

# MONROE COUNTY PLAN COMMISSION MEETING



**Tuesday, November 21, 2023  
5:30 PM**

## **Hybrid Meeting**

### **In-person**

Monroe County Courthouse  
Nat U. Hill III Meeting Room  
100 W Kirkwood Ave  
Bloomington, Indiana

### **Virtual**

**Zoom Link:** <https://monroecounty-in.zoom.us/j/85209056517?pwd=Ky9XcnZNSXQyNWtweFJkcitPUm5adz09>

If calling into the Zoom meeting, dial: 312-626-6799  
Meeting ID: 852 0905 6517  
Password: 341668

**MONROE COUNTY PLAN COMMISSION  
AGENDA**

The Monroe County Plan Commission will hold a **hybrid** public meeting on Tuesday, **November 21, 2023 at 5:30 PM** in the Judge Nat U. Hill III Meeting Room, 100 West Kirkwood Avenue, Bloomington, Indiana or via Zoom (<https://www.co.monroe.in.us/egov/apps/document/center.egov?view=item;id=10208>). The public may attend and provide comments via Zoom (<https://www.co.monroe.in.us/egov/apps/document/center.egov?view=item;id=10208>) or in-person. For information about the Zoom meeting, you may call (812) 349-2560 or email ([PlanningOffice@co.monroe.in.us](mailto:PlanningOffice@co.monroe.in.us)) our office. For information about the Zoom meeting, you may call (812)349-2560 or email ([PlanningOffice@co.monroe.in.us](mailto:PlanningOffice@co.monroe.in.us)) our office. We will be taking public comment at each public hearing and consider the following agenda items and requests regarding the following described properties in Monroe County, Ind.:

**CALL TO ORDER**

**ROLL CALL**

**INTRODUCTION OF EVIDENCE**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES June 20, 2023; July 18, 2023**

**ADMINISTRATIVE BUSINESS:**

**SIA-23-12 Bryn Mawr Subdivision Request for Release of Performance Guaranty PAGE 3**

**UNFINISHED BUSINESS: None.**

**NEW BUSINESS:**

**1. RD-23-2 N Maple Grove RD Name Change to John Irvine Way PAGE 19**  
**Preliminary Hearing.**  
Washington Township, Section 30 and Bloomington Township, Section 31.  
Contact: [drbrown@co.monroe.in.us](mailto:drbrown@co.monroe.in.us)

**2. SAD-23-21 Joann Scroggins Type E Administrative Subdivision Right-of-Way Waiver Request Waiver of Final Hearing Requested PAGE 30**  
Two (2) parcels totaling 106.61 +/- acres in Bloomington Township, Section 14 at 3905 and 3898 E Bethel LN, Parcels #53-05-14-100-003.000-004 and #53-05-14-400-026.000-004  
Owner: Joann Scroggins  
**Zoned AG/RR.** Contact [shawnsmith@co.monroe.in.us](mailto:shawnsmith@co.monroe.in.us)

**REPORTS:**  
1. Planning: Jackie Jelen  
2. County Attorney: David Schilling

Said hearing will be held in accordance with the provisions of: IC 36-7-4-100 et seq.; & the County Code, Zoning Ordinance, and the Rules of the Plan Commission of Monroe County, Ind. All persons affected by said proposals may be heard at this time, and the hearing may be continued as necessary.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, [apurdie@co.monroe.in.us](mailto:apurdie@co.monroe.in.us), as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.

The meeting will be open to the public.

**MONROE COUNTY PLAN COMMISSION****November 21, 2023**

<b>PLANNER</b>	Drew Myers
<b>CASE NUMBER</b>	SIA-23-12 (0303-SPP-03, 0410-SFP-14, and 0503-SVA-07)
<b>PETITIONER</b>	Kevin Todd, Manager Land Co of Southern Indiana LLC
<b>ADDRESS</b>	3511 – 3637 E Bryn Mawr DR & 3400 - 3438 S Justin CT, parcels #53-08-14-108-003.000-008, 53-08-14-108-007.000-008, 53-08-14-105-902.000-008, 53-08-14-107-006.000-008, 53-08-14-107-007.000-008, 53-08-14-107-008.000-008, 53-08-14-107-009.000-008, 53-08-14-107-010.000-008, 53-08-14-107-011.000-008, 53-08-14-107-013.000-008, 53-08-14-107-014.000-008, 53-08-14-107-015.000-008, 53-08-14-108-002.000-008, 53-08-14-108-004.000-008, 53-08-14-108-005.000-008, 53-08-14-108-008.000-008, 53-08-14-108-009.000-008
<b>REQUEST</b>	Partial Performance Bond Reduction Request
<b>ACRES</b>	22.04 acres
<b>TOWNSHIP</b>	Perry
<b>SECTION</b>	14
<b>PLATS</b>	Platted, Bryn Mawr Subdivision Final Plat; Bryn Mawr Subdivision Amendment One Final Plat

**EXHIBITS**

1. Petitioner Statement
2. Original Letter of Credit
3. Unconditional Waiver and Release of Final Payment
4. Subdivision As-Built Plans as accepted by the Highway Department
5. Quietus Summary with Receipts Memo
6. Bryn Mawr Subdivision Preliminary Plat (2003)
7. 8/9/2023 Minutes from the Board of Commissioners accepting the public improvements into the County Inventory: [https://www.co.monroe.in.us/egov/documents/1692818666\\_13837.pdf](https://www.co.monroe.in.us/egov/documents/1692818666_13837.pdf)

**RECOMMENDATION TO THE PLAN COMMISSION**

Staff recommends approval of the releasing the performance bond guaranty for public improvements of \$19,555 and holding the 2-year \$10,000 maintenance bond.

**SUMMARY**

The petitioner has applied to release the performance bond guaranty related to the Bryn Mawr Subdivision. The summary of the current financial guarantee that was submitted to the County at the beginning of the project was \$29,555 dated 03/04/2010. The petitioner is requesting to reduce the performance bond by \$19,555 leaving a balance of \$10,000 for the required 2-year maintenance bond.

The Quietus Summary dated July 6, 2015 indicates the bond amount of \$29,555 being held by the County for the public improvements of the Bryn Mawr Subdivision (see Exhibit 5). The ordinance states that a 2-year maintenance bond is required after the construction has been completed to the specifications laid out in the approved construction plans. According to Chapter 858-8(B):

“...in no event may the performance bond be reduced to less than ten percent (10%) of the original performance bond amount or ten thousand dollars (\$10,000), whichever is greater, until all required improvements for the subdivision or the approved subdivision section have been completed and accepted.”

The County Commissioners did accept the roadways and improvements into the County Inventory in August of 2023. The Monroe County Highway Department and Stormwater Division conducted site inspections and ensured improvements were satisfactory (reference RA-22-10, RA-22-11 and RA-22-12 for applications for acceptance of E Bryn Mawr Dr, S Justin Ct, and S Bluebird Spur).

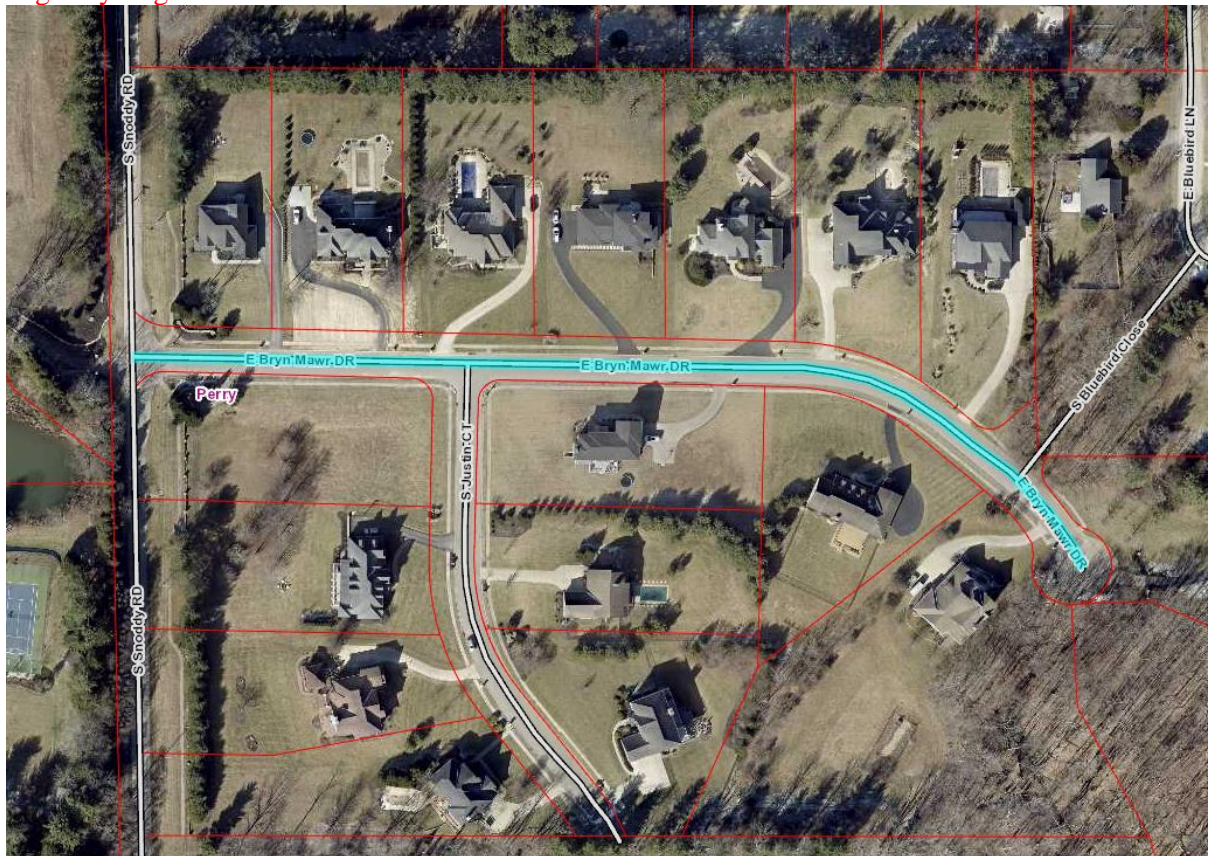
The petitioner does meet the ordinance requirements for a performance bond release.

**858-8. Release or Reduction of Performance Bond and Financial Guaranty**

(A) The Commission may release or reduce the performance bond and financial guaranty, but only if:

- (1) the Subdivider applies to the Commission, in writing, for the release or reduction of the performance bond and financial guaranty and provides the Commission with a certificate, signed by the Subdivider's engineer, stating that all required improvements, or a portion of such improvements in the case of a reduction, have been completed in the manner prescribed by these regulations, by preliminary approval and by the subdivision improvement agreement. The certification of the Subdivider's engineer shall be accompanied by detailed "as-built" plans of the required improvements. Such as-built plans must be prepared and signed by the Subdivider's engineer;

See Exhibits 1 & 4. The petitioner was required to plant 84 trees and planted 87 trees (3 extra trees planted than required). The petitioner followed the roadway construction plans and constructed the sidewalks in accordance with the preliminary plat. The petitioner submitted the necessary as-built plans that were reviewed and approved by the Monroe County Highway Engineer.



- (2) the County Engineer reviews the as-built plans and the subdivision site and reports to the Commission, in writing, that all required improvements, or a portion of such improvements in the case of a reduction, have been completed in the manner prescribed by these regulations, by preliminary approval and by the subdivision improvement agreement;

See Exhibit 4 for the as-built plans for the road and drainage infrastructure.

- (3) the Subdivider provides the Commission with written assurances, in the form of affidavits, releases or waivers of liens from all contractors, subcontractors and materialmen, that liens will not be filed against the dedicated land and/or improvements after they are accepted; and,

See Exhibit 3.

- (4) the Subdivider provides the Commission with the maintenance bond required by Section 858-9.

The petitioner will need to retain \$10,000 for the minimum requirement for the maintenance bond. The petitioner is requesting a release of \$19,555 leaving a balance of \$10,000. See Exhibit 1 & 4.

**EXHIBIT 1: Petitioner Statement**

**Crossroads Development Group Inc**

1801 S. Liberty Drive  
Bloomington, IN 47403

September 26, 2023

Attn: Board of Commissioners of the County of Monroe, Indiana

This letter is to request the reduction of financial guarantee on Bryn Mawr Subdivision.

We have followed all guidelines and all work has been completed and therefore request a reduction of financial guarantee on the property referenced above. Below is a summary of the current financial guarantee that was submitted to the county at the beginning of the project:

Cashier Check#5001869968 \$29,555 dated 03/04/2010

We are requesting that funds be returned in the amount of \$19,555 leaving a balance of \$10,000 for the guarantee. Please send a check to the following address:

Sherman Rogers  
Crossroads Development Group Inc  
3500 S. Snoddy Road  
Bloomington, IN 47401

If you have any questions, please contact me at [ktodd@bloominsurance.com](mailto:ktodd@bloominsurance.com) or 812-320-8450.

Sincerely,



Kevin Todd  
LandCo of Southern Indiana LLC

**EXHIBIT 2: Subdivision Improvement Agreement**

**COPY**



International Division – Letter Of Credit Department  
9700 N.W 112th Avenue, Miami, Florida 33178  
Tel. 786-845-4400 Customer Service Department  
Fax 786-845-4782 Issuance Department  
Fax 786-845-4952 Negotiation and Payment Department  
S.W.I.F.T. Address: UPNBUS44MIA - Telex 6737871 UPBMIA

LETTER OF CREDIT NO. L046210

Date: October 8, 2004

**ORIGINAL**

Monroe County Plan Commission  
Monroe County Indiana  
Attn.: Director of the Plan Commission  
Courthouse Room 306  
100 Kirkwood Avenue  
Bloomington, IN 47404

Gentlemen:

Union Planters Bank, hereby opens its irrevocable credit in favor of Crossroads Development Group, Inc., Attn. Kevin Todd, 100 Fountain Square, Bloomington, IN 47404 hereinafter referred to as "Subdivider", with their principal place of business being 100 Fountain Square, Bloomington, IN 47404 for the benefit of the County in the following manner and on the following terms:

1. Crossroads Development Group, Inc. is required by Contract and Agreement for the completion of Public Improvements to serve BRYN MAWR SUBDIVISION.
2. The extent of this Letter of Credit shall be the amount of \$30,800.00
3. This Letter of Credit may be called by your drafts drawn at sight at our office in Union Planters Bank at our office in 116 S. Walnut Street, Bloomington, IN 47404, Attention Joseph Peters, and accompanied by the following documents and instruments:
  - a. Original Letter of Credit.
  - b. Signed statement from an authorized official of the County certifying that Crossroads Development Group, Inc. has failed to complete the required improvements in the manner set forth in the performance bond agreement between the County and the Subdivider, dated August 25, 2004 and relating to the construction of BRYN MAWR SUBDIVISION.
4. After acceptance of the required improvements by the County, the extent of this Letter of Credit may be reduced: the reduction to be included in the acceptance notification. A written copy of the acceptance will be forwarded to Union Planters Bank, 116 S. Walnut Street, Bloomington, IN 47404, Attention Joseph Peters.

This LETTER OF CREDIT expires not later than October 15, 2005, unless a prior claim by the County is made.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce, Publication No. 500.

Union Planters Bank,

  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

  
\_\_\_\_\_  
AUTHORIZED SIGNATURE

**EXHIBIT 3: Unconditional Waiver and Release of Final Payment**

**UNCONDITIONAL WAIVER AND RELEASE OF FINAL  
PAYMENT**

The undersigned has been paid in full for all labor, services, equipment or material furnished for the Bryn Mawr Subdivision project located at the Northeast Quarter Section 14, T8N, R1W, Monro County, Indiana and hereby waive and release any right to mechanic's lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim or payments rights for persons in the undersigned's position.

The undersigned warrants that he/she either has already paid or will use the monies received from this final payment to promptly pay in full all laborers, subcontractors, materialmen and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Dated: *11/26/22*

Company Name *Alan Arnold Excavating Inc.*

By:

Signature *[Handwritten Signature]*

Title *president*

**NOTICE:  
THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN  
PAID FOR GIVING UP THOSE RIGHTS.**



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Dated: *11/26/22*

Company Name *CCRB LLC*

By:

Signature *[Handwritten Signature]*

Title *President*

**NOTICE:  
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Dated: 11/23/22

Abell Nursery  
Company Name

By: Rob Abell  
Signature

General Manager  
Title

**NOTICE:**  
THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS.

**EXHIBIT 4: Subdivision As-Built Plans as Accepted by the Highway Department**

**Bledsoe Riggert Cooper James**  
LAND SURVEYING • CIVIL ENGINEERING • GIS

Page 1 of 1

September 12, 2023

Monroe County Board of Commissioners  
Monroe County Court House  
100 W. Kirkwood Ave.  
Bloomington, IN 47401

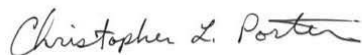
**Re: Bryn Mawr Subdivision Letter of Bond Reduction**

Dear Board of Commissioners,

Bryn Mawr Subdivision is a 17-lot single family residential subdivision located on Bryn Mawr Drive and S. Justin Court in Monroe County. The Preliminary Plat was approved by the Plan Commission at a meeting held on April 15, 2003 and the Final Plat was recorded on November 8, 2004. The construction plans for this development were designed under the direction of William S. Riggert, P.E. and Bernard A. Guerrettaz II, P.S.

As-built plans were prepared for this development in September 2023. To the best of my knowledge, the proposed improvements were completed in the manner prescribed by the regulations of Monroe County, by the preliminary plat approval, and by the subdivision improvement agreement.

Sincerely,



Christopher L. Porter  
Professional Land Surveyor No. LS21200022  
State of Indiana  
cporter@brcjcivil.com  
(812) 336-8277



**EXHIBIT 4: Quietus Summary with Receipts Memo**

**QUIETUS**

Monroe County Auditor  
 Room 209, Courthouse  
 Bloomington, IN. 47404

Date of Receipt  
 July 6, 2015

Receipt No.  
 43793

I hereby certify that Monroe County Highway has filed in my office  
 the receipt of MONROE COUNTY GOVERNMENT

In the Sum of:

**\*\* ONE HUNDRED FORTY EIGHT THOUSAND THREE HUNDRED FIVE DOLLARS AND 00/100 \*\***

On Account of: performance and maint. bonds

Fund/Account	Description	Amount
1108 Bid Deposits & Bond Holding 000-6524	The Manors Sub Public Improve	41,850.00
1108 Bid Deposits & Bond Holding 000-6525	The Manors Sub Erosion Control	7,300.00
1108 Bid Deposits & Bond Holding 000-6526	Bryn Mawr Sub Public Improve	29,555.00
1108 Bid Deposits & Bond Holding 000-6527	Bella Ridge Sub Public Improve	17,200.00
1108 Bid Deposits & Bond Holding 000-6528	Shawnee Bluffs Estates Sub Improve	9,600.00
1108 Bid Deposits & Bond Holding 000-6529	McHaffey Woods Sub Public Improve	32,800.00
1108 Bid Deposits & Bond Holding 000-6530	Garden Acres Sub Public Improve	10,000.00
Total Distributions:		148,305.00

Paid By: Check 148,305.00 Monroe County Highway



**FILED**  
 JUL 06 2015

*Steve Sautler*  
 Auditor Monroe County, Indiana

Steve Sautler, AUDITOR

## Highway Department Receipts Memo

DATE: July 6, 2015  
 TO: Rebecca  
 FROM: Suzanne

COPY

Performance & Maintenance Bond 1108-000-		
Check #	Amount \$	Reason or Items
5006109802	\$41,850.00	The Manors Subdivision Public Improvement
5006109801	\$7,300.00	The Manors Subdivision Erosion Control
5006109800	\$29,555.00	Bryn Mawr Subdivision Public Improvements
527960	\$17,200.00	Bella Ridge Subdivision Public Improvements
3356546	\$9,600.00	Shawnee Bluffs Estates Subdivision Improvements
535459	\$32,800.00	McHaffey Woods Subdivision Public Improvements
143913	\$10,000.00	Garden Acres Subdivision Public Improvements

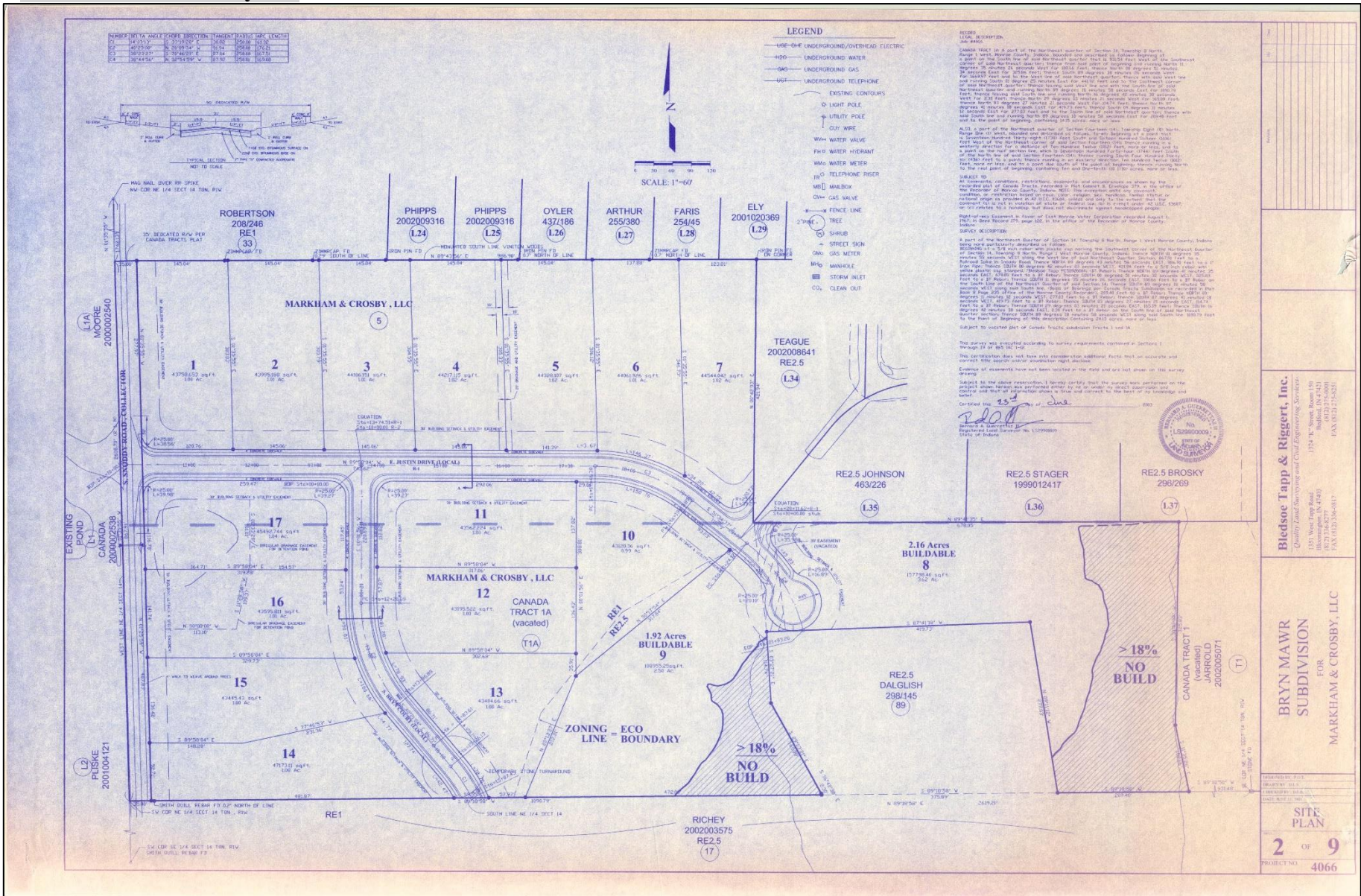
Pursuant to ordinance 2009-35 Performance and Maintenance Bond Financial Guaranty Fund please create budget lines for the following subdivisions and appropriate the below listed amounts into each line.

1108-000-30.0031	The Manors Subdivision Public Improvement	\$41,850.00
1108-000-30.0032	The Manors Subdivision Erosion Control	\$7,300.00
1108-000-30.0033	Bryn Mawr Subdivision Public Improvements	\$29,555.00
1108-000-30.0034	Bella Ridge Subdivision Public Improvements	\$17,200.00
1108-000-30.0035	Shawnee Bluffs Estates Subdivision Improvements	\$9,600.00
1108-000-30.0036	McHaffey Woods Subdivision Public Improvements	\$32,800.00
1108-000-30.0037	Garden Acres Subdivision Public Improvements	\$10,000.00

**Total All Performance & Maintenance Bonds \$148,305.00**

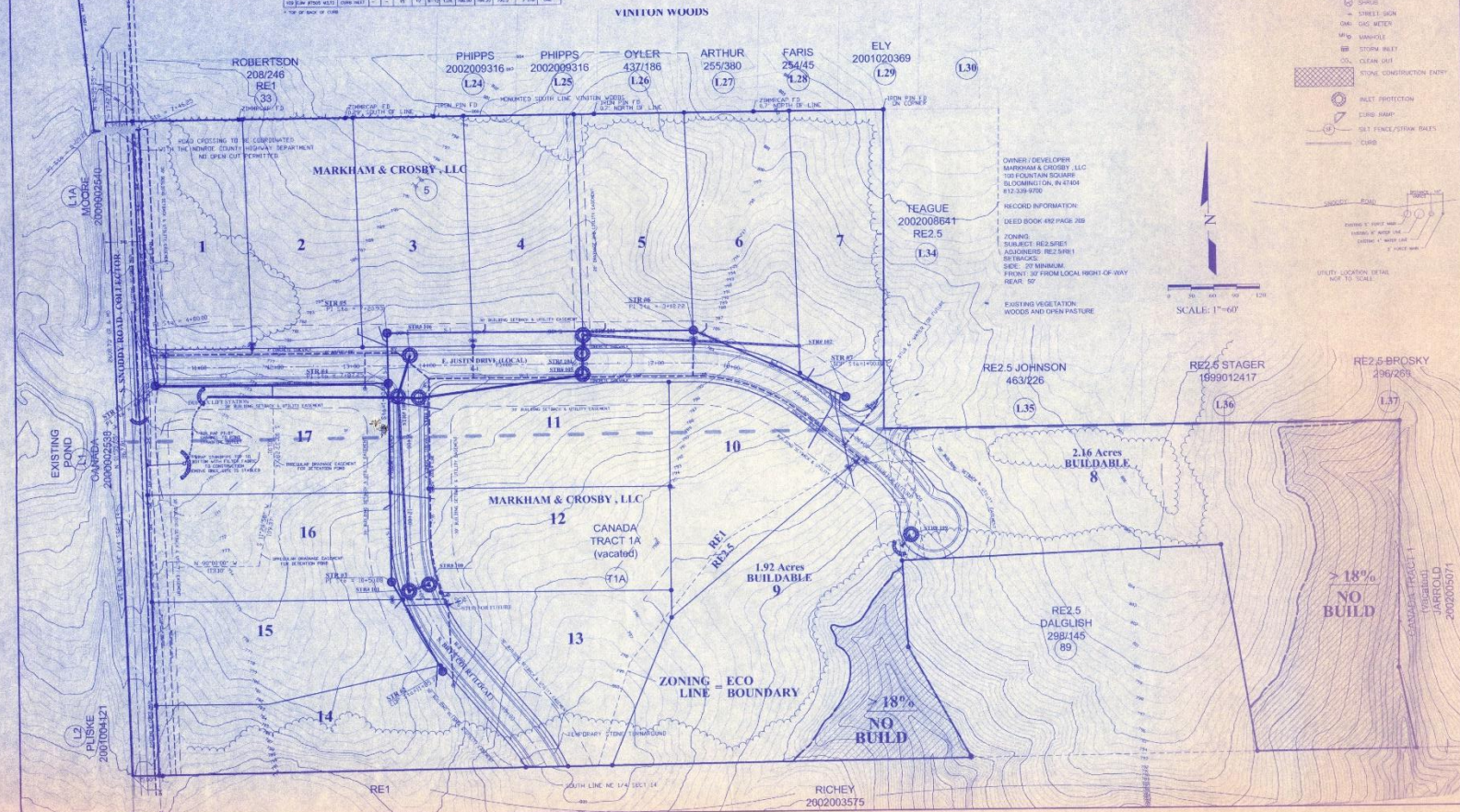
Thank you!!!

# EXHIBIT 5: Preliminary Plat



STORM STRUCTURE DATA TABLE											
LINE	NO.	START	END	TYPE	DEPTH	WIDTH	LENGTH	AREA	PERCENT	NO. OF	NO. OF
NO.	NO.	STATION	STATION	NO.	NO.	NO.	NO.	NO.	NO.	NO.	NO.
101	101	1+00	1+00	1	1	1	1	1	1	1	1
102	102	1+00	1+00	1	1	1	1	1	1	1	1
103	103	1+00	1+00	1	1	1	1	1	1	1	1
104	104	1+00	1+00	1	1	1	1	1	1	1	1
105	105	1+00	1+00	1	1	1	1	1	1	1	1
106	106	1+00	1+00	1	1	1	1	1	1	1	1
107	107	1+00	1+00	1	1	1	1	1	1	1	1
108	108	1+00	1+00	1	1	1	1	1	1	1	1
109	109	1+00	1+00	1	1	1	1	1	1	1	1
110	110	1+00	1+00	1	1	1	1	1	1	1	1
111	111	1+00	1+00	1	1	1	1	1	1	1	1
112	112	1+00	1+00	1	1	1	1	1	1	1	1
113	113	1+00	1+00	1	1	1	1	1	1	1	1
114	114	1+00	1+00	1	1	1	1	1	1	1	1
115	115	1+00	1+00	1	1	1	1	1	1	1	1
116	116	1+00	1+00	1	1	1	1	1	1	1	1
117	117	1+00	1+00	1	1	1	1	1	1	1	1
118	118	1+00	1+00	1	1	1	1	1	1	1	1
119	119	1+00	1+00	1	1	1	1	1	1	1	1
120	120	1+00	1+00	1	1	1	1	1	1	1	1

- LEGEND**
- UNDERGROUND ELECTRIC
  - UNDERGROUND WATER
  - UNDERGROUND GAS
  - UNDERGROUND TELEPHONE
  - EXISTING CONTIGUOUS
  - LIGHT POLE
  - JUNCTION BOX
  - GUN BOX
  - WASH WATER VALVE
  - FIRE WATER HYDRANT
  - HAND WATER METER/SERVICE
  - TELEPHONE METER
  - MAIL BOX
  - GAS GAS VALVE
  - FENCE LINE
  - TREE
  - SHRUB
  - STREET SIGN
  - GAS METER
  - MANHOLE
  - STORM INLET
  - CLEAN OUT
  - STONE CONSTRUCTION ENTRY
  - RAIL PROTECTION
  - CROSS MARK
  - SET FENCE/STRAW BALES CURB



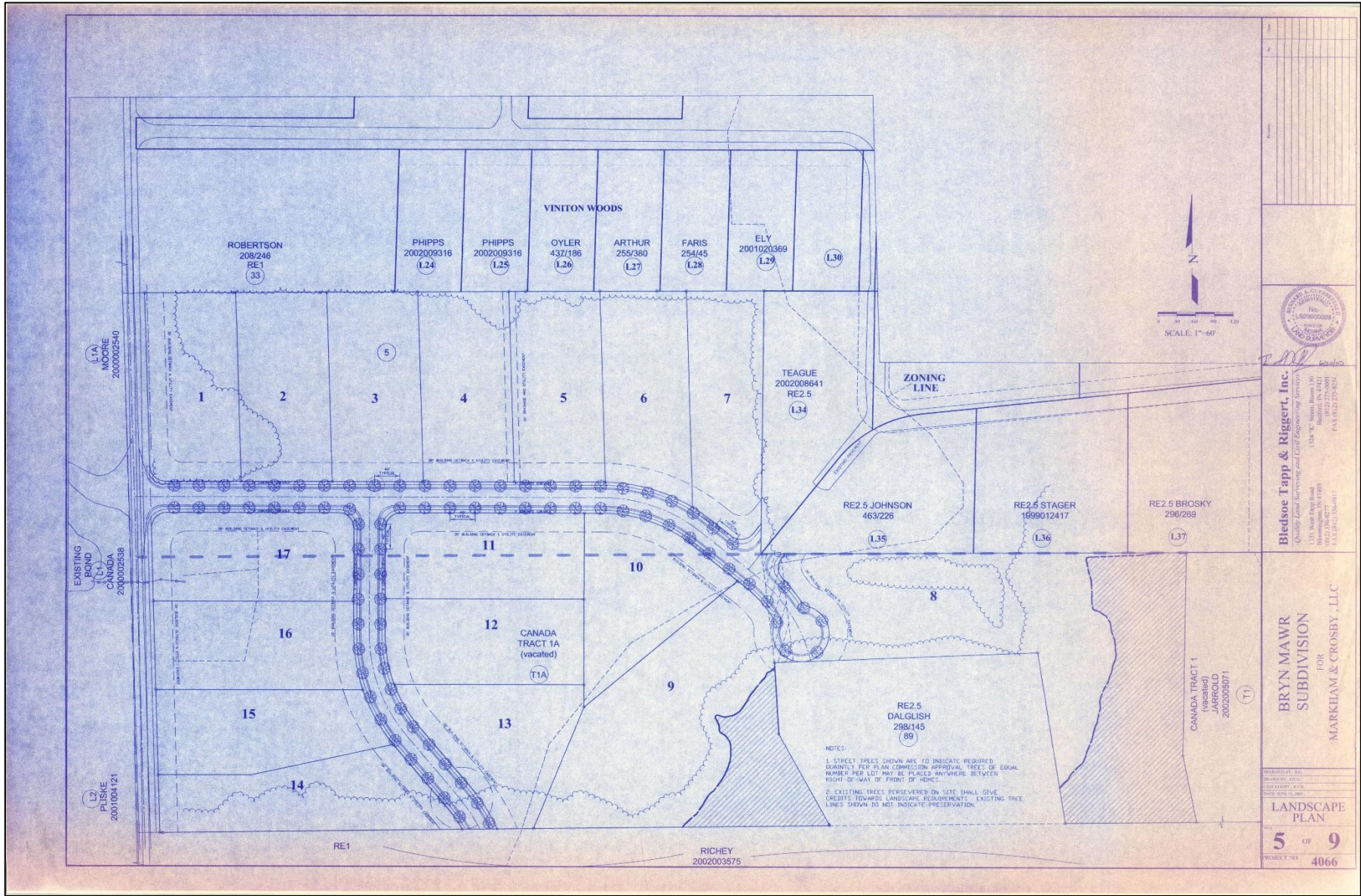
**Bledsoe Tapp & Riegert, Inc.**  
 Quality Land Surveying and Civil Engineering Services  
 1713 West Tapp Road  
 Brownsville, TN 37027  
 Phone: (615) 254-4819  
 Fax: (615) 254-4819

**RRYN MAWR SUBDIVISION**  
 FOR  
**MARKHAM & CROSBY, LLC**

**UTILITY PLAN**  
 3 of 9  
 PROJECT NO. 4066







**MONROE COUNTY PLAN COMMISSION****November 21, 2023**

<b>CASE NUMBER</b>	RD-23-2
<b>PLANNER</b>	Daniel Brown
<b>PETITIONER</b>	Monroe County Commissioners
<b>REQUEST</b>	Road Name Change from North Maple Grove Road to John Irvine Way Preliminary Hearing
<b>ADDRESS</b>	North Maple Grove Road
<b>ZONE</b>	Agriculture/Rural Reserve
<b>TOWNSHIP</b>	Washington and Bloomington
<b>SECTION</b>	30, 31
<b>COMP PLAN DESIGNATION</b>	Farm and Forest, Rural Residential

**EXHIBITS**

1. Petitioner Letter
2. Elevate View of Area

**PUBLIC HEARING TIMELINE**

- November 6, 2023 – Plan Commission (Admin) Preliminary Hearing
- November 21, 2023 – Plan Commission (Regular) Preliminary Hearing
- December 5, 2023 – Plan Commission (Admin) Final Hearing
- December 11, 2023 – Plan Commission (Regular) Final Hearing

**SUMMARY**

The petitioner, the Monroe County Commissioners, is requesting a Road Name Change from North Maple Grove Road (the portion between where N Maple Grove Road intersects with N Bottom Road and W Delap Road) to John Irvine Way. Refer to Exhibit 2 for aerial image of the area with road names.

A Road Name Change request was previously approved for this section of road in 2019, project number [19-RD-01](#). 19-RD-01 was triggered by the completion of the Cedar Ford Bridge over Bean Blossom Creek which made a connection between the two road segments N Maple Grove RD and N Old Maple Grove RD. The Highway Department requested to extend the name of N Maple Grove RD and eliminate ‘Old’ out of the title. At the time of 19-RD-01, there were no addresses associated with N Old Maple Grove Road.

Indiana State Statute 36-7-4-405 gives authority to the Plan Commission to assign street names and numbers.

**NOVEMBER 6 PC ADMIN MEETING**

1. Can a short biography be added regarding John Irvine?

This will be presented at the Plan Commission hearing.

2. Can you send this to the Historic Preservation Board for review?

The Monroe County Historic Preservation Board of Review will hear this item during their 11/20 regular meeting. Due to the timing of the packet publishing, the information could not be included. However, Planning staff will relay any information from the HP Board during the regular meeting.

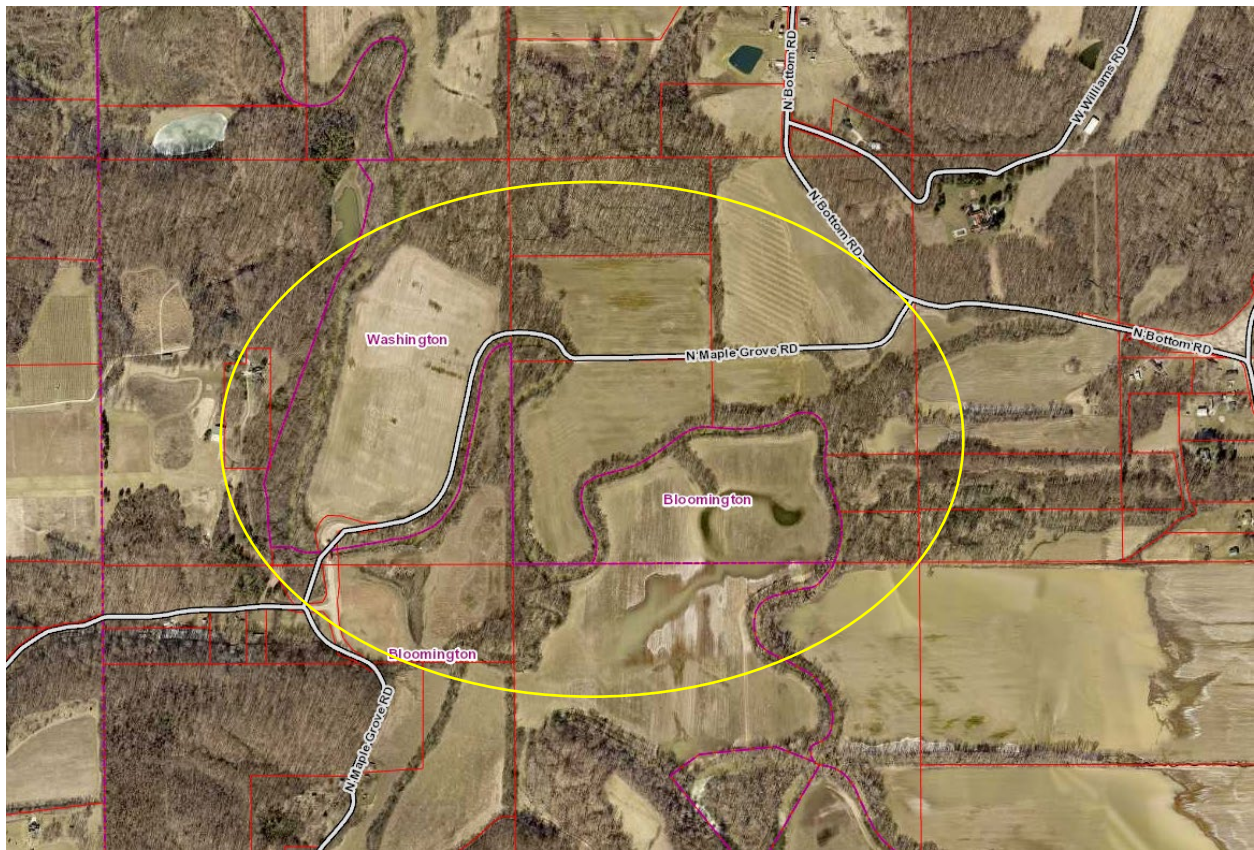


Image 1: Existing portion of road that requires a road name.

## **COUNTY DEPARTMENT COMMENTS**

### **HIGHWAY DEPARTMENT**

#### **Ben Ayers, Highway Project Manager**

I believe there to be some old family history here with a family that use to live and farm this area for decades years ago. I cannot remember the last name for sure but I believe it to be Ford. They were either grandparents or great grandparents of Larry Stanger who still lives in the area on West Maple Grove Road. I remember Larry telling of this a while back. Might be worth looking into.

#### **Planning Department – Addressing**

The request will be to change the portion of North Maple Grove Road between the intersections of N Bottom Road and W Delap Road. It appears that no existing addresses will be impacted along this section of roadway.

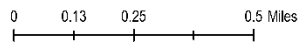
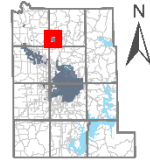
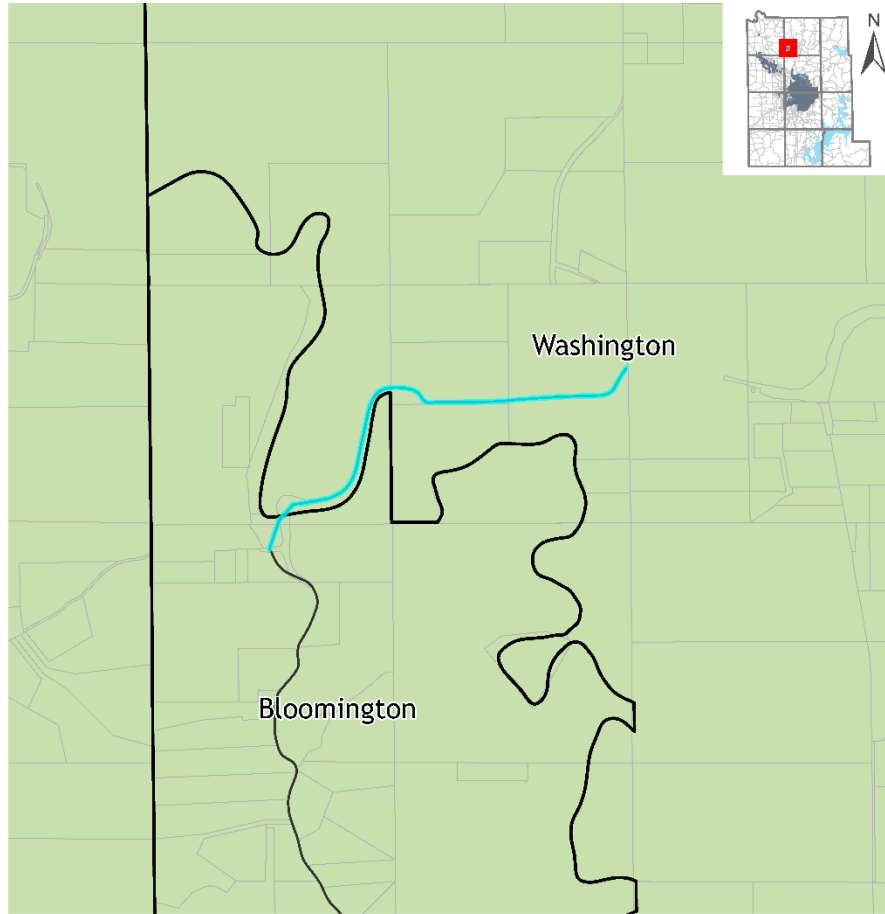
The entire roadway is located within DNR mapped floodplain, is partially gravel, and includes the covered bridge known as the “Cedar Ford Bridge”.


#### **Historic Preservation Board of Review**

This road name change will be presented to the Historic Preservation Board of Review during their monthly meeting on November 20, 2023. Due to the timing of that meeting and when this packet is published, the determination made by the Board of Review will not be able to be included in this packet.

### Location Map

- Roads
- ▭ Civil (Political) Townships
- Parcels



 Monroe County  
Planning Department  
Source: Monroe County GIS  
Date: 10/25/2023

**SITE PHOTOS**



Image 2: Covered bridge near where W Delap Road intersects with the subject road



Image 3: Traveling north along N Maple Grove Road from W Delap Road



Image 4: Traveling north along N Maple Grove Road from W Delap Road





Image 5: Traveling north along N Maple Grove Road from W Delap Road



Image 6: North-facing view of the intersection of N Maple Grove Road and N Bottom Road

## **EXHIBIT 1: Petitioner Letter**

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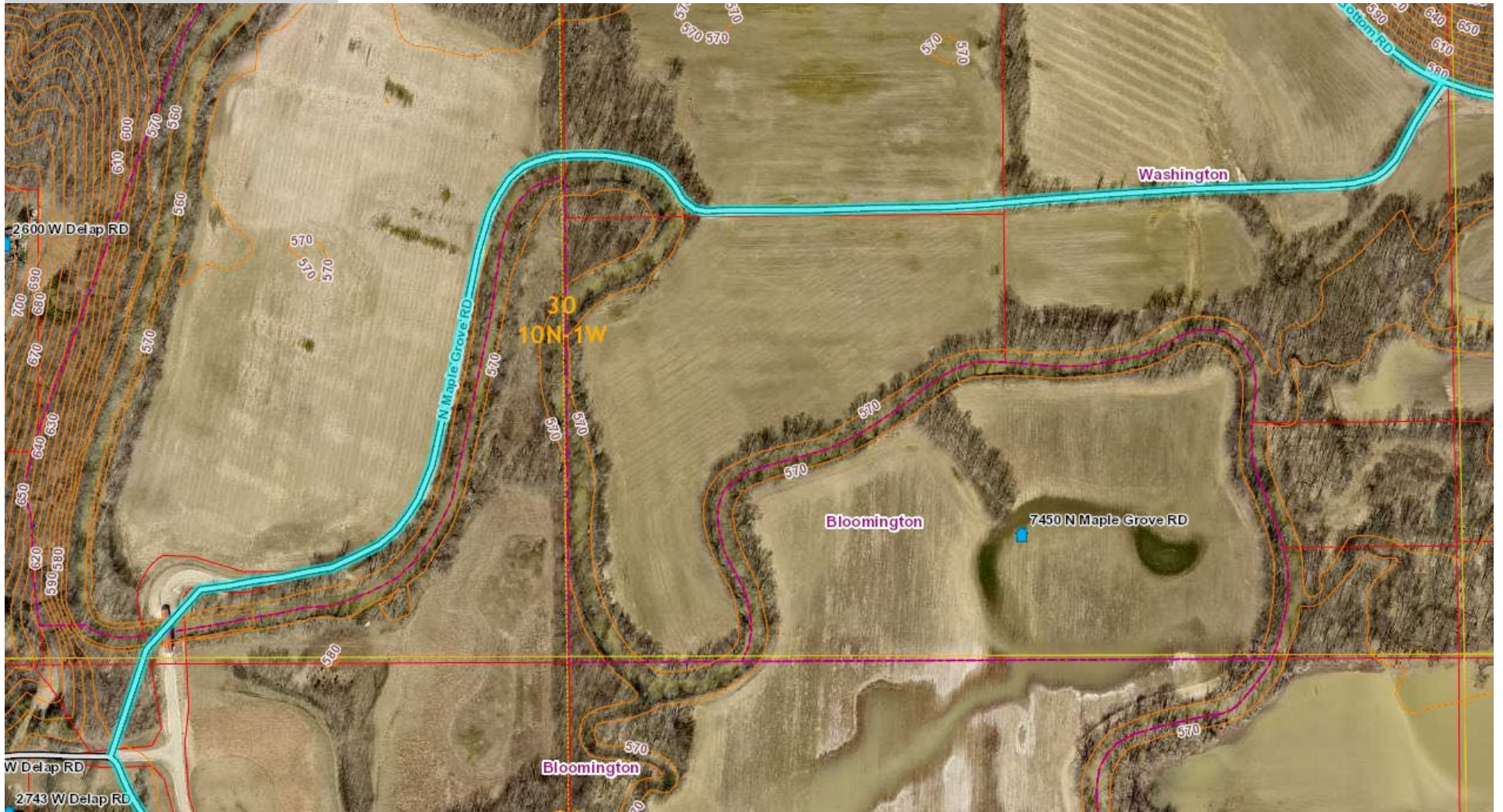
**From:** Lisa Ridge <[ljridge@co.monroe.in.us](mailto:ljridge@co.monroe.in.us)>  
**Sent:** Wednesday, September 13, 2023 4:43 PM  
**To:** Drew Myers <[dmyers@co.monroe.in.us](mailto:dmyers@co.monroe.in.us)>  
**Cc:** Jacqueline N. Jelen <[jnester@co.monroe.in.us](mailto:jnester@co.monroe.in.us)>; Toby Turner <[tturner@co.monroe.in.us](mailto:tturner@co.monroe.in.us)>  
**Subject:** N. Maple Grove Road Renaming

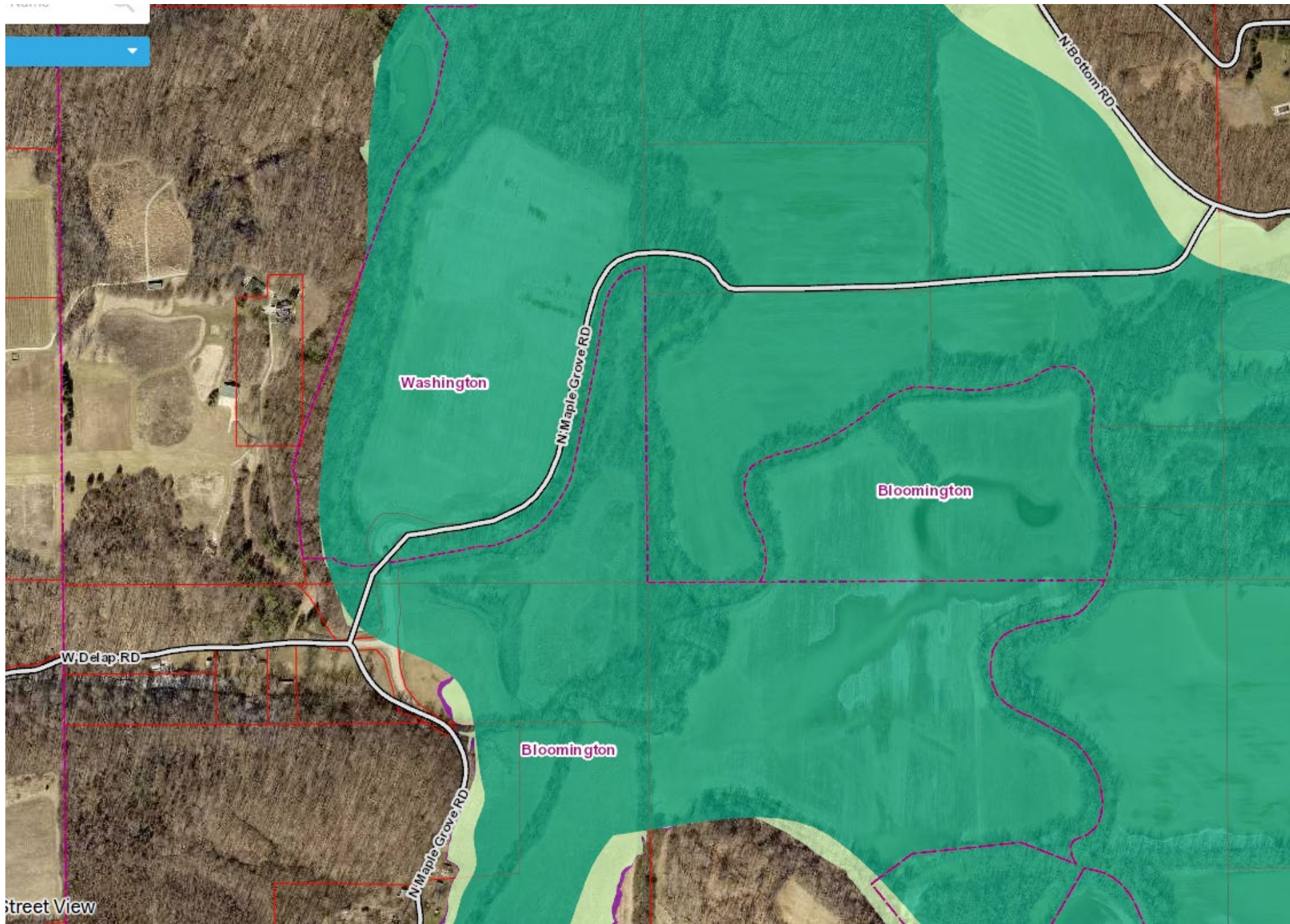
Drew- The Commissioners approached me today about renaming a portion of N. Maple Grove Road. The area would be Delap Road north to Bottom Road. There are no homes on this roadway and I don't believe any addresses would be affected. They are wanting to name the road John Irvine Road. This is the area of the covered bridge. Please let me know what else you might need from highway for this request. Thank you!

***Lisa Ridge, Highway Director  
Monroe County Highway Department  
5900 W. Foster Curry Drive  
Bloomington, Indiana 47403  
[ljridge@co.monroe.in.us](mailto:ljridge@co.monroe.in.us)  
(812)349-2555***

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**EXHIBIT 2: Elevate View of Area**







# MONROE COUNTY Plan Commission

**Public Meeting**

**Date: November 21, 2023**

CASE NUMBER	PROPOSED NAME	DETAIL
SAD-23-21	Joann Scroggins Type E Administrative Subdivision	Right of Way Width Waiver

The Subdivision Control Ordinance shall be interpreted, administered and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Approval	Planner: Shawn Smith
<b><i>Recommended Motion Conditions or Reasoning:</i></b>		
<p><b>Approve</b> a <u>partial</u> Right of Way Width Waiver request based on the findings of fact and the reports from the Highway Department, and subject to the following conditions:</p> <ol style="list-style-type: none"> <li>1. Petitioner updates the plat to reflect the partial 25' right of way dedication, and;</li> <li>2. Petitioner provides Findings of Fact.</li> <li>3. Change the subdivision name to be unique per Ch 856</li> </ol>		

<b>Waiver(s) Requested:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes:    Right of Way Width
<b>Waiver of Final Hearing Requested:</b> <input type="checkbox"/> N/A <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
<b>Plat Vacation:</b> <input type="checkbox"/> No <input checked="" type="checkbox"/> Partial <input type="checkbox"/> Yes: <b>Scroggins Type E, Tract 1</b>

<b>PETITIONER</b>	William Scroggins c/o Eric Deckard, Deckard Land Surveying	
<b>OWNERS</b>	Joann Scroggins	
<b>ADDRESS</b>	3898 and 3905 E Bethel LN, #53-05-14-400-026.000-004; 53-05-14-100-003.000-004	
<b>TOWNSHIP + SECTION</b>	Bloomington Township, 14	
<b>PLATS</b>	<input checked="" type="checkbox"/> Unplatted <input checked="" type="checkbox"/> Platted:	
<b>ACREAGE +/-</b>	106.35 +/- acres	
	<b>PETITION SITE</b>	<b>ADJACENT</b>
<b>ZONING</b>	CR and AG/RR	CR and AG/RR
<b>CDO ZONE</b>	Farm and Forest Rural Residential	Farm and Forest Rural Residential
<b>USE</b>	Residential	Residential

<b>SUMMARY</b>
----------------

The petition site contains two parcels totaling 106.35 +/- acres and would derive access from E Bethel LN. These parcels are considered to be conforming, and both contain adequate buildable area with little to no significant environmental conditions that would impede development of the site. The proposed Type E does, however, require a 90ft Right-of-Way **width** (45ft on either side of the road) due to the approved Thoroughfare Plan, which designates E Bethel LN as a Major Collector.

The parcel with the address of 3905 E Bethel LN (the northern parcel) is proposed to absorb the area that has an existing barn structure which is located approximately 30ft from the centerline of E Bethel LN. This

would not meet the 45ft dedicated Right-of-Way on this side of Bethel LN that is required by Chapter 856-28(B) of the Subdivision Control Ordinance.

The existing barn structure is identified as “Contributing” by the State Historic Architectural and Archaeological Research Database (SHAARD).

**DISCUSSION**

Highway Department Comments:

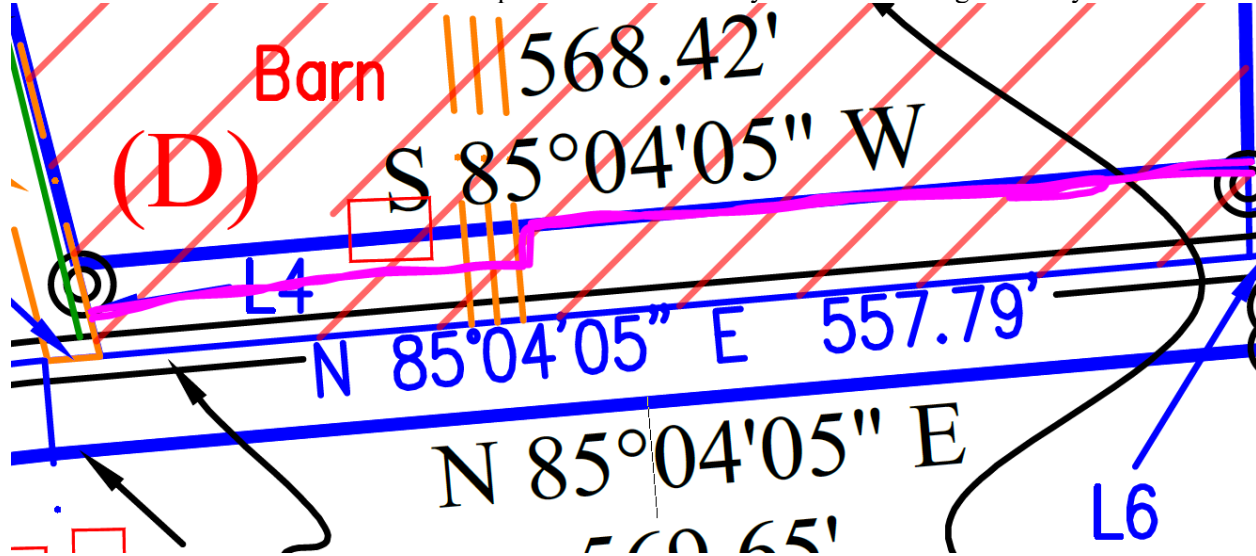


Paul Satterly

Remove Comment • Oct 31, 2023 at 2:37 pm

The Highway Department supports a 25 ft. dedicated right of way from the west property line to the eastern edge of the driveway. At the east edge of the driveway, the dedicated right of way should be increased to 45 ft. and extend to the east property line. The 25 ft. dedicated right of way will allow for the existing barn to remain outside of the dedicated right of way for Bethel Lane.

To illustrate the Highway Department’s comments, the pink line represents an approximation of the 25ft, which will then extend back out to the required 45’ immediately after the existing driveway:

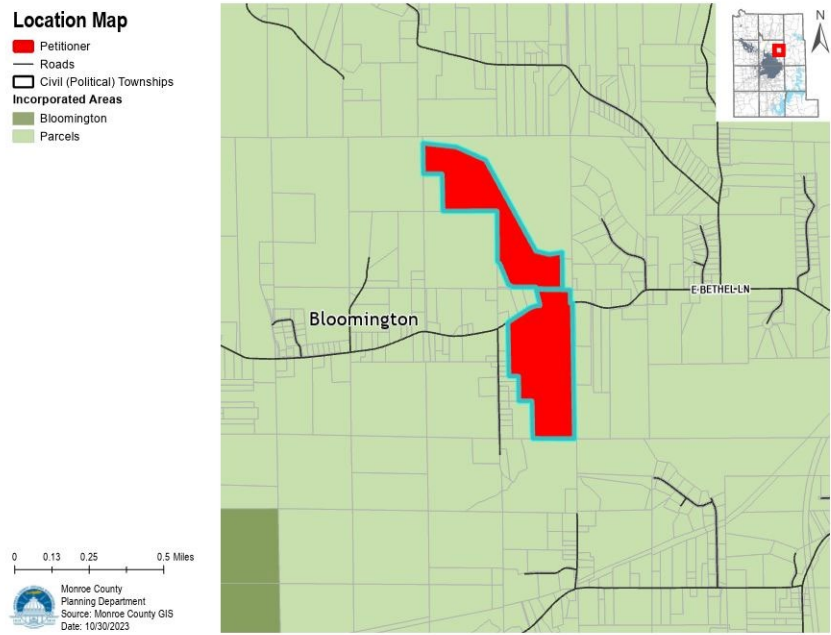


**EXHIBITS - Immediately following report**

1. Location Map
2. Site Conditions
3. Site Photos
4. Preliminary Plat
5. Petitioner Waiver Findings of Fact
6. Staff Findings of Fact
7. Indiana Historic Sites and Structures Inventory 2014 Report

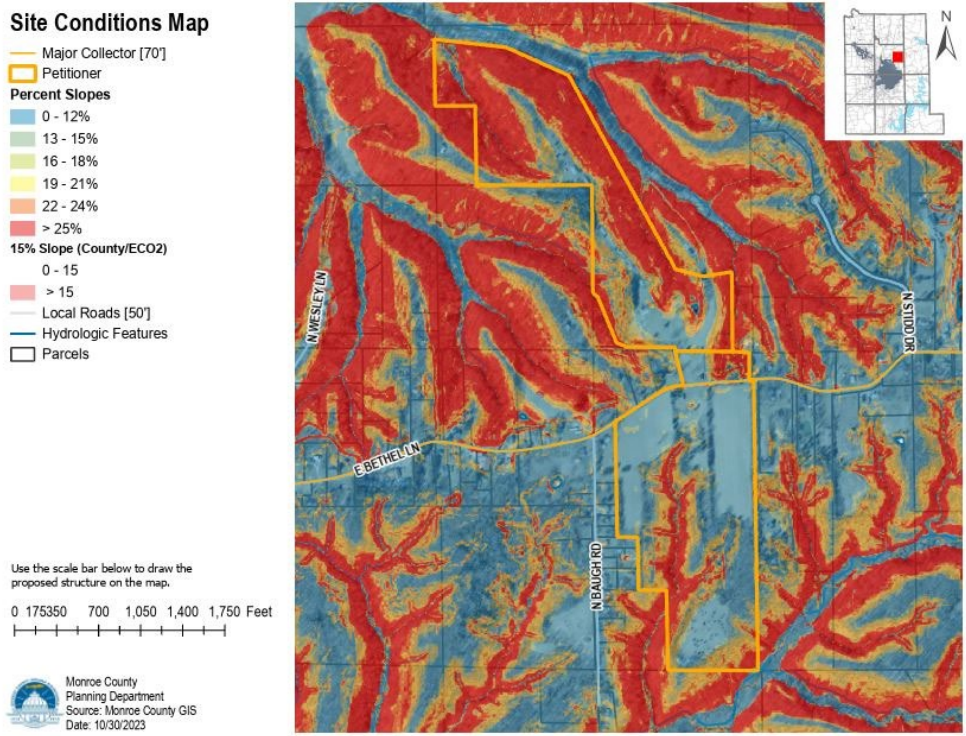
**EXHIBIT ONE: LOCATION MAP**

The petition site is two lots of record addressed 3898 and 3905 E Bethel LN, #53-05-14-400-026.000-004; 53-05-14-100-003.000-004 in Section 14 of Bloomington Township.



**EXHIBIT TWO: SITE CONDITIONS MAP**

The petition site is two parcels totaling 106.35 +/- acres. The lot contains some steep slopes greater than 15% but has adequate Buildable Area. The two proposed lots would derive access from E Bethel LN.





**EXHIBIT THREE: SITE PICTURES**



**Photo 1.** Google Image, facing West.



**Photo 2.** Google Image, facing East.

# EXHIBIT FOUR: PRELIMINARY PLAT

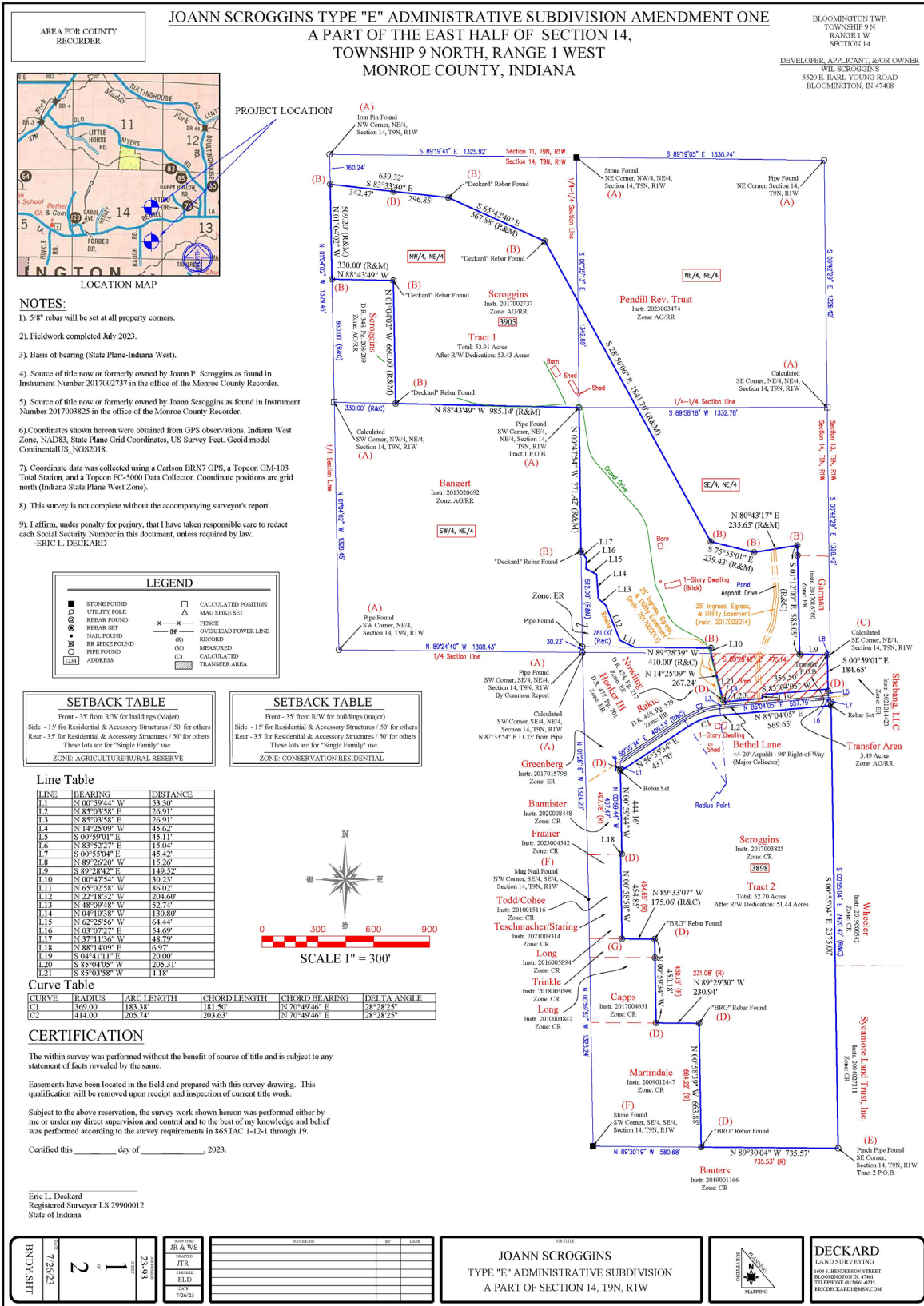


EXHIBIT FIVE: PETITIONER FINDINGS OF FACT

|  
Eric L. Deckard, LS

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

*November 1st, 2023*

To: Members of the Monroe County Planning Department:

RE: Scroggins Type E

I have been asked by Will Scroggins to request a modification in Right-of Way Dedication for the property located at 3898 E. Bethel Lane.

These are my findings and recommendations.

**Road Right-of-way.** The property is located in a rural area of the county and bounded by a 20 foot wide county road (Bethel Lane). We are respectfully requesting a right-of way with modification for the area north of Bethel Lane that contains an existing Barn at the above stated address. If the full right-of -way width were to be dedicated the proposed right-of-way would go thought an existing barn.

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

Sincerely,

Eric L. Deckard L.S.

## **EXHIBIT SIX: FINDINGS OF FACT – WAIVER OF ROAD RIGHT OF WAY REQUIREMENT**

The petitioner has requested a waiver from the **856-28. Streets: Dedications and Reservations** requirement per Chapter 856-28(B), which reads:

*Where a subdivision borders an existing narrow street or when the Comprehensive Plan, Official Map, Thoroughfare Plan, or zoning setback regulations indicate plans for realignment or widening of a street that would require use of some of the land in the subdivision, the Applicant shall be required to improve and dedicate such streets at his own expense. Such frontage streets and other streets on which subdivision lots front shall be improved and dedicated by the Applicant at his own expense to the full width required by these subdivision regulations. Land reserved and/or used for any street purposes may not be used to satisfy the minimum yard setback or lot area requirements of the Zoning Ordinance.*

Section 850-12 of the Monroe County Subdivision Control Ordinance states: “The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

### **1. Practical difficulties have been demonstrated:**

#### **Findings:**

- The road is classified as a major collector;
- The Thoroughfare Plan adopted in 2018 lists 90’ for right of way for a major collector;
- The Subdivision Control Ordinance requires right of way dedication by way of the Thoroughfare Plan classification;
- The road, E Bethel LN, primarily does not have existing right of way dedication;

### **2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;**

#### **Findings:**

- See Findings under # 1;
- The 2018 Monroe County Thoroughfare Plan shows E Bethel LN as a major collector requiring a 90’ right of way dedication;
- The 2018 Thoroughfare Plan does not contain language to allow the Highway Department staff the ability to waive a right of way classification requirement based on individual road segments or findings;
- The Highway Engineer has supplied favorable comments to allow for a decreased right of way dedication from 45’ to 25’ to accommodate the existing barn structure, and then increase back to 45’ on the eastern side of the existing driveway;
- The Subdivision Control Ordinance 856-28(B) states *when the ... Thoroughfare Plan...indicate plans for realignment or widening of a street that would require use of some of the land in the subdivision, the Applicant shall be required to improve and dedicate such streets at his own expense;*

### **3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):**

#### **Findings:**

- Highway Engineer has supplied favorable comments to allow for a decreased right of way dedication from 45' to 25' to accommodate the existing barn structure, and then increase back to 45' on the eastern side of the existing driveway;

**4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;**

**Findings:**

- See Findings under #1, #2, #3;
- The existing barn structure is identified as “Contributing” by the State Historic Architectural and Archaeological Research Database (SHAARD).

**5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;**

**Findings:**

- See findings under #1 above;

**6. Granting the requested modifications would not contravene the policies and purposes of these regulations;**

**Findings:**

- See findings under #1, #2 and #3 above;

**7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;**

**Findings:**

- See findings under #1, #2 and #3 above;

**8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,**

**Findings:**

- See findings under #1 through #7 above;

**9. The practical difficulties cannot be overcome through reasonable design alternatives;**

**Findings:**

- See findings under #1 and #4 above;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.

# EXHIBIT SEVEN: INDIANA HISTORIC SITES AND STRUCTURES INVENTORY 2014 REPORT

11/14/23, 3:29 PM

[secure.in.gov/apps/dnr/shaard/print.html?printType=countySurvey](https://secure.in.gov/apps/dnr/shaard/print.html?printType=countySurvey)

## IN.gov SHAARD

### IHSSI (County Survey)



Survey Number: 105-639-20108

Rating: Contributing

Historic Name: Rogers Barn

Year Dataset Compiled: 2014

National Register File  
Number: -

#### Survey County

County	Legal Township(s)	Quad Name(s)
Monroe	Bloomington	Unionville

Address: Bethel Ln

City: -

Location Notes: North side of Bethel Ln, adjacent to 3895 Bethel Ln.

#### Coordinates

<https://secure.in.gov/apps/dnr/shaard/print.html?printType=countySurvey>

1/4

**Easting**

**Northing**

544579

4340676

Common Name: -

Category: Building

Visible?:

Historic District?:

Historic District Name: -

Ownership: private

**Use: Present**

Residence:

Commercial:

Vacant:

Other:

Describe: agricultural

Other:

**Use: Past**

Residence:

Commercial:

Vacant:

Other:

Describe: agricultural

Other:

**Surveys/Legal Protections**

National Register:

State Register:

Hoosier Homestead:

National Historic Landmark:

Local Designation:

Protective Covenants:

Other:

Areas of Significance: AGRICULTURE, ARCHITECTURE

Other Significance: -

Endangered: No

Explanation: -

Number of Contributing Resources: 1

Number of Non-contributing Resources: 0

Environment: semi-rural

Bibliography: -

**Structure Type**

Bridge:

Cemetery:

Other:

Time Period(s): c. 1940

Condition: Fair  
 Year Demolished: -  
 Integrity: Unaltered  
 Date Moved: -  
 Alterations: -  
 Style: -  
 Type/Vernacular: Midwest Three Portal Barn

Architect/Builder	Architectural Firm	Affiliation
-	-	-

**Replacement**

Windows:  Roof:   
 Other:

**Additions**

Siding:  Wings:   
 Other:   
 Removals: -

**Stories**

1:  1 1/2:  2:  2 1/2:   
 Other:

**Plan**

Rectangular:  Polygonal:   
 L:  T:  X:  U:   
 Irregular:  Other:

**Depth**

Single-Pile:  Double-Pile:   
 Irregular/Massed:  Other:

**Number of Bays:** 3

**Foundation:** UNKNOWN

**Foundation Description:** -

**Walls Description:** -

**Other Walls:** -

**Roof**

Side-Gable:  Front-Gable:  Cross-Gable:



Hip:	<input type="checkbox"/>	Pyramidal:	<input type="checkbox"/>	Mansard:	<input type="checkbox"/>
Other:	<input checked="" type="checkbox"/>	Description:	gambrel, shed		
Material:	METAL				
Features:	-				
<b>Porches</b>					
Front:	<input type="checkbox"/>	Side:	<input type="checkbox"/>	Back:	<input checked="" type="checkbox"/>
Notes:	open shed addition				
<b>Openings:</b>	front off center wood door, two 4 pane side windows				
<b>Interior:</b>	-				
<b>Outbuildings:</b>	-				
Notes:	-				
<b>Statement of Significance:</b>	-				
<b>Architectural Description:</b>	-				

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