

MONROE COUNTY PLAN COMMISSION MEETING



**Tuesday, March 19, 2024
5:30 PM**

Hybrid Meeting

In-person

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

Virtual

[Virtual Video Conference Link](#)

Meeting ID: 259 277 005 89

Passcode: t5Qvy7

If calling into the video conference meeting (audio only), dial: +1 872-242-9432

When prompted, enter the Phone Conference ID: 966 973 645#

**MONROE COUNTY PLAN COMMISSION
AGENDA**

The Monroe County Plan Commission will hold a **hybrid** public meeting on **Tuesday, March 19, 2024, at 5:30 PM** in the Judge Nat U. Hill III Meeting Room, 100 West Kirkwood Avenue, Bloomington, Indiana and virtually via a video conference (https://www.co.monroe.in.us/egov/apps/events/calendar.egov?view=cal&eGov_searchDepartment=13).

The public may attend and provide comments virtually or in-person. For information about the meeting, you may call (812) 349-2560 or email (PlanningOffice@co.monroe.in.us) our office. For information about the video conference meeting, you may call (812) 349-2560 or email (PlanningOffice@co.monroe.in.us). 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 November 21, 2023; December 11, 2023

ADMINISTRATIVE BUSINESS: None.

UNFINISHED BUSINESS:

**1. PUO-23-6 North Park II PUD Outline Plan Amendment 1
Final Hearing.**

One (1) 98.6 +/- acre parcel in Bloomington Township, Section 30 at N Packing House RD, parcel #53-05-30-400-014.000-004.

Owner: Packing House Road LLC

Zoned PUD. Contact: acrecelius@co.monroe.in.us

*****CONTINUED BY PETITIONER*****

**2. PUO-23-7 The Trails at Robertson Farm PUD Outline
Final Hearing.**

One (1) 42.97 +/- parcel in Perry Township, Section 20 at 4691 S Victor Pike, parcel #53-08-20-400-102.000-008.

Owner: White Oak Endeavors LLC

Zoned RE1. Contact: drbrown@co.monroe.in.us

*****CONTINUED BY PETITIONER*****

NEW BUSINESS:

**1. REZ-24-3 Hopkins Rezone from AG/RR to SR
Preliminary Hearing. Waiver of Final Hearing Requested.**

PAGE 4

Three (3) 7.03 +/- acre parcels in Clear Creek Township, Section 8, at 7540 S Old State Road 37, parcel #53-11-08-100-018.000-006.

Owner: Hopkins, Kevin & Danielle

Zoned AG/RR & SR. Contact: acrecelius@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, 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.

PLANNER	Anne Crecelius
CASE NUMBER	REZ-24-3
PETITIONER	Hopkins, Kevin D & Danielle N c/p Eric Deckard, Deckard Land Surveying
ADDRESS	7540 S Old State Road 37, parcel #53-11-08-100-018.000-006
REQUEST	Rezone Request from AG/RR to SR Waiver of Final Hearing Requested
ACRES	7.1 +/- acres
ZONE	AG/RR & SR
TOWNSHIP	Clear Creek Township
SECTION	8
PLATS	Unplatted
COMP PLAN DESIGNATION	Rural Residential

EXHIBITS

1. Petitioner Letter
2. Existing Zoning (overlaid on proposed Admin. Subdivision)
3. Proposing Zoning (overlaid on proposed Admin. Subdivision)
4. Proposed Rezone Description Area

RECOMMENDATION

Staff recommends forwarding a **positive recommendation** for the rezone request from Agricultural/Rural Reserve (AG/RR) to Suburban Residential (SR) for 0.62 acres based on the findings of fact, with the following conditions:

1. Receive approved Right of Way Activity Permit(s) from the Monroe County Highway Department, and;
2. Record Administrative Subdivision SAD-24-3.

PUBLIC HEARING TIMELINE

- Plan Commission Regular Meeting – March 19, 2024 (Preliminary Hearing)
 - Waiver of final hearing requested.
- Plan Commission Regular Meeting – April 16, 2024 (Final Hearing)
- County Commissioners - TBD

PROPOSAL

The petition site is one lot of record, made up of three parcels, totaling 7.1 +/- acres, located in Clear Creek Township. The petition site is currently split zoned Agricultural/Rural Reserve (AG/RR) and Suburban Residential (SR).

The petitioner has filed a three (3) lot Administrative Type E subdivision to reconfigure the petition site and two adjacent lots located to the north, addressed as 7530 and 7510 S Old State Road 37. They are proposing that lot 1 would be 6.21 acres (split zoned AG/RR & SR), and lot 2 be 1.39 acres (with this rezone, fully zoned SR) – see Exhibit 3 for the proposed zoning and subdivision. Lot 1 property boundaries as proposed in Exhibit 3 requires a Zoning Map Amendment; To remain split zoned as-is, the proposed lot would need to meet the AG/RR minimum lot size - see Exhibit 2 for the proposed subdivision with the current zoning. The intent of the lot line adjustment is to expand the buildable area of the adjacent property to the north (7530) to pursue the construction of a Single-Family Residence. If approved this rezone request would increase the area that is zoned SR by 0.62 acres.

The Zoning Map amendment would be from AG/RR & SR to AG/RR & SR. Zoning District uses have not been included within this report -please refer to [Chapter 802 of the Zoning Ordinance](#). Listed below are the definitions

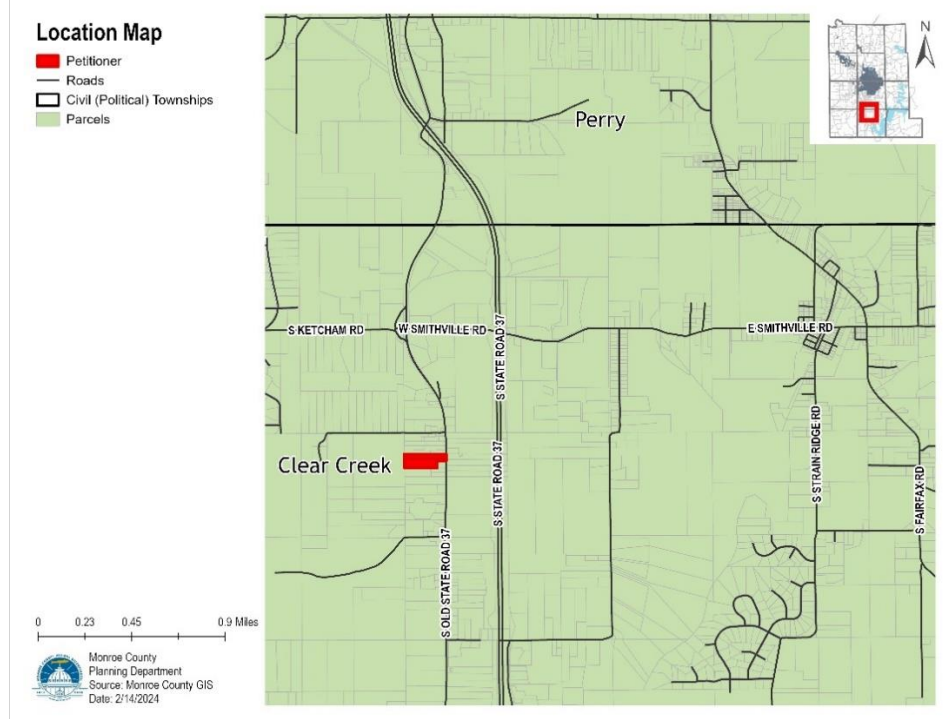
of these zones per Chapter 802.

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

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.

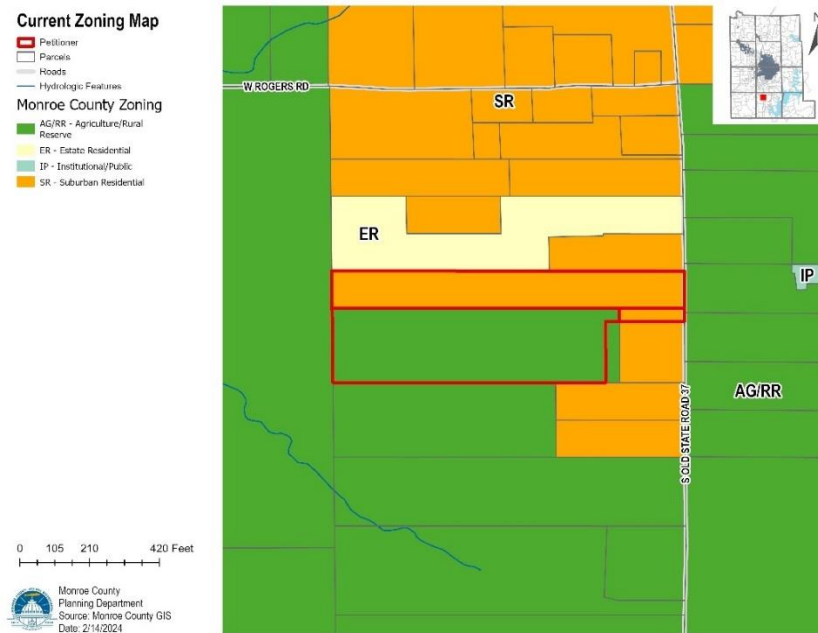
LOCATION MAP

The petition site is three (3) parcels making up one lot of record, parcel number 53-11-08-100-018.000-006. The site is located at 7540 S Old State Road 37 in Section 8 of Clear Creek Township.



ZONING

The zoning for the petition site is Agricultural/Rural Reserve (AG/RR) and Suburban Residential (SR). Adjacent zoning is AG/RR, SR, and Estate Residential (ER). The petition site in its current state is developed with a Single Family Residence.



SITE CONDITIONS & INFRASTRUCTURE

The site has frontage along S Old State Road 37, a Minor Collector road per the 2016 Thoroughfare Plan. The petition site is developed with a Single Family Residence. No evidence of karst features has been detected. The property is mainly slopes under the 15% slope restriction for structures. • The Highway Dept. Project Engineer has requested changes to the existing entrances to the petition site and 7530 S Old State Road 37 via the Right of Way Activity Permits, RW-24-61 and RW-24-62, see below.

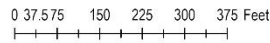
Right of way Activity permits have been submitted for this petition, see RW-24-61 & RW-24-62. No Right of way Activity permit was submitted for Lot #3.

RW-24-61 has been denied due to driveway spacing. Its recommended that this Lot either share the existing driveway entrance on Lot #3 or use the easement shown on the Preliminary Plat located at 7576 South Old State Road 37.

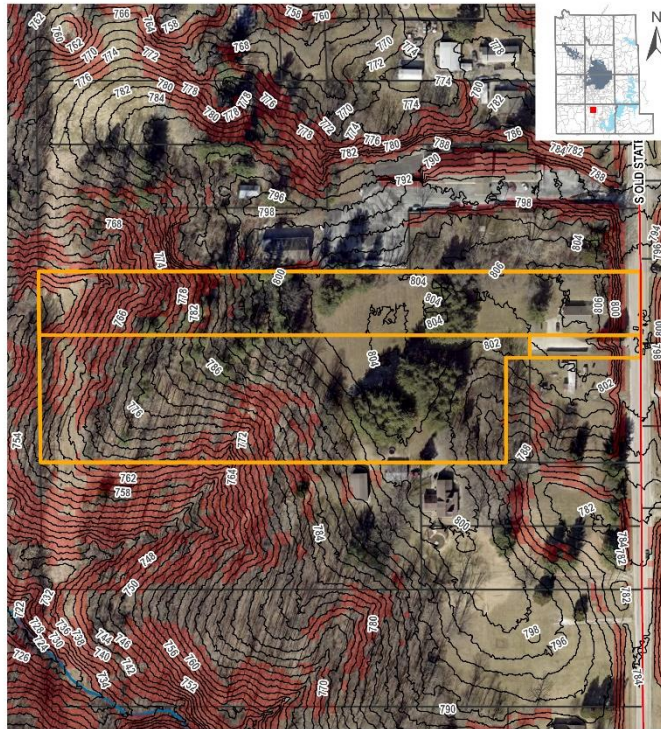
It is also recommended that the Commercial Driveway Entrance located on Lot #3 be widened to 30.0' with a 25.0' radius on each side to help with ingress/egress and to prevent traffic congestion on South Old State Road 37 and remove the Church sign located within the Right of way.

Site Conditions Map

- Minor Collector [60']
- ▭ Petitioner
- 2-Foot Contours
- 15% Slope (County/ECO2)
- <VALUE>
- 0 - 15
- > 15
- Local Roads [50']
- Hydrologic Features
- ▭ Parcels



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 2/14/2024



COMPREHENSIVE PLAN DISCUSSION

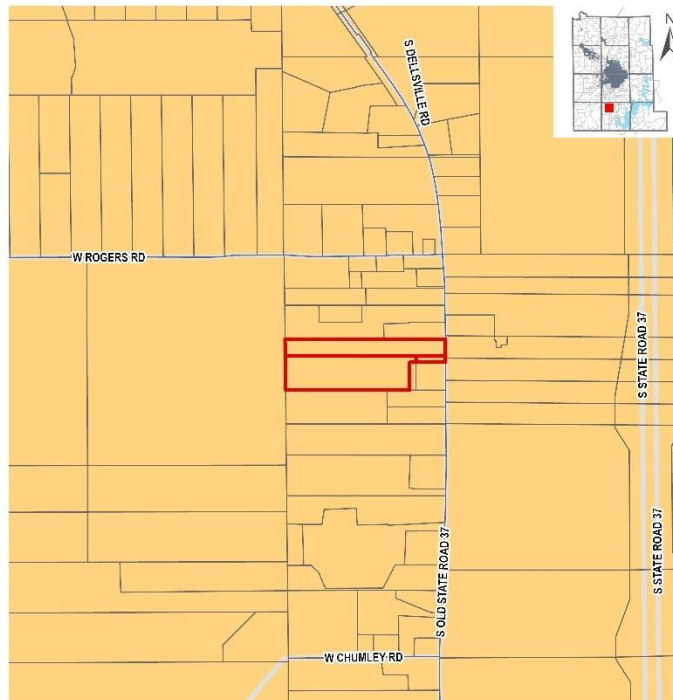
The petition site is located within the **Rural Residential** designation of the Monroe County Comprehensive Plan. Points that align with the proposed rezone are highlighted in green. Points that differ are highlighted in grey. The plan states the following for this designation:

Comprehensive Plan

- ▭ Petitioner
- ▭ Townships
- ▭ Parcels
- Roads
- Comp. Plan Land Use (Updated 2015)
- ▭ Farm and Forest
- ▭ Rural Residential



Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 2/14/2024



The Rural Residential use category includes rural property, environmentally sensitive areas, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of

the Farm and Forest category is no longer applicable. Generally, these areas are characterized by active or potential mineral extraction operations nearby, steep slopes, and the remaining forest and/or agricultural land where roadways and other public services are minimal or not available.

The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren, Bloomington, Richland, Bean Blossom, Washington, and Benton Townships are designated Rural Residential. Most often this category adjoins or is very close to the Farm and Forest Residential areas. Current Rural Residential densities are usually greater than 64 homes per section and some portions of the Rural Residential area have already been subdivided or developed at urban densities.

To maintain Rural Residential property use opportunities, an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. Where appropriate infrastructure is available, home clustering with open space dedications may be an option in this residential category. Open space can serve a variety of uses including recreational opportunities for local residents, limited accessory agricultural uses, or buffering of an adjoining use. Contiguous Resilient Land shall be available for each dwelling adequate to support either two independent conventional septic fields or one replaceable mound system. Sufficient space for buildings traditionally associated for this type of use must also be provided. In addition, public roadways shall not experience less than the Monroe County Level of Service standard existing at the time this Plan is adopted. New subdivision road traffic lanes that access County roadways shall not exceed the capacity of traffic lanes for adjoining public roadways. State highways, major collectors, or arterial roads are exempt from this requirement.

FINDINGS OF FACT - REZONE

In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Board of County Commissioners shall pay reasonable regard to:

(A) The Comprehensive Plan;

Findings:

- The Comprehensive Plan designates the petition site as Rural Residential;
- “includes rural property, environmentally sensitive areas,”;
- “average density shall preserve the rural lifestyle”;
- “Contiguous Resilient Land shall be available for each dwelling adequate to support either two independent conventional septic fields or one replaceable mound system”;
- The intention of the petitioner if the rezone is to pursue a lot line adjustment to transfer land to the adjacent property to the north, addressed as 7530 S Old State Road 37;

(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 0.62 +/- acres from AG/RR to SR;
- The use of the petition site is Single Family Residential;
- The petition site is unplatted;
- Adjacent uses are residential and Religious Facility,
- Adjacent zoning districts are AG/RR, SR, or ER;

(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 is mainly buildable area (slopes 15% and under);
- There will be no change to the use of the site;

(D) The conservation of property values throughout the jurisdiction; and

Findings:

- Property value tends to be subjective;
- The effect of the approval of the rezone on property values is difficult to determine;
- The petitioner states that their intent to rezone is to increase the sale value of the property;

(E) Responsible development and growth.

Findings:

- See Findings under Section A, Section B, and Section C;
- Access is off of S Old State Road 37;
- According to the Monroe County Thoroughfare Plan, S Old State Road 37 is classified as a Minor Collector road;
- The Highway Dept. Project Engineer has requested changes to the existing entrances to the petition site and 7530 S Old State Road 37 via the Right of Way Activity Permits, RW-24-61 and RW-24-62.

EXHIBIT 1: SITE PICTURES

















EXHIBIT 1: Petitioner Letter



Eric L. Deckard, LS

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

February 7th, 2024

To: Monroe County Planning

RE: Kevin Hopkins 7540 S. Old State Road 37, Bloomington, IN 47403 (Rezone)

I have been asked personally by Kevin Hopkins to respectfully request to be placed on the next available Plan Commission agenda. My client wishes to rezone approximately a 0.62 acre parcel of land that is currently Zoned AG/RR (Agriculture / Rural Reserve) to SR (Suburban Residential). This would allow the residence on Lot 2 in Hopkins / Souls Harbor Apostolic Church Type "E" Administrative Subdivision to be a single zone versus a split zone situation.

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

Sincerely,

Eric L. Deckard L.S.

EXHIBIT 2: Existing Zoning (overlaid on proposed Admin. Subdivision)

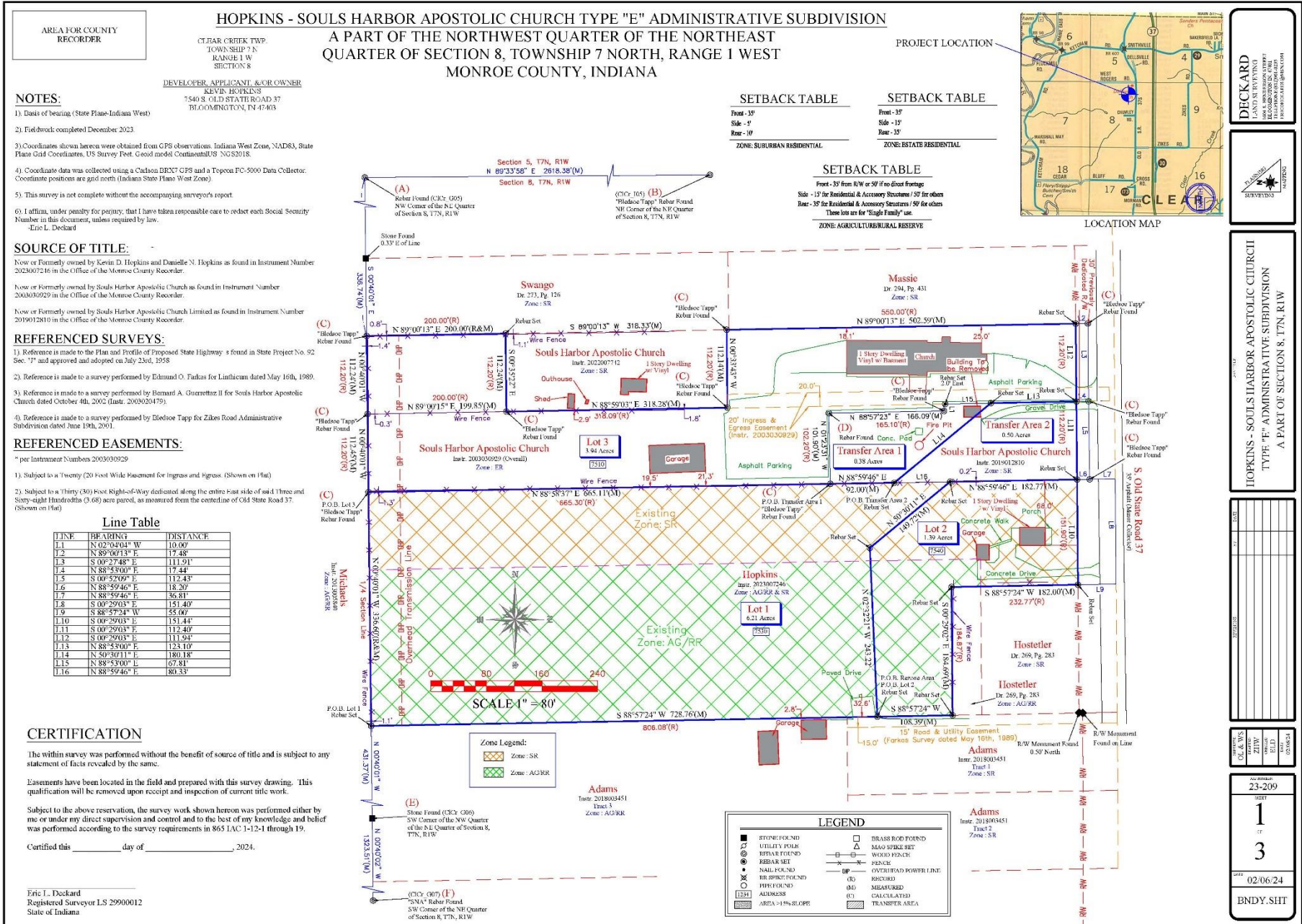
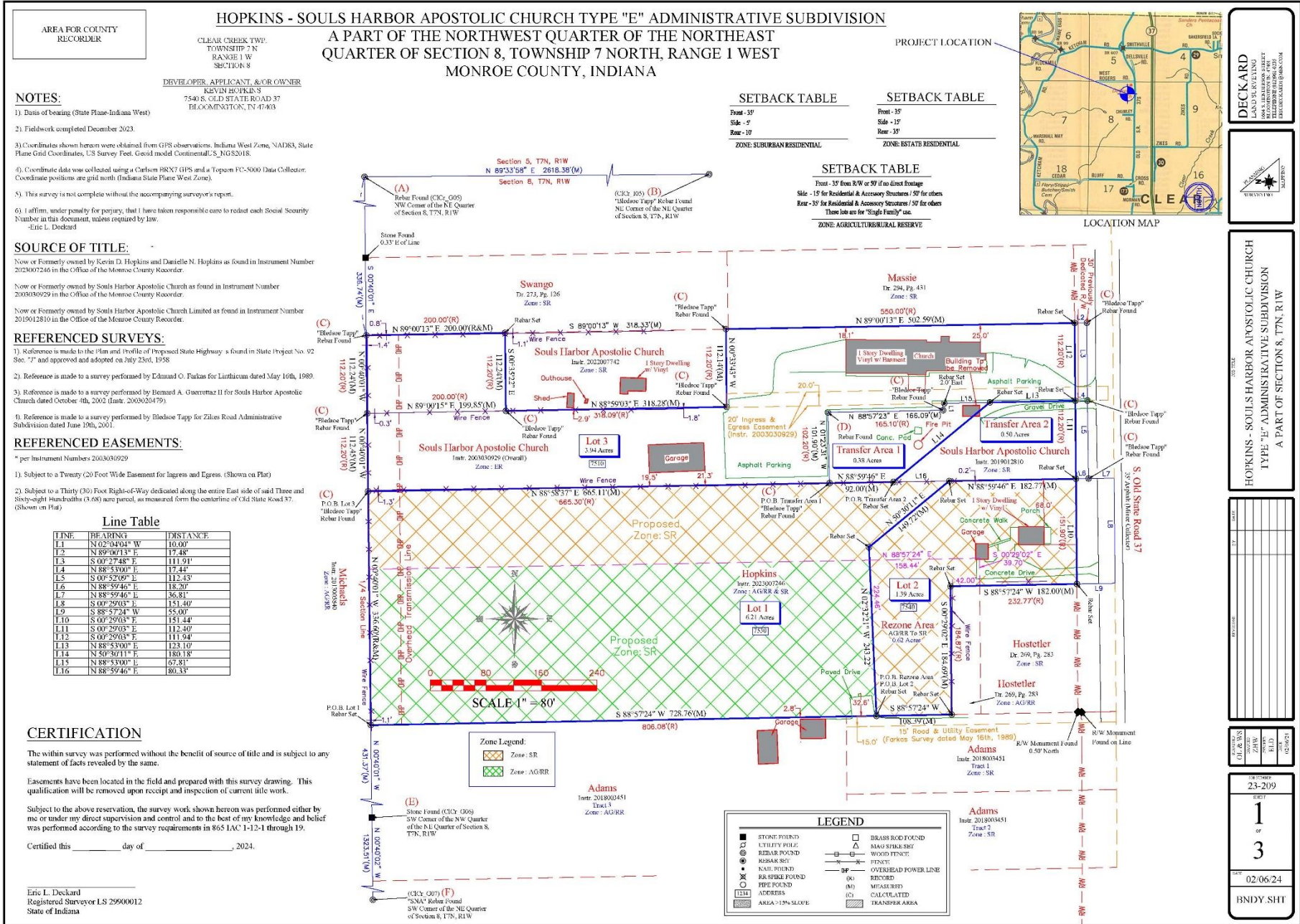


EXHIBIT 3: Proposing Zoning (overlaid on proposed Admin. Subdivision)



DECKARD
LAND SURVEYING
1000 S. STATE ST. SUITE 100
BLOOMINGTON, IN 47403
TEL: 317.344.1111
WWW.DECKARDSURVEYING.COM

23-209

1 of 3

02/06/24

BNDY.SHT

EXHIBIT 4: Proposed Rezone Description Area

DECKARD LAND SURVEYING
1604 S. Henderson St.
Bloomington IN. 47401
(812) 961-0235

**REZONE DESCRIPTION FOR
HOPKINS - LOT 2
JOB NO. 23-209**

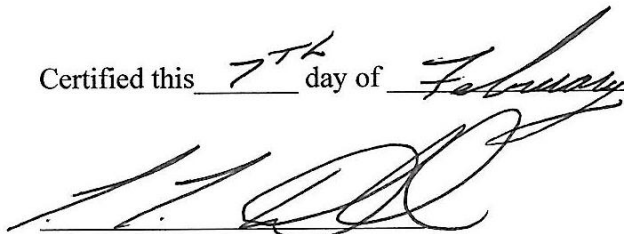
Commencing at a stone marking the Southwest Corner of the Northwest Quarter of the Northeast Quarter of Section 8, Township 7 North, Range 1 West; thence along the west line of said Quarter-Quarter North 00 degrees 40 minutes 01 seconds West for a distance of 431.37 feet to a rebar stamped "Deckard", thence leaving said west line North 88 degrees 57 minutes 24 seconds West for a distance of 728.76 feet to a rebar stamped "Deckard", marking the Point of Beginning; thence North 02 degrees 32 minutes 21 seconds West for a distance of 224.46 feet; thence North 88 degrees 57 minutes 24 seconds East for a distance of 158.44 feet; thence South 00 degrees 29 minutes 02 seconds East for a distance of 39.70 feet; thence South 88 degrees 57 minutes 24 seconds West for a distance of 42.00 feet to a rebar stamped "Deckard"; thence South 00 degrees 29 minutes 02 seconds East for a distance of 184.69 feet to a rebar stamped "Deckard"; thence South 88 degrees 57 minutes 24 seconds West for a distance of 108.39 feet to the Point of Beginning, containing in all 0.62 acres, more or less.

Subject to all legal easements of record.

The within survey was performed without the benefit of source of title and is subject to any statement of facts revealed by the same.

Subject to the above reservation, the survey work shown hereon was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in 865 IAC 1-12-1 through 19.

Certified this 7th day of February, 2024.



Eric L. Deckard
Registered Land Surveyor LS29900012
State of Indiana

