



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. _____

6

COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue Terre Huate Indiana 47804

Parcel Number: 84-6-23-226-003.000-002

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13th Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Darwinson A. Valdez

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Darwinson A. Valdez

Council Sponsor: **Cheryl Loudermilk**

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

FILED

FEB 03 2022

CITY CLERK

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 6, 2022

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION 1. BE IT ORDIANED BY THE COMMON COUNCIL of the City of Terre Haute, Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the "Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps, be, and the same is hereby amended to include as follows:

"That the following described real estate situated in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23rd street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

Be and the same is hereby established as a **R-3 Multifamily Residential District**, together with all rights and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

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 publication as required by law.

Presented by Council Member,

Cheryl Loudermilk

Cheryl Loudermilk

Passed in Open Council this _____ day of _____, 2022.

O. Earl Elliott-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 A. Bennett, Mayor

ATTEST: _____

Michelle Edwards, City Clerk

This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute
Indiana 47807, 812-232-4311**

PETITION TO REZONE REAL PROPERTY

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23rd street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as **R-1 Single-Family Residential District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to at least 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. Your petitioner would allege that the Multifamily 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.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10,

Article 2 of the Municipal Code designated as “Comprehensive Zoning Ordinance for the Terre Haute, Indiana,” and declaring the above-described real estate to be part of the (R-3) Multifamily Residential District of the City of Terre Haute, Indiana, and 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 WITNES WHEREOF, This petition has been duly executed this 2 day of March, 2022.

BY: _____


Darwinson A. Valdez, Attorney


PETITIONER: Terre Haute Area of Realtor Association, Inc

This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**

AFFIDAVIT OF OWNERSHIP AND CONSENT

COMES NOW Affiant, Darwinson A. Valdez, Attorney for Terre Haute Area Association of Realtors, Inc., an Indiana Nonprofit Corporation, (the "Corporation") and affirms under penalty of law that the Corporation is the owner of record of the property located at 2227 Maple Avenue, Terre Haute, IN 47804, Parcel 84-06-14-104-005.000-002 for which a rezoning is requested and attached hereto is a copy of the deed evidencing such ownership. Further, as attorney for the Corporation it is represented that the Corporation is seeking to rezone the subject property to **(R-3) Multifamily Residential District** to allow for the construction of a tiny homes project.

I affirm under penalty of perjury, that the foregoing representations are true.



Darwinson A. Valdez

STATE OF INDIANA)
 :ss
COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for said County and State, Darwinson A. Valdez, who acknowledged the execution of the above and foregoing Affidavit of Ownership and Consent, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal this _____ day of March, 2022.

My commission expires: _____, Notary Public
Resident of _____ County, Indiana

ENTERED FOR TAXATION
Subject to final acceptance for Transfer

NO SALES DISCLOSURE REQUIRED

OCT 21 2021


VIGO COUNTY AUDITOR

WARRANTY DEED

2021014108 WD \$25.00
10/21/2021 11:31:57A 2 PGS
Diana Winsted-Smith
VIGO County Recorder IN
Recorded as Presented



THIS INDENTURE WITNESSETH, That

CARL COOPER,
Of Vigo County, in the State of Indiana,

Conveys and Warrants to

TERRE HAUTE AREA ASSOCIATION OF REALTORS,
Of Vigo County, in the State of Indiana,

for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to-wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said lots are located at the South West corner of Maple Avenue and North 23rd Street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:
2227 Maple Ave., Terre Haute, IN 47804
PARCEL #84-06-14-104-005.000-002

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:
2134 N 23rd St., Terre Haute, IN 47804
PARCEL # 84-06-14-104-012.000-002

Subject to any easements, agreements, streets, alleys, restrictions, covenants, building lines, and rights of way of public record.

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

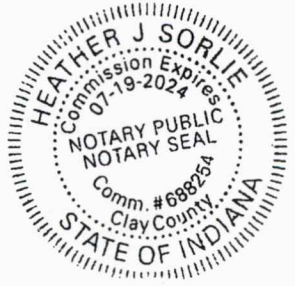
IN WITNESS WHEREOF, the said Grantor has executed this deed on this 15th day of October, 20 21.

Carl Cooper (Seal)
Carl Cooper

STATE OF INDIANA; COUNTY OF VIGO) SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 15th day of October, 20 21, personally appeared Carl Cooper who acknowledged the execution of the foregoing Warranty Deed to be the voluntary act and deed of Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Heather J Sorlie
Notary Public
Commission Number: 688254

Heather J Sorlie
Printed Name

My Commission Expires:
7.19.2024

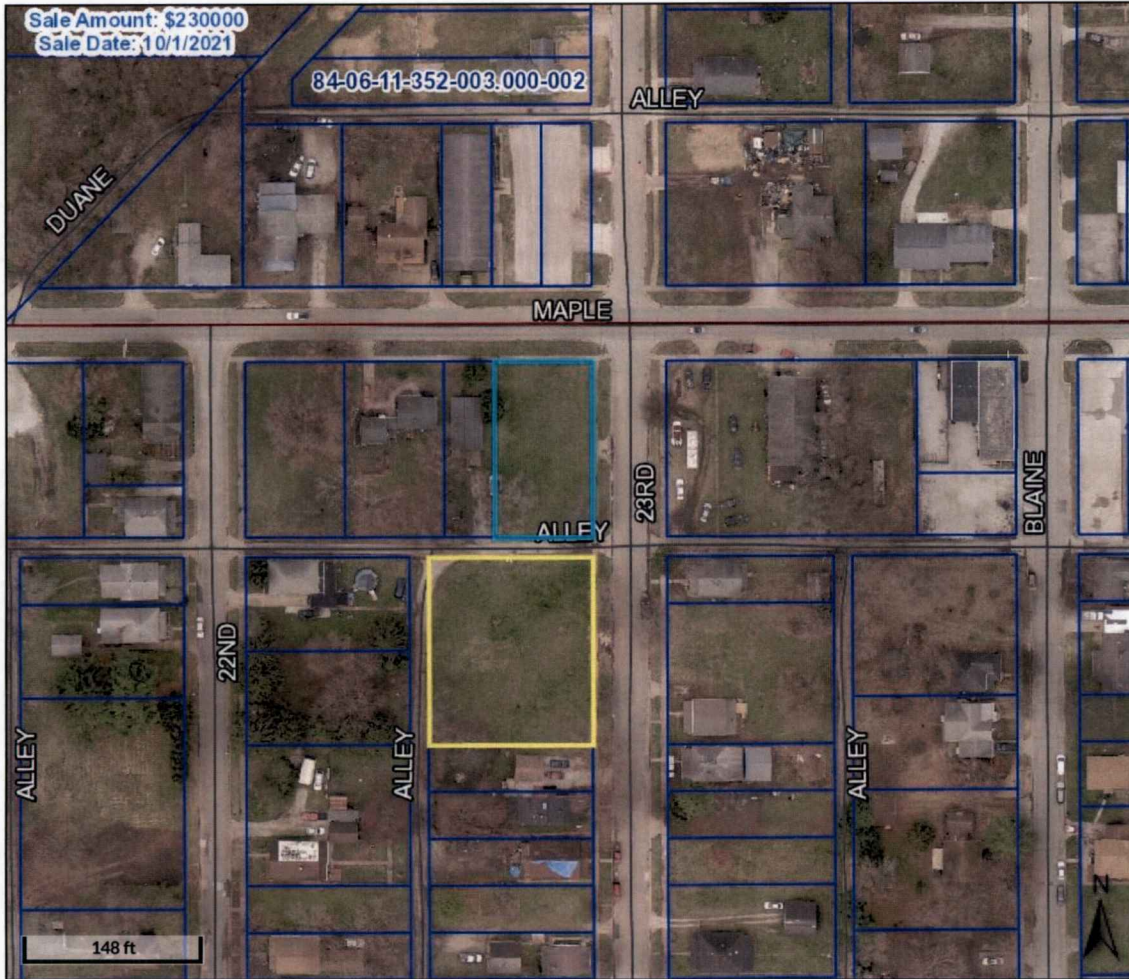
My County of Residence:
Clay

This Instrument Was Prepared By: Matthew R. Effner, Attorney, Effner Law Firm, 19 S. 6th Street, Suite 1200, Terre Haute, IN 47807, (812) 238-4000, at the specific request of Honey Creek Vigo Title (HCVT) based solely on information supplied by HCVT without examination of title or abstract. Preparer makes no warranties, expressed or implied, regarding the title conveyed by it and assumes no liability for any error, inaccuracy or omission in this instrument resulting from the information provided, the parties hereto signifying their consent to this disclaimer by Grantor's execution and Grantee's acceptance of the instrument. HCVT-2021.

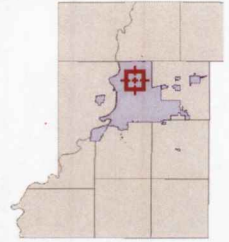
I affirm under penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Matthew R. Effner

Mail Tax Bills To Grantee At: 11016 S 13th Terre Haute, IN 47802

Return Deed To: Honey Creek Vigo Title Services, Inc., 405 S. 6th Street, Terre Haute, IN 47807.



Overview



Legend

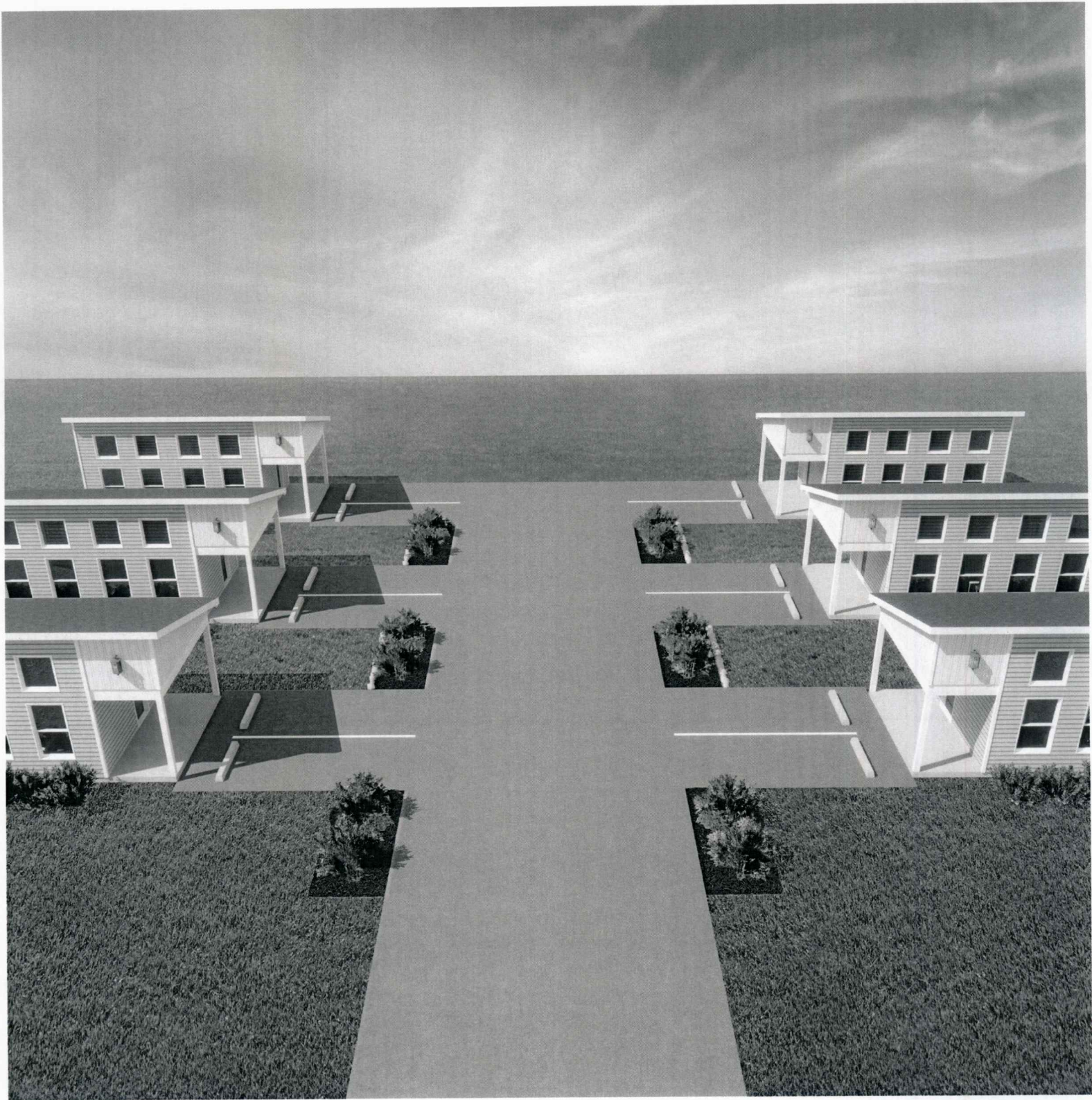
-  Corporate Limits
-  Political Township
-  Sections
-  Blocks
-  Parcels
-  Road Centerlines
-  2021 Sales

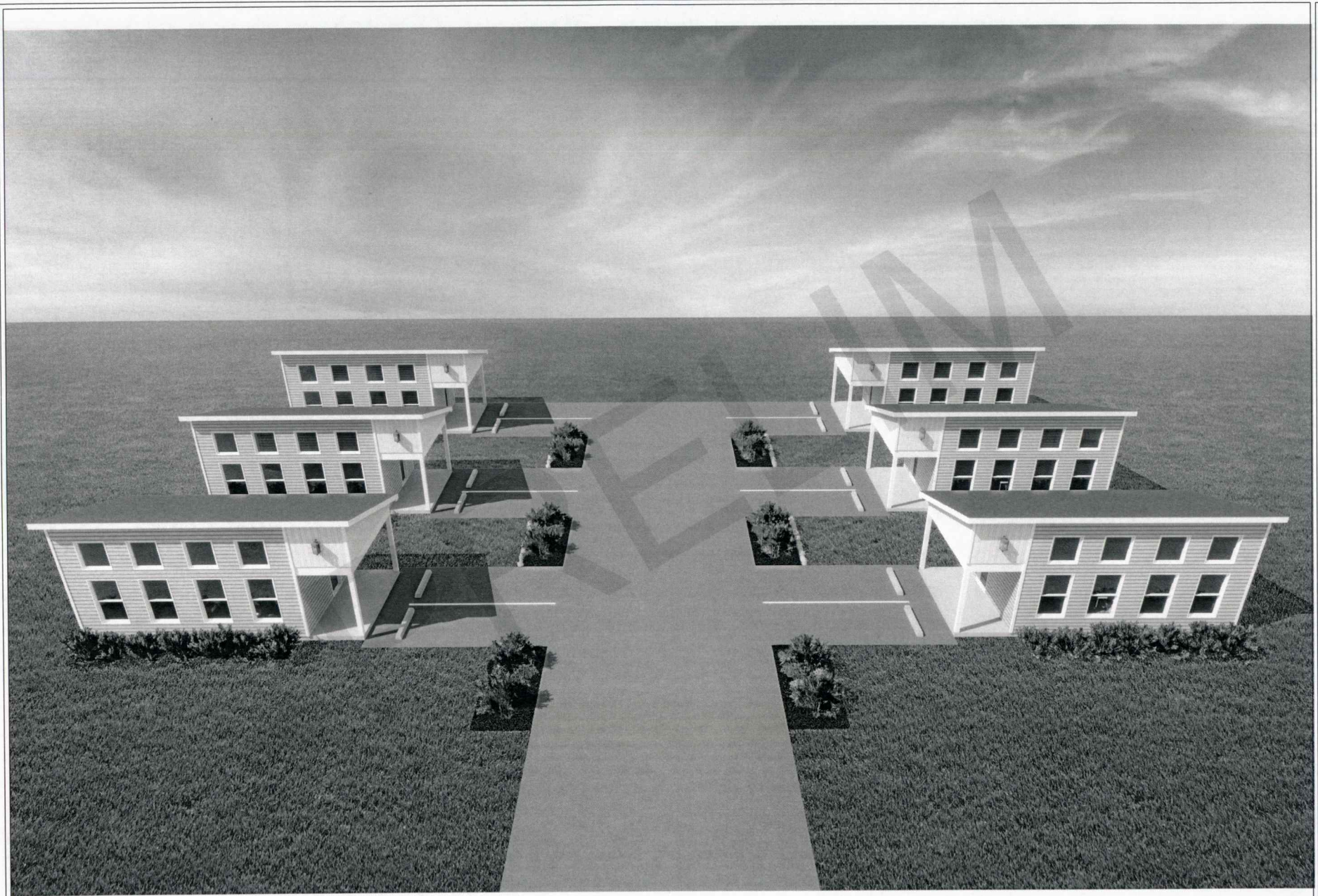
| | | | | | |
|------------------------------|--|---------------------|--------------------------|----------------------|--|
| Parcel ID | 84-06-14-104-005.000-002 | Alternate ID | 84-06-14-104-005.000-002 | Owner Address | Terre Haute Area Association of Realtors |
| Sec/Twp/Rng | 14 | Class | Res Vacant platted lot | | 1616 S 13th St |
| Property Address | 2227 MAPLE AVE | Acreage | n/a | | Terre Haute, IN 47802 |
| Neighborhood | 118515 - HARRISON | | | | |
| District | 002 HARRISON | | | | |
| Brief Tax Description | MAPLE AVE PLACE (4510 N 14 1/2) D 443/2429 14-12-9 LOTS 1-2 | | | | |

(Note: Not to be used on legal documents)

Date created: 3/2/2022
Last Data Uploaded: 3/2/2022 5:19:58 AM

Developed by  **Schneider**
GEOSPATIAL





| REVISION TABLE | | |
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| NUMBER | DATE | DESCRIPTION |
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TINY HOMES
THAAR

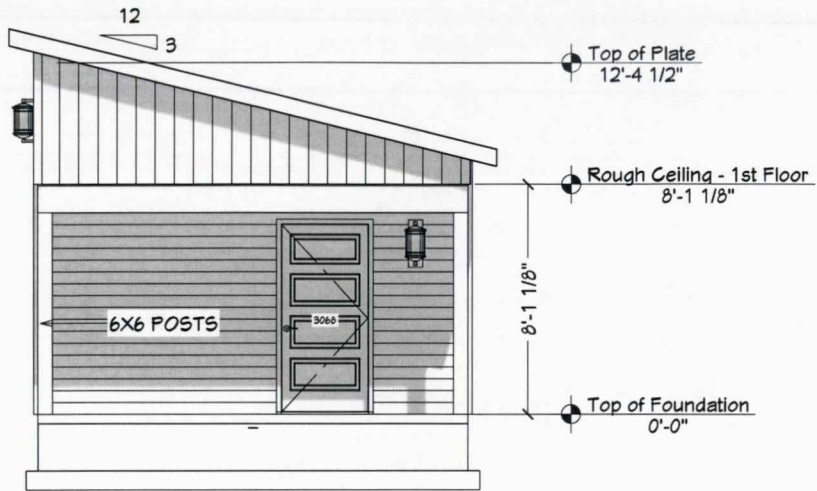
~~2105 HOUSEMARKET
TERRE HAUTE, IN 47150
BY: 205-226-
MACKAY DESIGN INC. 004~~



DATE:
2/25/2022



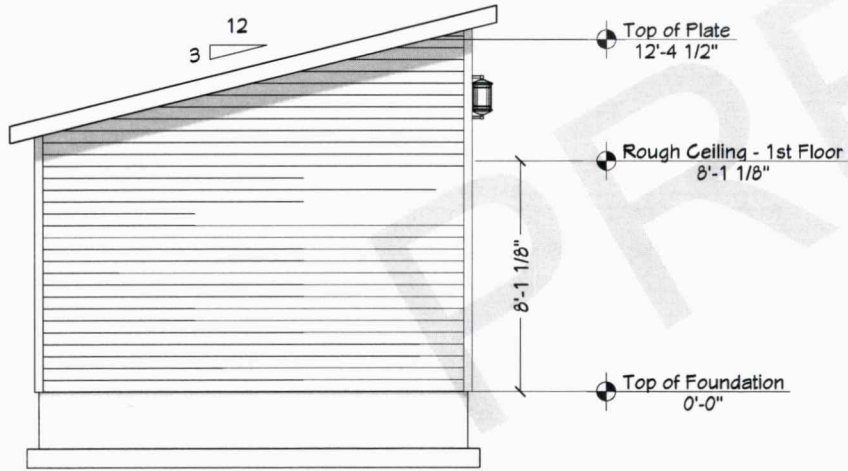
sample



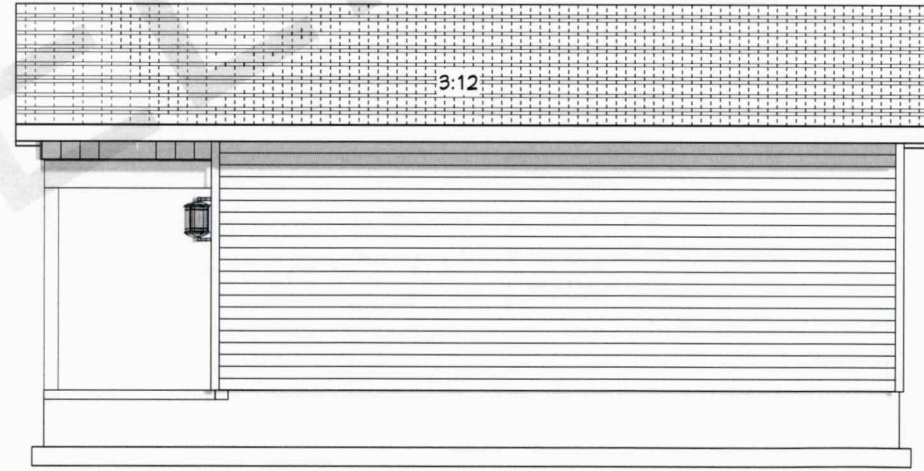
E1 NORTH ELEVATION
SCALE: 1/2" = 1'-0" (24x36 PLAN)



E3 EAST ELEVATION
SCALE: 1/2" = 1'-0" (24x36 PLAN)



E2 SOUTH ELEVATION
SCALE: 1/2" = 1'-0" (24x36 PLAN)



E4 WEST ELEVATION
SCALE: 1/2" = 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 COMPATIBILITY 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.



| NUMBER | DATE | REVISION TABLE | DESCRIPTION |
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| | | | |

TINY HOMES
THAAR

140 S HOESMAN ST
TERRY TOWNE, IN 47502
812.226.0291
MACKEYDESIGNINC.COM



DATE:
2/25/2022

FRONT/REAR
ELEVATION

Sample



| REVISION TABLE | NUMBER | DATE | DESCRIPTION |
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TINY HOMES
THAAR

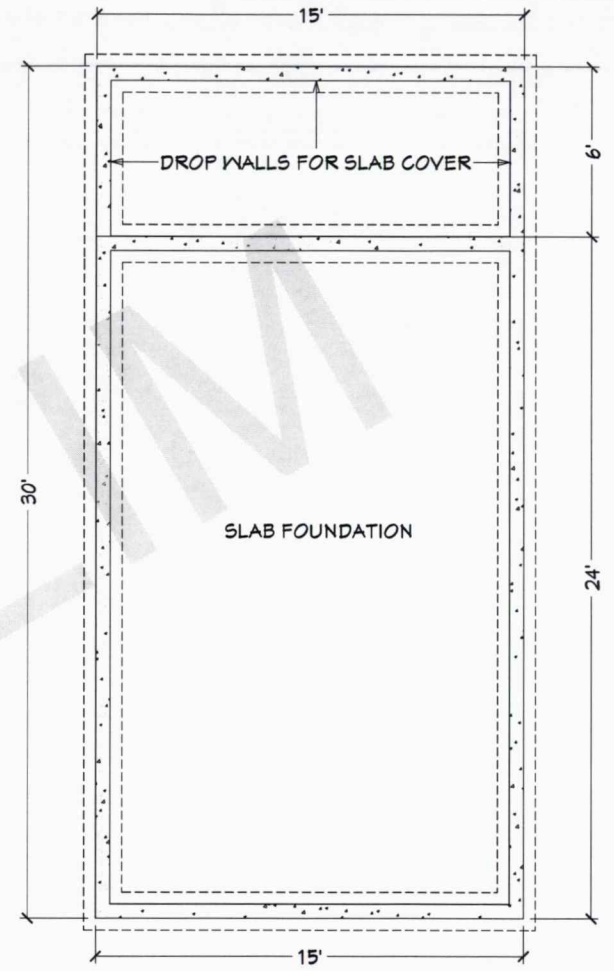
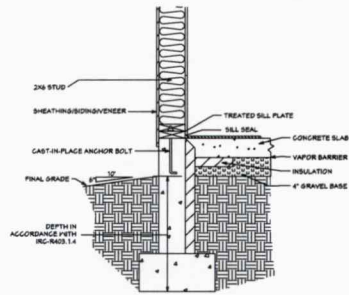
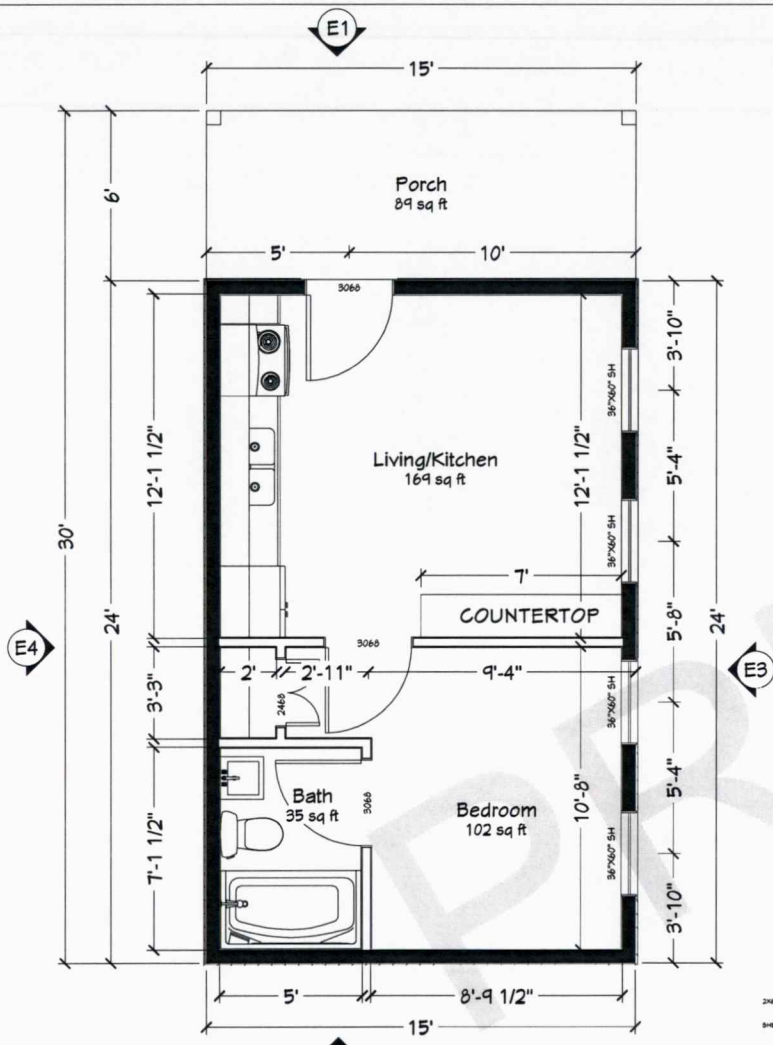
460'S HOUSE #46 ST
TERRACE LAUREN 4302
8377 2630
MACKEYDESIGNINC.COM

MACKEY
BLUEPRINT & DESIGN

DATE:
2/25/2022

FOUNDATION PLAN

Sample



- GENERAL NOTES:
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
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Receipt

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

Date: 3/3/2022

Name: Darwinism Valedz

Reason: Re zoning - Notice of Filing (\$25.00)
Re zoning - Petition (\$20.00)

Cash: _____
Check: 45.00
Credit: _____
Total: 45.00

TERRE HAUTE, IN
PAID
MAR 03 2022
CONTROLLER

Received By: LELIS/GA