

MONROE COUNTY PLAN REVIEW COMMITTEE



**Thursday, February 10, 2022
5:30 pm**

Zoom Link: [https://monroecounty-
in.zoom.us/j/81947218756?pwd=NmFoWk1BTtNsakREUFBxdUNpYXNxQT09](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

MONROE COUNTY PLAN REVIEW COMMITTEE**February 10, 2022**

PLANNER	Tammy Behrman
CASE NUMBER	REZ-21-8
PETITIONER	Lindeman & Associates Psychological Services c/o Springpoint Architects, PC
OWNER	Hinkle, Susan Wadene & Hinkle, Steven W
ADDRESS	4833 W Arlington RD:
REQUEST	Rezone Request from AG/RR to GB Waiver of Final Hearing Requested
ACRES	8.6 +/- acres
ZONE	AG/RR
TOWNSHIP	Richland Township
SECTION	24
PLATS	KING & STANGER BABY FARM PT; Lot 5 & Lot 6
COMP PLAN DESIGNATION	MCUA Mixed Use

EXHIBITS

1. Petitioner Letter
2. Petitioner Site Plan
3. AG/RR Use Table
4. GB Use Table
5. Comparison of Design Standards
6. Use Determination USE-21-86

RECOMMENDATION

Staff recommends **approval** of the Rezone of based on findings of fact and subject to the Monroe County Highway and MS4 Coordinator Reports with the following recommendation(s):

1. Petitioner to enter into a written commitment to preserve large oak grove trees west of the large barn.

Plan Review Committee – January 13, 2022 - Meeting canceled due to quorum issues.

Monroe County Historic Preservation Board of Review – January 24, 2022

Eight members voted to allow an inspection of the structures on the property to determine if there is historical significance. A formal condition may be recommended after the site inspection in time for the Preliminary Hearing if warranted.

Plan Commission Regular Meeting – February 15, 2022 (Preliminary Hearing)

Plan Commission Regular Meeting – March 22, 2022 (Final Hearing)

SUMMARY

The petition site is two parcels totaling 8.6 acres located at 4833 W Arlington RD. The petitioner is proposing to amend the Zoning Map from Agriculture / Rural Reserve (AG/RR) zoning to General Business (GB) zoning to accommodate at an office use as determined under Use Determination USE-21-86 (Exhibit 6). The site is within the Rural Community Zoning Overlay (RCZO) dictated by Chapter 835. The Office Use would be permitted under this ordinance if additional design standards are met. The petitioner is not interested in building a two story structure. If the rezone request is approved is by the County Commissioners a site plan would be required to review compliance with the bioretention, parking and landscaping standards. Staff is interested in a review of the accessory structures for historic relevance and possible preservation as well as tree preservation on the site when possible.

BACKGROUND

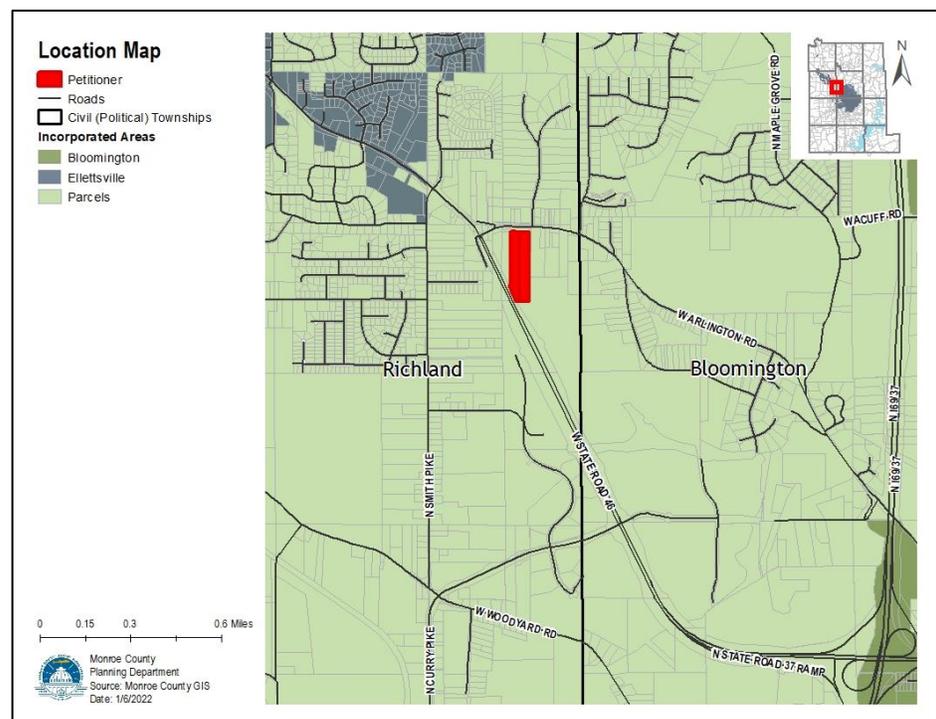
The Zoning Map amendment would be from AG/RR to GB. Per Chapter 802 of the Monroe County Zoning Ordinance:

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.*

General Business (GB) District. *The character of the General Business (GB) District is defined as that which is primarily intended to meet the needs for heavy retail business uses. General business uses should be placed into cohesive groupings rather than on individual properties along highways in order to take advantage of major thoroughfares for traffic dissemination. Access control should be emphasized. The purposes of the GB District 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; 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. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.*

LOCATION MAP

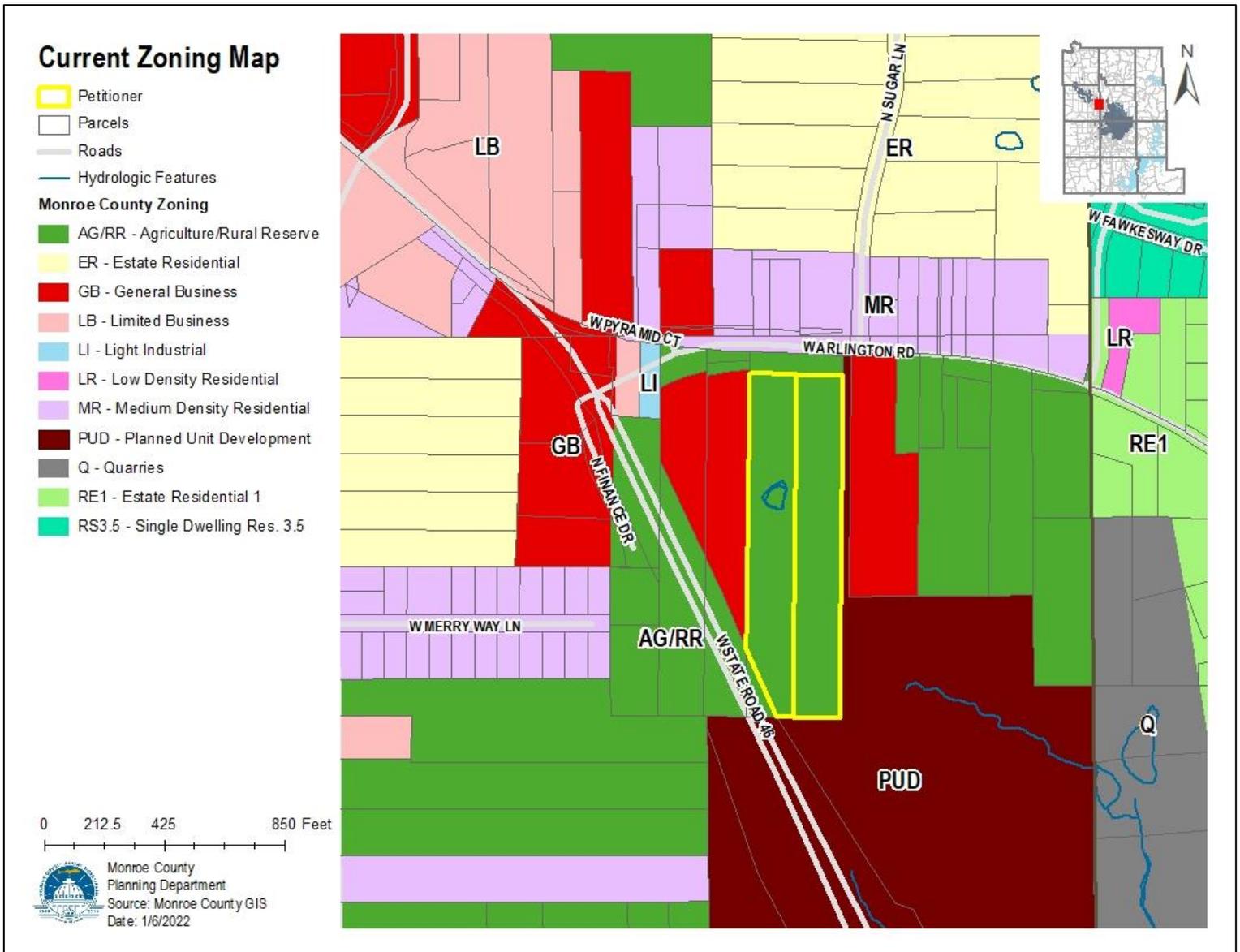
The parcel is located at 4833 W Arlington RD, Section 24 Richland Township. The Parcel Numbers are 53-04-24-101-031.000-011; 53-04-24-101-014.000-011



ZONING

The parcel is zoned Agriculture / Rural Reserve (AG/RR). Adjacent zoning is General Business to the east and west PUD is to the south and Medium Density is to the north. There is other GB zoned lots in the vicinity of the petition site in addition to Limited Business (LB) and Light Industrial (LI).

The use of the property is residential. Surrounding uses are Business to the east and west. Residential is to the south and north.



SITE CONDITIONS & INFRASTRUCTURE

This petition site is made up of two parcels totaling 8.6 +/- acres. The site contains a residence built in 1930's, two sheds, a detached garage and a barn ca. early 1900's. The structures do not appear on the Indiana State Historic Architectural and Archaeological Research Database. Access to the site is through W Arlington RD, a major collector with 5' sidewalks in the right of way. The southern property line is bordered by W State Road 46, a minor arterial, but there is no direct access to this road. There is no regulated Floodplains on the lot and the site is not within the critical watershed. There is no evidence of a karst features. The petition site drains south and there is a pond/wetland within the drainage ravine. The site has access to sewer thru Eastern Richland Sewer Corporation and water via Ellettsville Utilities. There are slopes over 15 percent on site. Note that the site to the east and west of the petition site have been developed commercially.

Slope Map

- Major Collector [70']
- Major Arterial [150']
- Local Roads [50']
- ▭ Petitioner
- ▭ Parcels
- 2-Foot Contours
- 15_Percent Slope (2010)**
- 0 - 15
- > 15
- Hydrologic Features



0 70 140 280 420 Ft



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 1/6/2022

UTILITY CAPACITY

Eastern Richland Sewer Corporation has territorial authority and capacity to collect wastewater and Ellettsville Utilities provided a capacity letter for water availability.

MS4 Drainage Review

“No stormwater comments related to the rezone.

- Detention and water quality treatment will be required for this project. Release rates will be 0.9 cfs/acre for Q100 and 0.5 cfs/acre for Q10.
- No apparent karst/sinkhole concerns at this time.
- Construction Stormwater General Permit (formerly Rule 5) coverage will be required for disturbance greater than 1 acre.
- There appears to be an existing farm pond on the property, south of the proposed development.
- Additional stormwater and drainage comments will be provided with submittal of a detailed site plan.”

Highway Department Review

“Storm water runoff should be collected before running off of the driveway and into the street. The Highway Department would prefer that the driveway slope away from Arlington Road but if this is not possible, inlets should be used to collect the storm water.”

SITE PHOTOS



Figure 1. Facing west along W Arlington RD.



Figure 2. Facing east: view of Arlington RD.



Figure 3. Existing residence.



Figure 4. Facing southeast: view of two sheds near the circle driveway



Figure 5. Facing south: view of an old storage structure.



Figure 6. View of the old storage structure and the barn ca. 1930.



Figure 7. Facing west: view of the Riley IU Health facility.



Figure 8. Facing south: view of the pond / wetland within the woods.



4. Figure 9. Facing north: view of the residence, shed and storage structure.



Figure 10. Large oak trees located south and west of the barn. Staff recommends preservation if possible.

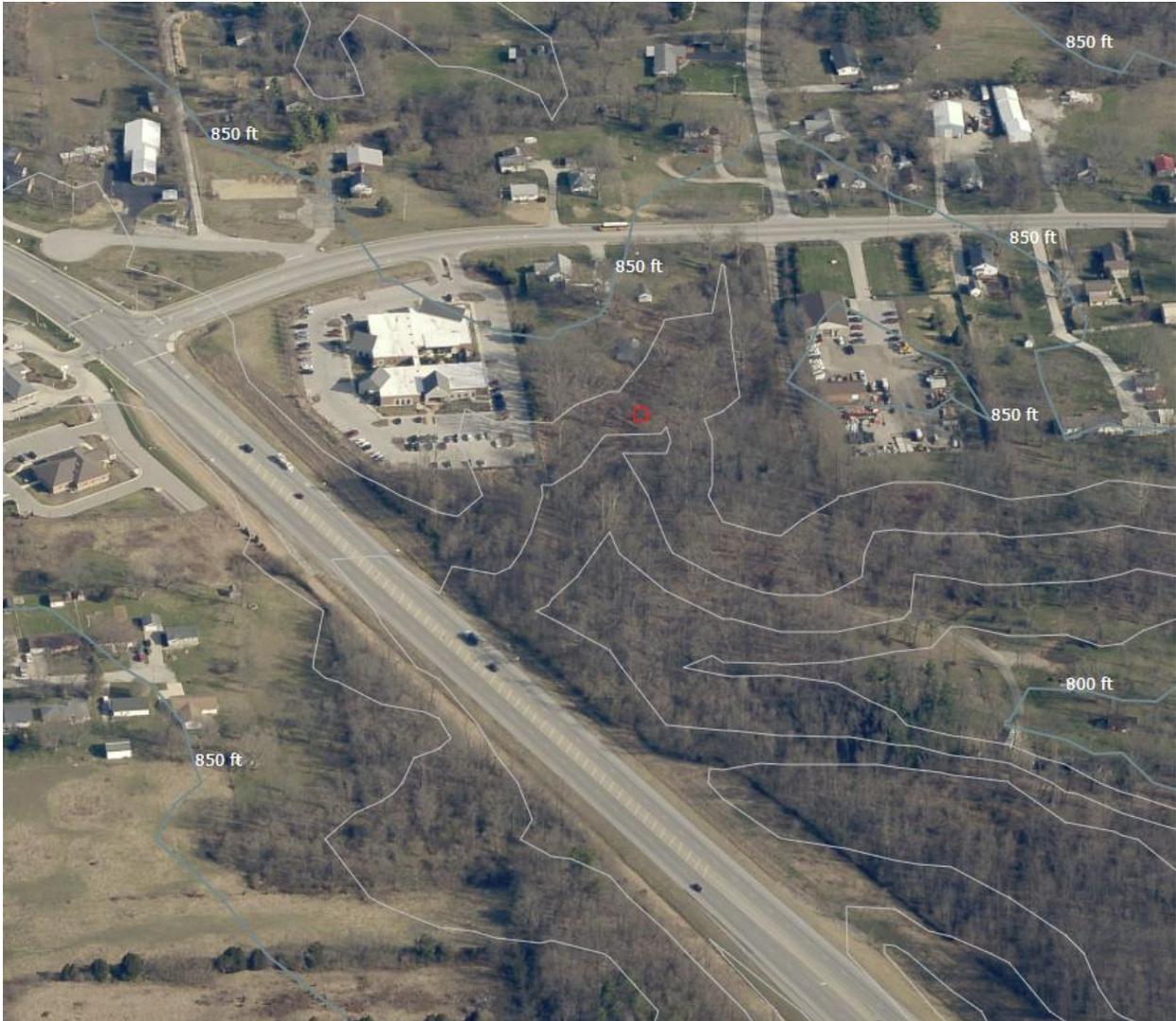


Figure 11. Aerial view facing north of petitions site and the surrounding area ca. April 2020.



Figure 12. Aerial view facing north ca. April 2020.



Figure 13. Aerial view facing south of petitions site and the surrounding area ca. April 2020. Green circle is oak grove recommended for preservation.

COMPREHENSIVE PLAN DESIGNATION

The petition site encompasses two different comprehensive plan designations; Mixed-use and Suburban Residential.

The proposed use of Office (USE-21-68 Use Determination) is consistent with the MCUA Mixed Use district. Listed below are the design standards for the MCUA Mixed Use district. Points that are alignment with the proposed rezone to General Business are highlighted in green. Points that differ from the MCUA districts are highlighted in grey.

Mixed-Use

Mixed-use districts are the densest, most pedestrian-oriented development types in the urbanizing area.

This land use type will vary in terms of form, scale, character, and the specific mix of uses, depending on location, access considerations and existing development context.

Uses may be integrated vertically within buildings, such as residential or office over ground-floor retail, or horizontally among single-use buildings that are closely coordinated with one another. Mixed-use areas may take the form of linear corridors along major roadways, large districts that serve as regional destinations for commerce, dining and entertainment, or small nodes at crossroads that serve nearby residential neighborhoods or employment areas. Mixed-use areas offer the greatest flexibility in terms of land use. Individual parcels of land within a larger mixed-use area may be developed with a single use, so long as the site is designed in a way to integrate with surrounding sites to create a whole that is greater than the sum of parts.

Most areas designated as mixed-Use on the land Use map are in locations with existing suburban-style development. These locations offer opportunities for reinvestment, infill, redevelopment, and transformation into more walkable centers of activity within the Urbanizing Area. Examples include the Third Street corridor, the Tapp Road/Sr-45/Curry Pike Area, and key intersections along the South Walnut Street corridor.

A. Transportation

Streets

Developments should be designed to create a system of interconnected streets and blocks. Ideally, new streets should be platted as public rights-of-way through the subdivision process; however, private streets may also be acceptable, provided that they are designed and maintained to public street standards and are made publicly accessible through dedicated easements.

Bike, Pedestrian, and Transit Modes

Mixed-use streets should incorporate the full suite of complete street and “green” street design techniques. Streets should safely accommodate pedestrian and bicycle travel, as appropriate to the larger context of the transportation system and the surrounding scale and character of development. Wider sidewalks or an enhanced buffer along the street will provide a safer environment for pedestrians while allowing greater access to businesses in mixed-use areas. Streets should not be designed with a “one-size fits all” approach. Local streets may accommodate cyclists through an overall design that discourages high travel speeds by motorists, such as the use of narrower travel lanes (10 to 11 feet), on-street parking, and smaller curb radii at intersections (15 to 25 feet). These streets may simply require pavement markings or signage indicating that cyclists may use the travel lane. On the other hand, multi-lane roads should provide enhanced bicycle infrastructure, such as on-street bicycle lanes, cycletrack facilities, or

off-street shared use paths, with special attention to transitions between different facility types. As the most likely to support transit service in the future, mixed-use streets should be designed to accommodate potential transit expansion.

B. Utilities

Sewer and Water

Most areas designated for mixed-use development in the land Use Plan are already served by sewer and water infrastructure. **All new developments should conduct water and sewer capacity analyses and contribute to system upgrades if necessary.** Major sewer line extensions or upgrades, should be coordinated with other roadway or streetscape improvements where possible to minimize traffic disruption and improve cost efficiency of capital improvements. A major advantage to mixed-use development is that it reduces the peak usage in the area due to the diversity of building uses.

Power

Overhead utility lines should be buried in mixed-use areas to eliminate visual clutter of public streetscapes and to minimize system disturbance from major storm events.

Communications

Communications needs will vary within mixed-use developments, but upgrades to infrastructure should be a key consideration for future development sites. The county should create a standard for development of communications corridors to supplement and complement University research and development and the existing information technology sector.

C. Open Space

Park Types

Small-scale parks and open spaces should be integrated into new developments and streetscapes. Mixed-use districts may have a variety of park types, from small plazas and pocket parks along public sidewalks, to moderately-sized greens, squares, and neighborhood parks. Greenway connections should be provided wherever possible.

Urban Agriculture

Encourage the creation of community gardens and small scale urban agricultural systems, integrated with parks and open spaces. These may serve and be operated by residents, employees and businesses within a mixed-use neighborhood. Examples include restaurants with on-site gardens, or apartments and office buildings with common garden space. Attention should be paid to location and maintenance to ensure garden spaces remain well-kempt and attractive throughout the year.

D. Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Two-lane streets should provide lamp posts at a pedestrian scale (16 to 18 feet in height). Wider streets will require taller fixtures (up to 30 feet).

Street/Site Furnishings

Successful mixed-use streets require a vibrant, pedestrian-oriented public realm with an emphasis on amenities and aesthetics. Streets should have planters, benches, information kiosks, and public bicycle parking racks. These elements may occur within the public right-of-way, or on private development sites, if located at the front of the lot between the building and right-of-way, oriented toward the sidewalk, and available for public use.

E. Development Guidelines

Open Space

The amount and type of open space appropriate for mixed-use areas will vary by the location and scale of individual developments. Large consolidated developments should include prominent open spaces with public street frontage. For residential uses, open space should generally be provided with a target of 200 square feet per dwelling unit. Commercial uses over 25,000 square feet of gross floor area should provide small pocket parks or plazas.

Parking Ratios

Parking requirements will vary depending on the scale and mixture of uses within individual mixed-use areas. Shared parking arrangements should be encouraged to minimize the size of surface parking lots. On-street parking should be permitted to contribute to required parking maximums as a means to reduce surface parking and enliven mixed-use streets with foot traffic.

Site Design

Front setbacks should range from zero to 15 feet, with streetscape plazas and landscape treatments between the sidewalk and building face. Buildings should frame the street, with a high amount of building frontage. Parking should be located to the rear or side of buildings, but not between the building and street. Side-oriented parking should be screened with landscaping and/ or a low street wall. Vehicular curb cuts should be used sparingly, and avoided on major thoroughfares. Access should instead be provided from the side or rear of the site. Mixed-use districts should be designed with compatible mixtures of buildings, but with architectural variety as well.

Building form

The scale, form and character of buildings will vary depending on the specific location and surrounding context of existing development and infrastructure. Mixed-use areas are appropriate locations for more urban-style buildings with flat roof designs, but pitched roofs may also be used. Buildings may range from one to four stories in height, depending on location. Ground floors of mixed-use buildings should have taller floor to ceiling heights (14 to 18 feet) to accommodate retail and dining uses, with high amounts of window transparency (60 to 70 % of the front facade). Building facades should be designed with a clear base, middle, and top. Buildings and tenant spaces should have prominent main entrances on the front facade, accessible from the public sidewalk.

Materials

Mixed-use buildings should have a durable and lasting character, indicative of their ability to be repurposed for various uses over time. This is best achieved through the use of brick and dimensional or cultured stone. Concrete masonry units may be used, but should have texture and color variation if used as a primary building material. Blank walls should be avoided, particularly for facades facing public streets.

Private Signs

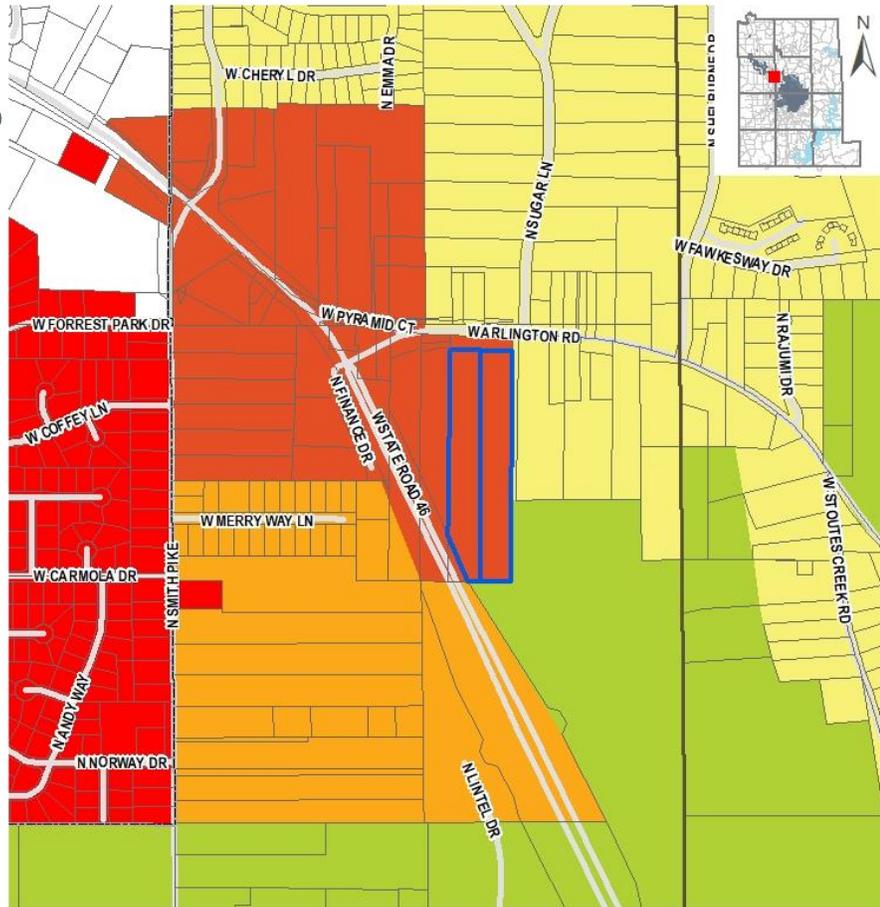
Signs should be sized and designed to effectively communicate to both pedestrian and vehicular traffic without becoming a visual distraction. Wall-mounted and monument signs are appropriate; pole signs and roof-top billboards should be prohibited.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  Designated Communities
-  MCUA Conservation Residential
-  MCUA Mixed Residential
-  MCUA Mixed Use
-  MCUA Open Space
-  MCUA Suburban Residential
-  Town of Ellettsville

0 0.05 0.1 0.2 Miles

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 1/6/2022



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 rezone request is to change the zone for the petition site from Agriculture / Rural Reserve (AG/RR) to General Business (GB)
- The Comprehensive Plan designates the petition site as MUA Mixed Use;
- According to the Comprehensive Plan, MUA Mixed Use area “*Mixed-use areas offer the greatest flexibility in terms of land use. Individual parcels of land within a larger mixed-use area may be developed with a single use, so long as the site is designed in a way to integrate with surrounding sites to create a whole that is greater than the sum of parts.*”
- The petition site has the Rural Community Zoning Overlay (RCZO) which is dictated under Chapter 835. The office use would be permitted but there are additional design standards that were not desirable for the petitioner such as a two story building;

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

Findings:

- See Findings under Section A;
- The current use is residential and there is a residence, two sheds, a storage structure and a barn built ca. early 1900’s;
- The rezone request is to change the zoning for the entirety of the site to the General Business (GB) District which is described by the County’s Zoning Ordinance, Chapter 802, as follows:

General Business (GB) District. *The character of the General Business (GB) District is defined as that which is primarily intended to meet the needs for heavy retail business uses. General business uses should be placed into cohesive groupings rather than on individual properties along highways in order to take advantage of major thoroughfares for traffic dissemination. Access control should be emphasized. The purposes of the GB District 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; 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. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the adjacent residential uses.*

- The petition site is currently zoned AG/RR;
- There is one existing residential driveway accessing W Arlington RD (major collector);
- There are 15% slopes (see Slope Map);
- The petition site is not located in a Special Flood Hazard Area;
- There is a pond / wetland on site;
- Karst is not evident from best available data;
- Much of the property is forested;

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

Findings:

- See Findings under Section A and Section B;
- The current use of the lot as determined by Use Determination USE-21-68 is residential;
- The proposed use of the lot as determined by Use Determination USE-21-68 is office and is permitted in the GB zone;
- The GB zone currently has 140 permitted uses;
- The adjacent parcels to the east and west are currently zoned GB, and there are surrounding parcels to the north and west also zoned GB;
- There are commercial uses adjacent to the property and in the surrounding area;
- Other commercial zones in the vicinity of the petitioner site are Limited Business, Light Industrial and PUD;
- In 2017 a site plan was approved for a Veterinary Clinic to the north though permits were never pulled;

(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;
- This property is not included in the proposed City of Bloomington annexation;
- The site has access to sewer and water;
- The site is not within a critical watershed;
- Floodplain is not in the vicinity;
- The intersection at W State Road 46 and W Arlington Road was upgraded around 2000 and has a traffic signal;
- The petition site has sidewalks already within the right of way;

EXHIBIT 1: Petitioner Letter



November 29, 2021

Monroe County Department of Planning and Zoning
501 North Morton Street
Bloomington, IN 47404

Re: 4833 W Arlington Road
Lindeman & Associates Psychological Services
Application for Rezone AG/RR to GB

Dear Committee and Plan Commission Members,

This letter is to request a rezone of the 8.6 acre parcel at 4833 West Arlington Road from the current AG/RR (Agricultural/Rural Residential) zoning to GB (General Business).

The proposed project for this site is a 5,000 square foot office building to serve as the primary location for Lindeman & Associates Psychological Services. This business is a professional office that specializes in comprehensive psychological evaluations and counseling for children, adolescents, and adults. An additional 5,000 square foot office building is also being proposed for a future phase.

This use is compatible with the other adjacent General Business properties including Riley Physicians Pediatrics and Milestone Contracting. In addition, this property has been identified as General Business in the draft zoning map being considered by the county.

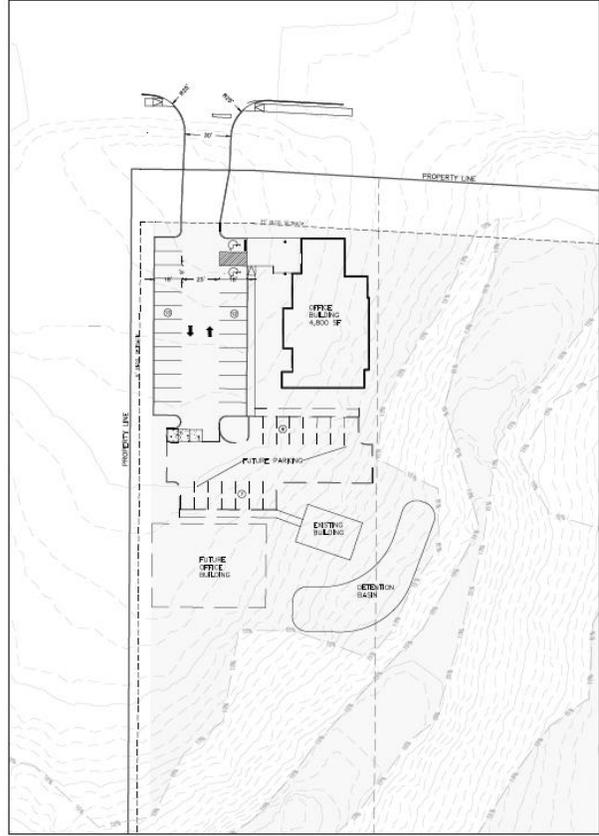
Thank you for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Dawn M. Gray". The signature is written in a cursive, flowing style.

Dawn M. Gray, AIA
Principal Architect
SPRINGPOINT ARCHITECTS, pc

EXHIBIT 2: Petitioner Site Plan



NOTE:
This plan is illustrative in nature. The plan indicates driveway access points and driveway layout. Sidewalks and parking areas shown herein are for information only and are not intended to be a final development plan or commitment.



NOT FOR CONSTRUCTION

XX/XX/20XX

LINDEMAN & ASSOCIATES,
OFFICE BUILDING
BLOOMINGTON, INDIANA

NO.	DATE	REVISIONS

DATE	
BY	
CHECKED	
DATE	

6433
SHEET

11/19/2021

CONCEPT SITE PLAN

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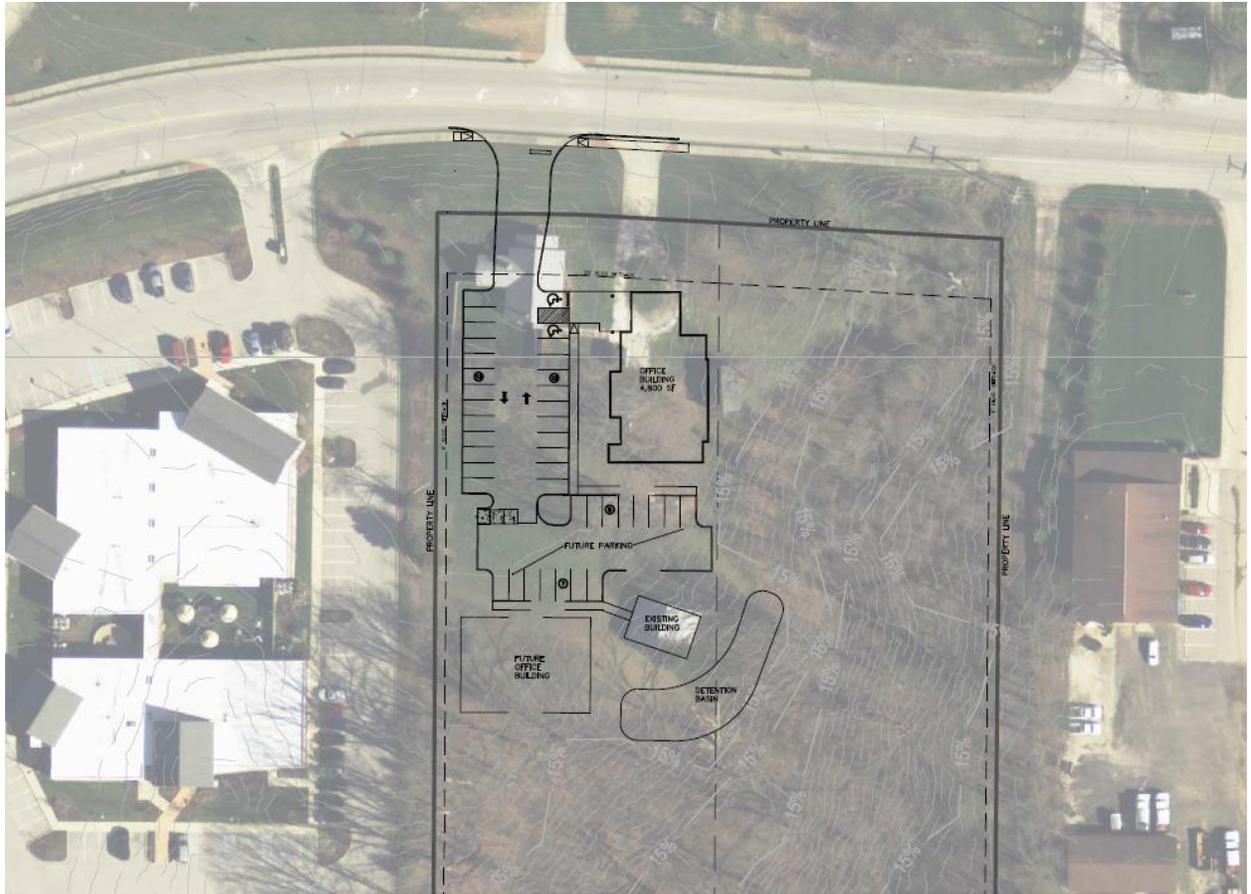


EXHIBIT THREE: Uses permitted in the AG/RR

USES	INTENSITY	ZONES	USES	INTENSITY	ZONES
Agricultural Uses	i	AG	Religious Facilities	H	P
Accessory Use		P	Remote Garbage/Rubbish Removal	H	C
Accessory Structures for Agricultural Use	L	P	Solar Farm	L	C
Agriculture	H	P	Telephone and Telegraph Services	L	P
Agricultural-Related Industry	H	P	Utility Service Facility	M	P
Agricultural Uses-Land Animal	H	P	Wastewater Treatment Facility	H	C
Agricultural Uses-Non Animal	H	P	Water Treatment Facility	H	C
Agritourism / Agritainment (i.e. corn mazes)	H	P	Wired Communication Services	M	P
Aquaculture	M	P	Business and Personal Services	i	AG
Christmas Tree Farm	H	P	Accessory Use		P
Commercial facilities for the sale, repair, a	H	C	Artisan Crafts	M	C
Commercial Non-Farm Animals	M	P	Bed and Breakfast	L	P
Confined Feeding Operations	H	C	Composting Operation	H	P
Equestrian Center	H	C	Greenfill	M	P
Equine Services	L	P	Historic Adaptive Reuse		P
Feed Lot	H	P	Kennel, including commercial animal breeding	H	C
Feed Mill	L	P	Real Estate Sales office Or Model	L	P
Historic Adaptive Reuse		P	Taxidermist	L	P
Horse Farm	L	P	Temporary Seasonal Activity	M	P
Nursery/greenhouse	H	P	Tourist Home or Cabin	L	P
Orchard	H	P	Veterinary Service (Indoor)	H	C
Pick-your-own operation	H	P	Veterinary Service (Outdoor)	M	C
Roadside farm stand, Permanent	M	P	Retail and Wholesale Trade	i	AG
Roadside farm stand, Temporary	L	P	Accessory Use		P
Stockyard	H	P	Agricultural Sale Barn	H	P
Winery	H	P	Fruit Market	L	P
Accessory Apartments	L	P	Garden Center	H	C
Accessory Dwelling Units	L	P	Historic Adaptive Reuse		P
Accessory Livestock	L	P	Automotive and Transportation	i	AG
Accessory Use		P	Automobile Repair Services, Minor	H	C
Guest House	L	P	Historic Adaptive Reuse		P
Historic Adaptive Reuse		P	Accessory Use		P
Home Based Business	L	P	Camping Facility	H	P
Home Occupation	L	P	Historic Adaptive Reuse		P
Residential Storage Structure	L	P	Park and Recreational Services	H	C
Single Family Dwelling	n/a	P	Private Recreational Facility	H	C
Temporary Dwelling	L	P	Recreational Vehicle (RV) Park	H	C
Two Family Dwelling	n/a	P	Manufacturing, Mining	i	AG
Public and Semipublic	i	AG	Accessory Use		P
Accessory Use		P	Historic Adaptive Reuse		P
Cemetery	H	P	Sawmill	H	C
Governmental Facility	H	P	Wood Products	M	C
Historic Adaptive Reuse		P			

EXHIBIT FOUR: Use Permitted in the GB Zone

USES	INTENSITY	ZONE
Agricultural Uses	i	GB
Historic Adaptive Reuse		P
Boarding House	L	P
Historic Adaptive Reuse		P
Public and Semipublic	i	GB
Accessory Use		P
Charitable, Fraternal, or Social	L	P
Community Center	L	P
Daycare Facility	M	P
Funeral Home	M	P
Group Home Class I	L	P
Group Home Class II	L	P
Historic Adaptive Reuse		P
Hospital	H	P
Medical Clinic	L	P
Nursing Home	L	P
Religious Facilities	H	P
Remote Garbage/Rubbish Removal	H	P
Retirement Center	L	P
Telephone and Telegraph Services	L	P
Temporary Care Facility	L	P
Utility Service Facility	M	P
Water Treatment Facility	H	P
Business and Personal Services	i	GB
Accessory Use		P
Air Cargo and Package Service	H	P
Air Craft Charter Service	L	P
Airport Transportation Service	M	P
Appliance Repair	L	P
Barber Service	L	P
Beauty Service	L	P
Caterer	L	P
Coin Operated Cleaning/Laundry	L	P
Convenience Storage	M	P
Copy Service	L	P
Dry Cleaning and Laundry Pickup	L	P
Dry Cleaning and Laundry Service	L	P
Electrical Repair	L	P
Employment Agency	M	P
Equipment Rental	M	P
Estate Services	L	P
Exterminating Service	L	P
Financial Service	M	P
Gunsmith	L	P
Historic Adaptive Reuse		P
Hotel	M	P
Insurance Agency	L	P
Interior Decorating	L	P

USES	INTENSITY	ZONE
Legal Service	L	P
Locksmith	L	P
Massage Studio	M	P
Motel	M	P
Office	L	P
Office Equipment Repair	L	P
Parking Facility	H	P
Pet Services	L	P
Photographic Services	L	P
Real Estate Agency	L	P
Real Estate Sales office Or Model	L	P
Shoe Repair	L	P
Small Engine and Motor Repair	L	P
Tailoring	L	P
Taxidermist	L	P
Temporary Seasonal Activity	M	P
Travel Agency	L	P
Upholstery Service	L	P
Veterinary Service (Indoor)	H	P
Retail and Wholesale Trade	i	GB
Accessory Use		P
Agricultural Supply	H	P
Apparel Shop	L	P
Appliance Sales	L	P
Auction House	H	P
Bakery (Retail)	L	P
Bookstore	L	P
Building Materials	H	P
Cabinet Sales	L	P
Camera and Photographic Supply	L	P
Confectionery	L	P
Convenience Store	H	P
Department Store	M	P
Drapery Sales	L	P
Drugstore	M	P
Fertilizer Sales (Packaged)	M	P
Florist (Retail)	L	P
Florist (Wholesale)	N	P
Fruit Market	L	P
Furniture Sales	L	P
Garden Center	H	P
General Flooring Sales	L	P
Gift Shop	L	P
Grocery Store	M	P
Gunshop	M	CU
Handicrafts	L	P
Hardware	M	P
Historic Adaptive Reuse		P

USES	INTENSITY	ZONE
Home Improvement Center	H	P
Jewelry	L	P
Liquor Store	M	P
Marine Supply	L	P
Manufactured Housing Sales	M	P
Meat Market	L	P
Music Store	L	P
Office Showroom	M	P
Office Supplies	M	P
Optical Goods	L	P
Pet shop	L	P
Restaurant	M	P
Restaurant (Drive-in)	H	P
Sporting Goods	L	P
Tavern	L	P
Used Merchandise (Antiques)	L	P
Used Merchandise (Flea Market)	H	P
Used Merchandise (General)	L	P
Automotive and Transportation	i	GB
Accessory Use		P
Automotive Rentals	M	P
Automotive/Boat Repair Shop	H	P
Automotive Sales	H	P
Automotive Supply	M	P
Automotive Tire Repair	M	P
Bus Terminal	H	P
Car Wash	L	P
Gasoline Services Station	H	P
Historic Adaptive Reuse		P
Motorcycle Sales	L	P
Taxicab Stand	M	P
Wrecker Service	M	P
Accessory Use		P
Club or Lodge	L	P
Historic Adaptive Reuse		P
Indoor Theater	M	P
Outdoor Drive-In Theater	H	P
Park and Recreational Services	H	P
Private Recreational Facility	H	P
Rodeo	H	P
Manufacturing, Mining	i	GB
Accessory Use		P
Commercial Printing	H	P
Construction Trailer	L	P
General Contractor	M	P
Historic Adaptive Reuse		P
Adult Oriented Businesses	L/M	P
Multi-Use	i	GB
Business or Industrial Center	H	P
Commercial/Industrial Adaptive Reuse		P
Shopping Center		P

EXHIBIT FIVE: Comparison of Design Standards for AG/RR and GB

Table 4-1 Height, Bulk, Area, and Density Requirements for Zoning Districts																	
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	---	---	---	---	---	---	---	---
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	---	---	---	---	---	---	---	---
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	---	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	---	45
Maximum Floor Area Ratio	---	---	---	---	---	---	---	---	---	0.25	0.30	0.25	0.4	0.4	0.4	---	0.30

EXHIBIT SIX: Use Determination form

1/6/22, 9:07 AM



Monroe County Plan Commission and office of the Monroe County Board of Zoning Appeals
 Monroe County Government Center
 501 N. Morton St., Suite 224
 Bloomington, IN 47404
 Telephone: (812) 349-2560 / Fax: (812) 349-2967
<https://www.co.monroe.in.us/department/?structureid=13>

USE DETERMINATION

NOTE: Any expansion or change from the description provided to staff using this form may change the use determination

*****THIS IS NOT A PERMIT*****

Use Determination:	Office
Zoning of the Property:	Agriculture/Rural Reserve (AG/RR)
Current Use of the Property:	Residential
Owner Name:	Hinkle, Susan Wadene & Hinkle, Steven William
Considered a Change of Use:	Yes
Ordinance Reference:	802
Township and Section:	Richland // 011
Zoning/ Floodplain:	Agriculture/Rural Reserve (AG/RR) / No Floodway
ECO:	N/A
Property Setbacks:	For the GB zone: Front = 35', Side = 6', Rear = 0'
Address / Parcel #:	4833 W Arlington RD Bloomington IN 47404-1139 / 53-04-24-101-014.000-011
Constraints/Notes:	<p>Applicant: Dawn Gray Email Address: dawn@springpointarchitects.com Phone Number: 812-219-1271 Address: 213 S Rogers suite 5, Bloomington, IN 47408</p> <p>Described use:</p> <p>Submitted Land Use Information</p> <p>Business title or Owner Name Lindeman and Associates, Psychology Services</p> <p>Size of operation in total square feet or acres * 5,000 sf office building</p> <p>Number of Employees (on-site, both full and part-time) * 12</p> <p>Number of Vehicles (used in operation of business) * 22</p> <p>Hours of Operation * 9-6 M-F, 9-12 Saturday</p> <p>Use, Manufacture, or generation of any hazardous materials and/or waste: * n/a</p> <p>Detailed description of land use(s) * This project would include a 5,000 office building for the professional offices of Lindeman and Associates, psychological services. New parking for the business would be included. A second, future phase may include a additional 5,000 office building with additional parking.</p> <p>Is the property/properties on sewer? * No</p> <p>Use Determination</p> <p>The use described would be an "Office".</p> <p>The Monroe County Zoning Ordinance defines Office as follows: <i>Office. An establishment primarily engaged in providing professional, financial, administrative, clerical and other similar services.</i></p> <p style="text-align: center;">Chapter 802/Page 17</p> <p>Office is a permitted use in the Limited Business (LB), General Business and Light Industrial (LI) Zoning Districts.</p>

1/8/22, 9:07 AM

Office is not a permitted use in the Agricultural/Rural Reserve District.

A Zoning Map amendment to one of the following zoning districts would be required:

Limited Business (LB), General Business and Light Industrial (LI) Zoning Districts.

A copy of the zoning map has been uploaded to this file.

Notes:

This parcel is adjacent to the Riley SIP Properties LLC which is zoned General Business (GB).

The Milestone parcels to the east are also zoned General Business (GB).

Connection to sanitary sewer would likely be required. There may be an issue with water pressure along Arlington Street.

Reviewed by:	Rebecca Payne
Any determination is subject to an appeal per Chapter 821:	https://www.co.monroe.in.us/egov/documents/59990883_fa90_b436_69cd_a52adf7a9902.pdf

USE-21-86

This is an e-permit. To learn more, scan this barcode or visit monroecounty.in.viewpointcloud.com/#records/6542

MONROE COUNTY PLAN REVIEW COMMITTEE**February 10, 2022**

PLANNER	Anne Crecelius
CASE NUMBER	REZ-21-9
PETITIONER	Brett Rice
ADDRESS	1725 W Lancaster DR, parcel # 53-05-17-300-018.000-004
REQUEST	Rezone Request from RE1 to AG/RR Waiver of Final Hearing Requested
ACRES	24.54 +/- acres
ZONE	AG/RR
TOWNSHIP	Bloomington Township
SECTION	17
PLATS	Unplatted
COMP PLAN DESIGNATION	MCUA Rural Transition

EXHIBITS

1. Petitioner Letter
2. Petitioner Site Plan (original)
3. Site Plan (updated)

RECOMMENDATION

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

Plan Review Committee – February 10, 2022**Plan Commission Regular Meeting – March 22, 2022 (Preliminary Hearing)****Plan Commission Regular Meeting – April 19, 2022 (Final Hearing)****SUMMARY**

The petition site is one parcel totaling 24.54 +/- acres located in Bloomington Township. The petitioner is proposing to amend the Zoning Map from Estate Residential (RE1) to Agricultural/Rural Reserve (AG/RR). If the request is approved by the County Commissioners the petitioner intends to construct a Detached Accessory Dwelling Unit (DADU) on the petition site.

The Zoning Map amendment would be from RE1 to AG/RR. Listed below are the definitions of these zones per Chapters 833 and 802.

Estate Residential 1 (RE1) District. The intent of this district is to accommodate large lot, estate type residential uses in a rural environment along with limited compatible agricultural uses. It is meant specifically to:

- A. Accommodate those persons who desire estate type living.
- B. Maintain a pattern of growth that is consistent with the cost-efficient provision of urban services to promoted compactness in the city structure.
- C. Provide for development in a rural setting not necessarily requiring urban utilities.
- D. Provide for limited compatible agricultural uses.

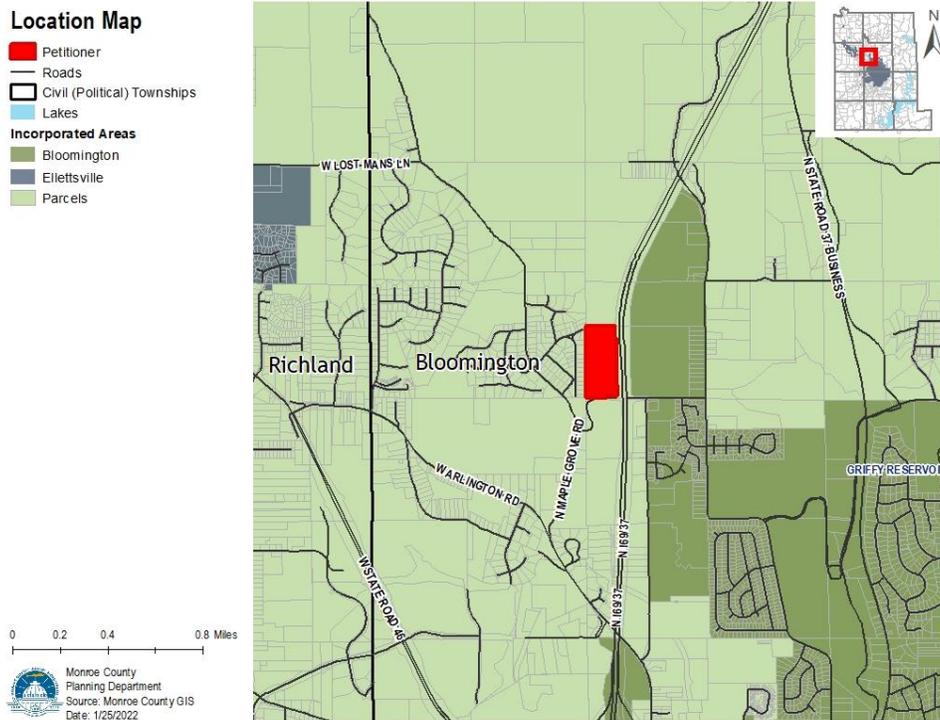
Agriculture/Rural Reserve (AG/RR) District. The character of the Agriculture/Rural Reserve (AG/RR) District is defined as that which is primarily intended for agriculture uses including, but not limited to, row crop or livestock production, forages, pasture, forestry, single family residential uses associated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

The petitioner is seeking the rezone in order to construct a second dwelling on the property. The petition site could potentially be subdivided but is restricted by the large area of FEMA floodplain, and the circumstance of the existing access to public roadway. The site’s access is a driveway off of a dead-end road that is platted within the Lancaster Park Subdivision. If the petitioner proposed subdividing this property they would be required to complete the roadway by constructing a cul-de-sac and dedicating right-of-way. Due to the limited buildable area the dedication/construction of a cul-de-sac would make the existing SFR encroach into the front setback and would reduce the required buildable area needed for the second lot.

LOCATION MAP

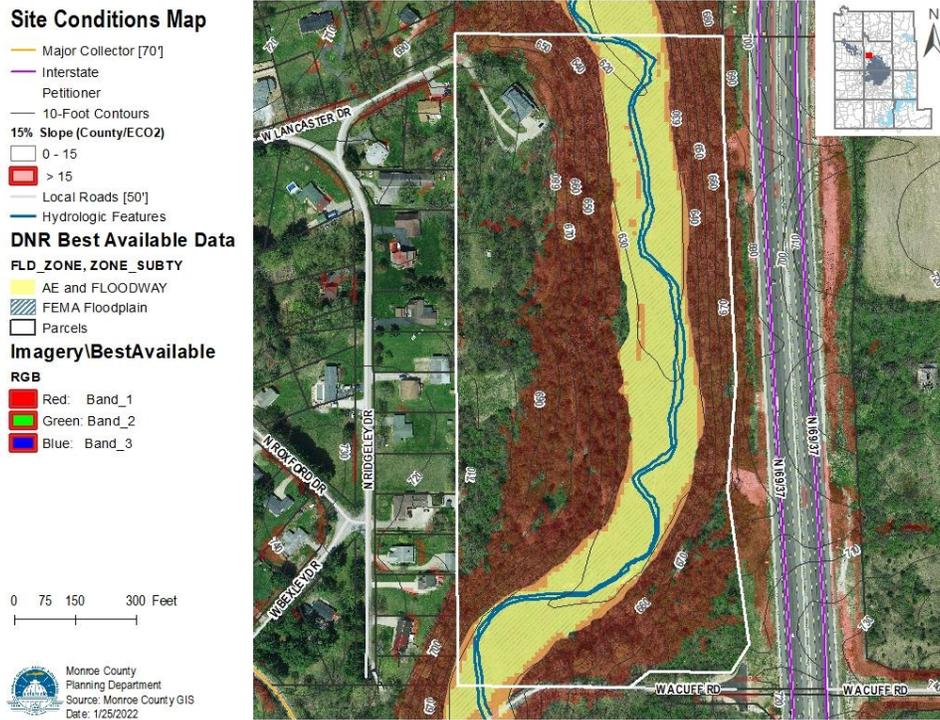
The petition site is one lot of record, parcel number: 53-05-17-300-018.000-004. The site is located at 1725 W Lancaster Drive in Section 17 of Bloomington Township.



ZONING

The zoning for the petition site is Estate Residential 1 (RE1). The petition site is a currently developed with a Single Family Residence.

have no comments on the rezone petition.



SITE PICTURES



Photo 1. Pictometry photo looking north.



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



Photo 3: From the SFR looking east at the entrance of the site.



Photo 4: Buildable area looking south.



Photo 5: Entrance of property and rock wall.

COMPREHENSIVE PLAN DISCUSSION

paths as part of a county-wide greenway system should be explored. Roadside paths may be appropriate in some cases, but care should be taken to preserve the scenic character of rural roadways. This can be accomplished through meandering alignments that provide space for landscape features such as mounding, fencing, limestone walls and naturalized plantings. Expansion opportunities for rural Transit routes should be explored to enhance accessibility of more remote areas.

B. Utilities

Sewer

Sewer service in rural transition areas will be limited. Residential development is expected to continue using on-site sewage disposal (septic systems), provided there is sufficient space, topography and soil conditions to meet minimum State and county installation and maintenance requirements.

Power

Overhead utility lines should be buried wherever feasible in the rural Transition area.

Communications

Communications needs will vary within the rural transition neighborhoods, but upgrades to infrastructure need to be a key consideration for future development sites. Communications features will likely differ from all other areas of development since transportation and infrastructure improvement will be limited. Wireless towers should be located sensitively to minimize disruption to scenic viewsheds.

C. Open space

Park Types

Open spaces within rural Transition areas should emphasize interconnected greenway systems and preservation of environmentally sensitive lands, whether public or private. Where feasible, shared use/bicycle paths should be provided to create continuous recreational and alternative transportation connections as part of the larger Monroe county system. Opportunities for new county parks should be explored, as well as opportunities for land preservation by private non-profit organizations such as the Sycamore land Trust.

Agriculture

The rural Transition area provides an opportunity to support food production within the Urbanizing Area. Particular emphasis should be placed on encouraging small-scale, locally-operated farming operations such as hobby farms, community-Supported Agriculture (CSA), vineyards and orchards. These are vital elements of the local economy, and proximity to the City of Bloomington offers an opportunity to integrate these uses into the local farm-to-Table and farm-to-institution supply chains.

D. Public Realm Enhancements

Lighting

Roadway lighting should be avoided on rural roadways to preserve rural character and minimize light pollution, except where necessary for safety.

Street/Site furnishings

Street and site furnishings will be limited to public parks and greenways.

E. Development guidelines

Open Space

Development in the rural Transition area will typically not provide public open space but will be required to protect environmentally sensitive features as development occurs.

Parking ratios

Parking needs are typically minimal for rural businesses, and requirements should be flexible based on the specific use.

Site design

Subdivision of land along rural roadways should avoid creating “residential strips” that block scenic vistas and change the character of the roadway from rural to suburban. Building setbacks will vary based on topography, but will typically exceed 50 feet and may be much larger.

Building form

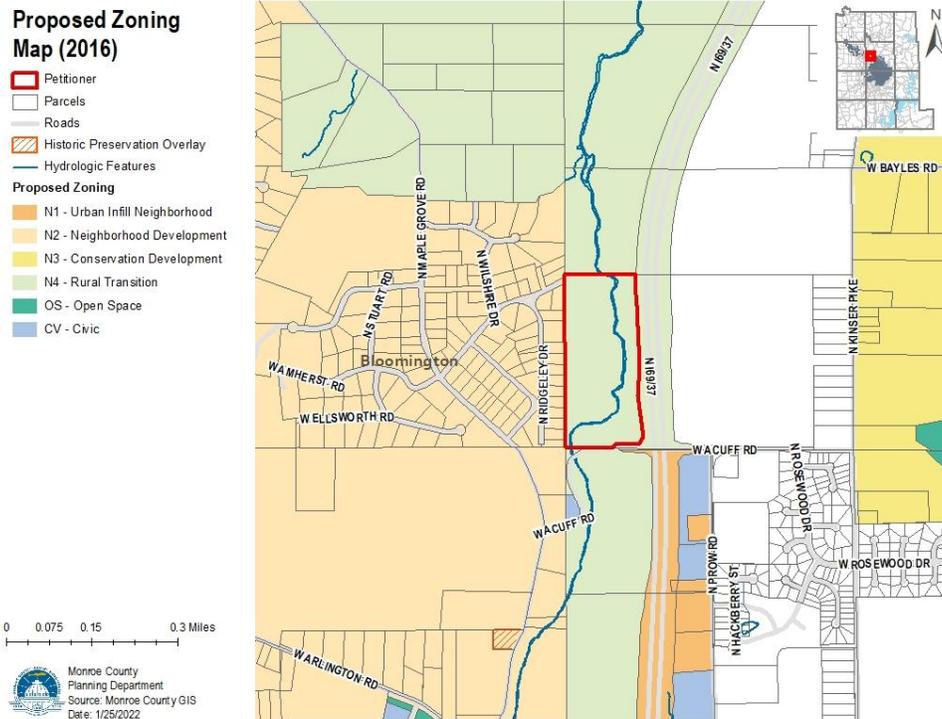
Simple building massings typical of rural places are encouraged.

Materials

High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Rural development will typically require a lower degree of aesthetic scrutiny than is typical of higher density development areas; however, basic aesthetic standards should be met.

Private signs

Residential development will typically not include signs, unless the residence is also operated as a business. Business signs will typically be ground- mounted monument-style or post-style signs and should be limited to no more than six feet in height. Signs should be secured to the ground and should not include changeable copy. Signs may be painted on barns in the manner of historic rural barn signs.



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 Transition;
- “transition the scale and intensity of development along the urban to rural transect”;
- “...low in density, primarily single-family, and typically are located along existing rural roadways rather than in subdivisions”;
- “Larger scale agricultural uses may occur within this area”;
- The intention of the petitioner if the rezone is approved it’s the intent of the petitioner to apply for a Detached Accessory Dwelling Unit;

(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 24.54 acres from RE1 to AG/RR;
- The current use of the petition parcel is a Single Family Residential and is developed;
- Adjacent uses are residential or agricultural and adjacent zoning is AG/RR;

(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 primarily unbuildable due to a stream that runs north to south on the site;
- The petition site is located in 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 W Lancaster Drive;
- According to the Monroe County Thoroughfare Plan, W Lancaster Drive is classified as a Local road;
- Further subdivision of the property is restricted by FEMA floodplain and the site's access to public roadway;

EXHIBIT 1: Petitioner Letter

Subject: 1725 W Lancaster Rezone Request from RE1 to AG/RR

Submitted to: Monroe County Planning Commission

Submitted by: Brett Rice, btownricefam@gmail.com, 812-296-8216

Submitted on: 12/22/2021

To the planning commission members: Please review the information provided supporting a conversion from RE1 to AG/RR . If you have any questions or concerns, please feel free to reach out to me via either email or phone. Thank you! Brett Rice

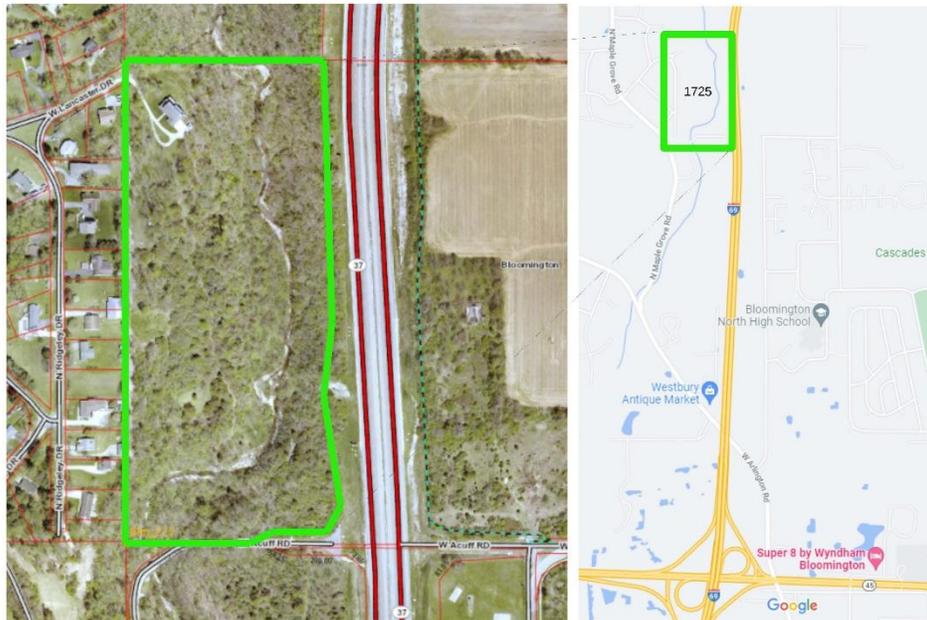
1

1725 W Lancaster Existing Site Overview

Property Address:
1725 W Lancaster Dr

Parcel Number:
53-05-17-300-018.000-004

Property Description:
24.5 Acres, heavily wooded, contains steep terrain, exposed limestone cliffs, has one homestead



2

1725 W Lancaster Re-zone Application Discussion

-Existing RE1 zoning is an artifact of annexation.

-This property is part of Area 7 which was removed from annexation due to its rural nature with low population density and extremely rugged terrain.

-This application proposes that this property be moved to AG/Rural Reserve Zoning to align with the topography, property density, and other similar properties in the northern part of Monroe Co, which were the primary drivers for removal from annexation.

-If approved, if the zoning will also allow for a Detached Accessory Dwelling Unit (DADU) to be built.



3

Point 1:

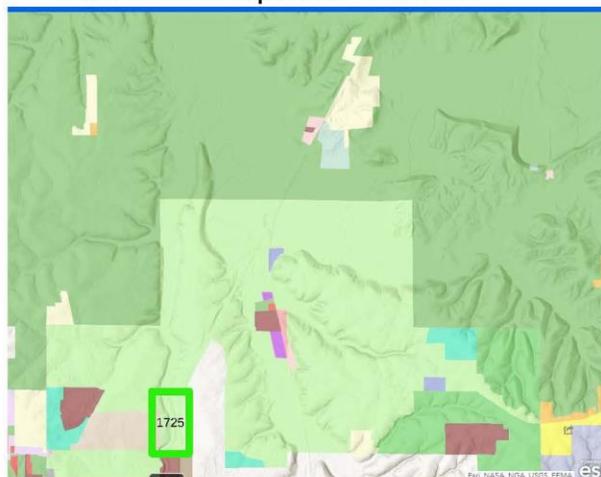
-There are nearby AG/RR zoned properties which have similar low building density (shown in dark green)

-These properties are similar in topography and building density to 1725 W Lancaster property

-Had this property not been changed to RE1, it is likely that it would be considered AG/RR

Existing Zoning Map

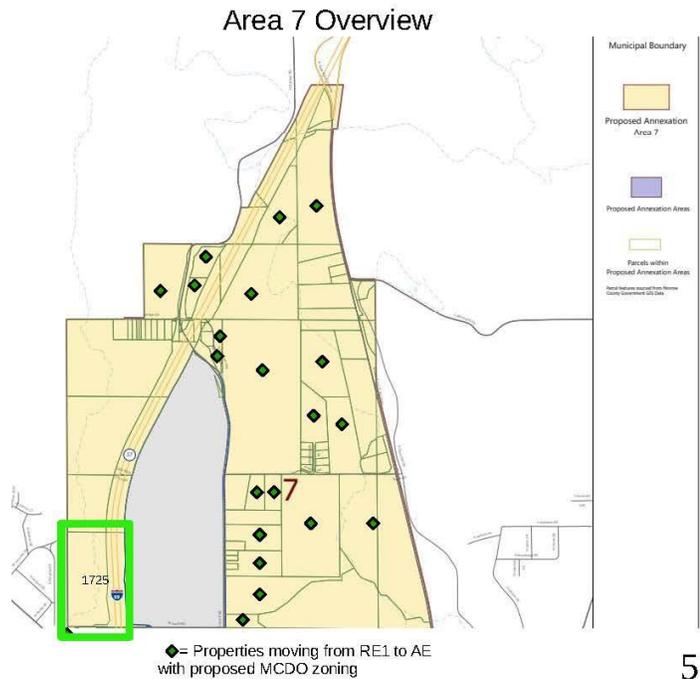
Dark Green Properties = AG / RR



4

Point 2:

- 1725 would fit well into new MCDO Zoning as AE (Similar to current AG/RR)
- Many Area 7 properties were re-zoned to RE1 for purposes of annexation.
- Area 7 was removed from annexation largely because of its rural nature, but the unusual zoning remained.
- Proposed MCDO will convert many nearby Area 7 properties from RE1/ER to Agricultural Estate (Similar to AG/RR)

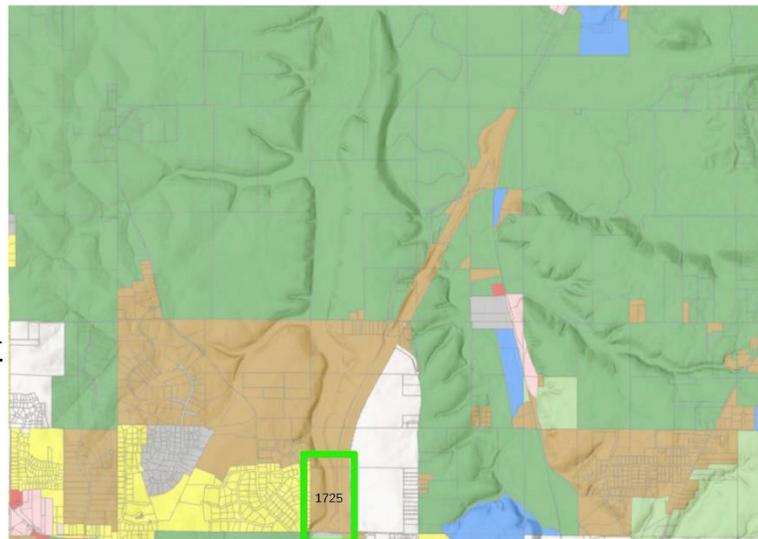


5

Proposed MCDO Zoning will move many nearby properties to AE zoning (Dark Green)

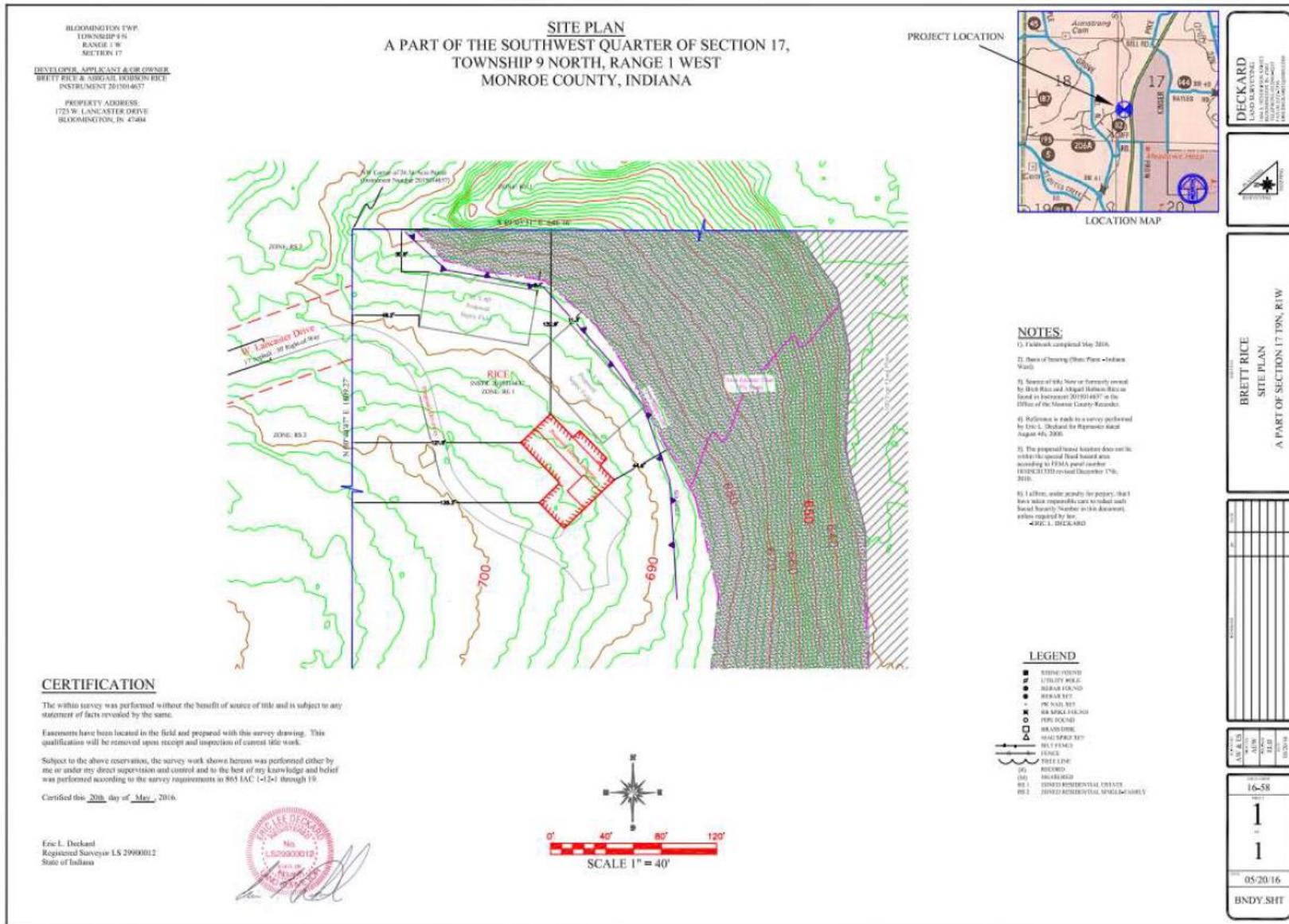
Point 2 (cont'd):

- Future surrounding properties with similar population density will likely be zoned AE under proposed MCDO
- When MCDO is approved it is likely that 1725 property will fit well into the AE zoning



6

EXHIBIT 2: Petitioner Site Plan



PLANNER	Tammy Behrman
CASE NUMBER	REZ-21-10
PETITIONER	Ronald Williams
OWNER	Sterwerf, Kyle & Tawny
ADDRESS	1785 E Rayletown RD
REQUEST	Rezone Request from ER to SR Waiver of Final Hearing Requested
ACRES	5.62 +/- acres
ZONE	ER
TOWNSHIP	Perry Township
SECTION	27
PLATS	Perennial Estates Lot 2 Amendment 3; Lot 2
COMP PLAN DESIGNATION	MCUA Suburban Residential

EXHIBITS

1. Petitioner Letter
2. Petitioner Site Plan
3. ER and SR Use Table
4. Comparison of Design Standards
5. Perennial Estates Lot 2 Amendment 3 Final Plat
6. Building Permit 18-RA-189

RECOMMENDATION

Staff recommends **approval** of the Rezone of based on findings of fact and subject to the Monroe County Highway and MS4 Coordinator Reports with the following condition:

1. Apply for a final plat amendment as proposed under Exhibit 2.

Plan Review Committee – February 10, 2022

Plan Commission Regular Meeting – March 22, 2022 (Preliminary Hearing)

Plan Commission Regular Meeting – April 19, 2022 (Final Hearing)

SUMMARY

The petition site is one parcel totaling 5.62 acres located at 1785 E Rayletown RD. The petitioner is proposing to amend the Zoning Map from Estate Residential (ER) to Suburban Residential (SR) for a 50’ x 243’ strip of land located on the eastern side of the property (Exhibit 2). The proposed rezone area is currently an easement (Exhibit 5) for a septic system for the property 1901 E Lukes CT. Recent changes in ownership and an enforcement case brought to Planning’s attention has prompted this rezone request. Should the rezone be approved the next step would be for a final plat amendment application to be filed to shift the lot line west and transfer the property to 1901 E Lukes CT (currently zoned SR) bringing the property into compliance with current zoning. The rezone is required prior to the final plat amendment due to an issue that otherwise would result in a split zoned lot with a non-compliant structure due to design standard differences (Exhibit 4).

BACKGROUND

A pole barn was previously issued permit 18-RA-189 in 2018 for a 1200 sf accessory structure at 1901 E Lukes CT. A neighbor complaint was submitted in August of 2021 regarding building without permits. The owner, Williams, of 1901 E Lukes CT had begun a lean-to addition to the 1200 sf pole barn. Staff discovered that the original site plan (Exhibit 6) was not followed and the original 1200 sf structure was

built within an easement over land owned by the Sterwerfs. The setbacks were also an issue and did not meet the split zoned requirements. A permit application has been submitted by Williams for the 400 sf lean-to addition under R-21-1100 in an effort to become compliant with regards to the unpermitted structure and failing to follow an original site plan.

The Zoning Map amendment would be from ER to SR. Per Chapter 802 of the Monroe County Zoning Ordinance:

Estate Residential (ER) District. *The character of the Estate Residential (ER) District is defined as that which is primarily intended for low density, single family residential development on relatively flat land in areas that have some, but not full, public services, generally along or near major County roads or state highways. Its purposes are to permit limited single family residential development on large lots, to discourage the development of sanitary sewer systems except for existing development, to discourage the development of residential subdivisions and non-farm nonresidential 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 ER District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the 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.*

Suburban Residential (SR) District. *The character of the Suburban Residential (SR) District is defined as that which is primarily intended for existing, possibly nonconforming, recorded single family residential subdivisions and lots of record. Its purposes are to accommodate existing, substandard subdivision developments and lots, to permit the build-out of single family residential uses in those developments and lots, to encourage the development of sanitary sewer systems for the existing development in the Lake Lemon area, to discourage the development of nonresidential 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 SR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The need for expanding this district beyond the areas designated on the Official Zone Maps on the date of the adoption of the zoning regulations is not anticipated or encouraged.*

LOCATION MAP

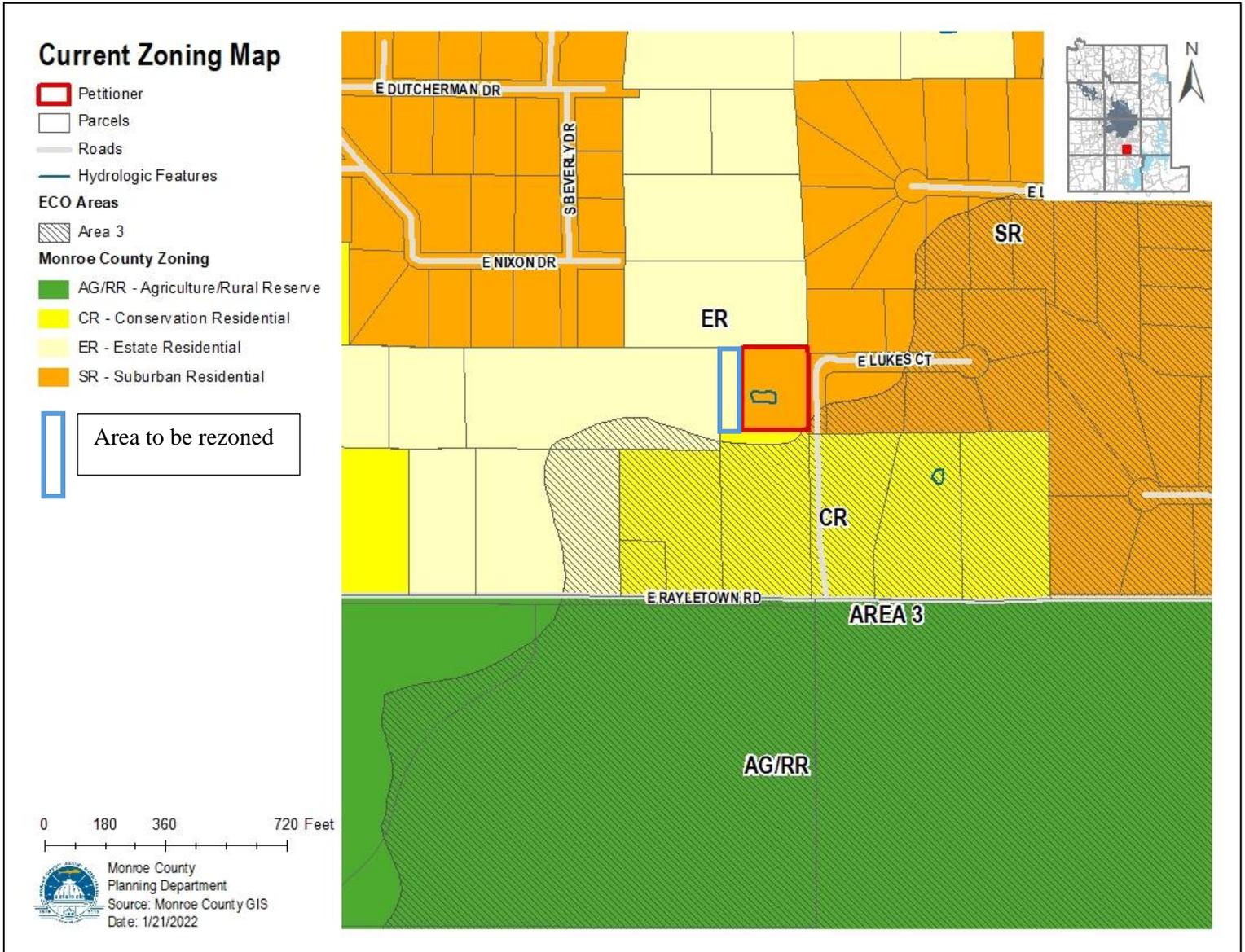
The parcel is located at 1785 E Rayletown RD, Section 27 Perry Township. The Parcel Numbers are 53-08-27-304-017.000-008



ZONING

The parcel is zoned Estate Residential (ER). Adjacent zoning Estate Residential (ER) to the north and west, Conservation Residential (CR) is to the south and Suburban Residential (SR) to the east. The area is also adjacent to the Environmental Constraints Overlay Area 3 (ECO3) but not the portion of the proposed rezone area.

The use of the property is residential. Surrounding uses are residential, agriculture and meat processing to the south.

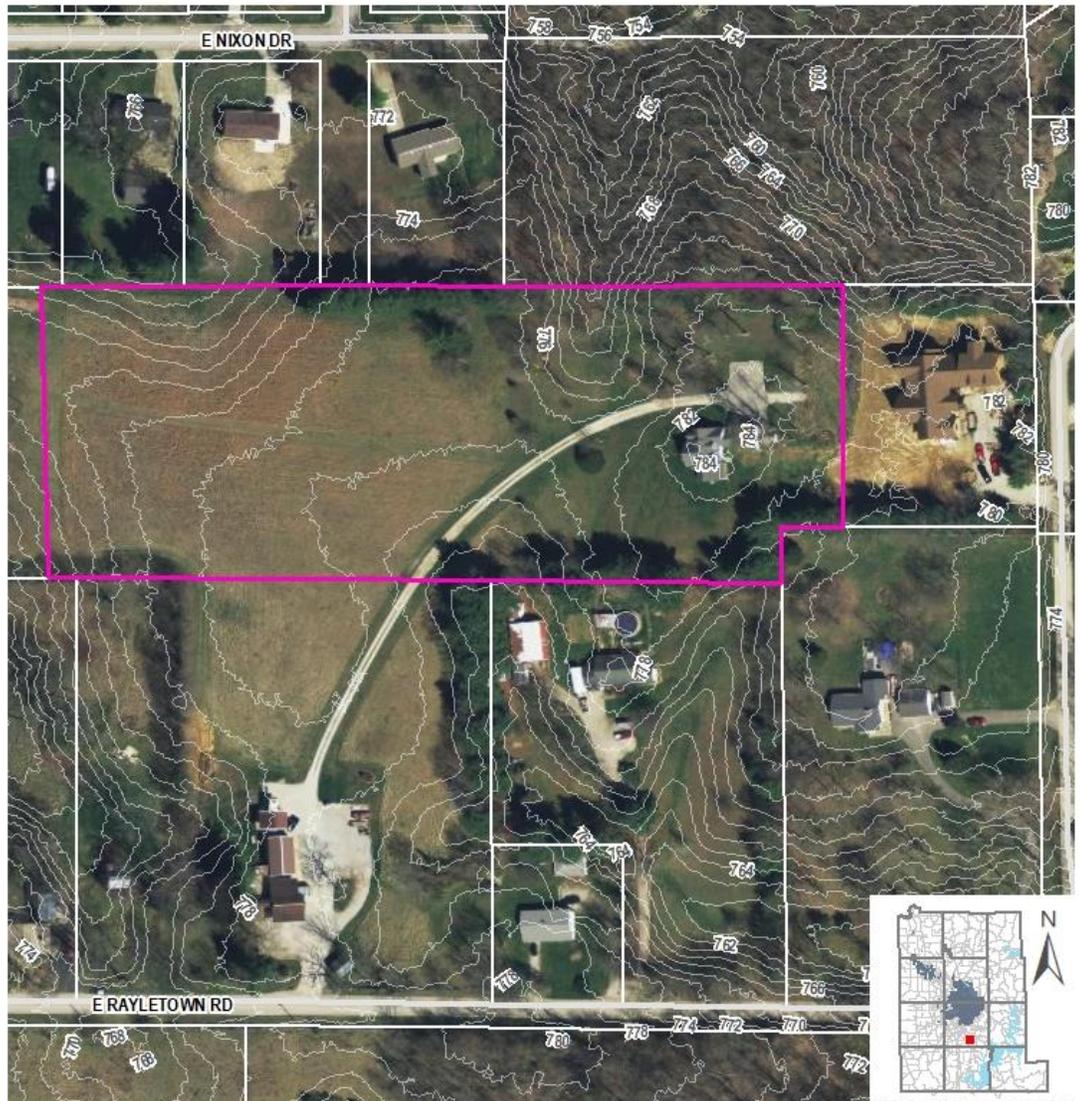


SITE CONDITIONS & INFRASTRUCTURE

This petition site is made up of one parcel totaling 5.62 +/- acres. The site contains a residence with attached garage. Access to the site is through an easement to E Rayletown RD. There is no regulated Floodplains on the lot and the site is not within the critical watershed. There is no evidence of a karst features. The petition site drains north and south. The site utilizes a septic system. There is a second septic system within an easement on the eastern portion of the property that is also walled off by a fence built by the property owners of 1901 E Lukes CT.

Site Conditions Map

- Local Roads [50']
- Petitioner Parcels
- 2-Foot Contours



0 45 90 180 270 Ft



Monroe County
Planning Department
Source: Monroe County GIS
Date: 1/21/2022

UTILITY CAPACITY

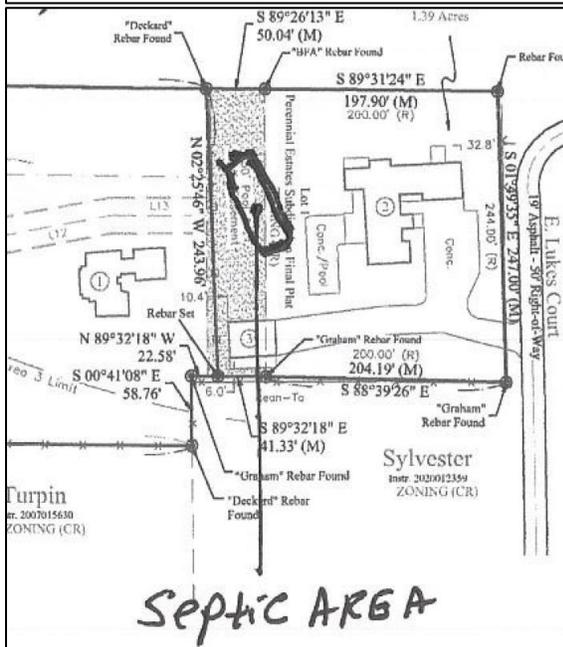
No capacity letters requested for water / electric. Property is already developed and there is no proposed development in the area to be rezoned.

Health Department Review

Septic Permit #20651 issued 9/3/2014 for 1901 E Lukes CT and the Construction Inspection completed was 9/29/2014. A site inspection was performed 12/13/2012 at the request of Planning staff.

From: Ryan Kasper-Cushman
Sent: Monday, December 13, 2021 10:46 AM
To: Tammy Behrman
Subject: Re: 1901 S Lukes CT - permit 18-RA-189

The septic field is located entirely east of the fence.



MS4 Drainage Review

No stormwater comments related to the rezone.

Highway Department Review

 **Paul Satterly** Remove Comment • Jan 5, 2022 at 2:13 pm

No comments.

SITE PHOTOS



Figure 1. Facing northwest. View of the 50' where septic is located in easement. Wooden fence is the boundary of the easement and extend of the proposed rezone.



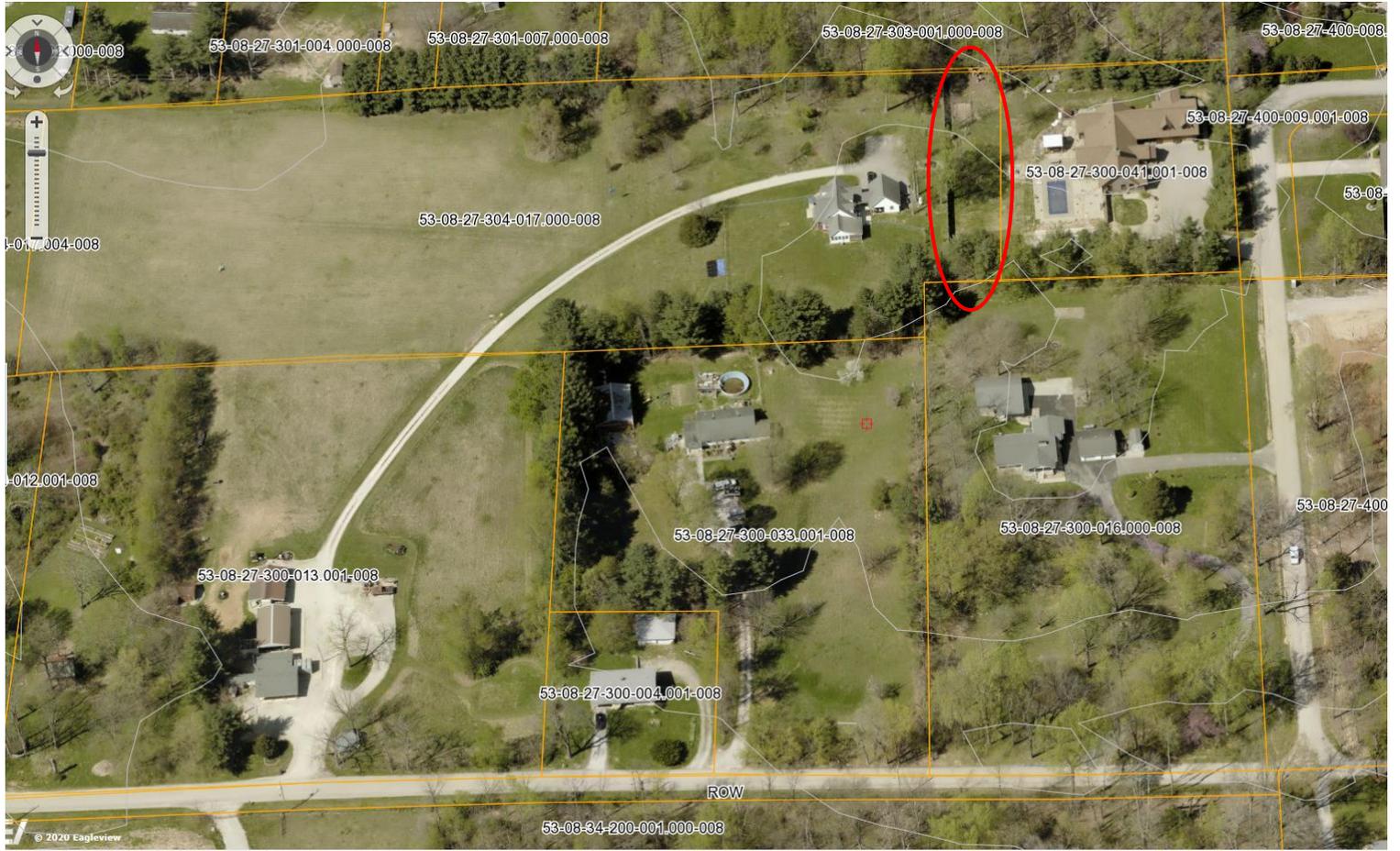
Figure 2. Facing west: View of barn and lean-to that were located within the easement and part of an active enforcement case.



Figure 3. Facing south: view of barn built in incorrect location on neighboring property in easement.



Figure 4. Facing west: view of barn, fence and the Sterwerf's residence as viewed from the driveway of 1901 S Lukes Ct.



Map: Auto (Oblique) | Apr 2020 - Apr 2020 | < image 1 of 7 > | 04/20/2020

Figure 5. Aerial view facing north of petitions site and the surrounding area ca. April 2020.

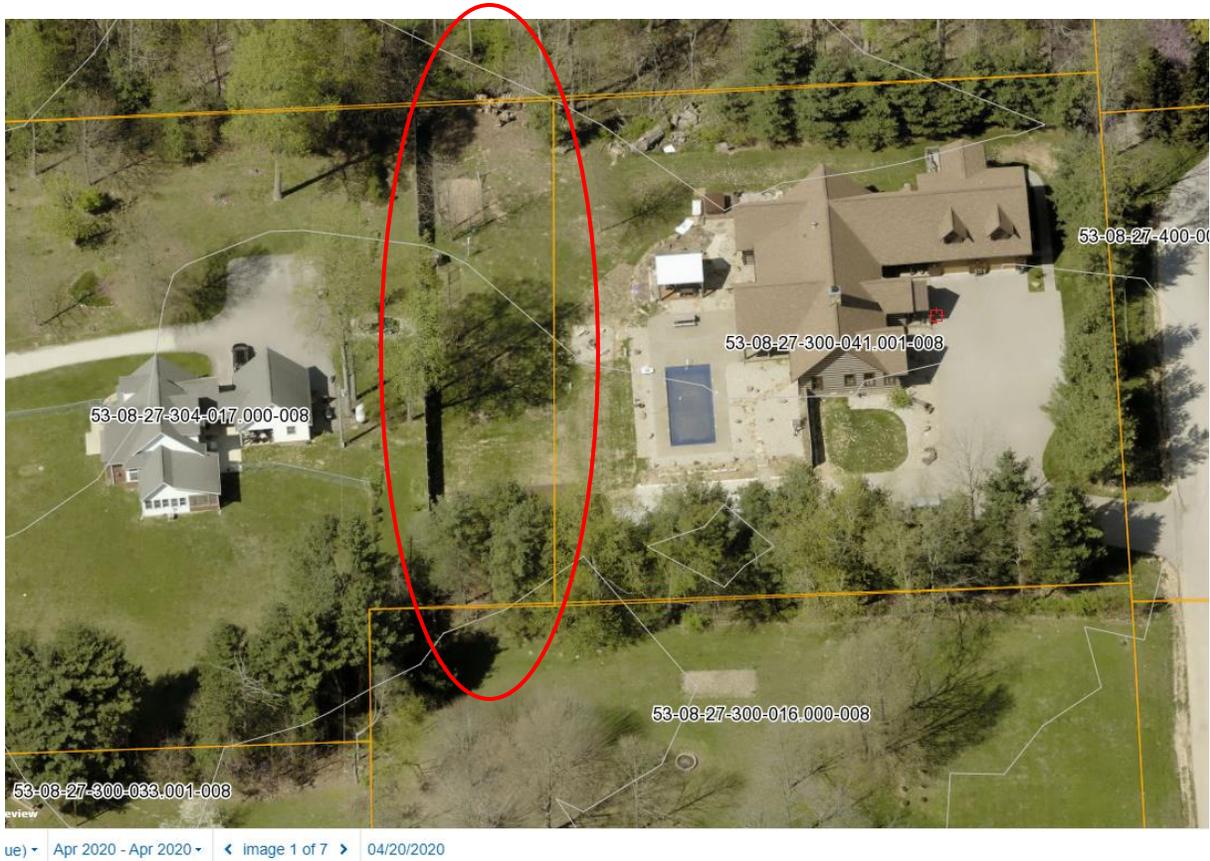


Figure 6. Aerial view facing north ca. April 2020.



Figure 7. Aerial view facing west ca. April 2020

COMPREHENSIVE PLAN DESIGNATION

The petition site encompasses comprehensive plan designation MCUA Suburban Residential.

The proposed use of residential is consistent with the MCUA Suburban Residential district. Listed below are the design standards for the MCUA Suburban Residential district.

5.1.2 Suburban Residential

Suburban residential includes existing low- density single-family subdivisions and isolated multi-family apartment complexes. Different housing types are typically segregated, with multiple buildings having a similar or identical appearance. This development type is not recommended for extensive application beyond existing or currently planned developments.

In some locations, it may be appropriate to extend this development pattern if it is directly adjacent to existing Suburban residential subdivisions as an appropriate way to coordinate with those neighborhoods. However, the conservation community land use category offers a more appropriate alternative to the conventional suburban subdivision that balances the desire for non-urban living while also preserving rural character. The following guidelines should be considered if new suburban-style developments are approved; they also provide considerations for potential retrofitting of public infrastructure within existing neighborhoods.

A. Transportation

Streets

Suburban residential subdivisions are auto-oriented by design. To the extent possible, this approach to residential development should be de-emphasized within the Urbanizing Area to prevent continued expansion of isolated “leap- frog” subdivisions and sprawl development patterns that require continued reliance on the automobile. New Suburban residential streets should be designed to encourage interconnectivity to and through the neighborhood and to surrounding subdivisions. Cul-de-sacs should be discouraged unless necessary due to topographic or environmental constraints. Streets are typically designed with curb and gutter, but may also be designed to accommodate surface runoff with open street-side swales or ditches.

Bike, pedestrian, and Transit modes

Sidewalks and/or shared use paths should be provided on all streets, with connections to larger pedestrian and bicycle systems. Sidewalk retrofits in existing subdivisions should be considered after thorough consultation with and support from existing residents.

Given their remote location and low-density development pattern, opportunities to serve Suburban residential neighborhoods with public transportation are limited. Expansion opportunities for rural Transit routes should be explored, with pick-up locations considered near entries to subdivisions.

B. Utilities

Sewer

New development should be served by the public sewer system. Localized package systems for individual residential subdivisions should be discouraged. Retrofit and tie-ins should be encouraged for older neighborhoods on septic.

Power

Overhead utility lines should be buried within subdivisions. Where possible, existing overhead lines along arterial frontages should also be buried.

Communications

Communications needs will vary within the suburban residential developments, but upgrades to infrastructure should be a key consideration for future development sites. Creating a standard for development of communications corridors should be considered to maintain uniform and adequate communications capacity.

C. Open space

Park Types

Many of the older suburban subdivisions in the Urbanizing Area were developed without dedicated open space. New developments, such as Stone chase, include platted open space reserves; these generally function to preserve natural features such as streams and tree stands, or to provide space for stormwater retention ponds. However, subdivisions are not currently required to provide usable park space, with the exception of voluntary cluster subdivisions. All new residential subdivisions should be designed to include neighborhood parks and/or greenways as a community amenity.

Urban Agriculture

Private residential gardens and local community gardens should be encouraged within commonly maintained open space areas or via conversion of undeveloped lots in established neighborhoods.

D. Public Realm Enhancements

Lighting

Lighting needs will vary by street type and width but safety, visibility and security are important. Local streets may be lighted, but lighting may be not be necessary in all low-density subdivisions.

Street/Site furnishings

Suburban residential neighborhoods typically have few street furnishings beyond street lamps.

E. Development Guidelines

Open Space

A minimum of 5% of total site area for new developments should be set aside for publicly accessible and usable open space areas. Open spaces may be designed as formal park settings or informal, naturalized reserve areas. Natural areas should be accessible with trails or paths where appropriate. If not accessible, additional open space area should be provided. Likewise, open space areas may include stormwater management features, but should not be dominated by large retention ponds with no additional recreational space.

Parking Ratios

Parking for single-family homes is typically accommodated on individual lots. On-street parking should also be permitted.

Site Design

Reverse frontage lots should be avoided. Homes should not back onto arterial or collector streets.

Building form

Modern suburban single-family construction has trended in two directions: either overly simplified (e.g. blank, windowless side facades) or overly complex (e.g. complicated building massing and roof forms). Homes should have recognizable forms and detailing appropriate to the architectural style, with an emphasis on “four-sided architecture”. Garages doors should not dominate the front facade; ideally garages should be set back from the front facade and/or side-loaded.

Materials

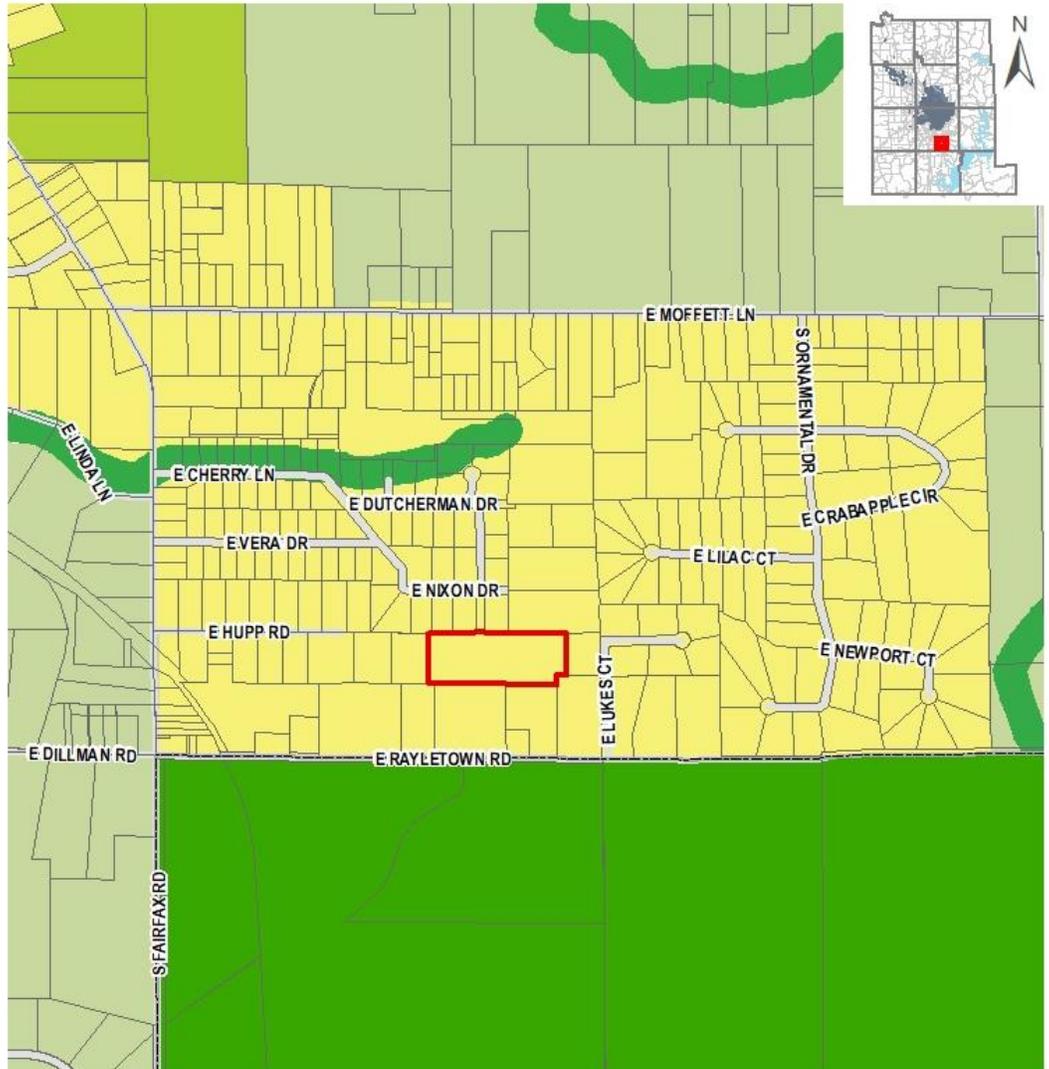
High quality materials, such as brick, stone, wood, and cementitious fiber should be encouraged. Vinyl and exterior insulated finishing Systems (eifS) may be appropriate as secondary materials, particularly to maintain affordability, but special attention should be paid to material specifications and installation methods to ensure durability and aesthetic quality.

Private Signs

Subdivision entry signs should be integrated into high-quality landscape designs.

Comprehensive Plan

-  Petitioner
-  Townships
-  Monroe Co. Urbanizing Area (MCUA)
-  Parcels
-  Roads
- Comp. Plan Land Use (Updated 2015)**
-  Farm and Forest
-  MCUA Conservation Residential
-  MCUA Open Space
-  MCUA Rural Transition
-  MCUA Suburban Residential



0 0.075 0.15 0.3 Miles

Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 1/21/2022

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 rezone request is to change the zone for a 50' x 243' portion of the petition site from Estate Residential (ER) to Suburban Residential (SR);
- The Comprehensive Plan designates the petition site as MUA Suburban Residential;
- According to the Comprehensive Plan, MUA Suburban Residential area "*Mixed-use areas offer the greatest flexibility in terms of land use. Individual parcels of land within a larger mixed-use area may be developed with a single use, so long as the site is designed in a way to integrate with surrounding sites to create a whole that is greater than the sum of parts.*"

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

Findings:

- See Findings under Section A;
- The current use is residential;
- The portion proposed to be rezoned has a residential septic system in an easement for the adjacent property to the east located at 1901 E Lukes CT;
- The rezone request is to change the zoning for a 50' x 243' portion of the property to Suburban Residential (SR) which is described by the County's Zoning Ordinance, Chapter 802, as follows:

Suburban Residential (SR) District. *The character of the Suburban Residential (SR) District is defined as that which is primarily intended for existing, possibly nonconforming, recorded single family residential subdivisions and lots of record. Its purposes are to accommodate existing, substandard subdivision developments and lots, to permit the build-out of single family residential uses in those developments and lots, to encourage the development of sanitary sewer systems for the existing development in the Lake Lemon area, to discourage the development of nonresidential 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 SR District is limited. Some uses are conditionally permitted. The conditions placed on these uses are to insure their compatibility with the residential uses. The need for expanding this district beyond the areas designated on the Official Zone Maps on the date of the adoption of the zoning regulations is not anticipated or encouraged.*

- The petition site is currently zoned ER;
- There is one existing residential driveway accessing W Arlington RD (major collector);
- The petition site is not located in a Special Flood Hazard Area;
- Karst is not evident from best available data;
- The property located at 1901 E Lukes CT has built over their lot line and within the septic easement which is cause for this rezone petition;

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

Findings:

- See Findings under Section A and Section B;
- The current use of the lot is residential as well as the adjacent lot to the east;

(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;
- The Health Department issued a permit in 2014 within the septic easement and it was inspected twice by the Health Department;
- The site is not within a critical watershed;
- Floodplain is not in the vicinity;
- The landowner at 1901 E Lukes CT was issued a permit for a residential accessory structure but did not follow the site plan and built over the lot line and within the septic easement;
- A rezone will allow for a final plat amendment to shift the lot line to the west resulting in a lot fully zoned SR and not split zoned;
- The SR zone has design standards that will bring the accessory structure in compliance with setback standards;

EXHIBIT 1: Petitioner Letter

12/28/2001

My reason for the rezone is as follows.

When we started building in 2014 we didn't have enough room for our septic system so I agreed to buy another 50' from my neighbor. I didn't know anything about zoning but was told that it would take a long time to have it rezoned and get a deed, so an easement was the next best solution, so I was told. I want to add a small lean to to an existing pole barn and need a permit. Now I'm in the process in buying it again from the new neighbors and getting a deed and having it rezoned to match my existing property. If you have any questions, you can email me or call.

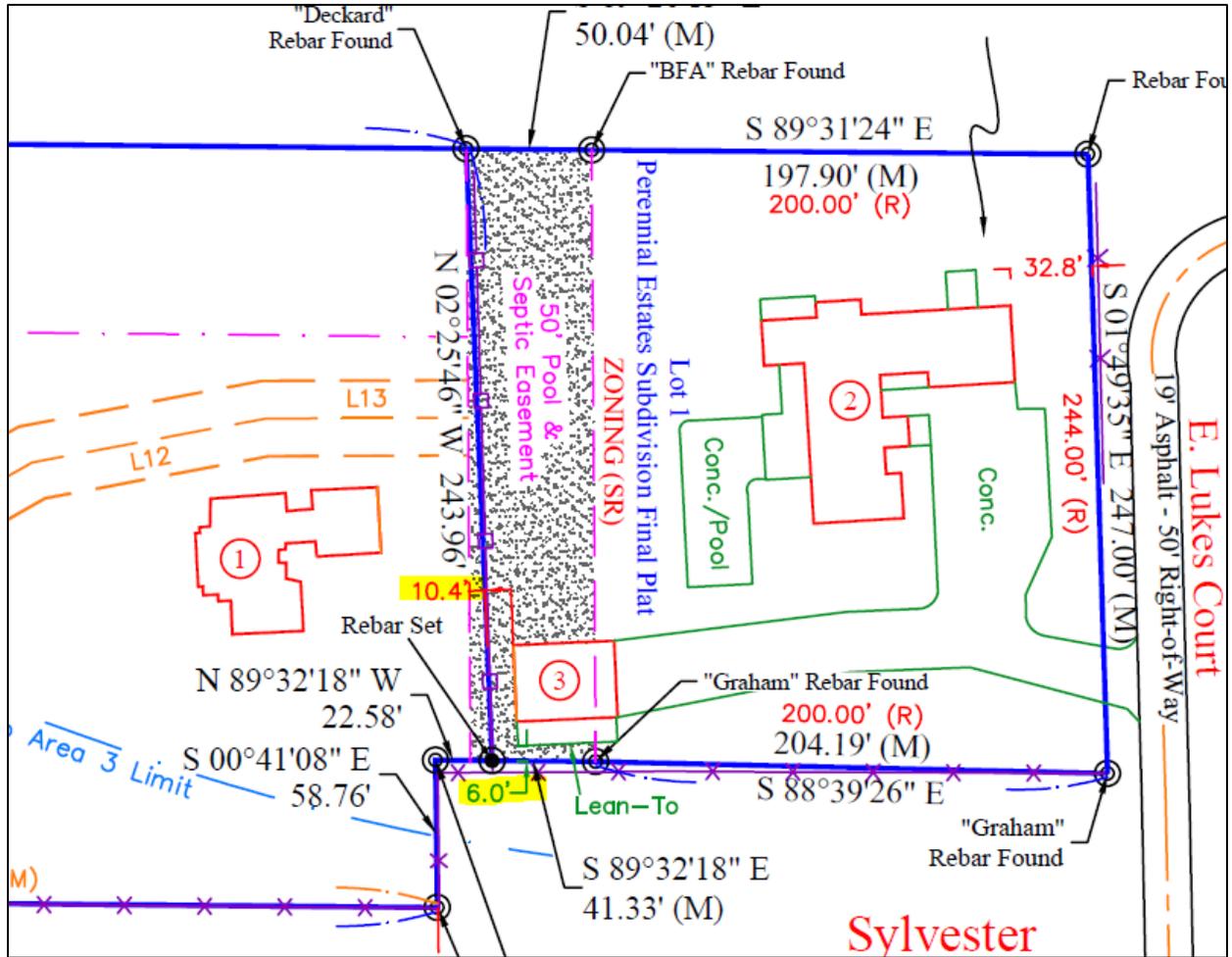
Flyer47403@yahoo.com

812-327-0353

Thank You

Ronald F Williams

Rezoning from ER to SR



Note the yellow highlighted setbacks for the pole barn (3) of 6' side and 10'4' for the rear which are within the required 5' and 10' requirements.

EXHIBIT THREE: Comparison of Uses permitted in the ER and SR Zones

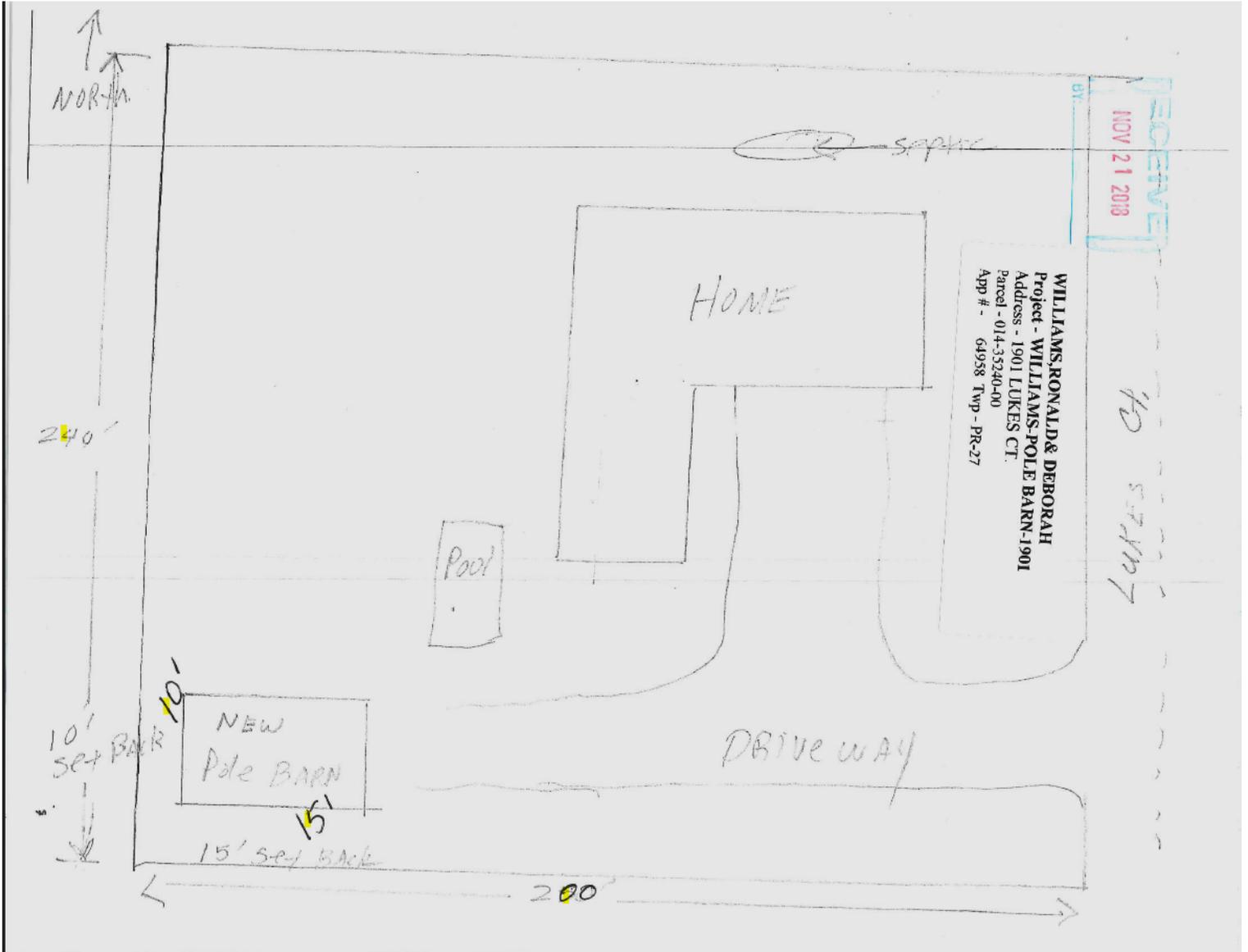
Agricultural Uses	ER
Historic Adaptive Reuse	P
Residential Uses	ER
Accessory Apartments	P
Accessory Livestock	P
Accessory Use	P
Guest House	P
Historic Adaptive Reuse	P
Home Based Business	P
Home Occupation	P
Residential Storage Structure	P
Single Family Dwelling	P
Temporary Dwelling	P
Two Family Dwelling	P
Public and Semipublic	ER
Accessory Use	P
Cemetery	P
Governmental Facility	P
Historic Adaptive Reuse	P
Religious Facilities	P
Telephone and Telegraph Services	P
Utility Service Facility	P
Water Treatment Facility	P
Business and Personal Services	ER
Accessory Use	P
Artisan Crafts	C
Bed and Breakfast	P
Historic Adaptive Reuse	P
Real Estate Sales office Or Model	P
Tourist Home or Cabin	C
Retail and Wholesale Trade	ER
Historic Adaptive Reuse	P
Automotive and Transportation	ER
Historic Adaptive Reuse	P
Accessory Use	P
Historic Adaptive Reuse	P
Park and Recreational Services	P
Private Recreational Facility	P
Manufacturing, Mining	ER
Construction Trailer	P
Historic Adaptive Reuse	P

Agricultural Uses	SR
Historic Adaptive Reuse	P
Residential Uses	SR
Accessory Apartments	P
Accessory Livestock	P
Accessory Use	P
Historic Adaptive Reuse	P
Home Occupation	P
Residential Storage Structure	P
Single Family Dwelling	P
Temporary Dwelling	P
Two Family Dwelling	P
Public and Semipublic	SR
Accessory Use	P
Group Home Class I	P
Historic Adaptive Reuse	P
Business and Personal Services	SR
Artisan Crafts	C
Historic Adaptive Reuse	P
Real Estate Sales office Or Model	P
Retail and Wholesale Trade	SR
Historic Adaptive Reuse	P
Automotive and Transportation	SR
Historic Adaptive Reuse	P
Historic Adaptive Reuse	P
Manufacturing, Mining	SR
Construction Trailer	P
Historic Adaptive Reuse	P

EXHIBIT FOUR: Comparison of Design Standards for ER and SR

Table 4-1 Height, Bulk, Area, and Density Requirements for Zoning Districts																	
Requirement	AG	FR	CR	ER	SR	LR	MR	HR	UR	LB	GB	PB	LI	HI	IP	ME	REC
Gross Density	0.40 (J)	0.20	0.40	1.00	1.00	3.00	4.80	7.30	7.30	---	---	---	---	---	---	---	---
Minimum Lot Area (acres)	2.5 (I)	5.0 (I)	2.5 (E)(I)	1.0	1.0 (F)	0.34	0.21	0.14	0.14	---	---	---	---	---	---	---	---
Minimum Lot Width at Building Line	200	200	200	100	50	75	60	50	50	50	50	50	60	100	100	200	200
Minimum Required Setbacks (feet)																	
Yard Fronting on any Street																	
Local	25 (H)	25 (H)	25 (H)	25	25	25	25	25	25	25	25	25	35	35	35	35	25
Minor Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	25	25	25	35	35	35	35	25
Major Collector	35 (H)	35 (H)	35 (H)	35	35	35	35	35	35	35	35	35	35	35	35	35	35
Minor Arterial	50 (H)	50 (H)	50 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Principal Arterial	60 (H)	60 (H)	60 (H)	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Side Yards	50 (A)	50 (A)	15	15	5	10	5	5	10	6	6	6	3	3	3	50	50
Rear Yard	50 (B)	50 (B)	35	35	10	25	10	10	10	0	0	0	10 (D)	10 (D)	10 (D)	50	50
Maximum Lot Coverage (AG/RR, CR, FR- Sq. Ft.) Minimum Open Space Area (All Other Zones - percent)	15,000 Square Feet (G)	15,000 Square Feet (G)	15,000 Square Feet (G)	40	40	40	40	40	40	15	20	15	20	20	20	---	20
Maximum Height (feet)	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	40 Principal Use Structures 30 Accessory Use Structures	35	35	35	35	35	45	35	45	35	50	60	35	---	45
Maximum Floor Area Ratio	---	---	---	---	---	---	---	---	---	0.25	0.30	0.25	0.4	0.4	0.4	---	0.30

EXHIBIT SIX: Site plan from application for permit 18-RA-189



CASE NUMBER	REZ-22-1
PLANNER	Anne Crecelius & Jackie Nester Jelen
PETITIONER	Monroe County Plan Commission
REQUEST	Rezone from Mineral Extraction (ME) to Heavy Industrial (HI)
ADDRESS	405 W Dillman Rd, 53-08-32-300-009.001-008
ACRES	30.45 +/-
ZONE	ME
TOWNSHIP	Perry Township
SECTION	32
PLATS	Indiana Limestone Minor Subdivision, Lot 1
COMP PLAN	Farm and Forest
DESIGNATION	

EXHIBITS

1. Overall Site Plan
2. Indiana Limestone Minor Subdivision Plat
3. Bedford, IN – Letter of Support

RECOMMENDED MOTION

Staff recommends forwarding a **favorable recommendation** for the rezone request from Mineral Extraction (ME) to Heavy Industrial (HI) based on the findings of fact, subject to the Monroe County Highway and MS4 Coordinator reports with the following conditions:

1. Petitioner submit a written commitment to submit to a decommission plan for staff level approval, a 40% open space minimum for the site, and a plan for how to transfer materials brought to the site that are not permitted by ordinance including a timeline for removing illegal materials.

PLAN COMMISSION MEETING 1/18/2022 SUMMARY

This site – 405 W Dillman – was previously taken to the Board of Zoning Appeals as a Conditional Use for a “Central Garbage/Rubbish Removal” facility on 9/1/2021 because the Ordinance does not have a specific scrap metal recycling use. IDEM, the Solid Waste District, and the Solid Waste Board all stated that the use as described by Bedford Recycling does not meet the definition of “solid waste” and therefore the use as solid waste facility does not fit the intended use of the property. Therefore, a text amendment is needed to identify this unique use. At the January 18, 2022 Plan Commission meeting, the text amendment to add “Scrap Metal Processing Facility” as a use to the ordinance was given a favorable recommendation to the County Commissioners.

The questions posed by the Plan Commission included:

1. Has this gone to Drainage Board/been reviewed by Drainage Board? KT: Not yet as this is a rezone and the petitioner has not yet supplied a preliminary drainage report at this time.

Andy: will be putting together the drainage plan over the next couple of months. Consultants out of Nashville TN that works on stormwater issues (Rule 6). BRCJ would assist with the CSGP.

Stormwater – must sample runoff from the property periodically in Bedford. Take samples and they get tested that the water meets standards. File an annual report. Had no issues with the Bedford site for 15 years. This site will be better than the Bedford site because there will be pavement (as opposed to gravel at Bedford site) and the site plan will be more comprehensive from the start. Oil separator and other features are designed in the forefront.

TER: would like to see this go to Drainage Board prior to rezone.

2. To what extent does this rezone interfere with current mineral extraction in the area and is it still actively generating blocks through mineral extraction, dimensional mill blocks, etc. The site has never been quarried. Used as a buffer and for storage. There are several other properties in the township that are still zoned Mineral

Extraction.

Per the petitioner's representative Patrick Ziepolt: One large site with limestone spoils; will be utilized as base gravel and then asphalt on top. They plan to grade the area and use the graded surface to locate its facility as the future building site.

3. **What happens if this particular site grows or scales up?** The petitioner would be required to submit for a site plan amendment. According to the owner, Larry Parsons: "this site will likely meet their needs for the long term and they do not anticipate a future expansion."
4. **Has the petitioner completed a karst study on the property?** BRCJ did a full topographic survey. No karst features were identified. However, staff does not have a specific karst study for the property at this time.
5. **Can the petitioner speak to the nature of the Bedford Recycling facility in Bedford and how that may compare to what is proposed here in Monroe County?** This facility will process and bale non-ferrous materials and transfer ferrous materials to the Bedford site for processing. The site will be a consumer of products, meaning that they will purchase whatever comes into the site. Since everything coming into the site will be purchased, the petitioner states that if this location were to go out of business, everything on-site would retain some level of value because it was purchased and therefore, still would have value. The owner does not foresee leaving metal on the site because it would not be in their financial interest.
6. **Has there been environmental issues associated with your other business locations?**
Staff requested any reports from IDEM on 2/7/2022. Waiting to hear back. The owner states that they do not have any known IDEM violations at their Bedford site.

7. **What happens if the business shuts down – who is responsible for cleanup of the site?**

Scrap metal that is profitable would be sold. Only items brought on site are purchased and therefore it can be assumed that if they went out of business, all items could be sold and be brought off site.

8. **There is a current "dumping easement" on the minor subdivision plat in the area where the facility is proposed – has that been vacated?** The dumping easement has been vacated as of 12/28/2021.
9. **According to the FWS map, there is a wetland feature on the site. Has this been evaluated via a wetland delineation?**
Not at this time.

10. **Basic information about the business model?**

Bedford Recycling compares themselves to wanting a business model like JB Salvage, which includes appliances, vehicles, and metal collection. Would largely transfer ferrous metals to the Bedford site. All non-ferrous metals will be handled inside the building. Planning staff discussed with the owner that the collection of automobiles would not be acceptable under the new text amendment. They understood the text amendment and would like to see it later amended to add vehicle collection. The owner, Larry Parsons, states that they will have the latest technology to safely recycle vehicles and drain them of all fluids. Larry stated it is a need for the County to have a facility that safely recycles vehicles.

The text amendment states no vehicles, and therefore if the text amendment is adopted as proposed to the Commissioners, the petitioner would have an enforcement issue if vehicles were accepted. Planning staff has communicated this on a number of occasions.

Additionally, state permits are required for automotive salvaging; part of the state licensing requires an affidavit by Planning staff, which would not be signed if the text amendment as proposed goes in effect (does not allow

automotive salvaging/recycling).

SUMMARY

The petitioner is seeking rezone of this parcel to Heavy Industrial.

Separately, a text amendment for a Scrap Metal Processing Facility is being proposed. If approved, it would allow for the use only in the Heavy Industrial zoning district. The petitioner would like to utilize the Scrap Metal Processing Facility if the text amendment is approved by the Commissioners and if the rezone request is fulfilled.

BACKGROUND

The petition site is 30.45 +/- acres in Perry Township, Section 32 and is currently vacant. The petitioner is proposing to develop a scrap metal recycling transfer center in Monroe County.

The petitioner's representative, Andy Knust of Smith Design Group, Board of Zoning Appeals meeting 09/01/2021: "the facility that we are proposing here doesn't handle solid waste. What it does is handle ferrous and nonferrous metals for recycling. It is essentially a scrap yard. They will accept metal both ferrous and nonferrous from the general public and process it, sort it at the facility and send it on for further processing at other facilities. The only materials that will be handled there are metals. They won't be accepting like general household waste or, you know, hazardous materials or anything that meets the definitions of solid wastes."

The proposed text amendment that is not yet formally adopted for the Scrap Metal Processing Facility defines the use as the following:

"Means an establishment having facilities for processing iron, steel, or nonferrous metal and whose principal product is scrap iron, steel, or scrap for sale for remelting purposes only. (Ref Burns Ind. Code Ann. § 8-23-1-36). Does not include "Automotive salvage recycler", "Automobile scrapyards", "Hulk crusher", "Mobile home salvaging facilities", "Vehicle disposal facility" as defined by Indiana Code/Regulation/Rule."

In addition, there is one condition

Condition 58. The facility is accessed and served by road infrastructure sufficient to safely transport scrap metal by truck bed, trailer, or semi-trailer and is sufficiently buffered by natural objects, plantings, fences, or other appropriate means so it is substantially screened from the main-traveled way of the system. The outdoor storage area shall be limited to 100,000 square feet or less and be located in an area that complies with the buildable area provision in Chapter 804-4(E).

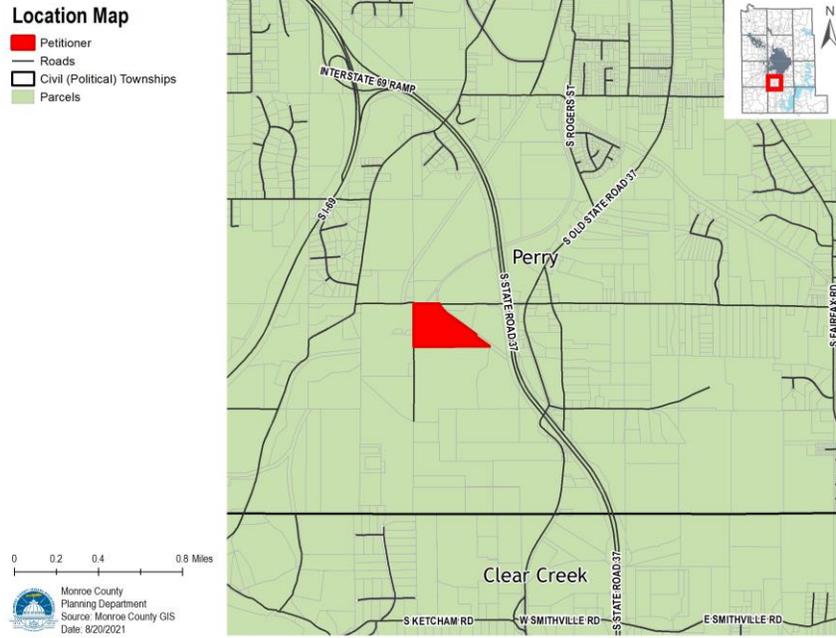
The petitioner will be required to submit an official commercial site plan to the Planning Department per the requirements of Chapter 815. The petitioner submitted a draft site plan (Exhibit 1). The draft site plan outlines site development that includes:

- 25,000 sq. ft. non-ferrous metals building
- 1,536 sq. ft. office building
- 1,536 sq. ft. maintenance building
- Paved parking area
- 100,000 sq. ft. paved outdoor storage yard

The entire site will be screened with a 8' chain link privacy fencing. All commercial site plan details and requirements will be evaluated administratively by Planning Staff during the site plan review stage.

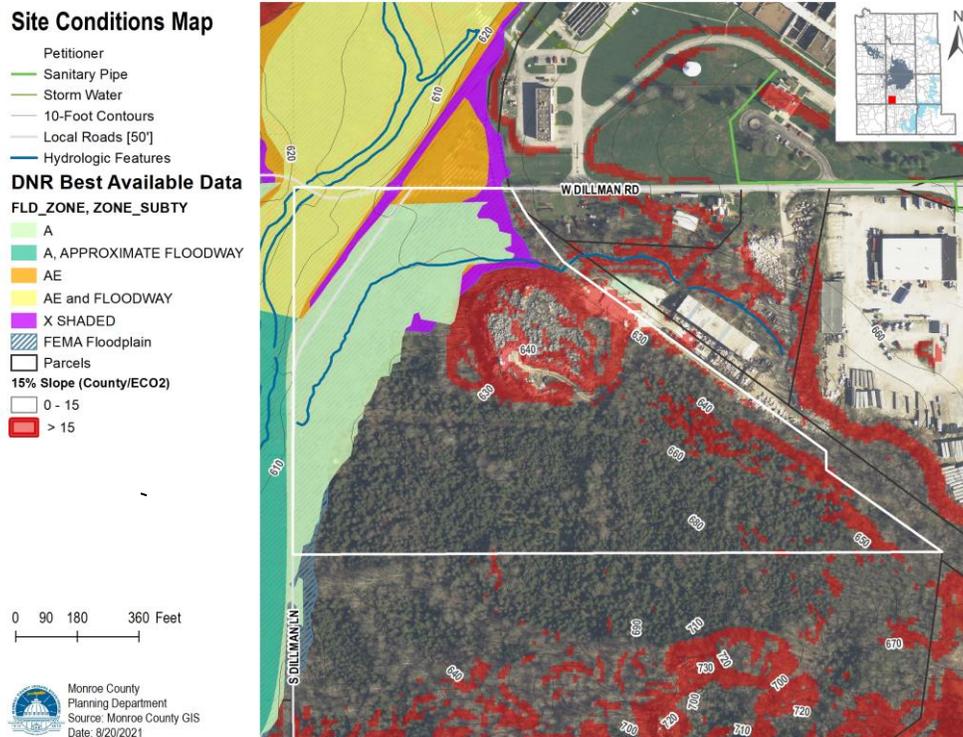
LOCATION MAP

The property is located at 405 E Dillman RD in Perry Township, Section 32 at parcel no. 53-08-32-300-009.001-008.



SITE CONDITIONS

The petition site is currently undeveloped with a quarry/mineral extraction use. Located on the site is also a dumping easement granted to an adjacent property. The site receives access from W Dillman RD (a local road). There are no known karst features. There is floodplain located to the west but does not interfere with the proposed facility locations. Per the recorded Indiana Limestone Minor Subdivision, the access driveway meets all FEMA requirements.



INFRASTRUCTURE AND ACCESS

The petition site has access to CBU water and would utilize a commercial septic system (see Exhibit 5). The petition site is accessed via W Dillman RD, which is designated a local road according to the Monroe County Thoroughfare Plan and has 50' of dedicated right-of-way.

SITE PHOTOS



Image 1. Aerial pictometry looking north.



Image 2. Aerial pictometry looking north.



Image 3. View looking west along NE S Dillman Ln



Image 4. View along W Dillman Rd

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the Monroe County Comprehensive Plan Farm and Forest Residential zone designation.

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 cannot 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.

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 site is surrounded by other heavy industrial uses: Republic Services Inc, stone cutting facility, tire and supply facility, CBU's wastewater treatment facility, and a convenience store with gasoline sales;
- The property was previously a quarry;
- The property is currently zoned Mineral Extraction (ME);

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

Findings:

- See Findings under Section A;
- The rezone request is from Mineral Extraction (ME) to Heavy Industrial (HI);
- The nearest residential home is over 500 feet from the boundary of the parcel;

(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). The area over 15% slope is part of the old quarry and is likely manmade;
- The proposed development location is not located in FEMA Floodplain or floodplain as illustrated by the DNR best available data;

(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 E Dillman Rd;
- According to the Monroe County Thoroughfare Plan, E Dillman Rd is classified as a Local road in this area;

EXHIBIT 1: Overall Site Plan (northern location)



GENERAL NOTES

PLAN NOTES



**PRELIMINARY
NOT FOR
CONSTRUCTION**

BEDFORD RECYCLING
Dillman Road
Bloomington, IN
BRCJ Project No: 10397

SITE IMPROVEMENT PLAN



Date:	08-04-2021	Issue:	PRELIMINARY
REVISION SCHEDULE			
Rev. #:	Rev. Description:	Issue Date:	

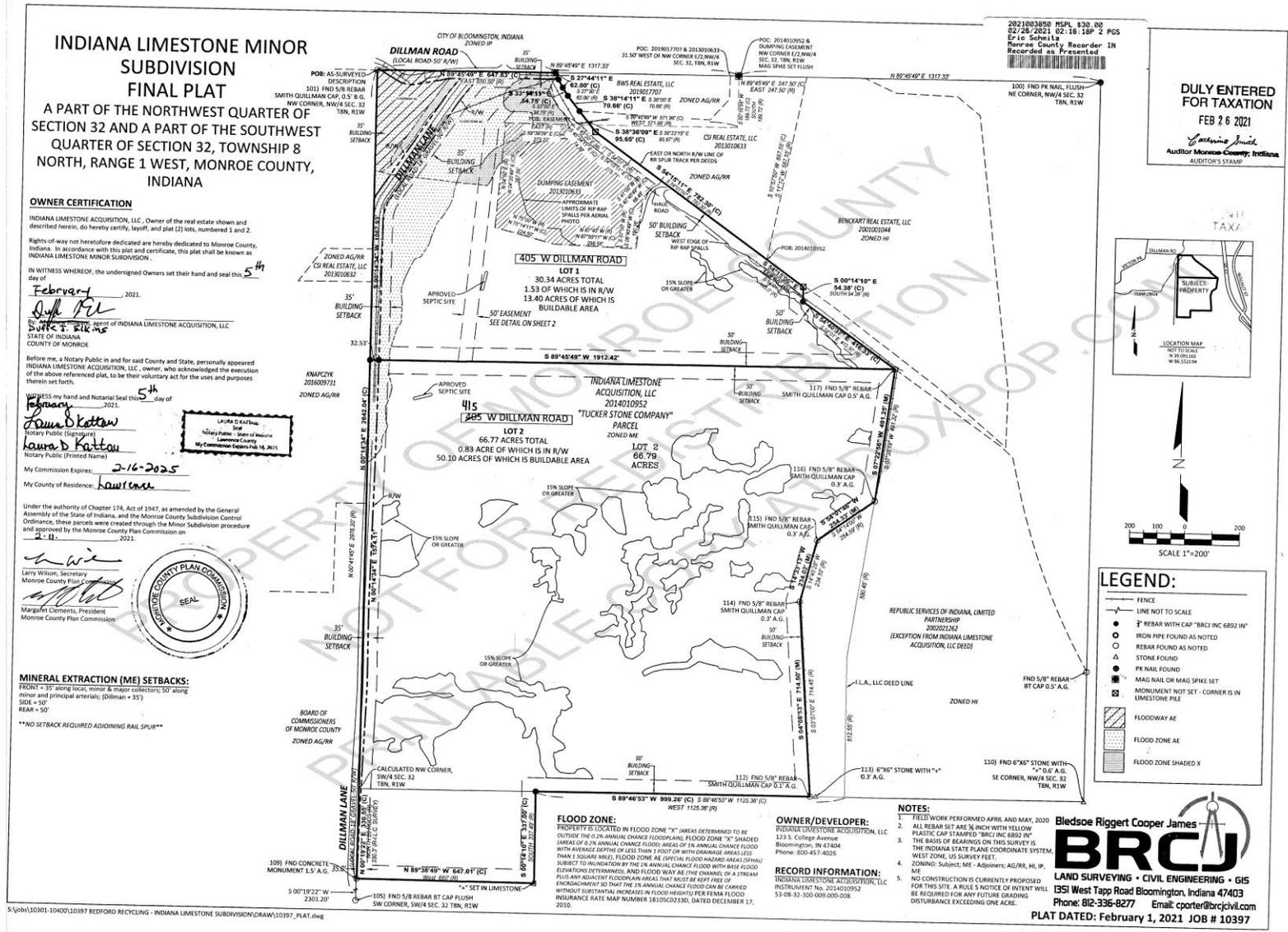
LEGEND

- LIMITS OF NEW ASPHALT PAVING
- LIMITS OF NEW CONCRETE PAVING

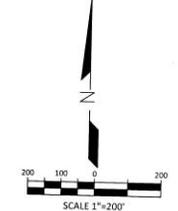
Drawn By: DMH
Designed By: DMH
Checked By: AKR

C401

EXHIBIT 2: Indiana Limestone Minor Subdivision Plat – Final and Preliminary Plat



DULY ENTERED FOR TAXATION
 FEB 26 2021
Caroline Smith
 Auditor Monroe County, Indiana
 AUDITOR'S STAMP



LEGEND:

- FENCE
- LINE NOT TO SCALE
- ⊕ REBAR WITH CAP "BRCI INC 6893 IN"
- REBAR FOUND AS NOTED
- △ STONE FOUND
- PE NAIL FOUND
- MAG NAIL OR MAG SPIKE SET
- MONUMENT NOT SET - CORNER IS IN LIMESTONE FILE
- ▨ FLOODWAY AE
- ▩ FLOOD ZONE AE
- ▧ FLOOD ZONE SHADED X

Bledsoe Riggert Cooper James
BRCJ
 LAND SURVEYING • CIVIL ENGINEERING • GIS
 1351 West Tap Road Bloomington, Indiana 47403
 Phone: 812-336-8277 Email: cporter@brcjvill.com
 PLAT DATED: February 1, 2021 JOB # 10397

INDIANA LIMESTONE MINOR SUBDIVISION FINAL PLAT
 A PART OF THE NORTHWEST QUARTER OF SECTION 32 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 1 WEST, MONROE COUNTY, INDIANA

OWNER CERTIFICATION
 INDIANA LIMESTONE ACQUISITION, LLC, Owner of the real estate shown and described herein, do hereby certify, layoff, and plat (2) lots, numbered 1 and 2. Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as INDIANA LIMESTONE MINOR SUBDIVISION.
 IN WITNESS WHEREOF, the undersigned Owners set their hand and seal this 5th day of February, 2021.
Dylan Pitt
 Dylan Pitt, Attorney-in-Fact of INDIANA LIMESTONE ACQUISITION, LLC
 STATE OF INDIANA
 COUNTY OF MONROE
 Before me, a Notary Public in and for said County and State, personally appeared INDIANA LIMESTONE ACQUISITION, LLC, owner, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.
 I, *Laura D. Kattow*, Notary Public (Signed Name) My Commission Expires 2-16-2025 My County of Residence: *Lawrence*
 Under the authority of Chapter 374, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Minor Subdivision procedure and approved by the Monroe County Plan Commission on 2-11-2021.
 Larry Wilson, Secretary Monroe County Plan Commission
 Margaret Clements, President Monroe County Plan Commission



MINERAL EXTRACTION (ME) SETBACKS:
 FRONT = 35' along local, minor & major collectors; 50' along minor and principal arterials; (Dillman = 35')
 SIDE = 50'
 REAR = 50'
 NO SETBACK REQUIRED ADJOINING RAIL SPUR

FLOOD ZONE:
 PROPERTY IS LOCATED IN FLOOD ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODING FLOOD ZONE "X" SHADDED AREAS OF 0.2% ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AREAS DEPTHER OF FEET THAN 1 FOOT OF WITH SHADDED AREAS LESS THAN 1 SQUARE FEET). FLOOD ZONE AE (SPECIAL FLOOD HAZARD AREAS) (SPECIAL ELEVATIONS DETERMINED) AND FLOODWAY AE (THE CHANNELS OF A STREAM SUBJECT TO INUNDATION BY THE ANNUAL CHANCE FLOOD CAN BE CARRIED ENOUGH TO SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED INSURANCE RATE MAP NUMBER 1815020210, DATED DECEMBER 31, 2010.

OWNER/DEVELOPER:
 INDIANA LIMESTONE ACQUISITION, LLC
 1215 S. College Avenue
 Bloomington, IN 47404
 Phone: 800-457-8026

RECORD INFORMATION:
 INDIANA LIMESTONE ACQUISITION, LLC
 INSTRUMENT No. 2014010952
 53-08-32-300 009 000-008

- NOTES:**
- FIELD WORK PERFORMED APRIL AND MAY, 2020
 - ALL REBAR SET ARE 3/4 INCH WITH YELLOW PLASTIC CAP STAMPS "BRCI INC 6893 IN"
 - ON THE BASIS OF BEARINGS ON THIS SURVEY IS THE INDIANA STATE PLANE COORDINATE SYSTEM WEST ZONE, US SURVEY FEET.
 - ZONING: SUBJECT: ME - Adjacent: AG/R, HI, IP, ME
 - NO CONSTRUCTION IS CURRENTLY PROPOSED FOR THIS SITE. A RULE'S NOTICE OF INTENT WILL BE REQUIRED FOR ANY FUTURE GRADING DISTURBANCE EXCEEDING ONE ACRE.

S:\jobs\10301-1040\10397 REDFORD RECYCLING - INDIANA LIMESTONE SUBDIVISION\DRAWING\10397_PLAT.dwg

PRELIMINARY PLAT
BEDFORD RECYCLING - INDIANA
LIMESTONE SUBDIVISION
MINOR SUBDIVISION
A PART OF THE NORTHWEST
QUARTER OF SECTION 32 AND A PART OF THE
SOUTHWEST QUARTER OF SECTION 32,
TOWNSHIP 8 NORTH, RANGE 1 WEST,
MONROE COUNTY, INDIANA

OWNER CERTIFICATION

INDIANA LIMESTONE ACQUISITION, LLC, Owner of the real estate shown and described herein, do hereby certify, layoff, and plat (2) tracts, numbered 1 and 2.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as **BEDFORD RECYCLING - INDIANA LIMESTONE SUBDIVISION** Minor Subdivision.

IN WITNESS WHEREOF, the undersigned Owners set their hand and seal this ___ day of _____, 2020.

By: _____, agent of INDIANA LIMESTONE ACQUISITION, LLC

STATE OF INDIANA
 COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, personally appeared INDIANA LIMESTONE ACQUISITION, LLC, owner, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this ___ day of _____, 2020.

Notary Public (Signature) _____

Notary Public (Printed Name) _____

My Commission Expires: _____

My County of Residence: _____

Under the authority of Chapter 174, Acts of 1947, as a amended General Assembly of the State of Indiana, and the Monroe County Subdivision Ordinance, this plat was processed as an Minor Subdivision on _____, 2020.

Larry Wilson, Secretary
 Monroe County Plan Commission

Margaret Clements, President
 Monroe County Plan Commission

AGRICULTURE/RURAL RESIDENTIAL (AG/RR) SETBACKS:

FRONT = 25' from R/W.
 SIDE = 15' for residential and residential accessory structures, 50' for other structures.
 REAR = 35' for residential and residential accessory structures, 50' for other structures.

HEAVY INDUSTRIAL (HI) SETBACKS:

FRONT = 35' along local, minor & major collectors; 50' along minor and principal arterials; (Dillman = 35')
 SIDE = 3'
 REAR = 10'

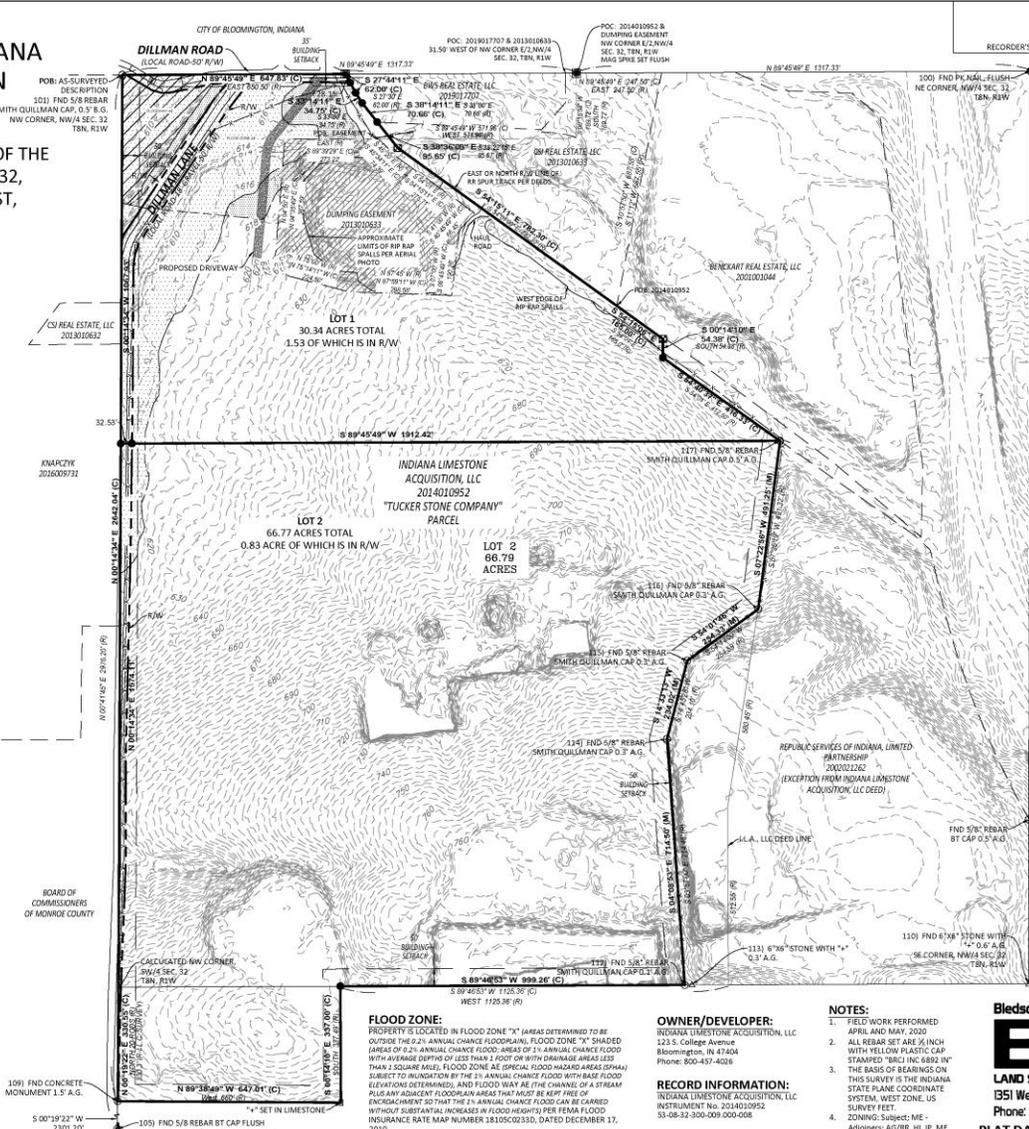
INSTITUTIONAL / PUBLIC (IP) SETBACKS:

FRONT = 35' along local, minor & major collectors; 50' along minor and principal arterials; (Dillman = 35')
 SIDE = 3'
 REAR = 10'

MINERAL EXTRACTION (ME) SETBACKS:

FRONT = 35' along local, minor & major collectors; 50' along minor and principal arterials; (Dillman = 35')
 SIDE = 30'
 REAR = 50'

****NO SETBACK REQUIRED ADDJOINING RAIL SPUR****



BOARD OF COMMISSIONERS OF MONROE COUNTY

108) FND CONCRETE MONUMENT 1.5 A.G.

5 00°19'22" W 230.20'

FLOOD ZONE:
 PROPERTY LOCATED IN FLOOD ZONE "X" AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. FLOOD ZONE "X" SHADED (BASED ON 0.2% ANNUAL CHANCE FLOOD) AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE. FLOOD ZONE A-E SPECIAL FLOOD HAZARD AREAS (SPHA) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD WITH BASE FLOOD ELEVATIONS DETERMINED, AND FLOOD WAY ALL THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MAY BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASE IN FLOOD HEIGHTS PER FEMA FLOOD INSURANCE RATE MAP NUMBER 181050233D, DATED DECEMBER 17, 2016.

OWNER/DEVELOPER:
 INDIANA LIMESTONE ACQUISITION, LLC
 123 S. College Avenue
 Bloomington, IN 47404
 Phone: 800-487-4088

RECORD INFORMATION:
 INDIANA LIMESTONE ACQUISITION, LLC
 INSTRUMENT NO. 2014010952
 55-08-32-900-009-000-008

- NOTES:**
1. FIELD WORK PERFORMED APRIL AND MAY, 2020
 2. ALL REBAR SET ARE 1/2 INCH WITH YELLOW PLASTIC CAP STAMPED "BRCJ INC 6892 IN"
 3. THE BASIS OF BEARINGS ON THIS SURVEY IS THE INDIANA STATE PLANE COORDINATE SYSTEM, WEST ZONE, US SURVEY FEET.
 4. ZONING: Subject: ME - Adjacent: AG/RR, HI, IP, ME

Bledsoe Riggert Cooper James
BRCJ
 LAND SURVEYING • CIVIL ENGINEERING • GIS
 1351 West Tapp Road Bloomington, Indiana 47403
 Phone: 812-336-8277 Email: cporter@brcjcivil.com
PLAT DATED: August 25, 2020 JOB # 10397



LEGEND:

- FENCE
- LINE NOT TO SCALE
- 1/2" REBAR WITH CAP "BRCJ INC 6892 IN"
- IRON PIPE FOUND AS NOTED
- REBAR FOUND AS NOTED
- △ STONE FOUND
- PK NAIL FOUND
- MAG NAIL OR MAG SPIKE SET
- MONUMENT NOT SET - CORNER IS IN LIMESTONE FILE
- ▨ FLOODWAY AE
- ▩ FLOOD ZONE AE
- ▧ FLOOD ZONE SHADED X

EXHIBIT 3: Letter of Support



CITY OF BEDFORD

Department of Planning and Zoning
1102 16th Street
Bedford, Indiana 47421
(812) 275-1631

Samuel J. Craig
Mayor

Brandon Woodward
Planning/Zoning Director

January 28, 2021

Jackie Nester
Planning Assistant Director
Monroe County
501 N Morton St.
Suite 224
Bloomington, IN 47404

Dear Mrs. Jackie Nester,

I am writing to offer support to Larry Parsons and Doug Conrad, owners and operators of Bedford Recycling, Inc., Bedford Machine & Tool, CAP Inc., CAP Group, LLC, CAP Trucking, Inc., and Metal Technologies, Inc., as they pursue the development of a Recycling Facility in Monroe County. Larry and Doug have been established residents and business owners in Lawrence County for decades and have dedicated their lives to innovation, economic growth and community service.

Since 1986, Larry and Doug have been integral to our community, with the creation of Bedford Recycling, Inc and CAP, Inc. Through the years, they have stimulated our economy through the establishment of 3 additional companies and the creation of over 450 jobs. Combining the years of service of each company would be over a century of business services in our city and region.

As Planning and Zoning Director for the City of Bedford, I see their impact professionally, working with them on the growth of their businesses and properties, which have always gone smoothly and without issues. Professionally and personally, I have known Larry for over 20 years, and Doug for several. Both Larry and Doug are always focused on doing the right thing and having a successful and positive impact with their businesses.

I trust the work and success of Larry and Doug's endeavors and hope their projects will be welcomed in Monroe County, so they can contribute to a growing workforce and economy. I believe the work of Larry and Doug and their business will be a true asset to Monroe County.

Sincerely,

Brandon Woodward