastewater Treatment Facility	H	C	15
Water Treatment Facility	H	C	
Wired Communication Services	M	P	32

<b>Business &amp; Personal Services</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	13
Artisan Crafts	M	C	15, 22, 44
Bed and Breakfast	L	P	8
Composting Operation	H	P	31; 53
Greenfill	M	P	7;15;22;47
Historic Adaptive Reuse		P	15; 44
Kennel, comm. animal breeding ops.	H	C	10;15; 53
Real Estate Sales office Or Model	L	P	9
Taxidermist	L	P	6
Temporary Seasonal Activity	M	P	46; 54
Tourist Home or Cabin	L	P	48
Veterinary Service (Indoor)	H	C	15
Veterinary Service (Outdoor)	M	C	10; 15
<b>Retail &amp; Wholesale Trade</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	13
Agricultural Sale Barn	H	P	35
Fruit Market	L	P	
Garden Center	H	C	53
Historic Adaptive Reuse		P	15; 44
<b>Automotive &amp; Transportation</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Automobile Repair Services, Minor	H	C	50; 53
Historic Adaptive Reuse		P	15; 44
<b>Amusement and Recreational</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	13
Camping Facility	H	P	27; 53
Historic Adaptive Reuse		P	15; 44
Park and Recreational Services	H	C	14;20
Private Recreational Facility	H	C	20

Recreational Vehicle (RV) Park	H	C	53
<b>Manufacturing, Mining</b>	<b>(i)</b>	<b>AG</b>	<b>(C)</b>
Accessory Use		P	13
General Contractor	M	C	15
Historic Adaptive Reuse		P	15; 44
Sawmill	H	C	15;22
Wood Products	M	C	7;15

**EXHIBIT 3: “Limited Business” Permitted  
and Conditional Use List**

<b>Agricultural Uses</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Historic Adaptive Reuse		P	15; 44
<b>Residential Uses</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Boarding House	L	P	
Historic Adaptive Reuse		P	15; 44
<b>Public &amp; Semipublic</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Community Center	L	P	28
Daycare Facility	M	P	22;30;42
Governmental Facility	H	P	7;40
Group Home Class I	L	P	
Group Home Class II	L	P	
Historic Adaptive Reuse		P	15; 44
Medical Clinic	L	P	
Religious Facilities	H	P	22
Remote Garbage/Rubbish Removal	H	C	34
Retirement Center	L	P	
Telephone and Telegraph Services	L	P	32
Utility Service Facility	M	P	31
Water Treatment Facility	H	P	
<b>Business &amp; Personal Services</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Appliance Repair	L	P	6
Barber Service	L	P	
Beauty Service	L	P	
Bed and Breakfast	L	P	8
Boat Storage	M	P	41
Caterer	L	P	
Coin Operated Cleaning/Laundry	L	P	
Convenience Storage	M	P	4;6;21
Copy Service	L	P	

Dry Cleaning and Laundry Pickup	L	P	
Electrical Repair	L	P	6
Employment Agency	M	P	
Equipment Rental	M	P	7;21
Estate Services	L	P	
Financial Service	M	P	
Historic Adaptive Reuse		P	15; 44
Insurance Agency	L	P	
Interior Decorating	L	P	
Legal Service	L	P	
Locksmith	L	P	
Massage Studio	M	P	
Office	L	P	
Parking Facility	H	P	31
Photographic Services	L	P	
Real Estate Agency	L	P	
Real Estate Sales office Or Model	L	P	9
Shoe Repair	L	P	
Small Engine and Motor Repair	L	P	6;21
Tailoring	L	P	
Temporary Seasonal Activity	M	P	46; 54
Travel Agency	L	P	
Veterinary Service (Indoor)	H	P	15
<b>Retail &amp; Wholesale Trade</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Apparel Shop	L	P	
Bakery (Retail)	L	P	
Bookstore	L	P	
Camera and Photographic Supply	L	P	
Confectionery	L	P	
Convenience Store	H	P	
Drugstore	M	P	
Florist (Retail)	L	P	
Fruit Market	L	P	
Gift Shop	L	P	

Gunshop	M	CU	
Handicrafts	L	P	
Hardware	M	P	6
Historic Adaptive Reuse		P	15; 44
Liquor Store	M	P	
Meat Market	L	P	
Restaurant	M	P	
Sporting Goods	L	P	
<b>Automotive &amp; Transportation</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Historic Adaptive Reuse		P	15; 44
<b>Amusement and Recreational</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Historic Adaptive Reuse		P	15; 44
Park and Recreational Services	H	P	14;20
<b>Manufacturing, Mining</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Accessory Use		P	13
Construction Trailer	L	P	17
Historic Adaptive Reuse		P	15; 44
<b>Adult Oriented Business</b>	<b>(i)</b>	<b>LB</b>	<b>(C)</b>
Adult Oriented Businesses	L/M	P	49