

SPECIAL ORDINANCE NO. 10, 2021

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

=====
Common Address of lots to be rezoned:

3518 Wabash Avenue, Terre Haute, IN 47803
Parcel No. 84-06-24-135-018.000-002

Rezoned From: R-1 Single Family Residence District

Rezoned To: R-1 Planned Development

Proposed Use: Insurance Office

Name of Owner: Sandra Bryant
Address of Owner: 3467 Charlie Lane
Terre Haute, IN 47805

Phone Number of Owner c/o (812) 232-3388

Attorney Representing Owner: Richard J. Shagley, II

Address of Attorney: Wright, Shagley & Lowery, P.C.
500 Ohio Street, Terre Haute, IN 47807

For Information Contact: Owner Attorney

Council Sponsor: Cheryl Loudermilk

=====
COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED
MAR 25 2021
CITY CLERK

SPECIAL ORDINANCE NO. 10, 2021

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 The 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 for 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 231 except 20.13 feet off the west side thereof and also Lot Number 232 in Edgewood Place, being a subdivision of all that part of the Northwest Quarter of Section 24, Township 12 North of Range 9 West, lying north of the National Road, except 51.3 acres off west end as shown by recorded plat thereof in Plat Record 10, page 35, of the records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-24-135-018.000-002

Commonly known as: 3518 Wabash Avenue, Terre Haute, IN 47803.

be and the same is, hereby established as a R-1 Planned Development, together with all rights and privileges that may inure 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.

That the real estate described shall be a Planned Development in a R-1 Single Family Residence District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the terms and condition set forth herein.

- (a) That the real estate shall be used for any use permitted in a R-1 Single Family Residence District and insurance office.

- (b) In the event that this Planned Development has not materialized within six (6) months of approval, it is understood that said Planned Development becomes void.
- (c) A variance is hereby granted from Section 10-113 a (2) which states in part:
 - (2) "off street parking requirements", there shall be no requirements beyond the existing off street parking places
- (d) All such rights granted herein shall be fully transferable.
- (e) Said Planned Development shall be recorded in the Vigo County Recorder's Office within ninety (90) days of the approval by the Council.

That the owners have met all of the criteria determined by the Area Planning Commission, except as stated above and by the City Council of Terre Haute, Indiana, that a hardship does exist, due to the improvements on the real estate, the physical characteristics of the real estate, the real estate is located near district boundary lines, and that a Planned Development as set forth herein is hereby approved and will be in the public's interest and in the interest of the neighborhood.

SECTION II. WHEREAS, the Area Planning Commission has considered a petition filed pursuant to General Ordinance No. 10, 1999, being Division III Planned Development; and

WHEREAS, Special Ordinance No. 10, 2021, 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

WHEREAS, a public hearing on Special Ordinance No. 10, 2021, has been held pursuant to Section 10 of said Ordinance and the owner of the real estate described has demonstrated to the Area Planning Commission and to the Common Council evidence that a hardship exists pursuant to Section 10-112 of said Ordinance and that said Planned Development will not adversely affect surrounding property values, and that it will not adversely affect public health, safety and the general welfare.

BE IT ORDAINED BY THE COMMON COUNCIL of the City of Terre Haute, Indiana that the owners of the real estate described have demonstrated that a hardship does exist for the use of said real estate and that the Common Council of the City of Terre Haute now determines that a hardship does exist and specifically authorizes and approves the uses of the real estate described as a R-1 Planned Development as described in this Ordinance, under the terms and conditions set forth herein, and further finds and determines that the proposed uses described will be in the public interest and that substantial justice will be done.

SECTION III. 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 by law provided.

Presented by Council Member, Cheryl Loudermilk
Cheryl Loudermilk, Councilperson

Passed in open Council this 6TH day of MAY, 2021.

O. Earl Elliott
O. Earl Elliott, President

ATTEST:

Michelle Edwards
Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 7TH day of MAY, 2021.

Michelle Edwards
Michelle Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this 7TH day of MAY, 2021.

Duke A. Bennett
Duke A. Bennett, Mayor

ATTEST:

Michelle Edwards
Michelle Edwards, 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
Richard J. Shagley, II

This instrument prepared by Richard J. Shagley, II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, 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 PLANNING COMMISSION OF VIGO COUNTY, INDIANA.

LADIES and GENTLEMEN:

The undersigned, Sandra Bryant, respectfully submits this Petition to Rezone the following described real estate in the City of Terre Haute, Vigo County, State of Indiana, to-wit:

Lot Number 231 except 20.13 feet off the west side thereof and also Lot Number 232 in Edgewood Place, being a subdivision of all that part of the Northwest Quarter of Section 24, Township 12 North of Range 9 West, lying north of the National Road, except 51.3 acres off west end as shown by recorded plat thereof in Plat Record 10, page 35, of the records of the Recorder's Office of Vigo County, Indiana

Parcel No. 84-06-24-135-018.000-002

Commonly known as: 3518 Wabash Avenue, Terre Haute, IN 47803.

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

Your Petitioner would respectfully state that the real estate is now current single family home that is being used for an insurance office. The Petitioner intends to continue the use the real estate for an insurance office.

Your Petitioner would request that the real estate described herein shall be zoned as a R-1 Planned Development to allow for the use as proposed by Petitioner. Your Petitioner would allege that the R-1 Planned Development would not alter the general characteristics of this neighborhood.

Your Petitioner would allege that there is a hardship due to: 1) improvements on the real estate (nature of structure in a mixed use neighborhood; 2) the physical characteristics of the land (the shape of Petitioner's parcel); and 3) the parcel is located near district boundary lines (the other parcels owned by Petitioner in the area are zoned commercial).

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 Planning Commission 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 to be part of the R-1 Planned Development of the City of Terre Haute, Indiana, and is entitled to the rights and benefits that may accrue to the real estate and the owner thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.


IN WITNESS WHEREOF, the undersigned Petitioner has caused this Petition to Rezone Real Property to be executed, this 24th day of March, 2021.

PETITIONER:



Sandra Bryant

WRIGHT, SHAGLEY & LOWERY, P.C.
500 Ohio Street
PO Box 9849
Terre Haute, IN 47808
Phone: (812) 232-3388

BY: 

Richard J. Shagley, II #23135-84
Attorneys for Petitioner

The owner and mailing address: Sandra Bryant, 3467 Charlie Lane, Terre Haute, IN 47805.

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

9 N

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



Overview



Legend

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

Parcel ID	84-06-24-135-018.000-002	Alternate ID	84-06-24-135-018.000-002	Owner Address	Bryant Sandra
Sec/Twp/Rng	24	Class	Res 1 fam dwelling platted lot		3467 Charlie Ln
Property Address	3518 WABASH AVE	Acreage	n/a		Terre Haute, IN 47805
	TERRE HAUTE				
Neighborhood	118532 - HARRISON				
District	002 HARRISON				
Brief Tax Description	EDGEWOOD PLACE 21.13' E-231 (3518 WABASH AVE) 2006005450 2005015916 D-396/145 24-12-9 LOTS 231-232 <i>(Note: Not to be used on legal documents)</i>				

Date created: 3/25/2021
Last Data Uploaded: 3/25/2021 5:11:09 AM

Developed by  **Schneider**
GEOSPATIAL

3518 wabash Ave.

R-1 to R-1 planned development

STATE OF INDIANA) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now, Sandra Bryant, being duly sworn upon his oath, deposes and says:

1. That Sandra Bryant is the fee simple owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lot Number 231 except 20.13 feet off the west side thereof and also Lot Number 232 in Edgewood Place, being a subdivision of all that part of the Northwest Quarter of Section 24, Township 12 North of Range 9 West, lying north of the National Road, except 51.3 acres off west end as shown by recorded plat thereof in Plat Record 10, page 35, of the records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-24-135-018.000-002

Commonly known as: 3518 Wabash Avenue, Terre Haute, IN 47803.

2. That copies of the Deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Sandra Bryant is attached hereto and made a part hereof and marked as Exhibit A.

3. That Affiant makes this Affidavit for the sole purpose of affirming that she 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 Sandra Bryant.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 24th day of March, 2021.


Sandra Bryant

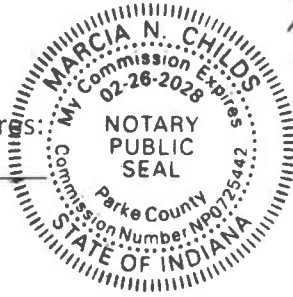
(Notary Page to Follow)

STATE OF Indiana)
) SS:
COUNTY OF Vigo)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 24th day of March, 2021.

Marcia N. Childs
Marcia N. Childs, Notary Public

My Commission expires:
02-26-2028



My County of Residence:
Parke

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

ENTERED FOR TAXATION
Subject to final acceptance for Transfer.

NOV 13 2020

Stacey Todd
VIGO COUNTY RECORDER

2020014994 WD \$25.00
11/13/2020 11:10:06A 3 PGS
Stacey Todd
VIGO County Recorder IN
Recorded as Presented



WARRANTY DEED

This indenture witnesseth that **BLAKE E. BRADFORD** of VIGO County in the State of INDIANA.

Convey(s) and Warrant(s) to **SANDRA BRYANT** of VIGO County in the State of INDIANA

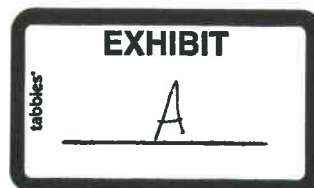
for and in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt whereof is hereby acknowledged, the following Real Estate in VIGO County in the State of Indiana, to-wit:

Lot Number 231 except 20. 13 feet off the west side thereof and also Lot Number 232 in Edgewood Place, being a subdivision of all that part of the Northwest Quarter of Section 24, Township 12 North of Range 9 West, lying north of the National Road, except 51.3 acres off west end as shown by recorded plat thereof in Plat Record 10, page 35, of the records of the Recorder's Office of Vigo County, Indiana.

Subject to any easements, agreements, streets, alleys, restrictions, covenants, building lines, and rights of way of public record including but not limited to:

a) Conditions, restrictions, covenants and easements as set forth on the plat of Edgewood Place recorded in Plat Record 10, Page 35.

Parcel No. 84-06-24-135-018.000-002



Dated this 12th day of NOVEMBER, 2020.

[Signature]
BLAKE E. BRADFORD

State of INDIANA, County of VIGO) SS:

Before me, a Notary Public in and for said county and state, this 12th day of NOVEMBER, 2020, personally appeared BLAKE E. BRADFORD, who acknowledged the execution of the foregoing Warranty Deed to be Grantor(s) voluntary act and deed.

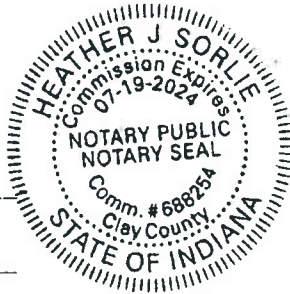
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:

My County of Residence:

7-19-2024

Clay



[Signature]
Notary Public

Printed: Heather J Sorlie

This instrument prepared by: Henry L. Antonini, Antonini & Antonini, 224 South Main Street, P. O. Box 325, Clinton, IN 47842 Telephone: (765) 832-3527

D-3859; HCT-2020-0794A

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. Henry L. Antonini

Mail tax bills to Grantee at Grantee's address of:

3467 CHARLIE LANE Terre Haute, IN 47805

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

Proof of Execution Certificate by Witness:

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached:

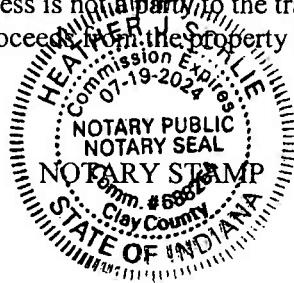
Jaqueline J McAllister
Jaqueline J. McAllister
Witness - Printed Name

PROOF:

STATE OF INDIANA
COUNTY OF VIGO

Before me, Heather J Sorlie Notary Public in and for said County and State, on this 12th day of NOVEMBER, 2020, personally appeared Jaqueline J McAllister, being known to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Blake E Bradford in the above-named subscribing witness's presence, and that the abovenamed subscribing witness is not a party to the transaction described in the foregoing instrument and will not receive any interest in or proceeds from the property that is the subject of the transaction.

Heather J Sorlie
NOTARY PUBLIC



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.

Heather J Sorlie

Instrument prepared by: HEATHER J SORLIE

Receipt

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

Date: 3-25-21
Name: Sandy Bryant
Reason: Penalties - Notice of Filing \$25.00
Penalties - Petition \$20.00
\$45.00
CONTROLLER

Cash: _____
Check: 45.00 0611071444

Credit: _____

Total: 45.00

Received By: [Signature]



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 6, 2021

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER 10-21

CERTIFICATION DATE: May 5, 2021

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. 10-21. This Ordinance is a rezoning of part of 3518 Wabash Ave. The Petitioner, Sandra Bryant, petitions the Plan Commission to rezone said real estate from zoning classification R-1 to R-1 PD, Planned Development, for an insurance office.

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. 10-21 at a public meeting and hearing held Wednesday, May 5, 2021. 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. 10-21 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 10-20 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. 10-21 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1) approval of a site plan, including customer parking, by City Engineering 2) approval of a variance for sign and/or special use for a shared parking agreement by the City BZA if necessary.




Fred L. Wilson, President


Jared Bayler, Executive Director

Received this 6th day of May, 2021

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-21

Doc: # 25

Date: May 2021

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APPLICATION INFORMATION

Owner: Sandra Bryant

Representative: Richard J. Shagley II

Proposed Use: Insurance Office

Proposed Zoning: R-1PD, Single Family Residence District Planned Development

Current Zoning: R-1, Single Family Residence District

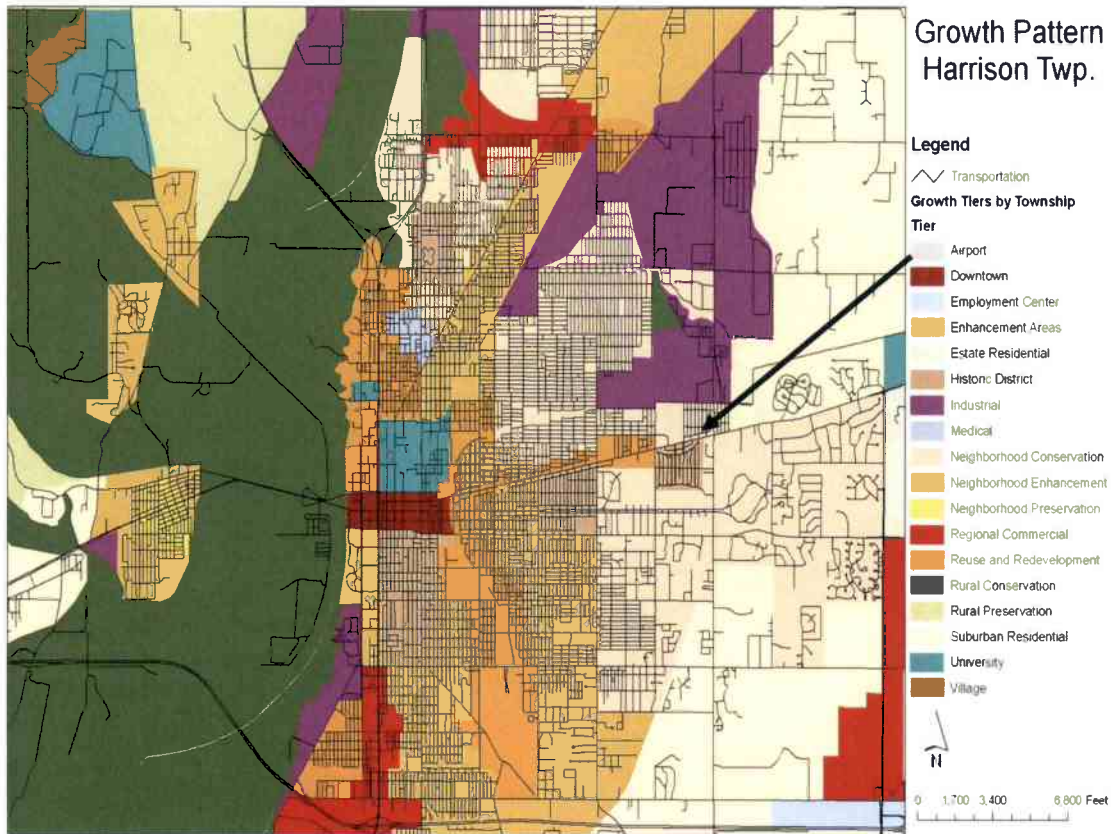
Location: The property is located on Wabash Avenue approximately 145' north of N. 35th Street.

Parcel# 84-06-24-135-018.000-002

Common Address: 3518 Wabash Avenue, Terre Haute, IN 47803

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute



Neighborhood Conservation

These areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed (or expected to be in a relatively short timeframe). Fundamental directives urged for these areas encourage the maintenance of the residential desirability and stability. Where new infill development is proposed, it should be entirely consistent and compatible with pre-existing developments. However, special public attention may, in some cases, be required to assure that drainage, sidewalk improvements, and linkages to pedestrian and bicycle trails are made. Many of these neighborhoods may be excellent candidates for special assessment districts for neighborhood improvements and amenities.

In addition, these areas encompass existing retail activity nodes located throughout the community. In general, these commercial areas have evolved in an unplanned, largely uncoordinated manner along frontage of primary arterials. Within these commercial bands, a great variety of activities exist which target different markets. Some activities are oriented toward “drive-by” markets, fast food restaurants, convenience stores, gasoline stations, drive-in banking facilities, for example. Other activities are special-purpose, oriented to single trips rather than comparative multi-purpose shopping. These single purpose stores serve a market larger than a single neighborhood. Sales and service of automobiles, trucks, boats, recreational vehicles and related activities are special purpose region-serving activities. They require large site with good visibility. Finally, commercial areas include a range of neighborhood level retail activities including grocery stores, pharmacies, personal services such as hair styling, and other frequently purchased goods and services.

Additional policies for Neighborhood Conservation areas should include:

- Allow for a range of housing densities based on the zoning ordinance.
- Allow for a mix of uses, focusing on neighborhood and community serving commercial nodes.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.
- Reuse of commercial oriented structure should be limited to retail activities that contribute to the diversity and variety of retail uses in a commercial node.
- With respect to existing commercial “strips” – i.e. narrow bands of commercial uses occupying major roadway frontage, the limitation of additional or new commercial uses is strongly advised.
- Geographic expansion of this commercial “strips” should be limited to the provision of additional space to ensure the compatibility with adjacent uses, not an intensification of use.
- Improved landscaping, improved pedestrian amenities, and increased attention to lighting, signage, and impacts upon nearby residential areas is advised in the review of development petitions.

Available Services: Area is well served by utilities.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-21

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Dev. Priority: Neighborhood Conservation

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-1

East – R-1

South – R-1

West – R-1

Character of Area: The petitioned property is located in a residential neighborhood.

Contig. Uses & Zones Residential

ZONING REGULATIONS

b. Uses, Permitted - R-1 Single-Family Residence District.

(1) One-family detached dwellings.

(2) Cemeteries, including crematories and mausoleums in conjunction therewith if not located within four hundred feet (400') of any other property in a Residence District.

(3) Churches, Rectories, and Parish Houses.

(4) Convents and Monasteries.

(5) Gardening, including nurseries, provided that no offensive odors or dust are created.

(6) Golf Courses, but not including commercially-operated driving ranges or miniature golf courses, provided that no clubhouse shall be located within three hundred feet (300') of any other property in a Residence District.

(7) Libraries, Public. (Ord. No. 1, 1967, § 1131.01 a. - b., 7-6-67)

(8) Child Care.

(9) Home Occupations. (Gen. Ord. No. 17, 2000, 9-14-00)

(10) Parks and Playgrounds, publicly owned and operated.

(11) Schools, elementary and high, non-boarding and including playgrounds and athletic fields incidental thereto.

Planned Developments

Planned Developments are uses that may be permitted, under certain circumstances, that are not a permitted use in the zoned district where said Planned Development is proposed. A Planned Development is a floating zone.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-21

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Before a Planned Development can be considered, the petitioner must show proof of one of the following unique circumstances. That the petitioner has a:

- (1) Hardship due to the physical characteristics of the land.
Example - Peculiarities of the sizes, shape, or grade of the parcel in question.
- (2) Hardship due to the improvements on the land.
Example - Commercial structure in a residential neighborhood that is not suitable for residential use.
- (3) Hardship due to adjacent, scattered incompatible uses.
Example - Scattered commercial uses in a residential neighborhood.
- (4) Hardship due to the general deterioration of the neighborhood.
Example - Neighborhoods that are blighted as determined by the Department of Redevelopment.
- (5) Parcel located near district boundary lines.
Example - Parcel located on a major thoroughfare is presently zoned residential while other parcels in the area are zoned commercial.

When it is determined by the Area Plan Commission and the City Council that a hardship does exist, a Planned Development of certain uses may be approved for any zoned lot. However, it must be determined that said proposed uses, if approved, will be in the public's interest and that substantial justice will be done for that neighborhood. Approval of said proposed uses shall not have the intent of nullifying the purpose of the zoning regulations.

FINDINGS and RECOMMENDATION

Staff Findings:

The petitioner is requesting a rezoning from R-1 to R-1PD for an insurance office.

The petitioner is requesting one variance from the City Code. The variance from Section 10-113a (1) and 10-113a (2) for no additional off-street parking. The only existing parking appears to be in the rear of the property by the alleyway. It is unclear how much parking currently exists. The petitioner's representative has stated that it is her intention to use the street for parking for customers and to only use the rear parking in the rare case a customer may not be able to park on the street. However, street parking cannot be used as part of a site plan. It appears the office may share parking space with the adjacent property. A special use for a shared parking agreement would be required through the City BZA if so.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-21

Doc: # 25

Date: May 2021

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The petitioner has also applied for a variance for a front sign through the City Board of Zoning Appeals for a 3'x6' sign, which has already been placed. However, the variance applied for is as a sign for a home occupation. As this is not a home occupation, a variance is not needed so long as it meets regulations.

Recommendation: Staff offers a favorable recommendation on the following conditions:

1. Approval of a site plan, including customer parking, by City Engineering.
2. Approval of a variance for sign and/or special use for a shared parking agreement by the City BZA if necessary.