

MONROE COUNTY PLAN REVIEW COMMITTEE



**June 8, 2017
6:00 pm**

**Monroe County Government Center
501 N. Morton Street, Suite 224
Bloomington, IN 47404**

A G E N D A
MONROE COUNTY PLAN REVIEW COMMITTEE
North Showers Building, 501 N. Morton Street, Suite 224, Bloomington, IN
June 8, 2017
6:00 p.m.

OLD BUSINESS: **None.**

NEW BUSINESS:

1. 1705-REZ-05	Young Rezone from Conservation Residential (CR) to Agriculture/Rural Reserve (AG/RR) One (1) 16.53 +/- acre parcel in Bloomington Township, Section 24 at 5589 E Ward Lane. Zoned CR.	PAGE 3
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MONROE COUNTY PLAN REVIEW COMMITTEE**June 8, 2017**

PLANNER Jackie Nester
CASE NUMBER 1705-REZ-05, Young Rezone
PETITIONER Paul Young, C/O Eric Deckard
ADDRESS 5589 E Ward Lane, Bloomington, IN 47408
REQUEST Rezone from Conservation Residential (CR) and Agriculture/Rural Reserve (AG/RR)
ACRES 16.53 acres +/-
ZONE CR and ECO 3
TOWNSHIP Bloomington
SECTION 24
COMP PLAN
DESIGNATION: Farm and Forest
COMP PLAN

EXHIBITS

1. Site Plan
2. Letter from Petitioner's Representative
3. Paul Young Minor Subdivision

RECOMMENDATION

Deny the rezone request based on findings of fact subject to highway and drainage engineer comments.

PLAN REVIEW COMMITTEE

TBD

SUMMARY

The petition site is one parcel that is part of a four lot minor subdivision – “Paul Young Minor Subdivision” – which was completed in 2015. The parcel to be rezoned is lot 4 of this minor subdivision. The use on the plat for each of the lots is stated as “Single Family Residential,” though they are currently being used as farmland. The lot is 16.53 acres and is currently zoned as Conservation Residential (CR). The property is also in the Environmental Constraints Overlay Area 3. The property owner is seeking a rezone to Agriculture/Rural Reserve (AG/RR) in order to apply for a conditional use request for an Agricultural Event Center, Small. The petitioner does meet the conditions for an Agricultural Event Center should they succeed in getting the rezone and applying for the conditional use. The site is currently planted with corn and does not contain any structures.

BACKGROUND

The site maintains frontage along E Ward Lane, a Local road with two homes currently at the end of the dead end road. To the east of E Ward LN is an active rail line and close proximity to State Road 45. The farmland owned by the petitioner is a buffer from a residential neighborhood to the west, Bittersweet Woods. The surrounding uses are primarily residential.

The petitioner's land is currently vacant with crops already planted. With the rezone, the petitioner plans to seek a conditional use for an Agriculture Event Center, Small. The petitioner's site plan (Exhibit 1) shows details of the proposed barn, parking lot, home, and pond that is planned should the rezone and conditional use be approved. The remaining three parcels in the Paul Young Minor Subdivision would remain Conservation Residential (CR) and therefore would not be applicable for additional Agriculture Event Centers unless a rezone is sought. The comprehensive plan designates this land as farm and forest. The nearby parcels that are currently zoned Agriculture/Rural Reserve are 1,670 feet to the south, and are either vacant or used as residential.

The definitions for Conservation Residential (CR) and Agriculture/Rural Reserve (AG/RR) are below:

Conservation Residential (CR) District. The character of the Conservation Residential (CR) District is defined as that which is primarily intended to provide a residential option (planned unit or cluster development) at environmentally sound locations while protecting the environmentally sensitive watersheds of Lake Griffey and Monroe Reservoir. Its purposes are to protect the environmentally sensitive watershed, especially the floodplain and steep slopes, to permit limited single family residential development on very large lots or in subdivisions (planned unit or cluster development) at environmentally sound locations, to discourage the development of nonresidential uses, to discourage the development of sanitary sewer systems except for existing development and to maintain the character of the surrounding neighborhood. Development in the CR District is hindered by concern over the watershed environment, and, in some cases, extreme topography, poor access and the availability of few or no public services. Therefore, the number of uses permitted in the CR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the watershed environment and low-density residential uses. The development of new residential activities proximate to known mineral resource deposits or extraction operations may be buffered by increased setback distance.

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 located at 5589 E Ward LN in section 24 of Bloomington Township.

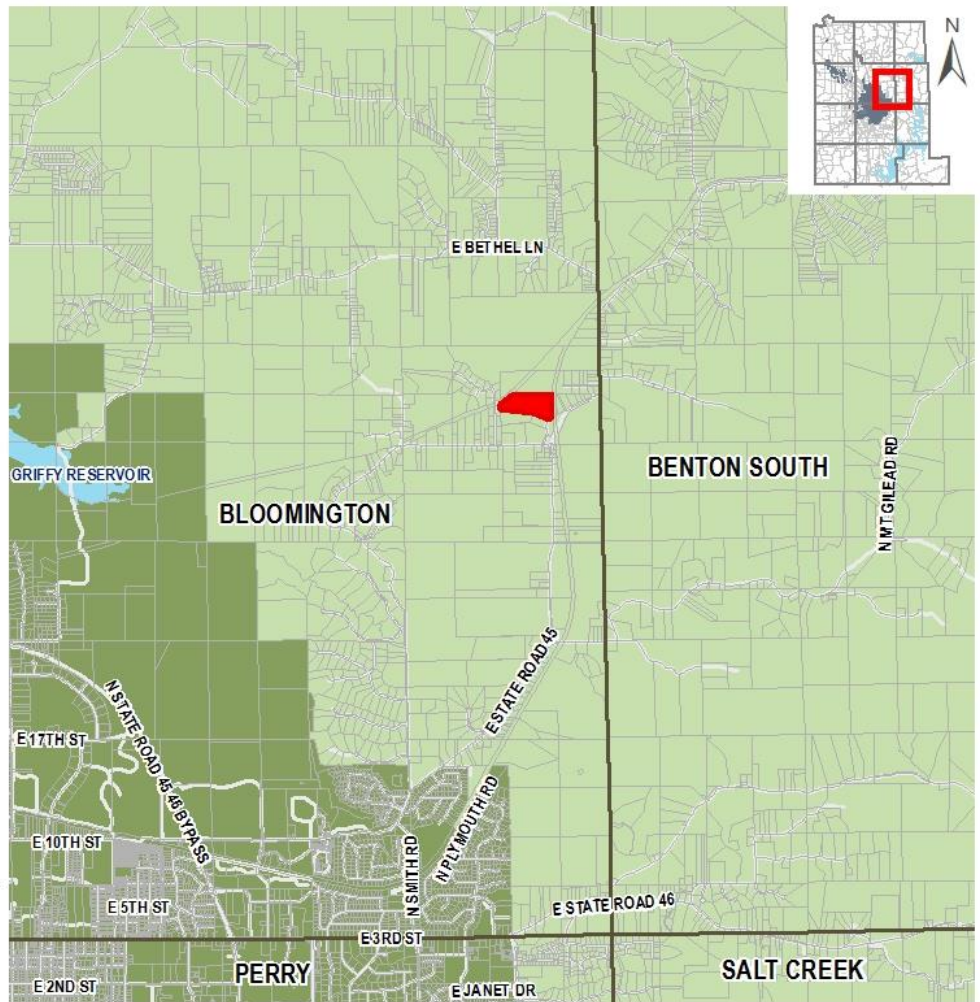
Location Map

- Petitioner
- Townships
- Roads
- Parcels
- Lakes
- Incorporated Areas**
- Bloomington

0 0.35 0.7 1.4 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/15/2017



ZONING

The one parcel requesting a rezone is in the Conservation Residential (CR) zone in the Monroe County Zoning Ordinance. The neighboring zones include Suburban Residential (SR), Institutional/Public (IP), and Agriculture/Rural Reserve (AG/RR).

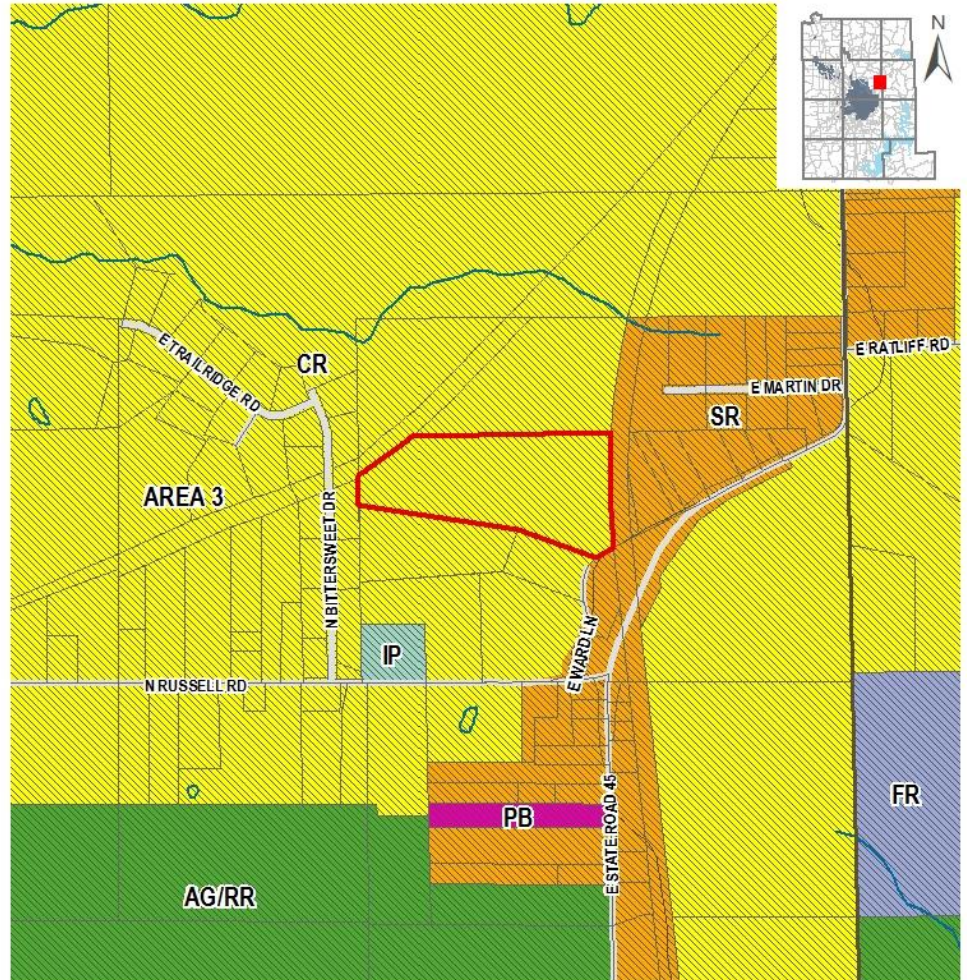
Current Zoning Map

-  Petitioner
-  Parcels
-  Roads
-  Hydrologic Features
- ECO Areas**
 -  Area 3
- Monroe County Zoning**
 -  AG/RR - Agriculture/Rural Reserve
 -  CR - Conservation Residential
 -  FR - Forest Reserve
 -  IP - Institutional/Public
 -  PB - Pre-Existing Business
 -  SR - Suburban Residential

0 0.05 0.1 0.2 Miles



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/15/2017



SITE CONDITIONS

The petition site is currently farmland and does not contain any structures.

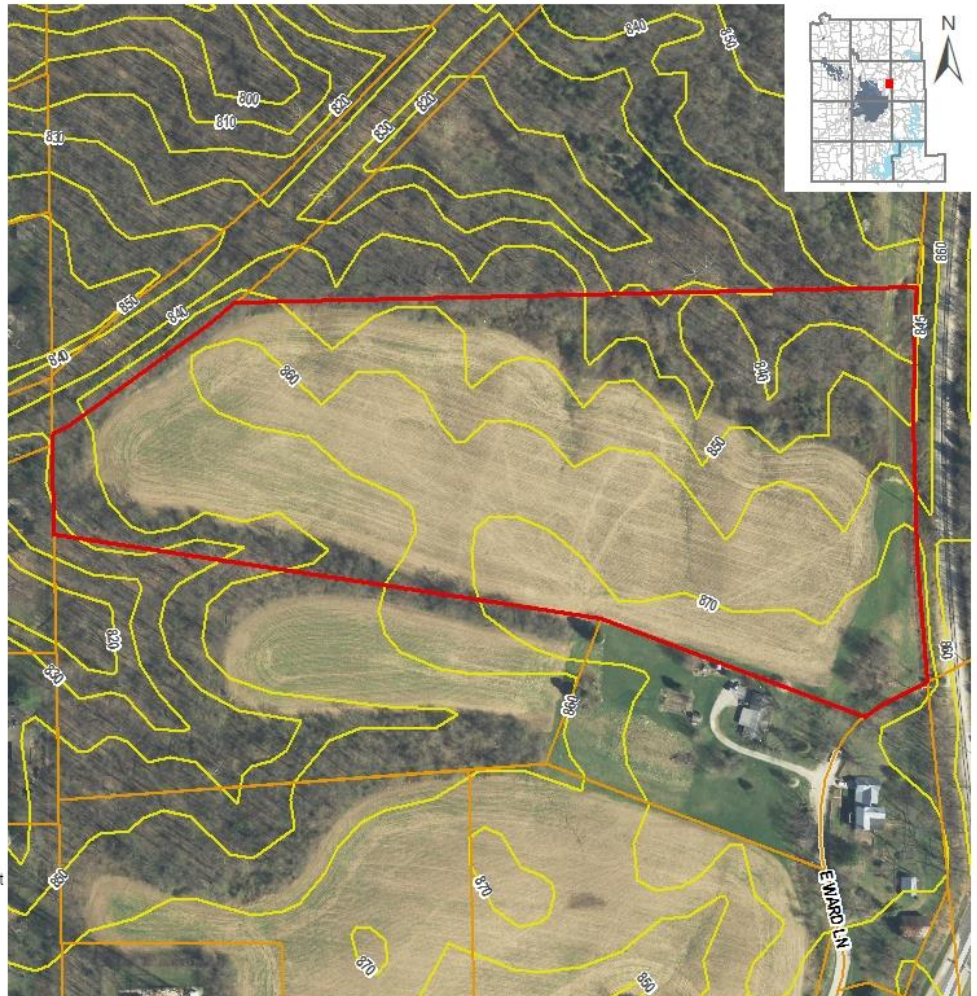
Site Conditions Map

-  Petitioner
-  Parcels
-  10-Foot Contours
-  Roads







0 112.5 225 450 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/15/2017



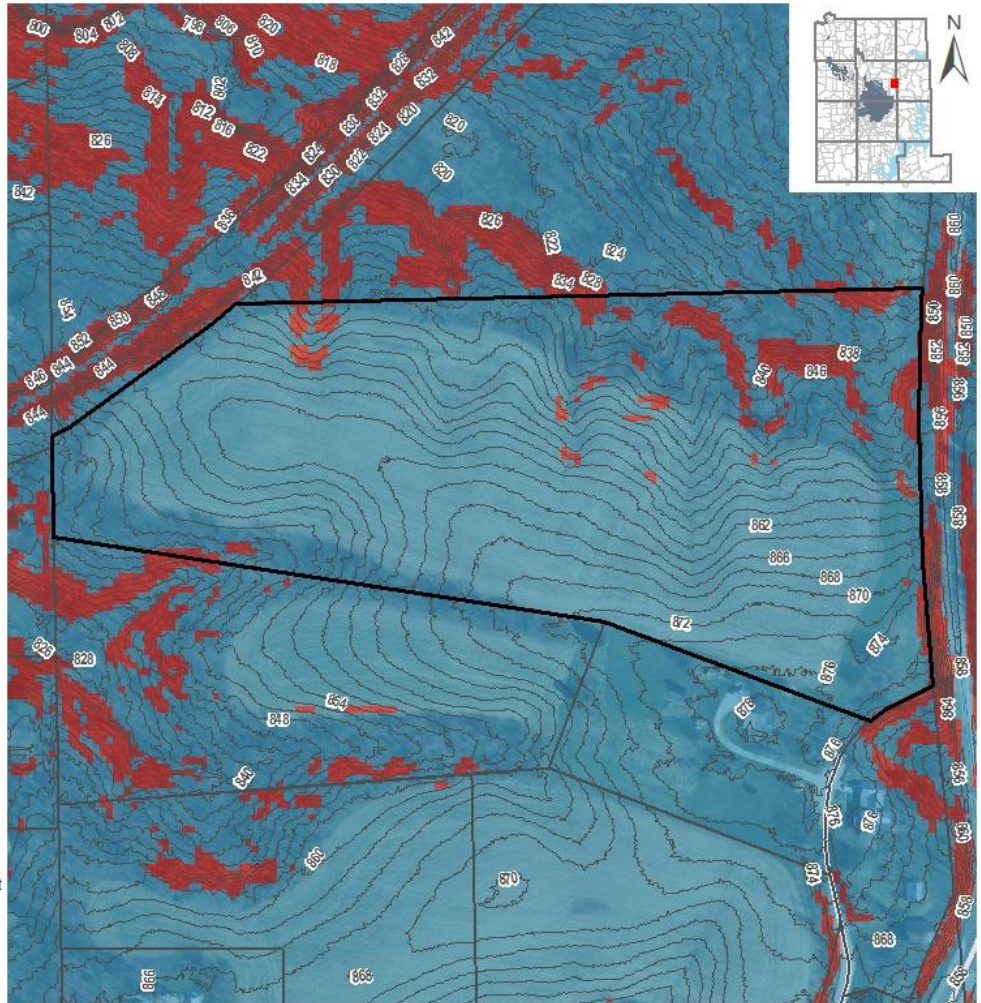
Slope Map

-  Petitioner
-  Parcels
-  2-Foot Contours
-  Roads
- Percent Slope (2010)**
 -  0 - 15
 -  > 15

0 112.5 225 450 Feet



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/15/2017



SITE PICTURES



Image 1: Facing W, corner of E Ward LN and N Russel RD



Image 2: Facing E towards N Russel RD and SR 45, standing on E Ward LN



Image 3: Driveway to the N side of the petitioner's property. Residence at the end of E Ward LN to the W



Photo 4: View of the parcel from the driveway, Facing N



Image 4: S property line, viewing W to where the event center is being proposed



Image 5: View of the parcel, Facing E where nearby residence is on E Ward LN



Image 7: Bird's Eye View of property in pink, Facing N

COMPREHENSIVE PLAN DISCUSSION

Farm and Forest Residential

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.







In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- ◆ Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- ◆ New residential density places additional stress on nearby vulnerable natural features that can not be mitigated by sustainable practices without additional public expense.
- ◆ Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice

and for future residents seeking that lifestyle.

To maintain Farm and Forest 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. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

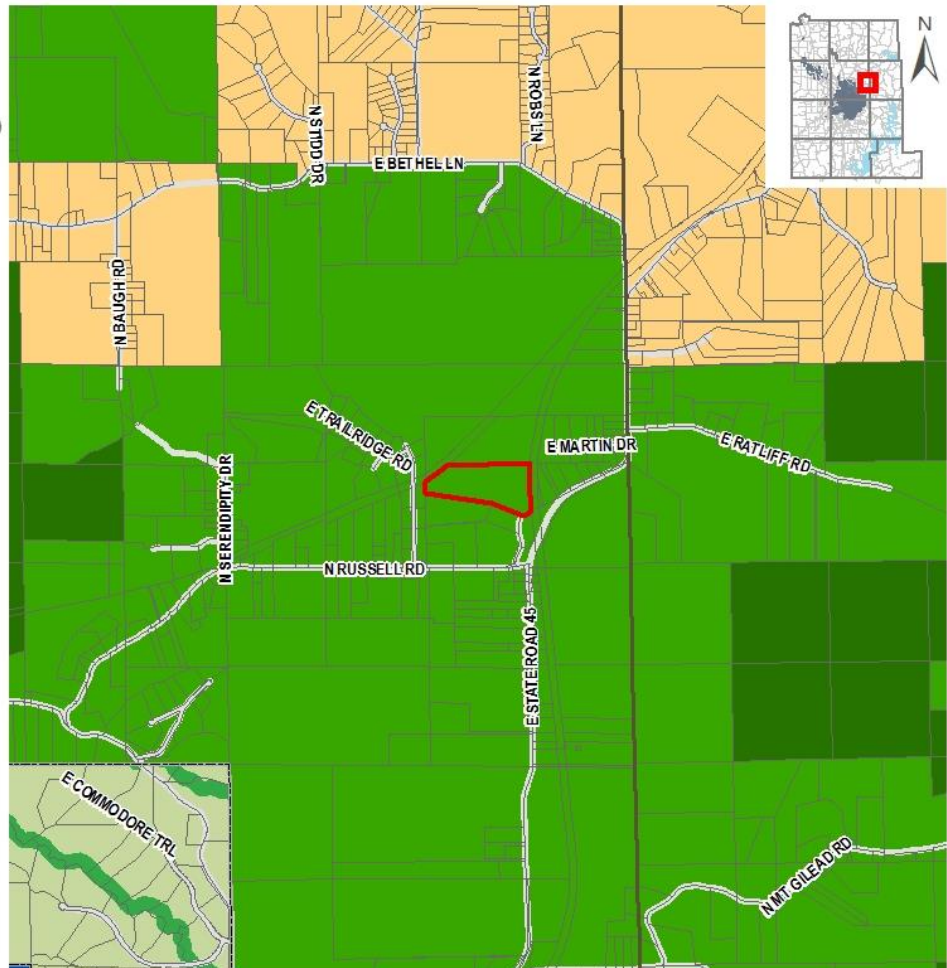
Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
 -  Farm and Forest
 -  Managed Lands
 -  Rural Residential
 -  MCUA Open Space
 -  MCUA Rural Transition
- Bloomington Growth Policies Plan**
 -  Public/ Semi-Public/ Institutional

0 0.15 0.3 0.6 Miles



Monroe County
Planning Department
Source: Monroe County GIS
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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 Farm and Forest;
- The rezone request is to change the zone for the petition site from Conservation Residential (CR) to Agriculture/Rural Reserve (AG/RR);
- The Conservation Residential zone definition specifies that it is for sensitive lands. This area is in the Environmental Constraints Overlay Area Three;

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

Findings:

- See Findings under Section A;
- If the rezone is approved, the petitioner is planning to submit a conditional use application for an agriculture event center, small, which is not a conditional or a permitted use in CR;
- The petition site is currently used as farmland;
- The current zoning, Conservation Residential, permits agriculture;
- The adjoining and surrounding uses are primarily residential and institutional;
- The site is in the Environmental Constraints Overlay Area 3;
- The 16.53 +/- acre parcel meets design standards for Conservation Residential (CR) and Agriculture/Rural Reserve (AG/RR);
- The site as zoned CR is contiguous with surrounding parcels also zoned CR;
- There are 57 homes within a ¼ square mile of the parcel requesting a rezone;
- The parcel will conform to height, bulk, area, and density provisions;
- Access to the site is from E Ward Lane, a local road with a 50' right of way;
- The Paul Young Minor Subdivision Final Plat provides access to this parcel (Lot 4) through a 50' ingress/egress and utility easement from E Ward LN;
- The proposed use of this site would require Board of Zoning Appeals approval;
- The property would require a commercial septic for the use;
- The petition site is not located in FEMA Floodplain;
- The site is primarily flat and does have tree buffer to the west to separate the farmland from the residential subdivision adjoining the property to the west;

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

Findings:

- See Findings under Section A and Section B;
- The surrounding parcels to the north, west, and south are zoned Conservation Residential (CR);
- The proposed use of the parcel included in the submitted site plan is a home on a working farm, with an agricultural event center;
- Since the land on lot 4 of the Young Minor Subdivision is under 20 acres, the petitioner could only apply for the “small” event center, which is conditioned to hold only 100 people maximum;

(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 immediately adjoining uses are residential and institutional;

(E) Responsible development and growth;

- See Findings under Section A, Section B, and Section C;
- The petition site is adequately served by utilities, including water, and septic;
- Site plan review would be required should the petitioner get a conditional use for an agriculture event center, which that will include input from the drainage engineer and highway engineer;
- The site will conform to current to height, bulk, area, and density provisions laid out in Chapter 802;

RECEIVED
MAY 02 2017
MONROE COUNTY PLANNING



EXHIBIT 2: Petitioner's Representative Letter



Eric L. Deckard, LS

1604 S. Henderson St.
Bloomington, IN 47401
Ph. 812.961-0235
Fax 812.323-7536

RECEIVED

MAY 02 2017

May 1, 2017

MONROE COUNTY PLANNING

To: Jackie Nester Planner
Monroe County Planning

RE: Paul & Linda Young Rezone

I have been asked personally by Paul Young to respectfully request to be placed on the next available agenda. My client wishes to rezone a parcel that is currently (CR) Conservation Residential to AG/RR Agriculture/ Rural Reserve.

Per our conversation a few weeks ago, in the process of a pre-design meeting a zoning question arose. The Young's intend construct a Wedding venue, however the current CR zone does not allow for such a venue. The current site condition is being used as Agriculture and will continue to be farmed with the addition of a Wedding Venue if allowed to rezone to AG/RR.

If there are any questions, please contact this office at (812)961-0235

Sincerely,

A handwritten signature in black ink, appearing to be "Eric L. Deckard".

Eric L. Deckard L.S.

EXHIBIT 3: Paul Young Minor Subdivision (2016)

