



**APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE**

**SPECIAL ORDINANCE NO. 11, 2022**

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COMMON ADDRESS OF LOTS TO BE REZONED:

1000 South 7<sup>th</sup> Street, Terre Haute, Indiana 47807

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R- 2 Two Family Residential District

Proposed Use: Two family residence (Duplex)

Name of Owner: Highland Property Group, LLC

Address of Owner: 100 Circle Street, Terre Haute, IN 47803

Phone Number of Owner: 812-249-0238

Attorney Representing Owner (if any): David P. Friedrich

Address of Attorney: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: David P. Friedrich

Council Sponsor: Todd Nation

**\*COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

FILED

APR 19 2022

CITY CLERK

AMENDED SPECIAL ORDINANCE

SPECIAL ORDINANCE NO. 11, 2022

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting And Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing The Same; Providing For Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

**SECTION I.** That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as 1000 South 7<sup>th</sup> Street, Terre Haute, Vigo County, Indiana  
47807

Parcel No 84-06-27-160-001.000-002.

Be the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the parking and setback variances approved by the Terre Haute Board of Zoning Appeals.

WHEREAS, Special Ordinance No. 11, 2022, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

**SECTION II.** WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, \_\_\_\_\_

Todd Nation  
Todd Nation

Passed in Open Council this 2nd day of June, 2022.

Cheryl Loudermilk  
Cheryl Loudermilk-President

ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 2nd day of June 2022.

Michelle Edwards  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 2nd day of JUNE, 2022.

Duke Bennett  
Duke Bennett, Mayor

ATTEST:

Michelle Edwards  
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street, Terre Haute, IN 47807

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

David P. Friedrich  
David P. Friedrich

FILED

SPECIAL ORDINANCE FOR PLANNED DEVELOPMENT MAR 28 2022

**SPECIAL ORDINANCE NO. 11, 2022**

CITY CLERK

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Commonly known as 1000 South 7th<sup>h</sup> Street, Terre Haute, Vigo County, Indiana  
47807

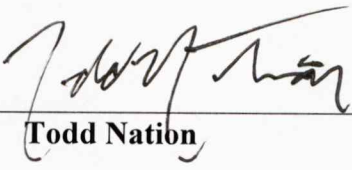
Parcel No 84-06-27-160-001.000-002.

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The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the terms and conditions set forth herein.

WHEREAS, Special Ordinance No. 11, 2022, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

**SECTION II.** WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member,   
Todd Nation

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Cheryl Loudermilk-President

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

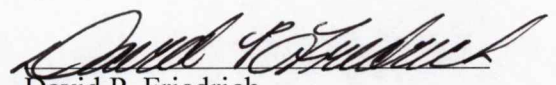
\_\_\_\_\_  
Duke Bennett, Mayor

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,  
Terre Haute, IN 47807

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

  
David P. Friedrich

**AMENDED PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Highland Property Group, Inc., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as: 1000 South 7<sup>th</sup> Street, Terre Haute, Vigo County, Indiana  
47807

Parcel No. 84-06-27-160-001.000-002

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above-described real estate is now zoned as R-1 Single Family Residential District.

The Petitioner would state the real estate was vacant, condemned and scheduled for demolition prior to its purchase by the Petitioner. The Petitioner intends to use the real estate as two residential units.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-1 Single Family Residential District.

Your Petitioner would request the real estate described in this petition be zoned as an R-2 Two Family Residential District to allow for use as proposed by the Petitioner. The Petitioner would allege that the R-2 Two Family Residential District would not alter the general characteristics of this neighborhood.

Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood and will include parking and interior setback variances approved by the Terre Haute Board of Zoning Appeals.

Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute

City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-2 Two Family Residential District, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this 16th day of April, 2022.

**PETITIONER:**

By: Thomas P. Smith  
Thomas Smith  
Manager  
Highland Property Group, LLC

**PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

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Commonly known as: 1000 South 7<sup>th</sup> Street, Terre Haute, Vigo County, Indiana  
47807

Parcel No. 84-06-27-160-001.000-002

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Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

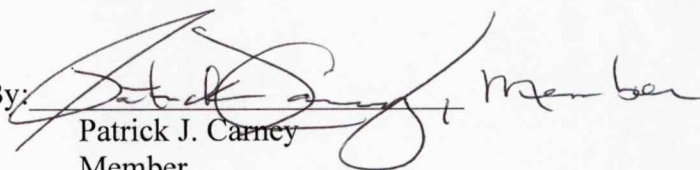
Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-2 Two Family



Residential District, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this 21st day of March, 2022.

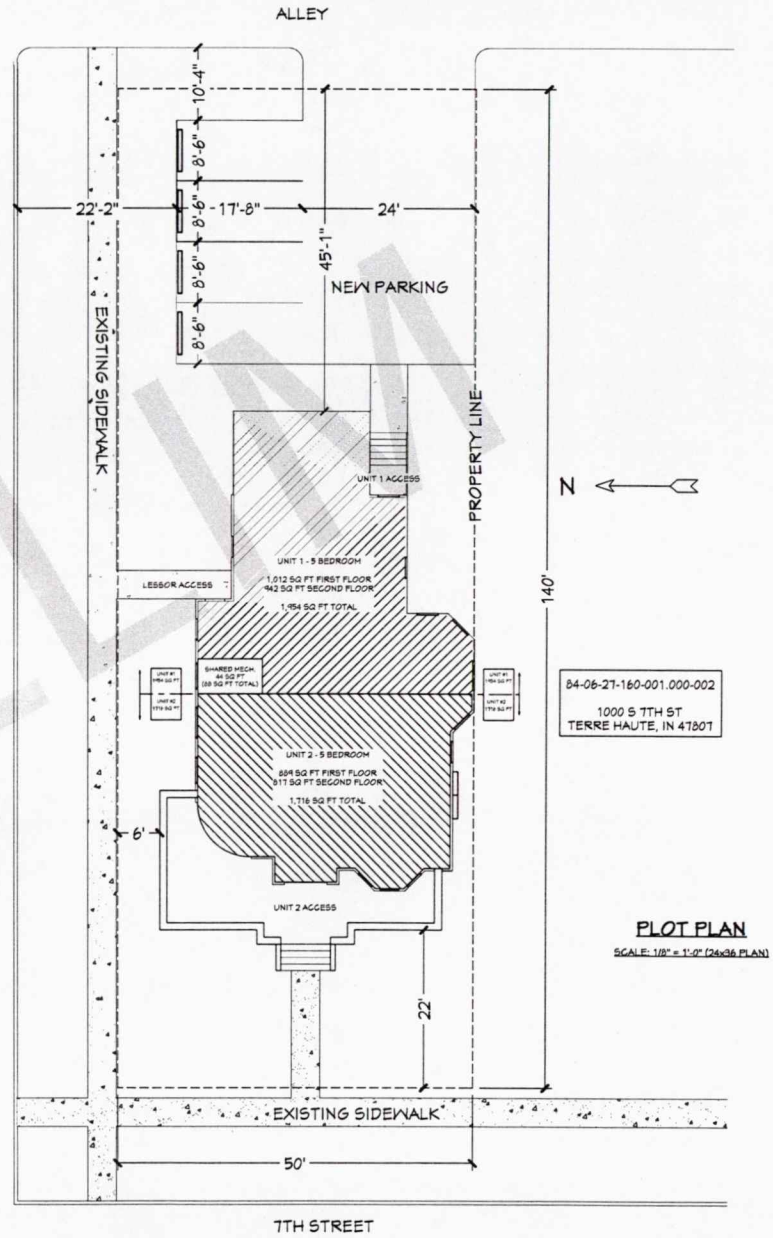
**PETITIONER:**

By:  Member  
Patrick J. Carney  
Member  
Highland Property Group, LLC

# Site Plan R-2 to R-1



FARRINGTON



REVISION TABLE	REVISION TABLE
NUMBER	DATE

HIGHLAND PROPERTIES  
REMODEL  
1000 S 7TH ST  
TERRE HAUTE, IN 47807

4460 S HOUSEMAN ST  
TERRE HAUTE, IN 47802  
812.298.2301  
MACKEYDESIGNINC.COM



DATE:  
2/5/2022

PLOT PLAN



REVISION TABLE	DESCRIPTION
NUMBER	DATE

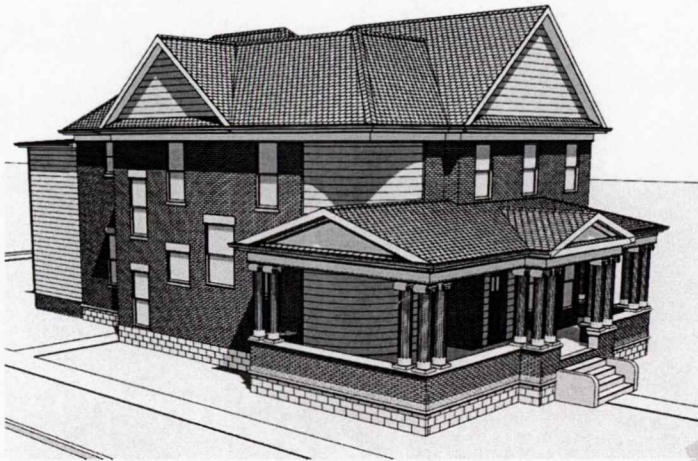
HIGHLAND PROPERTIES  
REMODEL  
1000 S. 7TH ST  
TERRE HAUTE, IN 47807

4460 S. HOUSEMAN ST  
TERRE HAUTE, IN 47802  
912-265-2281  
MACKEYDESIGNINC.COM

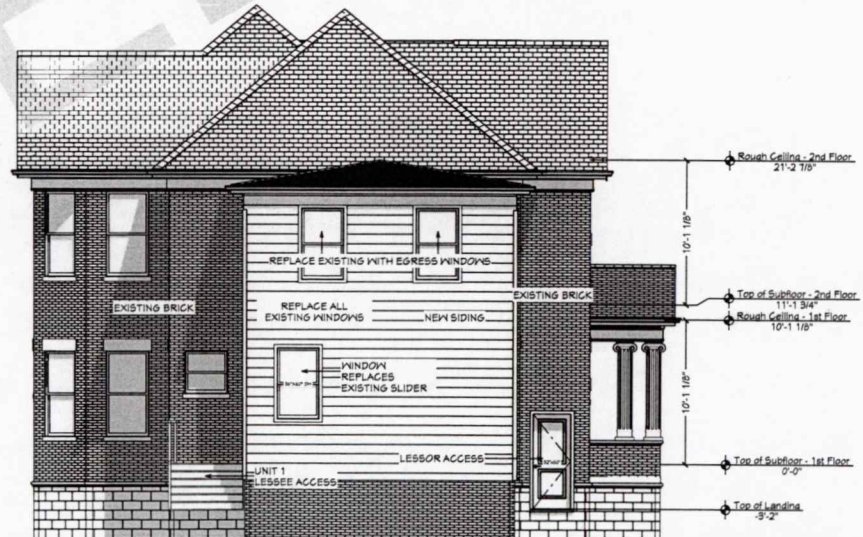


DATE:  
2/5/2022

FRONT/REAR  
ELEVATION



(E1) FRONT ELEVATION  
SCALE: 1/4" = 1'-0" (24x36 PLAN)



(E2) REAR ELEVATION  
SCALE: 1/4" = 1'-0" (24x36 PLAN)

GENERAL NOTES:

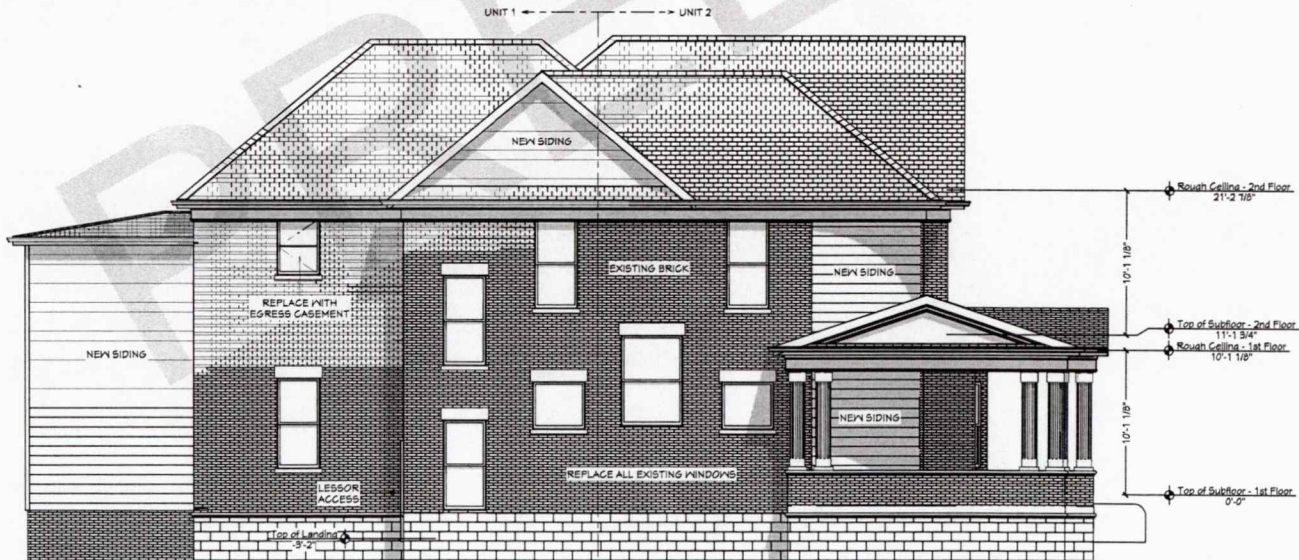
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE OF CONSTRUCTION.
3. CONTRACTOR TO ENSURE COMPATABILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
4. ALL FOUNDATION AND STRUCTURAL MEMBERS SHALL BE DESIGNED BY AN ENGINEER.
5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.

**GENERAL NOTES:**

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
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**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0" (24x36 PLAN)



**LEFT ELEVATION**  
SCALE: 1/4" = 1'-0" (24x36 PLAN)



NUMBER	DATE	REVISION TABLE	DESCRIPTION

HIGHLAND PROPERTIES  
REMODEL  
1000 S. 7TH ST  
TERRE HAUTE, IN 47601

4460 S. HOUSEMAN ST  
TERRE HAUTE, IN 47502  
812.206.2301  
MACKEYDESIGNING.COM

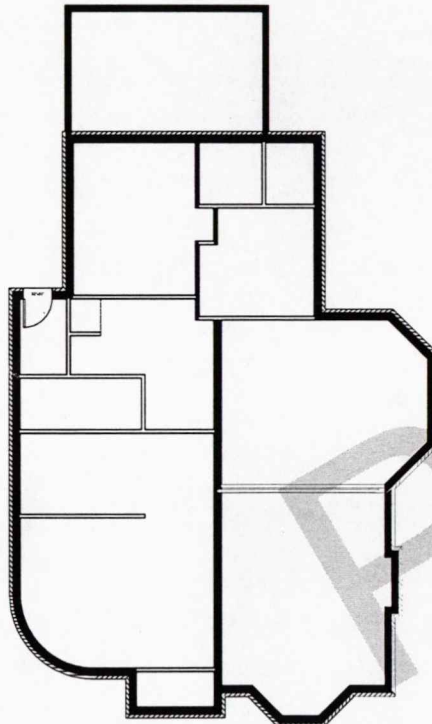


DATE:  
2/5/2022

LEFT/RIGHT  
ELEVATION

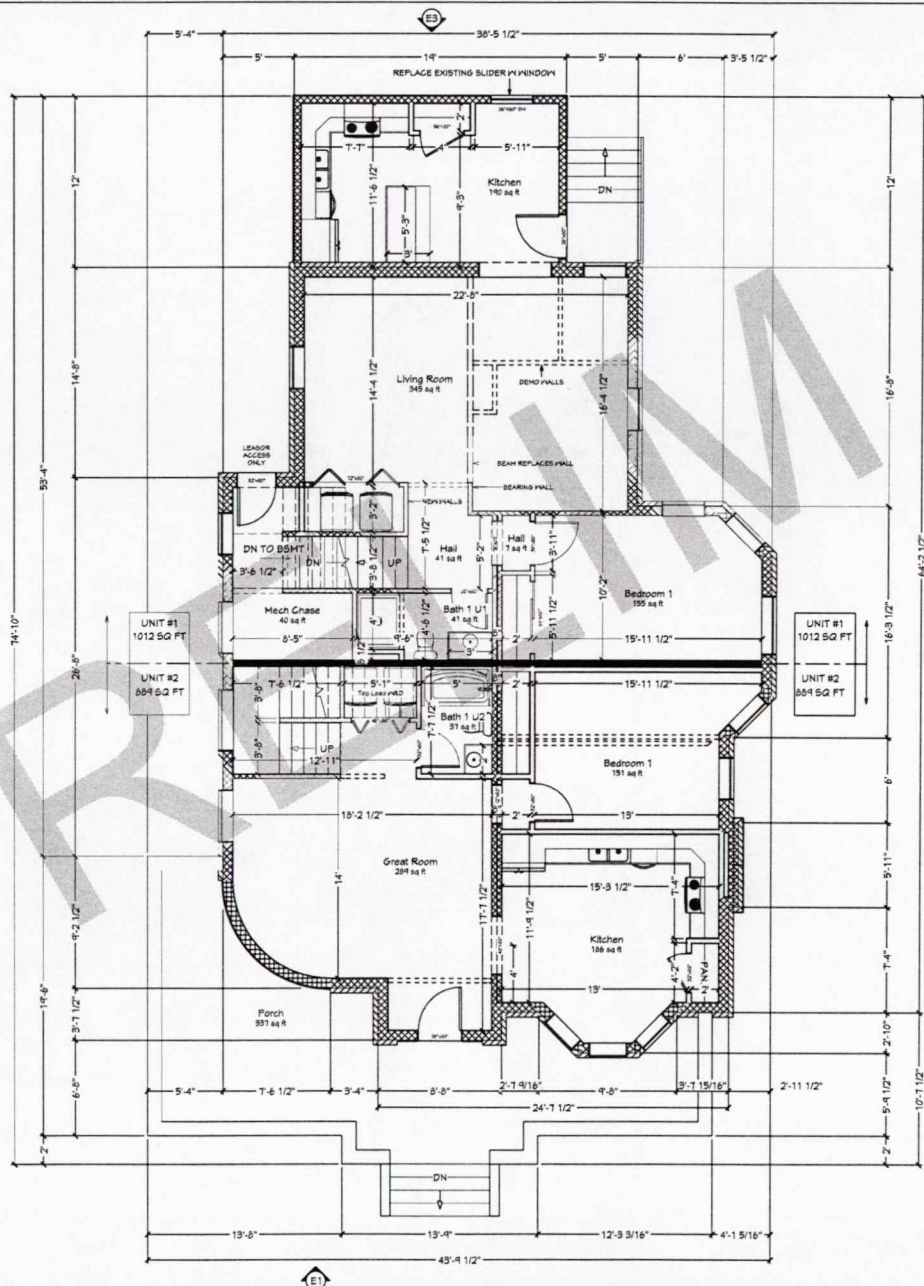
**GENERAL NOTES:**

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE OF CONSTRUCTION.
3. CONTRACTOR TO ENSURE COMPATABILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
4. ALL FOUNDATION AND STRUCTURAL MEMBERS SHALL BE DESIGNED BY AN ENGINEER.
5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.



**EXISTING FIRST FLOOR PLAN**

SCALE: 3/16" = 1'-0" (24x36 PLAN)



ALL DIMENSIONS TO BE CONFIRMED ON SITE

2D Symbol	Wall Schedule
[Symbol]	WALL TYPE
[Symbol]	PORCH WALLS
[Symbol]	EXTERIOR EXISTING IN BRICK
[Symbol]	2X6 NEM
[Symbol]	EXISTING
[Symbol]	INTERIOR NEM 2X4
[Symbol]	DEMO WALL

**FIRST FLOOR PLAN**

SCALE: 1/4" = 1'-0" (24x36 PLAN)



REVISION TABLE	DESCRIPTION
NUMBER	DATE

**HIGHLAND PROPERTIES**  
**REMODEL**  
 1000 S. 7TH ST  
 TERRE HAUTE, IN 47007

4400 S HOUSEMAN ST  
 TERRE HAUTE, IN 47002  
 812.286.2201  
 MACKEYDESIGNING.COM

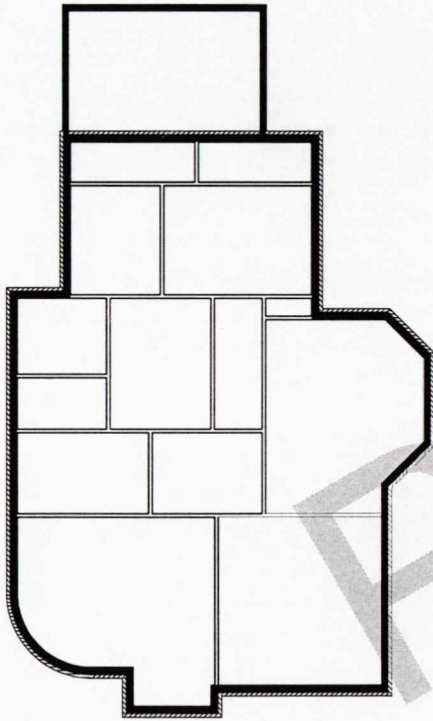


DATE:  
 2/5/2022

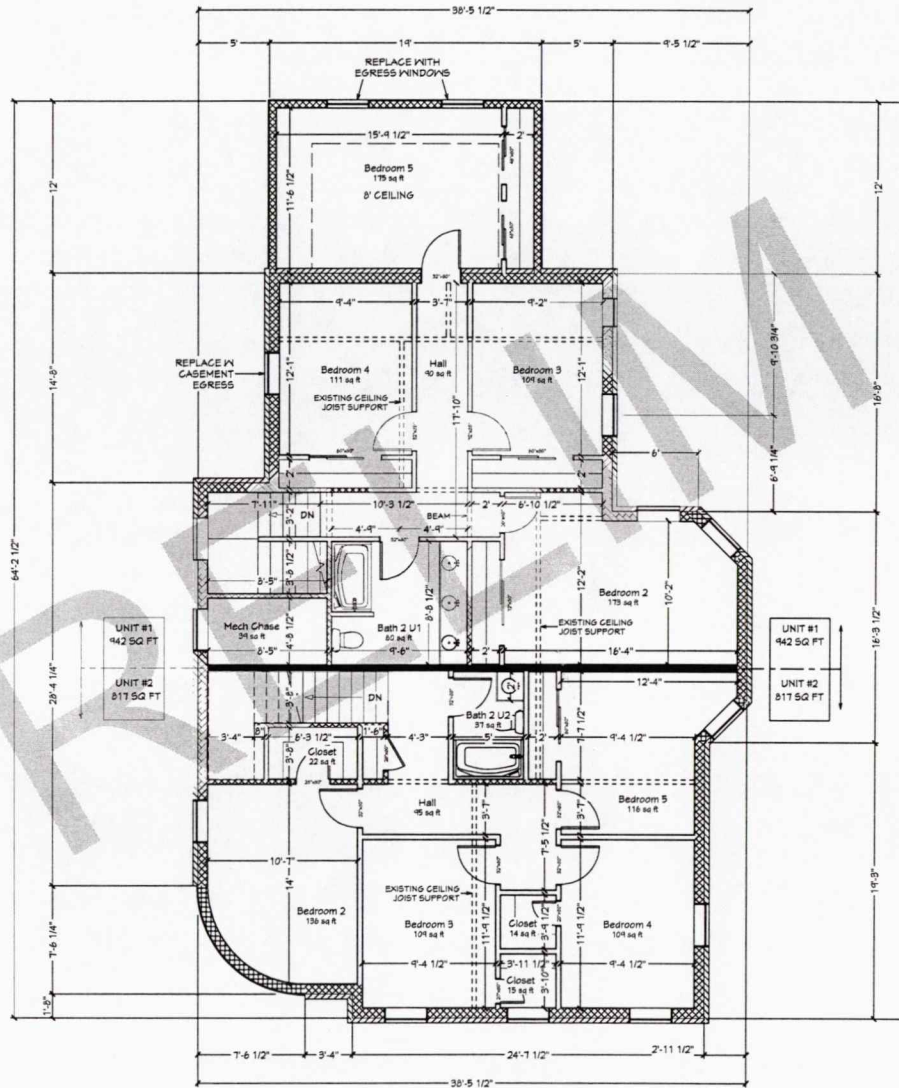
MAIN FLOOR PLAN

**GENERAL NOTES**

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE OF CONSTRUCTION.
3. CONTRACTOR TO ENSURE COMPATABILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
4. ALL FOUNDATION AND STRUCTURAL MEMBERS SHALL BE DESIGNED BY AN ENGINEER.
5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.



**EXISTING SECOND FLOOR PLAN**  
SCALE: 3/16" = 1'-0" (24x36 PLAN)



**SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0" (24x36 PLAN)

ALL DIMENSIONS TO BE CONFIRMED ON SITE

2D Symbol	Wall Schedule
(Solid line)	2x6 NEW
(Dashed line)	DEMO WALL
(Dotted line)	EXISTING
(Hatched pattern)	EXTERIOR EXISTING IN BRICK
(Dotted pattern)	INTERIOR NEW 2x4
(Double line)	PORCH WALLS



REVISION TABLE  
NUMBER DATE DESCRIPTION

HIGHLAND PROPERTIES  
REMODEL

4460 S HOUSERMAN ST  
TERRE HAUTE, IN 47602

**MACKEY**  
BLUEPRINT & DESIGN

DATE:

2/5/2022

ROOF PLAN

1000 S. 7TH ST  
TERRE HAUTE, IN 47601

813.265.2201  
MACKEYDESIGN.COM

ENTERED FOR TAXATION  
Subject to final acceptance for Transfer

2021014857 WD \$25.00  
11/08/2021 09:13:50A 1 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

NOV 08 2021

*James W Bramble*  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

**THIS INDENTURE WITNESSETH, THAT** Jose Thomas Vieira, Jr., of Hendricks County, State of Indiana, and Mary Jane Vieira, of Hendricks County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY and WARRANT unto Highland Property Group LLC, a limited liability company organized and existing under the laws of the State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-27-160-001.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

Subject to real estate taxes prorated to the date hereof.

**IN WITNESS WHEREOF** the above referred to Jose Thomas Vieira, Jr and Mary Jane Vieira have hereunto set their hands and seals, this 5<sup>th</sup> day of November, 2021.

*Jose Thomas Vieira, Jr* (SEAL)  
Jose Thomas Vieira, Jr  
STATE OF Indiana, Vigo COUNTY, SS:

*Mary Jane Vieira* (SEAL)  
Mary Jane Vieira

Before me, the undersigned, a Notary Public in and for said county and state, this 5<sup>th</sup> day of November, 2021, personally appeared Jose Thomas Vieira, Jr and Mary Jane Vieira and acknowledged the execution of the annexed Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires: 3/19/2026  
My County of residence is: Vigo  
OFFICIAL SEAL  
MEAGAN R. BUTRUM  
Notary Public, State of Indiana  
Vigo County  
My Commission Expires  
March 19, 2026  
Commission No. 711609

*Meagan R. Butrum*  
Meagan R. Butrum

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.

*Meagan R. Butrum*  
Meagan R. Butrum

**THIS INSTRUMENT WAS PREPARED BY:** Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument

**AFFIDAVIT OF PATRICK J. CARNEY**

Patrick J. Carney ("Carney"), being first duly sworn upon her oath, deposes and states:

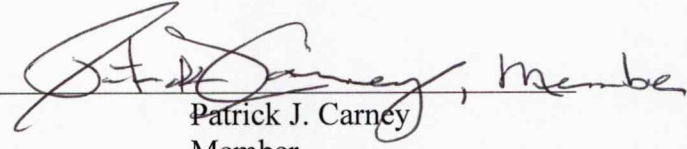
1. Carney is a Member of Highland Property Group, LLC.
2. Highland Property Group, LLC. is the fee simple owner of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as 1000 South 7th<sup>h</sup> Street, Terre Haute, Vigo County, Indiana  
47807

Parcel No 84-06-27-160-001.000-002.

3. Copies of the deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Highland Property Group, LLC, is attached to this affidavit as Exhibit A.
4. Carney submits this affidavit for the sole purpose of affirming that Highland Property Group, LLC. is the owner of record of the above-described real estate for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by Highland Property Group, LLC.
5. The affiant further sayeth not.

  
Patrick J. Carney  
Member  
Highland Property Group, LLC



STATE OF INDIANA)

:SS

COUNTY OF VIGO )

Subscribed and sworn to before me, a Notary Public, this 21st day of  
March, 2022.

MY COMMISSION EXPIRES:

\_\_\_\_\_

*Linda S. DeHaven*

NOTARY PUBLIC

COUNTY OF RESIDENCE:

\_\_\_\_\_

\_\_\_\_\_

(Printed Name)



**Receipt**

TERRE HAUTE, IN

The following was paid to the City of Terre Haute, Controller's Office.

**PAID**  
MAR 28 2022

Date: 3/28/22

Name: Dave Friedman

CONTROLLER

Reason: Rezoning - notice of filing 25.00

Rezoning - Petition 20.00

Cash: \_\_\_\_\_

Check: 45.00 CK 104905

Credit: \_\_\_\_\_

Total: 45.00

Received By: Carl Dwyer



# Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: June 2, 2022

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 11-22

CERTIFICATION DATE: June 1, 2022

TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 11-22. This Ordinance is a rezoning of 1000 S. 7<sup>th</sup> Street. The Petitioner, Highland Property Group LLC, petitions the Plan Commission to rezone said two family residence (duplex) from zoning classification R-1 to R-2 Two Family Residence.

The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 11-22 at a public meeting and hearing held Wednesday, June 2, 2022. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 11-22 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 11-22 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 11-22 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1.) Variance for interior setback 2.) Hard-surface parking provided with the required number of parking spaces or variances through the BZA.

Handwritten signature of Fred L. Wilson.

Fred L. Wilson, President

Handwritten signature of Jared Bayler.

Jared Bayler, Executive Director

Received this 2nd day of June, 2022

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 11-22

Doc: # 31

Date: May 2022

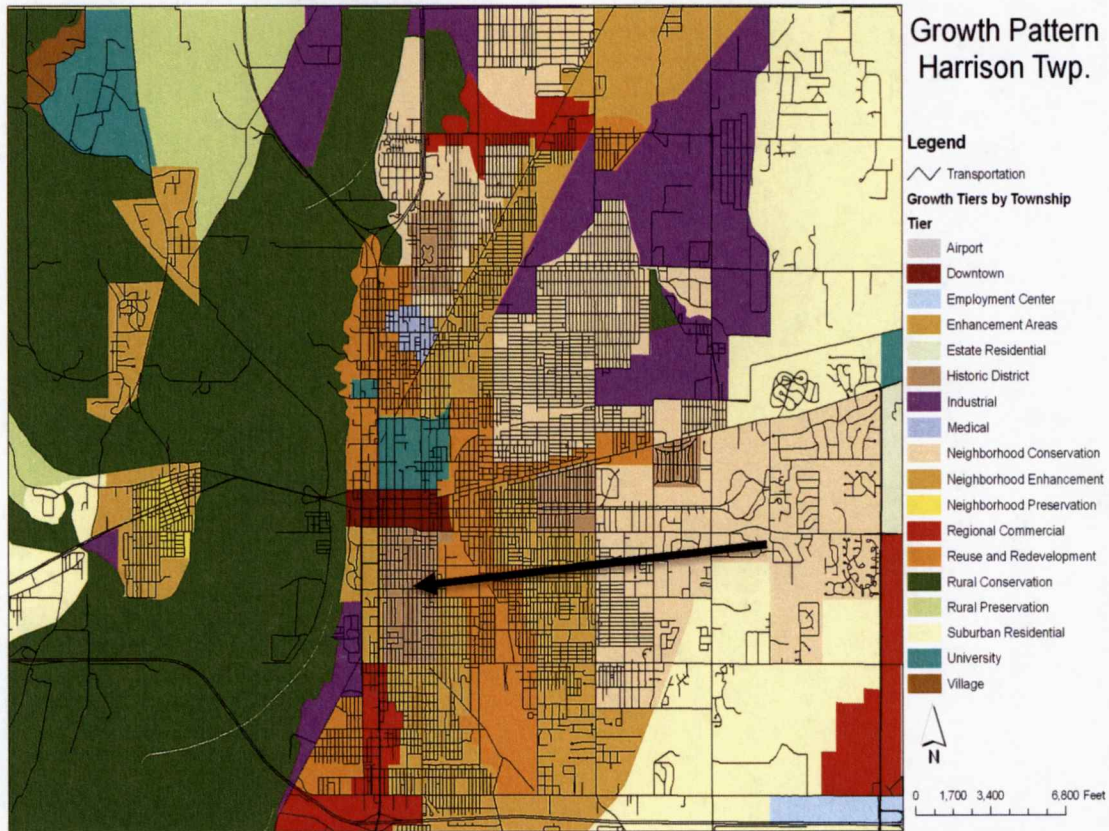
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**APPLICATION INFORMATION**

Property Owner: Highland Property Group LLC.  
Proposed Use: Two Family residence (Duplex)  
Proposed Zoning: R-2, Two Family Residence District  
Current Zoning: R-1, Single Family Residence  
Representative: David P. Friedrich  
Location: The property is located on the SE Corner of the intersection of S. 7<sup>th</sup> Street & Farrington Street.  
Common Address: 1000 S. 7<sup>th</sup> Street, Terre Haute, IN 47807/ 84-06-27-160-001.000-002- Cruft Farm Sub lot 6

**COMPREHENSIVE PLAN GUIDANCE**

Service Area: The City of Terre Haute





STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 11-22

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**ZONING REGULATIONS**

R-2 Purpose: Single-Family and Two-Family Dwellings Units

R-2 Uses: Any use permitted in the R-1, Single-family Residence District, such as Churches, Rectories, and Parish Houses, Convents and Monasteries; Gardening, including nurseries, provided that no offensive odors or dust are created; Public Libraries; Child Care as a Home Occupations; Parks, Playgrounds, and Schools; Residential Facility for the Developmentally Disabled. (Gen. Ord. No. 19, 1997, 2-12-98); Residential Facility for the Mentally Ill. (Gen. Ord. No. 19, 1997, 2-12-98).

R-2 Standards: Minimum Lot Size: 7,200 Sq. Ft. per unit FAR 0.5 %

Street Setback: 55 feet from centerline on Poplar Ave.

55 feet on 8<sup>th</sup> Ave.

Rear setback: 11 feet from the center of the alley right-of-way

Interior setback: 5 feet from the interior lot line

Two (2) parking spaces per two-bed room unit.

**FINDINGS and RECOMMENDATION**

Staff Findings:

The petitioner is requesting to rezone the property from R-1, Single Family Residence to R-2, Two -Family Residence District. The site plan shows the building split in half into two five-bedroom units. One unit would have access in the back of the building and the other would have access in the front.

The building is directly on the south property line and will need a variance for interior setback. In the city, R-2 requires hard-surface parking. Two five-bedroom units would require a minimum of nine parking spaces. The site plan shows four parking spaces. It appears that the garage has been removed and they are intending the concrete pad from the garage to be used as the two hard-surfaced parking spaces. They have requested variances for interior setbacks, non-hard surfacing, and a reduction in parking from the Board of Zoning Appeals.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 11-22

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While proposed zoning would match the surrounding zoning, the parking would require on street parking for six or more vehicles. Terre Haute City Engineering gave an unfavorable recommendation to the Board of Zoning Appeals for the variances other than interior setback.

Variances were granted for interior set back and a reduction in the required number parking spaces. The variance request for non-hard surfaced parking was denied, so hard-surface parking will need to be provided.

Recommendation: Staff offers a Favorable Recommendation for this petition with the following conditions:

1. Variance for interior setback
2. Hard-surface parking provided with the required number of parking spaces or variances through the BZA



# Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: May 5, 2022

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 11-22

CERTIFICATION DATE: May 4, 2022

TO: The Honorable Common Council of the City of Terre Haute

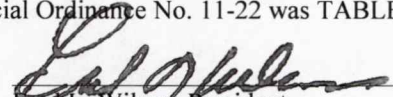
Dear Members,

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Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 11-22 was TABLED.

  
Fred L. Wilson, President

  
Jared Bayler, Executive Director

Received this 5th day of May, 2022