

**ORDINANCE NO. 2022-26**

**Sonya Leigh Rezone**

An ordinance to amend the Monroe County Zoning Maps which were adopted December 1996.

Whereas, the Board of Commissioners of Monroe County, Indiana, passed a zoning ordinance and adopted zoning maps effective January 1997, which ordinance and maps are incorporated herein; and,

Whereas, the Monroe County Plan Commission, in accordance with all applicable laws, has considered the petition to amend said zoning maps;

Now, therefore, be it ordained by the Board of Commissioners of Monroe County, Indiana, as follows:

SECTION I.

The Monroe County Zoning Ordinance is amended to rezone two (2) 4.65 +/- acre parcel in Section 35 of Richland Township at 353 N Knapp RD (parcel #: 53-04-35-300-034.000-011) from Light Industrial (LI) to Agriculture/Rural Reserve (AG/RR).

SECTION II.

The following written commitments (See Exhibit 1) shall apply to this petition:

1. Establishing a conservation easement for the record to preserve a portion of the western portion of the lot.
2. That the petitioner will not oppose any effort by the Historic Preservation Board of Review to establish a Historic Preservation Overlay on the property.

SECTION III.

This ordinance shall be in full force and effect from and after its passage and adoption by the Board of Commissioners of Monroe County, Indiana.

Passed and adopted by the Board of Commissioners of Monroe County, Indiana, this 28th day of September, 2022.

**BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA**

"Yes" Votes



Julie Thomas, President



Penny Githens, Vice President



Lee Jones, Commissioner

"No" Votes

Julie Thomas, President

Penny Githens, Vice President

Lee Jones, Commissioner



Attest:

Catherine Smith, Monroe County Auditor

OFFICE OF  
MONROE COUNTY PLAN COMMISSION  
501 N Morton Street, Suite 224  
BLOOMINGTON, IN 47404


TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA


CERTIFICATION

I, Jackie N. Jelen, hereby certify that during its meeting on August 2<sup>nd</sup>, 2022 the Monroe County Plan Commission considered Petition No. REZ-22-5 for a Zoning Map Amendment (Ordinance No. 2022-26) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, conditions, and Highway Department reports, with a vote of 7-0 including a written commitment that includes:

1. Establishing a conservation easement for the record to preserve a portion of the western portion of the lot
2. That the petitioner will not oppose any effort by the Historic Preservation Board of Review to establish a Historic Preservation Overlay on the property.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).

  
Jacqueline N. Jelen  
Planning Director

  
Date

## WRITTEN COMMITMENTS

### **Commitments concerning the use or development of real estate made in connection with the approval of the Sonya Leigh Rezone of 353 North Knapp Road**

In accordance with I.C. 36-7-4-1015 and Monroe County Code 800-10, Sonya Leigh as the owner of the real estate to be developed as the 353 North Knapp Road ("Property") located in Monroe County, Indiana, which is described in "Exhibit A" attached hereto and made a part hereof, makes the following written commitments ("Commitments") concerning the use and development of the Property:

- A. Description of Property: See "Exhibit A."
- B. Statement of Commitments: Timothy B. Wiens and Pamela Jo Wiens (aka Sonya Leigh) are the owners of the Property, as granted in that certain Warranty Deed recorded in the office of the Recorder of Monroe County, Indiana, as Instrument No. 2006010954. Timothy B. Wiens and Sonya Leigh shall, contemporaneously with the recording of these Commitments, record the Deed Restriction Establishing a Conservation Easement, attached hereto as "Exhibit B", in the Office of the Recorder of Monroe County, Indiana. In addition, Timothy B. Wiens and Sonya Leigh shall not oppose any effort by the Historic Preservation Board of Review to establish a Historic Preservation Overlay on the property.
- C. Enforcement of Commitments. These commitments may be enforced under the provisions of Chapter 817 of the Monroe County Zoning Ordinance and Indiana Code 36-7-4-1015. If an action to enforce a commitment is successful, the respondent shall bear the costs of the action. A change of venue from the county may not be granted in such an action. The Developer acknowledges and agrees that County may revoke its approval of Case Number REZ-22-5 and Ordinance Number 2022-26 based on violations of these Commitments, after notice and a reasonable period to cure the same.
- D. Recording. Within fourteen days of the effective date, Timothy B. Wiens and Sonya Leigh shall record these Commitments, and upon failure to do so the Director of the Monroe County Planning Department is authorized to record these Commitments.
- E. Voluntary action. Timothy B. Wiens and Sonya Leigh make these Commitments of their own free will and acknowledge that they have read and fully understand the Commitments.
- F. Approval Conditions. Timothy B. Wiens and Sonya Leigh acknowledges that the final approval of Rezone Case Number REZ-22-5 and Ordinance Number 2022-26 by the County is conditioned upon the making and recording of these Commitments.
- G. Binding on successors and assigns. These Commitments shall be binding on Timothy B. Wiens and Sonya Leigh, on subsequent owners of the Property, and on any persons acquiring an interest in the Property.
- H. Effective date. These Commitments shall be effective upon the final approval of Case Number REZ-22-5 and Ordinance Number 2022-26 by the County Commissioners. These

commitments may be modified or terminated only by a decision of the County Commissioners, acting in accordance with the regulations and procedures governing the amendment or termination of commitments (e.g., to the extent so required in the applicable regulations and procedures, notice to interested parties and Monroe County Plan Commission hearing, etc.).



IN WITNESS WHEREOF, Sonya Leigh has executed this instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Sonya Leigh

By: \_\_\_\_\_  
Sonya Leigh

STATE OF INDIANA       )  
                                      ) SS:  
COUNTY OF MONROE    )

Before me, a Notary Public in and for said County and State, personally appeared Timothy B. Wiens and Sonya Leigh who acknowledged the execution of the foregoing instrument and who, being first duly sworn, stated that any representations therein contained are true. Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Printed Name of Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My County of Residence: \_\_\_\_\_

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

\_\_\_\_\_

This instrument was prepared by \_\_\_\_\_,  
\_\_\_\_\_ (note: name and address)

IN WITNESS WHEREOF, Timothy B. Wiens has executed this instrument this \_\_\_\_\_  
day of \_\_\_\_\_, 2022.

Timothy B. Wiens

By: \_\_\_\_\_  
Timothy B. Wiens

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF MONROE    )

Before me, a Notary Public in and for said County and State, personally appeared Timothy B. Wiens and Sonya Leigh who acknowledged the execution of the foregoing instrument and who, being first duly sworn, stated that any representations therein contained are true. Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Printed Name of Notary Public: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My County of Residence: \_\_\_\_\_

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

\_\_\_\_\_

This instrument was prepared by \_\_\_\_\_,  
\_\_\_\_\_ (note: name and address)

**EXHIBIT A**  
**Legal Description**

**WARRANTY DEED**

THIS INDENTURE WITNESSETH, THAT M. SCOTT MORSE and SHERYL MORSE, HUSBAND AND WIFE, (Grantor) of Monroe County, in the State of Indiana, Convey and Warrant to TIMOTHY B. WIENS and PAMELA JO WIENS, HUSBAND AND WIFE (Grantee) of Monroe County in the State of Indiana, for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate in MONROE County, in the State of Indiana:

**TRACT 1**

Part of the Northeast quarter of the Southwest quarter of Section Thirty-five (35), Township Nine (9) North, Range Two (2) West, Monroe County, Indiana, and more particularly described as follows: Beginning at a Spike Set on the East line of said quarter quarter in Knapp Road North Zero (00) degrees, Seven (07) minutes, Fifteen (15) seconds East One Hundred Fifty-Five and Fifty Hundredths (155.50) feet from the Southeast corner of said quarter quarter; thence North Eighty-Eight (88) degrees, Twenty (20) minutes, Forty-six (46) seconds West Six Hundred Sixty-three and Thirty-four Hundredths (663.34) feet to a 5/8 inch rebar with cap set; thence North Zero (00) degrees, Five (05) minutes, Twenty-four (24) seconds East One Hundred Fifty-five and Fifty-five Hundredths (155.55) feet to a 5/8 inch rebar with cap set; thence South Eighty-eight (88) degrees, Twenty (20) minutes, Thirty-two (32) seconds East Six Hundred Sixty-three and Forty-two Hundredths (663.42) feet to a Spike Set on the aforementioned East line and in Knapp Road; thence South Zero (00) degrees, Seven (07) minutes, Fifteen (15) seconds West One Hundred Fifty-five and Fifty Hundredths (155.50) feet to the Point of Beginning. Containing Two and Thirty-seven Hundredths (2.37) acres, more or less. (Also know as Tract 2)

**ALSO**

**TRACT 2**

Part of the Northeast quarter of the Southwest quarter of Section Thirty-Five (35), Township Nine (9) North, Range Two (2) West, Monroe County, Indiana, and more particularly described as follows: Beginning at a Spike Set in Knapp Road marking the

Southeast corner of said quarter quarter thence North Eighty-eight (88) degrees, Twenty-one (21) minutes, Six (06) seconds West Six Hundred Sixty-three and Twenty-six Hundredths (663.26) feet along the South line of said quarter quarter to a 5/8 inch rebar with cap set; thence North Zero (00) degrees, Five (05) minutes, Twenty-four (24) seconds East One Hundred Fifty-five and Fifty-Six Hundredths (155.56) feet to a 5/8 inch rebar with cap set; thence South Eighty-eight (88) degrees, Twenty (20) minutes, Forty-six (46) seconds East Six Hundred Sixty-three and Thirty-four Hundredths (663.34) feet to a Spike Set on the East line of said quarter quarter and in Knapp Road; thence South Zero (00) degrees, Seven (07) minutes, Fifteen (15) seconds West One Hundred Fifty-five and Fifty Hundreds (155.50) feet to the Point of Beginning. Containing Two and Thirty-six Hundredths (2.36) acres, more or less. (Also known as Tract 3)

Subject to taxes for the year 2005, due and payable in May and November 2005, and all taxes thereafter.

Subject to easements, restrictions, assessments, covenants and agreements of record.

IN WITNESS WHEREOF, Grantor has executed this deed this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
M. SCOTT MORSE

\_\_\_\_\_  
SHERYL MORSE



**EXHIBIT B**  
Conservation Easement



<b>MONROE COUNTY PLAN COMMISSION ADMIN MEETING</b>		<b>August 2, 2022</b>
<b>PLANNER</b>	Daniel Brown	
<b>CASE NUMBER</b>	REZ-22-5	
<b>PETITIONER</b>	Sonya Leigh	
<b>ADDRESS</b>	353 N Knapp RD, parcel no. 53-04-35-300-034.000-011	
<b>REQUEST</b>	Rezone Request from IL to AG/RR Waiver of Final Hearing Requested	
<b>ACRES</b>	4.65 +/- acres	
<b>ZONE</b>	Limited Industrial (IL)	
<b>TOWNSHIP</b>	Richland	
<b>SECTION</b>	35	
<b>PLATS</b>	Unplatted	
<b>COMP PLAN DESIGNATION</b>	MCUA Conservation Residential	

**EXHIBITS**

1. Petitioner Letter
2. Petitioner Site Plan
3. Permitted Uses in the IL and AG/RR Zones

**RECOMMENDATION TO THE PLAN REVIEW COMMITTEE**

Recommendation to the Plan Review Committee:

- Staff recommends forwarding a positive recommendation to the Plan Commission based on the petition's compatibility with the Monroe County Comprehensive Plan.

**PLAN REVIEW COMMITTEE**

TBD

**MEETING SCHEDULE**

**Plan Review Committee** – 06/09/2022

**Plan Commission Admin Meeting** – 08/02/2022

**Plan Commission Regular Meeting** – (Preliminary-- Waiver of Final Hearing Requested)

**Board of Commissioners Meeting** – TBD

**SUMMARY**

The petition site is one parcel totaling 4.65 +/- acres located in Richland Township at 353 N Knapp RD. The petitioner is proposing to amend the Zoning Map from Limited Industrial (IL) to Agricultural/Rural Reserve (AG/RR). The site is currently a pre-existing non-conforming residential use allowed under Chapter 803 of the Monroe County Zoning Ordinance. The Single Family Residential use is not permitted in the IL zoning district. The petitioner states that they do not foresee any future changes in use.

If the rezone request is approved by the County Commissioners, the petitioner intends to apply for a Residential Accessory Structure permit. All applicable site plan requirements for Residential Accessory Structure apply.

If the rezone is denied, the petitioner may continue to operate the property as a single family residence under the requirements of Chapter 803.

**BACKGROUND**

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

per Chapter 802.

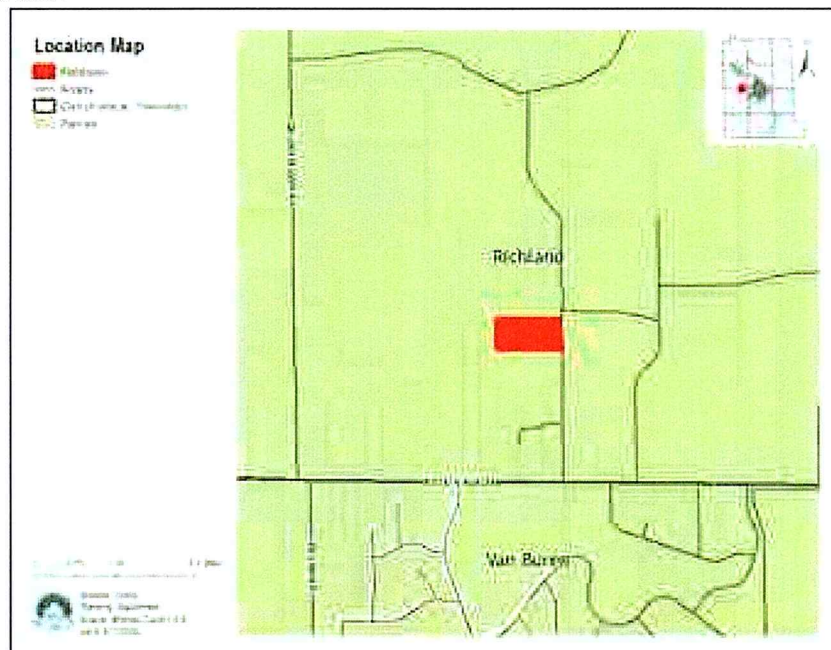
**Limited Industrial (IL) District.** *This district provides for industrial uses of limited intensity. The purpose of the district is to encourage a high quality of design including buffering, landscaping, signage, entry features and architecture. This district accommodates those light industrial uses which are less offensive to nearby commercial or residential areas. The specific intent of this district is to:*

- A. Accommodate industrial development which does not create substantial environmental impacts to surrounding properties. Such impacts include noise, vibration, unregulated outdoor storage and traffic.*
- B. Create industrial environments which accommodate light industrial uses.*
- C. Create environments for industrial uses which are attractive and well-designed.*
- D. Provide for limited commercial opportunities which serve the surrounding industrial area.*

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

## LOCATION MAP

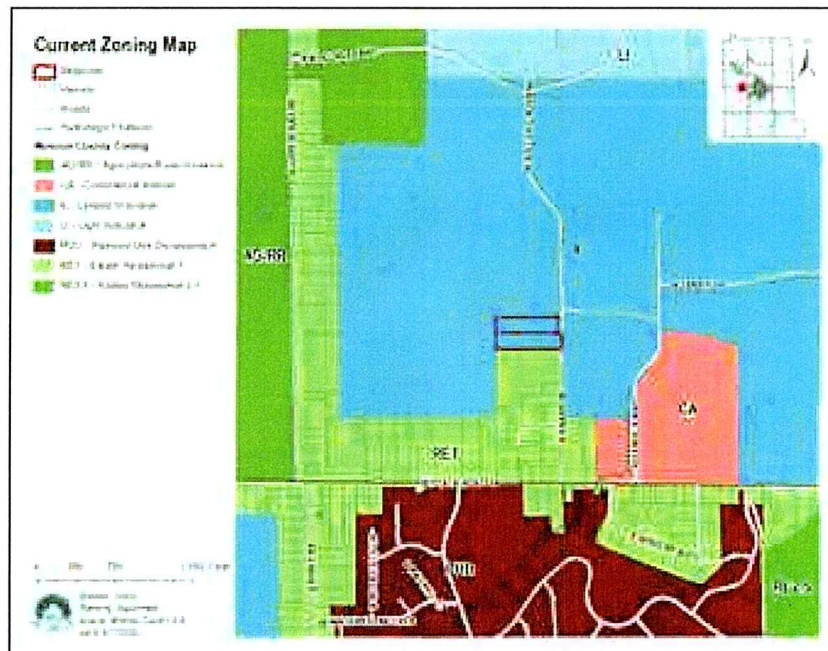
The parcel is located at 353 N Knapp Road, Section 35 in Richland Township. The Parcel No. is 53-04-35-300-034.000-011.





## **ZONING**

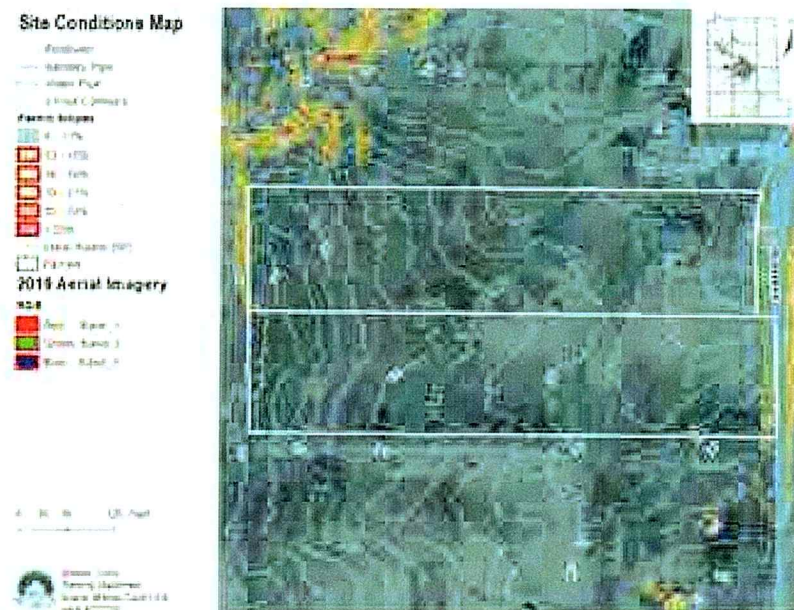
The parcel is zoned Limited Industrial as are the adjoining parcels to the north, east and west. There are parcels zoned as Estate Residential 1 to the south. There are no commercial uses directly adjacent to the subject property. The surrounding area includes mostly Limited Industrial, Estate Residential 1 and Agricultural uses.



## **SITE CONDITIONS & INFRASTRUCTURE**

The petition site is made up of two 4.65 acre +/- parcels. The site contains an approximate 2,399 sf single family residence, a 256 sf utility shed, a 140 open masonry porch, a 60 sf wooden deck, and a 180 sf wooden deck. The petition site is currently operated as a single family residence. Access to the site is from N Knapp Rd, which is designated as a Local roadway according to the Monroe County Thoroughfare Plan. There is no evidence that karst/sinkhole features are present on and near the petition site according to available contour data.





#### **Stormwater Comments:**

No comments on the rezone petition. MS4 Coordinator will review any site improvements when permits are submitted.

#### **Highway Comments:**

No comments substantive to the rezone petition at the time of this report's publishing.

#### **SITE PHOTOS**



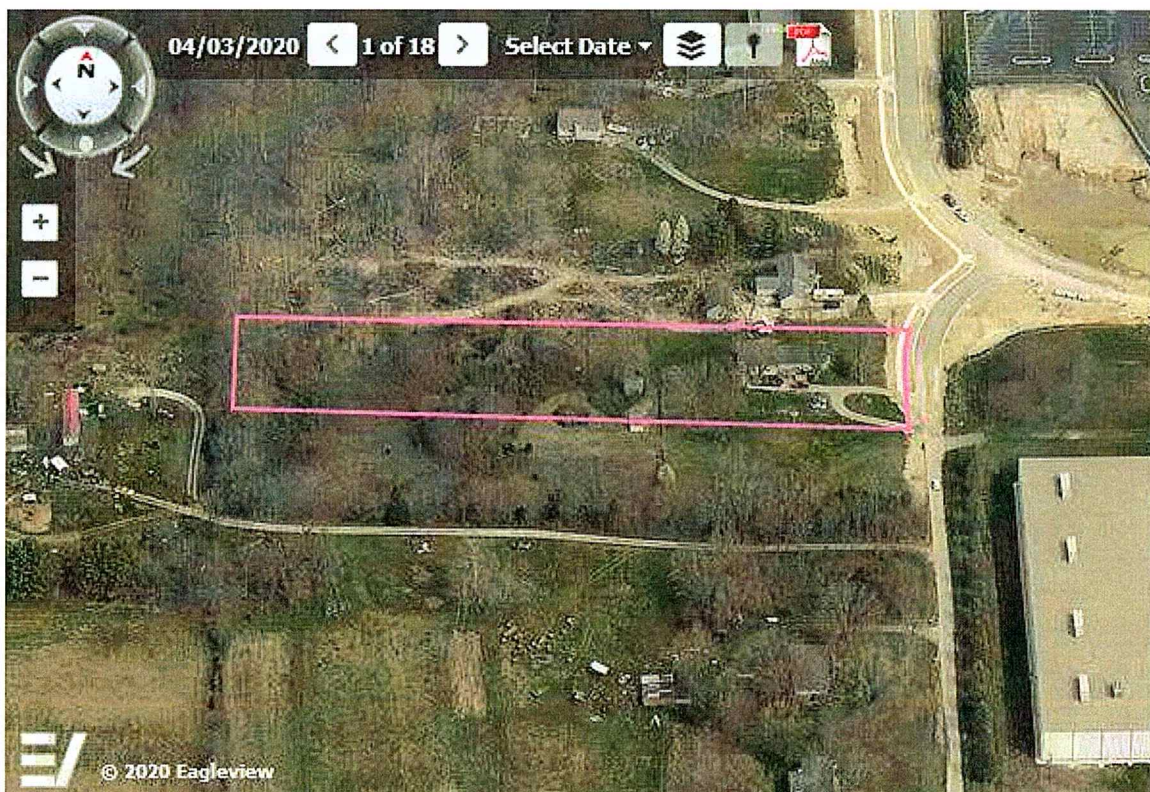


Photo 1. Aerial pictometry from the south (2020)

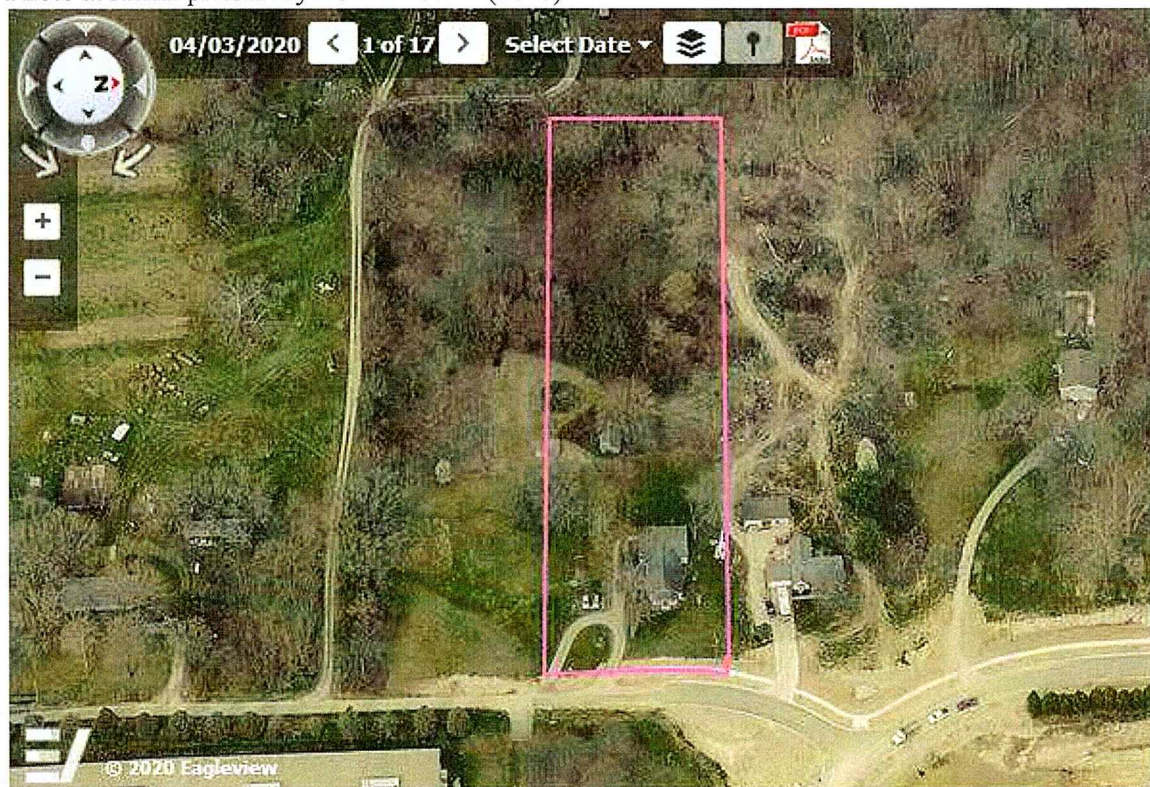
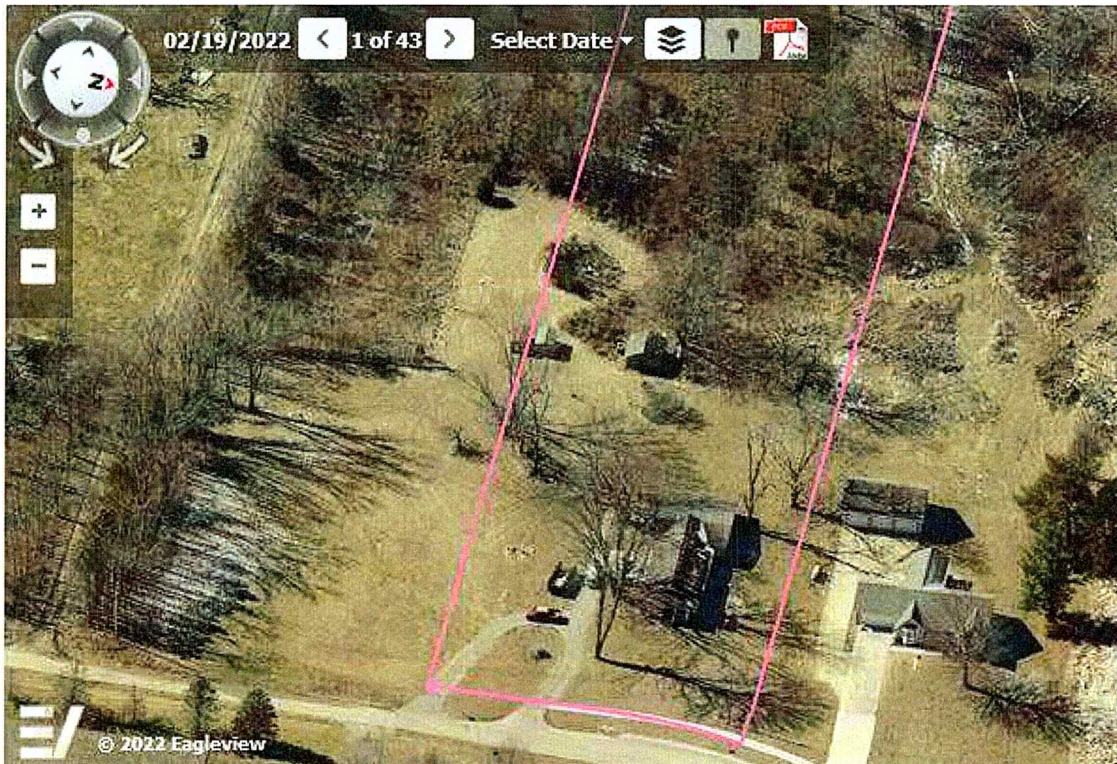


Photo 2: Aerial pictometry from the east (2020)

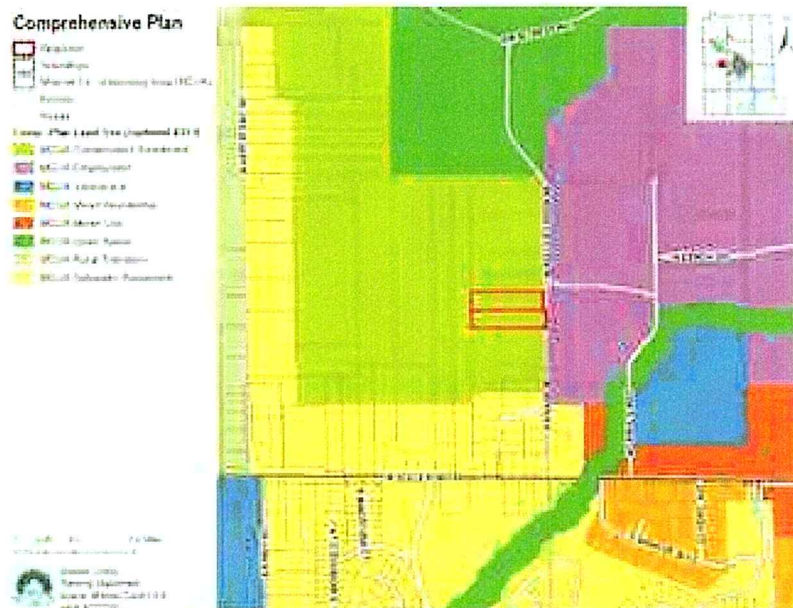




**Photo 3:** Aerial pictometry from the south, zoomed in (2022)

### **COMPREHENSIVE PLAN DISCUSSION**

The petition site is located in the *Conservation Residential* district in Monroe County Urbanizing Area Plan.



The Conservation Residential use category has relatively large lots situated within the Designated Communities of Monroe County. Often these parcels contain significant amounts of Vulnerable Land but

include three different kinds of uses; each has an independent rationale for its classification as well as different expectations for future use. They are grouped into one use category because the property use policy directives for all three are the same – relatively low intensity use for the plan horizon.

For those portions of our Designated Communities with significant amounts of Vulnerable Land, the Conservation Residential category protects the Vulnerable Land from encroachment while still allowing land to be used for residential purposes. Each Designated Community also contains property designated for future development, i.e. Residential Reserve sub-area, as infrastructure matures within the area. For those portions of our Designated Communities, the Conservation Residential category provides residential use consistent with established infrastructure and long-term use expectations.

And finally, the Designated Communities must provide a range of residential options, including relatively low density urban living, i.e. large lot, opportunities to accommodate lifestyle choices consistent with our range of lifestyle opportunity goals.

The minimum lot size for new parcels in the Conservation Residential use category shall be 2.5 acres excluding identified Vulnerable Land. Adequate contiguous Resilient Land shall be available for each dwelling to support either two independent conventional septic fields or one replaceable system. Where it is possible, new homes should be connected to sanitary sewer service. Sufficient space for buildings traditionally associated for this type of use must also be provided. For those parcels where more intense use is dependent upon future infrastructure, property owners should be encouraged to consider lot layouts suitable for future subdivision and more intense property use avoiding Vulnerable Land.

#### **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 Conservation Residential.
- The rezone request is to change the zone for the petition site from Limited Industrial (IL) to Agriculture/Rural Reserve (AG/RR);
- The current use of the petition site is single family residential;
- If approved the petitioner intends to apply for a Residential Accessory Structure permit for a storage shed;

##### **(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 the zoning for the entirety of the site to the Agriculture/Rural Reserve (AG/RR) District;
- The petition site is currently zoned Limited Industrial;
- The majority of the northwest portion of the site exhibits slopes less than 15% (see Slope Map);
- A large portion of the property surrounding the existing structures exhibits slopes less than 15% (see Slope Map);
- The petition site is not located in FEMA or DNR Floodplain;
- The petition site is not located in any areas of the Environmental Constraints Overlay (i.e. the



Lake Monroe Watershed);

- No evidence of karst/sinkhole features of being present on and near the petition site according to available contour data;

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

**Findings:**

- See Findings under Section A and Section B;
- The adjacent parcels to the north, west, and east are currently zoned IL;
- The adjacent parcels to the south are currently zoned RE1;
- Numerous properties approximately 0.5 miles to the west and northwest are zoned AG/RR;
- Land uses in the surrounding area are mostly residential and/or agricultural;
- There are no commercial uses directly adjacent to the subject property;

**(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 petition site is one parcel with 4.65 +/- acres;
- The purpose of the rezone is to provide the property owner with the right zoning to pursue a Single-Family Residential use on the property;
- According to the Monroe County Thoroughfare Plan, N Knapp Rd is designated as a local roadway;



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**Sonya Leigh and Timothy Wiens**

353 N. Knapp Rd.  
Bloomington, IN 47404  
(352) 272-1797  
heavenleigh2011@yahoo.com

25 April 2022

**Monroe County Planning and Zoning Committee**

Review Board  
501 N Morton St Suite 224  
Bloomington, IN 47404

Dear Board Members,

My name is Sonya Leigh and I am seeking a rezone of my family home located at 353 N. Knapp Rd. Bloomington, IN 47404. It is located within Monroe county, in what has been known as the fringe area. I have owned the property for over 15 years. It is the original house to the property which sits on over 4 acres. We were told by a family member who was born in the house that it was built around 1920.

I changed my name in 2011 from Pamela Jo Wiens to Sonya Heaven Leigh just to clarify any confusion when reviewing the property records. It is currently deeded to Timothy B. Wiens and my previous name of Pamela Jo Wiens. I am planning to obtain legal advice as to how to secure the property for my children.

The property to the south and east is residential and agricultural. My home along with 4 others to the north of me had zoning changed to Light Industrial years ago. This zoning prohibits us from being able to fully utilize and make improvements to the property which will allow my family to live and age in place. The following will explain why we are making this desperate appeal for our home to be allowed to return to a zone AG/RR for residential purposes. I have attached below the county information and screenshot from the GIS.

**It is our home.** It is where I watched my son get on the bus for the first time for school, where he played with his first puppy, ran through the field picking wild flowers, saw his first fireworks display from the front porch and helped me dissect science projects for my college biology course. Both of my children's handprints are in the sidewalk.

**The rezone of our home and land to AG/RR is crucial for my family's lives!**

My son has been diagnosed with a disability as he has grown. He has battled with many physical issues over the years and has been diagnosed with autism. He will require major heart surgery in the next 10-15 years. He will never drive due to limitations from his autism. I have been diagnosed with Connective Tissue Disease which includes: RA, Polymyositis, Raynauds, Fibromyalgia, and Neuropathy. Eight years ago I was told that I would have possibly 5-10 years left to live due to my disease likely causing my heart and lungs to fail. My daughter has unfortunately inherited the disease as well.

Someone may suggest we move to another property to accommodate our disability needs but it would not be the solution. Our home not only has an emotional connection but it provides the ability for my son to walk to a job that understands and works with his disability. He has acquired a part time job at Cook. He is now 21 and the ability to walk to work on his own gives him a great sense of pride and independence. Our home's location also allows him the ability to walk to nearby grocery, pharmacy and retail as well. It is crucial for his needs and his future to remain in the home he grew up in and is familiar with.

**We are seeking the rezone to AG/RR to allow us to restore our home and build additions to accommodate our family's disabilities and aging in place. We have no plans to ever sell our home. My husband and I have recently sold our investment properties as well as the primary residence he has been living in due to employment in Florida. This has allowed us to pay off the mortgage on our Bloomington home to insure that there will always be a roof over our children's heads.**

Not only are the properties that adjoin mine to the south and east zoned for residential and agricultural use but the homes to the north of me have been totally renovated in the last year and are now being sold for \$425,000 and \$450,000. We as homeowners have no intention to use the property as Light Industrial but to continue its use as residential.

**Our home will be the home that me and my children will continue to live in for the rest of our lives.**

We considered selling our property about 10 years ago and were unable to due to the zoning and denial for businesses even allowed by zoning code because the road would not accommodate emergency services and traffic. Cook and Baxter had no interest in the property. Cook has since expanded east and taken space in the old GE building. The KEHE building has been sitting vacant. It would be financially smarter for a new industry to purchase a vacant building like KEHE as opposed to taking on the battle of trying to negotiate sales with five different homesteads that are not interested in

selling. Then dealing with the reconstruction of the highway drainage and hurdles of the topography in order to build. The land encompassing our five homes would not accommodate industrial development as noted by one of your members, during an online meeting I attended to discuss the new plan for zoning. The road has recently been redeveloped but the drainage areas that have been installed add to the inability for industrial development as shown in the pictures below due to the steep slope from the height of the road.

I am also attaching the following letter from Danielle Bachant-Bell with Lord and Bach Historic Preservation Consulting referencing the historical role of our home to the land and the changes and issues associated with the drainage installed by the county.

**"Statement Regarding the property at 353 N. Knapp Road** In March 2022, I visited the property at 353 N. Knapp Road. The house is a front gable bungalow with a hipped roof front porch resting on a concrete block foundation. It is typical of a simple bungalow of the 1920-1930 time period, many of which were purchased as kit homes through catalogs. The date of 1928 on the Monroe County Property Card could be considered accurate. The interior retains some original wood floors and trim and original access to the cellar. Despite the presence of replacement windows and vinyl siding, and later rear additions, the main house maintains the form of a bungalow of its time period. The land retains fence rows with period wire fencing and wood posts and the yard retains large trees of substantial age, although two died in more recent years. The latter may have occurred due to drainage changes as part of the industrial development and road changes immediately to the east and the subsequent damage to and flooding of tree roots. The house is one of two of the period on N. Knapp Road. Neither appear on the SHAARD database, possibly excluded by the surveyor due to alterations of siding, windows, doors, and additions. However, these changes and the exclusion from the database don't negate the age of the houses and their presence as homes. And as with 353 N. Knapp Road, the house was clearly part of what was a former small farm. The road itself appears on the Stenbenthal Monroe County Map of 1895. It is seen on the map, as it is today, a north/south road along the SW and SE Quarter boundaries of Section 35 in Richland Township. Danielle Bachant-Bell Lord & Bach Consulting Written 4/9/22 The above consultant has been determined to meet qualification standards for cultural resource management professionals. These standards (promulgated by the National Park Service and published in 36 CFR Part 61) define the minimum education and experience required to perform identification, evaluation, registration, and treatment activities for historic properties."





Below are photos of our home and land that adjoins the residential/agricultural properties. The acreage would easily accommodate expansion. We wish to not only renovate and enlarge our home to allow space to accommodate everyone including my mother who suffers with parkinsons and stage 4 renal failure, but restore the old barn, build a greenhouse for gardening, a small pool house and install solar panels for energy efficiency. If approved we plan to remove the dual septic and attach to the city sewer to accommodate any expansions.











County GIS map of property.

According to the GIS system the overlay shows our property as 1 Family Dwelling 0-9.99 Acres and the adjoining property to the south of me as 2 Family Dwelling 0-9.99 Acres. Our property is not included in the Industrial Warehouse or Light Manufacturing and Assembly areas on the map.

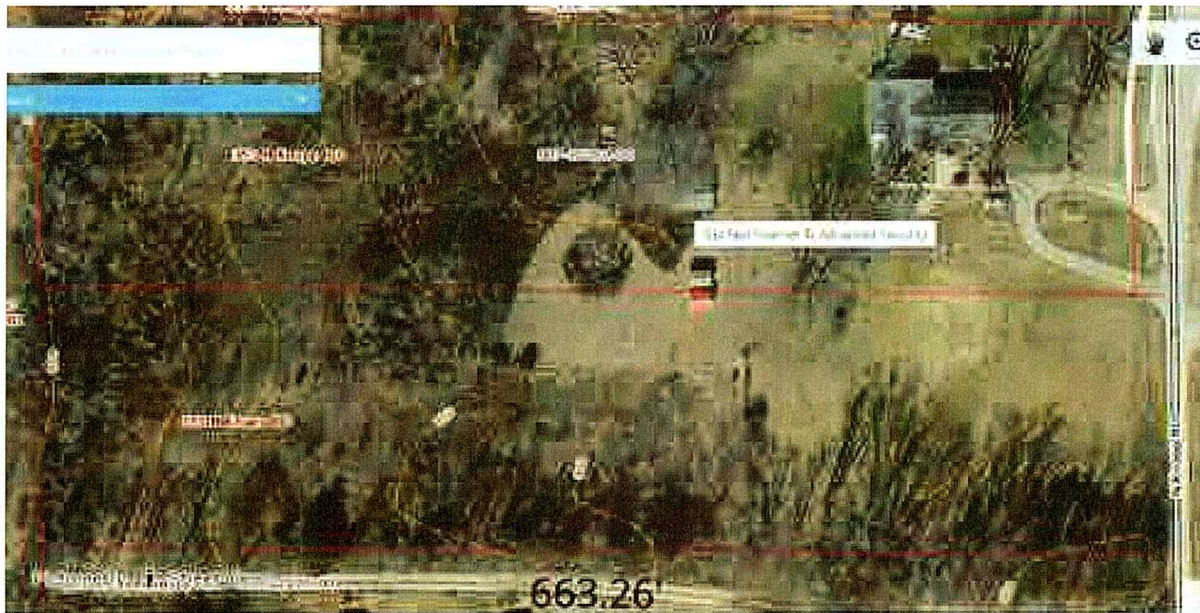


Thank you for your time and consideration. I would be happy to provide any further information you may need and answer any questions you have. Feel free to contact me anytime. Your decision will have a great effect on my family's future. I love my town and my state. Home is where the heart is and my heart is in my home.

Sincerely,

Sonya H. Leigh and Timothy B. Wiens

## EXHIBIT 2: Petitioner Site Plan



**EXHIBIT 3: Uses Permitted in the IL and AG/RR Zone****IL Zones List**

ORDE	USES	IL	CONDITIONS
9	Auditoriums	C	
12	Automotive repair	C	9
15	Beverage bottling	P	
16	Building trade shops	P	
18	Business or Industrial Center	P	20
19	Business or trade schools	P	
24	Churches	C	
26	Commercial / Industrial Adaptive Reuse	P	21
31	Convalescent, nursing or rest home	C	
35	Cultural facilities	P	
36	Day care centers	P	
43	Fire stations	P	
48	Historic adaptive reuse	C	
54	Kennels	C	
55	Light manufacturing	P	
57	Machinery and equipment repair	P	
58	Mini-warehouses	P	
63	Off-site parking	C	
64	Offices	P	
66	Outdoor storage as an accessory use	C	
70	Police stations	P	
71	Print shops	P	
76	Rehabilitative facilities	C	
77	Relocation of off-premise signs	C	
78	Research laboratories	P	
86	Schools	P	
87	Shared parking	C	
98	Utility substations and transmission facilities	P	5
100	Warehousing and storage in enclosed buildings	P	



## AG/RR Zones List

USES	INTENSITY	ZONES
Agricultural Uses	i	AG
Accessory Use		P
Accessory Structures for Agricultural Use	L	P
Agriculture	H	P
Agricultural-Related Industry	H	P
Agricultural Uses-Land Animal	H	P
Agricultural Uses-Non Animal	H	P
Agritourism / Agritainment (i.e. corn mazes)	H	P
Aquaculture	M	P
Christmas Tree Farm	H	P
Commercial facilities for the sale, repair, a	H	C
Commercial Non-Farm Animals	M	P
Confined Feeding Operations	H	C
Equestrian Center	H	C
Equine Services	L	P
Feed Lot	H	P
Feed Mill	L	P
Historic Adaptive Reuse		P
Horse Farm	L	P
Nursery/greenhouse	H	P
Orchard	H	P
Pick-your-own operation	H	P
Roadside farm stand, Permanent	M	P
Roadside farm stand, Temporary	L	P
Stockyard	H	P
Winery	H	P
Accessory Apartments	L	P
Accessory Dwelling Units	L	P
Accessory Livestock	L	P
Accessory Use		P
Guest House	L	P
Historic Adaptive Reuse		P
Home Based Business	L	P
Home Occupation	L	P
Residential Storage Structure	L	P
Single Family Dwelling	n/a	P
Temporary Dwelling	L	P
Two Family Dwelling	n/a	P
Public and Semipublic	i	AG
Accessory Use		P
Cemetery	H	P
Governmental Facility	H	P
Historic Adaptive Reuse		P

USES	INTENSITY	ZONES
Religious Facilities	H	P
Remote Garbage/Rubbish Removal	H	C
Solar Farm	L	C
Telephone and Telegraph Services	L	P
Utility Service Facility	M	P
Wastewater Treatment Facility	H	C
Water Treatment Facility	H	C
Wired Communication Services	M	P
Business and Personal Services	i	AG
Accessory Use		P
Artisan Crafts	M	C
Bed and Breakfast	L	P
Composting Operation	H	P
Greenfill	M	P
Historic Adaptive Reuse		P
Kennel, including commercial animal breeding	H	C
Real Estate Sales office Or Model	L	P
Taxidermist	L	P
Temporary Seasonal Activity	M	P
Tourist Home or Cabin	L	P
Veterinary Service (Indoor)	H	C
Veterinary Service (Outdoor)	M	C
Retail and Wholesale Trade	i	AG
Accessory Use		P
Agricultural Sale Barn	H	P
Fruit Market	L	P
Garden Center	H	C
Historic Adaptive Reuse		P
Automotive and Transportation	i	AG
Automobile Repair Services, Minor	H	C
Historic Adaptive Reuse		P
Accessory Use		P
Camping Facility	H	P
Historic Adaptive Reuse		P
Park and Recreational Services	H	C
Private Recreational Facility	H	C
Recreational Vehicle (RV) Park	H	C
Manufacturing, Mining	i	AG
Accessory Use		P
Historic Adaptive Reuse		P
Sawmill	H	C
Wood Products	M	C