

SPECIAL ORDINANCE NO. 57, 2017

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

=====

Common Address of lots to be rezoned:
1340 and 1344 Wheeler Avenue, and
2919 S. 14th Street, and
A Portion of Vacated Alley South of 2800 S. 13½ Street
Terre Haute, IN 47802

Rezoned From: R-1 Single Family Residence District

Rezoned To: C-2 Community Commercial District

Proposed Use: Vacant Lot (Uniform Zoning to Adjoining Parcel)

Name of Owners: Landmark Property Development LLC

Address of Owners: 3300 College Avenue
Terre Haute, IN 47803

Phone Number of Owners: c/o Richard J. Shagley II
812-232-3388

Attorney Representing Owners: Richard J. Shagley II

Address of Attorney: Wright, Shagley & Lowery, P.C.
PO Box 9849, Terre Haute, IN 47808

For Information Contact: Owner Attorney

Council Sponsor: Amy Auler

=====

COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

SEP 29 2017

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 57, 2017**

CITY CLERK

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

SECTION I. BE IT ORDANED 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:

Rosemont Second Section Lot 456, a Subdivision located in the Southeast Quarter of Section 34, Township 12 North, Range 9 West City of Terre Haute, Vigo County, Indiana, Plat Book 9, Page 11.

EXCEPT A part of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana, the plat of which is recorded in the office of the Recorder of Vigo County and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B" described as follows:

Commencing at the southeast corner of Lot 456 and the point of beginning of this description: then S 90° 00' 00" W, (All bearing based on bearing system for Project No. STP-RRS-T200() for City of Terre Haute), 7.397 meters (24.27 feet) along the south line of Lot 456 to a point on the right of way for Project No. STP-RRS-T200 (); thence N 18° 33' 40" E, 16.206 meters (53.17 feet) along said right of way to the east line of Lot 456; thence southerly 15.531 meters (50.97 feet) along an arc to the right having a radius of 159.398 meters (522.96 feet) and subtended by a long chord having a bearing of S 8° 17' 24" E and a length of 15.525 meets (50.94 feet) along said east line to the point of beginning of this descriptions, containing 58.8 square meters (633 square feet) more or less, as dedeed to the City of Terre Haute, Vigo County, Indiana, through its Department of Engineering, by Carl E. Wilkinson, by Corrective Warranty Deed dated January 4, 2006, and recorded January 17, 2006, as Instrument No. 2006000843. This description was prepared for the City of Terre Haute by Stephen J. Christian, Indiana Registered Land Surveyor, License Number 890001 on the 21st day of October, 2005.

Also

Lot Number 457 in Rosemont 2nd Section in the City of Terre Haute, Indiana.

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

Tax Parcel Numbers: 84-06-34-453-012.000-002 and 84-06-34-453-011.000-002.

Commonly known as: 1344 Wheeler Avenue and 2919 S. 14th Street, Terre Haute, IN 47802.

AND

Lot 458 in Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West, lying south and West of the south and West Right of Way lines of the Southern Indiana R.R. Property, in said Quarter Section.

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

Tax Parcel Number: 84-06-34-453-010.000-002

Commonly known as: 1340 Wheeler Avenue, Terre Haute, IN 47802.

AND

A portion of the public alley in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana, and more particularly described as follows:

Commencing at the Northeast corner of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana; thence Northwesterly along the arc of the Southwestern boundary line of a part of Tax Parcel Number 84-06-34-453-014.000-002 as described in Instrument No. 2005015432 and Instrument No. 2006000843 of the Records of the Recorder of Vigo County, Indiana to the Southeast corner of Lot 455 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West; thence West along the Southern boundary line of said Lot 455 to the Southwest corner of said Lot 455; thence South approximately 20 feet, more or less, to the Northwest corner of Lot 462 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South

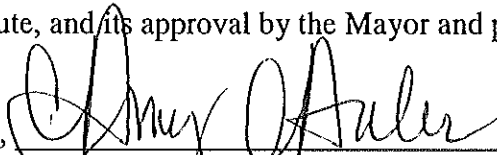
Easter Quarter of Section 34, Township 12 North, Range 9 West; thence East along the North boundary line of said Lot 462 and Lots 461, 460, 459, 458, 457 and 456 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West to the place of beginning.

Commonly known as a Portion of Vacated Alley South of 2800 S. 13½ Street, Terre Haute, IN 47802.


Be and the same is hereby established as a C-2 Community Commercial 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.

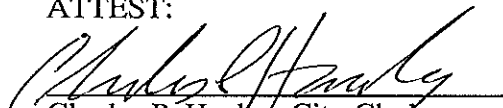
Presented by Council Member,


Amy Auler, Councilperson

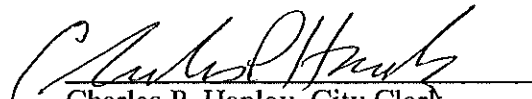
Passed in open Council this 9th day of November, 2017.


Karram Nasser, President


ATTEST:


Charles P. Hanley, City Clerk

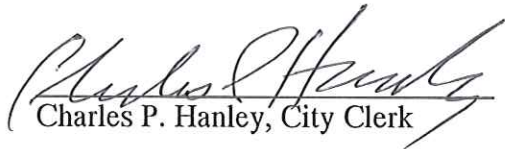
Presented by me, to the Mayor of the City of Terre Haute, this 13th day of November 2017.


Charles P. Hanley, City Clerk

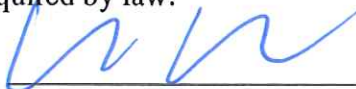
Approved by me, the Mayor of the City of Terre Haute, this 13th day of November, 2017.


Duke A. Bennett, Mayor

ATTEST:


Charles P. Hanley, City Clerk

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.



Richard J. Shagley II

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

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, John Lankhaar, Authorized Member of Landmark Property Development, LLC, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Rosemont Second Section Lot 456, a Subdivision located in the Southeast Quarter of Section 34, Township 12 North, Range 9 West City of Terre Haute, Vigo County, Indiana, Plat Book 9, Page 11.

EXCEPT A part of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana, the plat of which is recorded in the office of the Recorder of Vigo County and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B" described as follows:

Commencing at the southeast corner of Lot 456 and the point of beginning of this description: then S 90° 00' 00" W, (All bearing based on bearing system for Project No. STP-RRS-T200() for City of Terre Haute), 7.397 meters (24.27 feet) along the south line of Lot 456 to a point on the right of way for Project No. STP-RRS-T200 (); thence N 18° 33' 40" E, 16.206 meters (53.17 feet) along said right of way to the east line of Lot 456; thence southerly 15.531 meters (50.97 feet) along an arc to the right having a radius of 159.398 meters (522.96 feet) and subtended by a long chord having a bearing of S 8° 17' 24" E and a length of 15.525 meets (50.94 feet) along said east line to the point of beginning of this descriptions, containing 58.8 square meters (633 square feet) more or less, as deeded to the City of Terre Haute, Vigo County, Indiana, through its Department of Engineering, by Carl E. Wilkinson, by Corrective Warranty Deed dated January 4, 2006, and recorded January 17, 2006, as Instrument No. 2006000843. This description was prepared for the City of Terre Haute by Stephen J. Christian, Indiana Registered Land Surveyor, License Number 890001 on the 21st day of October, 2005.

Also

Lot Number 457 in Rosemont 2nd Section in the City of Terre Haute, Indiana.

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

Tax Parcel Numbers: 84-06-34-453-012.000-002 and 84-06-34-453-011.000-002.

Commonly known as: 1344 Wheeler Avenue and 2919 S. 14th Street, Terre Haute, IN 47802.

AND

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approximately 20 feet, more or less, to the Northwest corner of Lot 462 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West; thence East along the North boundary line of said Lot 462 and Lots 461, 460, 459, 458, 457 and 456 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West to the place of beginning.

Commonly known as a Portion of Vacated Alley South of 2800 S. 13½ Street, Terre Haute, IN 47802.

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 Residence District.

Your Petitioner intends to use this real estate for vacant lots with uniform zoning to the adjoining and adjacent parcels of real estate. Your Petitioner would request that the real estate described herein shall be zoned as an C-2 Community Commercial District.

Your Petitioner would allege that the C-2 Community Commercial District would not alter the general characteristics of this neighborhood since the neighborhood is in a mixed use neighborhood; and Landmark Property Development, LLC is the owner of the adjoining parcels of real estate and of several parcels of real estate directly North, South and West of the above-described real estate.

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.

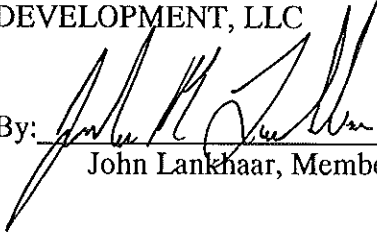
WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," and declaring the above-described real estate to be part of the C-2 Community Commercial 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.

[Signature Page to Follow.]

IN WITNESS WHEREOF, this petition has been duly executed this 28
day of September, 2017.

PETITIONER:

LANDMARK PROPERTY
DEVELOPMENT, LLC

By: 
John Lankhaar, Member

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT,
SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana
47807.

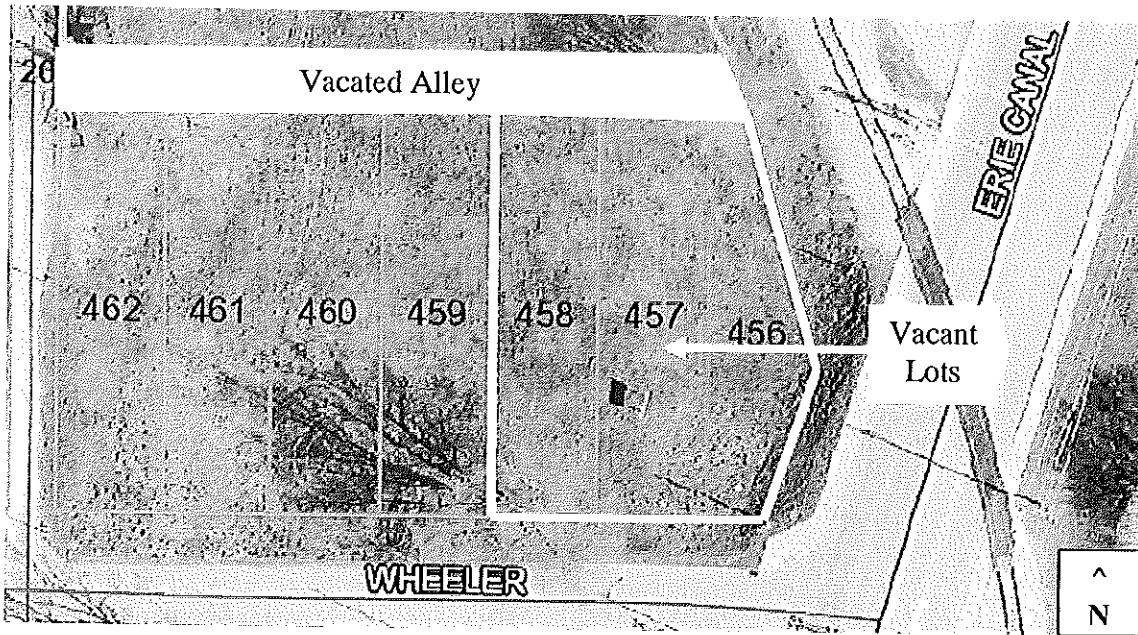
SITE PLAN
SPECIAL ORDINANCE NO. 57, 2017

1340 and 1344 Wheeler Avenue, and
2919 S. 14th Street, and
A Portion of Vacated Alley South of 2800 S. 13½ Street
Terre Haute, IN 47802

Current Zoning: R-1

Proposed Zoning: C-2

Proposed Use: Vacant lots with uniformed zoning to the adjoining and adjacent parcels of real estate.



DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

MAY 09 2016

EXEMPT FROM DISCLOSURE FEE

Timothy M. Allsup
VIGO COUNTY AUDITOR

2016004627 HD \$18.00
05/09/2016 03:14:08P 2 PGS
NANCY S. ALLSUP
VIGO County Recorder IN
Recorded as Presented



WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Mark Zimmerly, of Vigo County, State of IN, 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, CONVEYS AND WARRANTS unto Landmark Property Development LLC, of Vigo County, State of IN, the following described real estate situated in the County of Vigo, State of Indiana, to-wit:

Lots 451-452-453-454 and 455 in Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West quarter of the South East quarter of Section 34, Township 12 North, Range 9 West, lying South and West of the South and West Right of Way lines of the Southern Indiana R.R. property, in said quarter section.

Also

Rosemont Second Section Lot 456, a Subdivision located in the Southeast Quarter of Section 34, Township 12 North, Range 9 West City of Terre Haute, Vigo County, Indiana, Plat Book 9, Page 11.

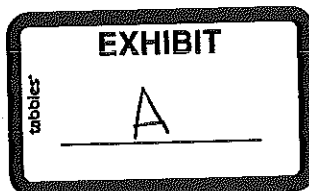
EXCEPT A part of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West in the City of Terre Haute, Vigo County, Indiana, the plat of which is recorded in the office of the Recorder of Vigo County and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B" described as follows:
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Also

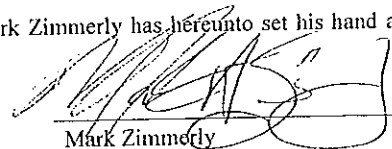
Lot Number 457 in Rosemont 2nd Section in the City of Terre Haute, Indiana.

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 Mark Zimmerly has hereunto set his hand and seal, this 6 day of May, 2016.

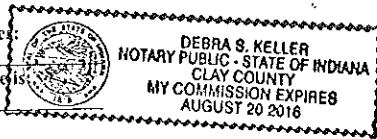
 (SEAL)
Mark Zimmerly

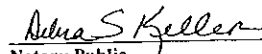
STATE OF IN, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 6 day of May, 2016, personally appeared Mark Zimmerly and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

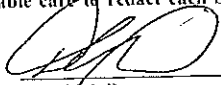
WITNESS my hand and Notarial Seal.

My Commission Expires:
My County of residence is:




Notary Public
Typewritten or printed name of notary

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.


Donald J. Bonomo

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. The deed was prepared 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 concerning the property to be conveyed 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.

GRANTEE'S ADDRESS: 3300 College Ave JH, IN 47803
MAIL TAX STATEMENTS TO: Same

APR 20 2015

Jessie M. Spivey
VIGO COUNTY AUDITOR

EXEMPT FROM DISCLOSURE FEE

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Mark Zimmerly, of Vigo County, State of IN, 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, CONVEYS AND WARRANTS unto Landmark Property Development, LLC, of Vigo County, State of IN, the following described real estate situated in the County of Vigo, State of Indiana, to-wit:

Parcel 1 - Lots 458, 459, 460, 461 and 462 in Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South East Quarter of Section 34, Township 12 North, Range 9 West, lying south and West of the South and West Right of Way lines of the Southern Indiana R. R. Property, in said Quarter Section.

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 Mark Zimmerly has hereunto set his hand and seal, this 16 day of April, 2015.

[Signature]
Mark Zimmerly (SEAL)

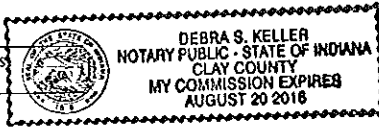
STATE OF IN, Vigo COUNTY, SS:

Before me, the undersigned, a Notary Public in and for said county and state, this 16 day of April, 2015, personally appeared Mark Zimmerly and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires:

My County of residence is



Debra S Keller
Notary Public

Typewritten or printed name of notary

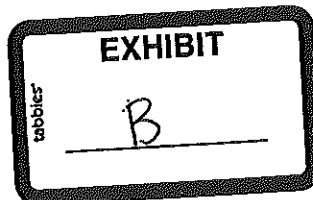
I affirm, under the penalties for perjury, that I have taken reasonable care to reflect each Social Security number in this document, unless required by law.

[Signature]
Donald J. Bonomo

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807. The deed was prepared 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 concerning the property to be conveyed 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.

GRANTEE'S ADDRESS: 3300 College Avenue, Terre Haute, IN 47803.

MAIL TAX STATEMENTS TO: 3300 College Avenue, Terre Haute, IN 47803.



STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now, John Lankhaar, Authorized Member of Landmark Property Development, LLC, being duly sworn upon his oath, deposes and says:

1. That Landmark Property Development, LLC is the owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Rosemont Second Section Lot 456, a Subdivision located in the Southeast Quarter of Section 34, Township 12 North, Range 9 West City of Terre Haute, Vigo County, Indiana, Plat Book 9, Page 11.

EXCEPT A part of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana, the plat of which is recorded in the office of the Recorder of Vigo County and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B" described as follows:

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AND

A portion of the public alley in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana, and more particularly described as follows:

Commencing at the Northeast corner of Lot 456 in Rosemont, 2nd Section Subdivision of the Southwest Quarter of the Southeast Quarter of Section 34, Township 12 north, Range 9 West, in the City of Terre Haute, Vigo County, Indiana; thence Northwesterly along the arc of the Southwestern boundary line of a part of Tax Parcel Number 84-06-34-453-014.000-002 as described in Instrument No. 2005015432 and Instrument No. 2006000843 of the Records of the Recorder of Vigo County, Indiana to the Southeast corner of Lot 455 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West; thence West along the Southern boundary line of said Lot 455 to the Southwest corner of said Lot 455; thence South approximately 20 feet, more or less, to the Northwest corner of Lot 462 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana,

being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West; thence East along the North boundary line of said Lot 462 and Lots 461, 460, 459, 458, 457 and 456 Rosemont, 2nd Section, an addition to the City of Terre Haute, Indiana, being a Subdivision of all that part of the South West Quarter of the South Easter Quarter of Section 34, Township 12 North, Range 9 West to the place of beginning.

Commonly known as a Portion of Vacated Alley South of 2800 S. 13 1/2 Street, Terre Haute, IN 47802.

2. That a copy of the Deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, is attached hereto and made a part hereof and marked as Exhibit A and Exhibit B.

3. That Affiants make this Affidavit for the sole purpose of affirming that Landmark Property Development, 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 Landmark Property Development, LLC.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 28 day of September 2017.

LANDMARK PROPERTY DEVELOPMENT, LLC

By: [Signature]
John Lankhaar, Member

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 20th day of ~~August~~^{September}, 2017.

[Signature]
Debra Banta, Notary Public
My Commission expires: 3/19/23
My County of Residence: Vigo

This instrument prepared by Richard J. Shagley II, Attorney at Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

Receipt

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

Date: 9/29/17

Name: Landmark Property Development

Reason: Rezoning - notice of Filing \$25.00

Rezoning - Petition \$120.00

\$45.00

Cash: _____

Check: #067772 \$45.00

Credit: _____

Total: \$45.00

TERRE HAUTE, IN
PAID
SEP 29 2017
CONTROLLER

Received By: L Ellsler



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: November 2, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #57-17

CERTIFICATION DATE: November 1, 2017

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. 57-17. This Ordinance is a rezoning of the property located at 1340 & 1344 Wheeler Ave. and 2919 S. 14th St. and a portion of a vacated alley south of 2800 S. 13 ½ St. The Petitioner, Landmark Property Development LLC, petitions the Plan Commission to rezone said real estate from zoning classification R-1 to C-2 Community Commercial District, for vacant lots, uniform zoning to adjoining parcel. 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. 57-17 at a public meeting and hearing held Wednesday, November 1, 2017. 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. 57-17 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 57-17 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. 57-17 was FAVORABLE WITH THE FOLLOWING CONDITIONS: no conditions.

Handwritten signature of Fred L. Wilson in black ink.

Fred L. Wilson, President

Handwritten signature of Jared Bayler in black ink.

Jared Bayler, Executive Director

Received this 2nd day of November, 2017