



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

**SPECIAL ORDINANCE NO. 45**

---

COMMON ADDRESS OF LOTS TO BE REZONED:

3518 Buckeye Street, Terre Haute, IN 47803  
921 N 36<sup>th</sup> St, Terre Haute, IN 47803

Parcel Numbers: 84-03-13-105-001.000-002, 84-06-13-152-001.000-002

Current Zoning: R-1, Single Family Residential

Requested Zoning: O-1, Agricultural

Proposed Use: Residential, house farms animals (including but not limited to goats)

Name of Owner: Ronald E Smith

Address of Owner: 3518 Buckeye St, Terre Haute, IN 47803

Phone Number of Owner: 812-240-1045

Attorney Representing Owner (if any): N/A

Address of Attorney: N/A

Phone Number of Attorney: N/A

For Information Contact: Ronald E Smith

Council Sponsor: Cheryl Loudermilk

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

FILED

OCT 30 2023

CITY CLERK

**SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 45, 2023**

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:

**LOT 1, IN SECTION B, FRUITRIDGE ACRES, A SUBDIVISION IN THE WEST HALF  
OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS PER RECORDED PLAT  
IN PLAT RECORD 15, PAGE 20, OF THE RECORDER'S OFFICE OF VIGO COUNTY,  
IN.**

**SUBJECT TO EASEMENTS, COVENANTS, RESTRICTIONS, LEASES AND OTHER  
MATTERS OF RECORD AFFECTING TITLE TO THE SUBJECT REAL ESTATE.**

**LOT FOUR (4), LOT FIVE (5), LOT SIX (6) AND LOT SEVEN (7) IN SECTION B,  
FRUITRIDGE ACRES, A SUBDIVISION IN THE WEST HALF OF SECTION  
THIRTEEN (13), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, AS PER  
RECORDED PLAT IN PLAT RECORD 15, PAGE 20, OF THE RECORDS IN THE  
RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.**

**Parcel Numbers: 84-03-13-105-001.000-002, 84-06-13-152-001.000-002**

Commonly known as: **3518 Buckeye Street, 921 N 36<sup>th</sup> St, Terre Haute, IN 47803**

Be and the same is hereby established as O-1 Agricultural, 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**

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Curtis DeBaun IV-President

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

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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


Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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

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

This instrument prepared by: Ronald E Smith, 3518 Buckeye Street, Terre Haute, IN 47803,  
**812-240-1045.**

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.

  
\_\_\_\_\_  
Ronald E Smith



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, Ronald E Smith, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

**LOT 1, IN SECTION B, FRUITRIDGE ACRES, A SUBDIVISION IN THE WEST HALF OF SECTION 13, TOWNSHIP 12 NORTH, RANGE 9 WEST, AS PER RECORDED PLAT IN PLAT RECORD 15, PAGE 20, OF THE RECORDER'S OFFICE OF VIGO COUNTY, IN.**

**SUBJECT TO EASEMENTS, COVENANTS, RESTRICTIONS, LEASES AND OTHER MATTERS OF RECORD AFFECTING TITLE TO THE SUBJECT REAL ESTATE.**

**LOT FOUR (4), LOT FIVE (5), LOT SIX (6) AND LOT SEVEN (7) IN SECTION B, FRUITRIDGE ACRES, A SUBDIVISION IN THE WEST HALF OF SECTION THIRTEEN (13), TOWNSHIP TWELVE (12) NORTH, RANGE NINE (9) WEST, AS PER RECORDED PLAT IN PLAT RECORD 15, PAGE 20, OF THE RECORDS IN THE RECORDER'S OFFICE OF VIGO COUNTY, INDIANA.**

**Parcel Numbers: 84-03-13-105-001.000-002, 84-06-13-152-001.000-002**

Commonly known as: 3518 Buckeye Street, 921 N 36<sup>th</sup> St, Terre Haute, IN 47803.

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**.

Your petitioner would respectfully state that the real estate is now a house, and **vacant lots**. Your petitioner intends to use the real estate for residential, as well as **house farms animals, including but not limited to goats**.

Your petitioner would request that the real estate described herein shall be zoned as a O-1 Agricultural. Your petitioner would allege that the O-1 Agricultural, 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 **O-1 Agricultural**, 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 29 day of October, 2023.

BY:   
Ronald E Smith

PETITIONER: **Ronald E Smith, 3518 Buckeye St, Terre Haute, IN 47803**

This instrument was prepared by **Ronald E Smith, 3518 Buckeye St, Terre Haute, IN 47803**  
**812-240-1045**

**AFFIDAVIT OF:**

COMES NOW affiant Ronald E Smith

and affirms under penalty of law that affiant is the owner of record of the property located

at 3518 Buckeye Street and 921 N 36th Street, Terre Haute, IN 47803

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

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

Ronald E Smith

SIGNATURE: *Ronald E Smith*

SIGNATURE: \_\_\_\_\_

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Vigo, IN

who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

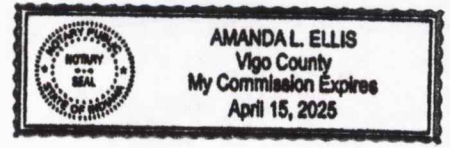
WITNESS my hand and notarial seal, this 29<sup>th</sup> day of October, 2023.

Notary Public: Amanda L. Smith

Amanda L. Ellis  
[Typed name]

My Commission Expires: 4/15/25

My County Of Residence: Vigo



DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

32623

OCT 23 2003

RAYMOND MATTS  
VIGO County Recorder IN  
IN 2003032623 MD  
10/23/2003 09:41:43 1 PGS  
Filing Fee: \$14.00

*James W. Beall*  
VIGO COUNTY AUDITOR

**WARRANTY DEED** 90320008903

THIS INDENTURE WITNESSETH, THAT Garry Woods and Brian Woods, 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 Ronald E. Smith, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lot 1, in Section B, Fruitridge Acres, a Subdivision in the West half of Section 13, Township 12 North, Range 9 West, as per recorded plat in Plat Record 15, page 20, of the records of the Recorder's Office of Vigo County, Indiana.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate

Subject to taxes prorated to the date hereof

IN WITNESS WHEREOF the above referred to Garry Woods and Brian Woods have hereunto set their hands and seals, this 20TH day of OCTOBER, 2003.

*Garry W. Woods* (SEAL)  
Garry Woods

*Brian Woods* (SEAL)  
Brian Woods

STATE OF INDIANA, VIGO COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 20TH day of OCTOBER, 2003, personally appeared Garry Woods and Brian Woods and acknowledged the execution of the annexed Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:  
JANUARY 22, 2010  
My County of residence is:  
VIGO

*T. Kolodziej*  
Notary Public  
T. KOLODZIEJ  
Typewritten or printed name of notary

THIS INSTRUMENT WAS PREPARED BY: *Ronald E. Jumps*  
Ronald E. Jumps, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807  
In preparing this instrument, Preparer makes no warranties, expressed or implied, regarding the title conveyed by it.


MAIL TAX STATEMENTS TO: 3518 BUCKEYE STREET, TERRE HAUTE, IN 47803



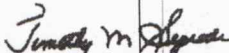




DULY ENTERED FOR TAXATION  
Subject to final acceptance for transfer

2013002527 QD \$18.00  
02/08/2013 10:49:19A 2 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented  


FEB 08 2013

  
VIGO COUNTY AUDITOR

QUITCLAIM DEED

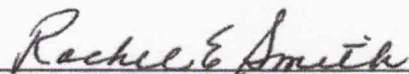
Rachel E. Smith, surviving spouse of Larry J. Smith, deceased on July 26, 2010, hereby conveys and quitclaims to Ronald E. Smith, her interest in the following described real estate situated in Vigo County, State of Indiana, more particularly described as follows, to-wit:

Lot Four (4), Lot Five (5), Lot Six (6) and Lot (7) in Section B, Fruitridge Acres, a Subdivision in the West Half of Section Thirteen (13), Township Twelve (12) North, Range Nine (9) West, as per recorded plat in Plat Record 15, Page 20, of the records in the Recorder's Office of Vigo county, Indiana

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

For and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration in hand paid.

16th IN WITNESS WHEREOF, said Rachel E. Smith hereunto set her hand and seal this day of January, 2013.

  
Rachel E. Smith

STATE OF INDIANA )  
 )  
 ) SS:  
 )  
COUNTY OF VIGO )

SUBSCRIBED AND SWORN to before me, the undersigned, a Notary Public in and for said County and State, personally appeared Rachel E. Smith, and acknowledged execution of the above and foregoing Quitclaim Deed to be her free and voluntary act and will for the purposes expressed therein.

WITNESS my hand and seal this 16<sup>th</sup> day of January, 2013.



[Signature]  
Notary Public

Tiffany L. Ennen  
Printed Name

My Commission Expires:  
8.1.18

County of Residence  
Sullivan

SEND TAX STATEMENTS TO:

Ronald E. Smith  
3518 Buckeye St.  
Terre Haute, IN 47803

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.

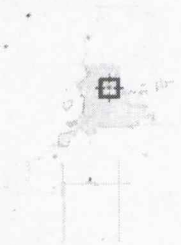
[Signature]  
Robert D. McMahan  
Attorney at Law

THIS INSTRUMENT PREPARED BY ROBERT D. MCMAHAN, MCMAHAN LAW FIRM, 1360 OHIO STREET, P.O. BOX 3105, TERRE HAUTE, INDIANA 47803, TELEPHONE NUMBER (812) 235-2800.





Overview



Legend

- Corporate Limits
- Political Townships
- Sections
- Blocks
- Parcels
- Road Centerlines
- 2022 Sales

<b>Parcel ID</b>	84-06-13-105-001.000-002	<b>Alternate ID</b>	84-06-13-105-001.000-002	<b>Owner Address</b>	Smith Ronald E
<b>Sec/Twp/Rng</b>	13	<b>Class</b>	Res 1 fam dwelling platted lot		3518 Buckeye St
<b>Property Address</b>	3518 BUCKEYE ST TERRE HAUTE	<b>Acres</b>	n/a		Terre Haute, IN 47803
<b>Neighborhood</b>	118514 - HARRISON				
<b>District</b>	002 HARRISON				
<b>Brief Tax Description</b>	FRUITRIDGE ACRES SEC B OF 3A TAKEN FOR CREEK 2003032623 D 444/1428 13-12-9 1- (Note: Not to be used on legal documents)				

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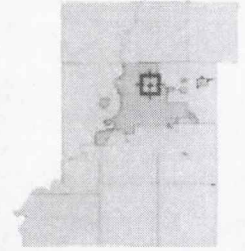




# Beacon™ Vigo County, IN / City of Terre Haute



Overview



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<b>Property Address</b>	3518 BUCKEYE ST TERRE HAUTE	<b>Acreage</b>	n/a		Terre Haute, IN 47803
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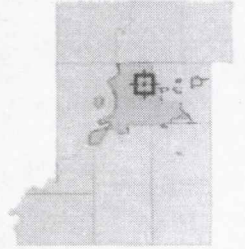
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<b>Parcel ID</b>	84-06-13-152-001.000-002	<b>Alternate ID</b>	84-06-13-152-001.000-002	<b>Owner Address</b>	Smith Ronald E
<b>Sec/Twp/Rng</b>	13	<b>Class</b>	Res Vacant platted lot		3518 Buckeye St
<b>Property Address</b>	921 N 36TH ST	<b>Acreeage</b>	0.49		Terre Haute, IN 47803
	TERRE HAUTE				
<b>Neighborhood</b>	118514 - HARRISON				
<b>District</b>	002 HARRISON				
<b>Brief Tax Description</b>	FRUITRIDGE ACRES SEC B				
	D-439/1344 13-12-9 LOT 7.490 AC				
	(Note: Not to be used on legal documents)				

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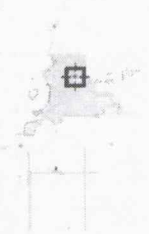
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<b>Brief Tax Description</b>	FRUITRIDGE ACRES SEC B OF 3A TAKEN FOR CREEK 2003032623 D 444/1428 13-12-9 1- (Note: Not to be used on legal documents)				

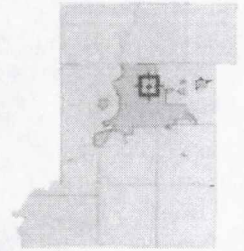
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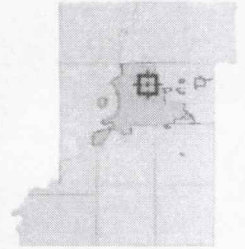
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## Receipt of Payment

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

Date 10/30/23  
Name RONALD E. SMITH  
Reason REZONING - \$ 45.00  
3518 BUCKBURN St.  
TERRE HAUTE, IN 47803

Cash	<u>45.00</u>	
Check	<u>0.00</u>	Ck# _____
Credit	<u>0.00</u>	
Total	<u>45.00</u>	

Received By Louise / ms

TERRE HAUTE, IN  
**PAID**

OCT 30 2023