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**V-51**  
**VACATION OF LOTS 3 & 4 IN THE PLAT OF CONCORD**

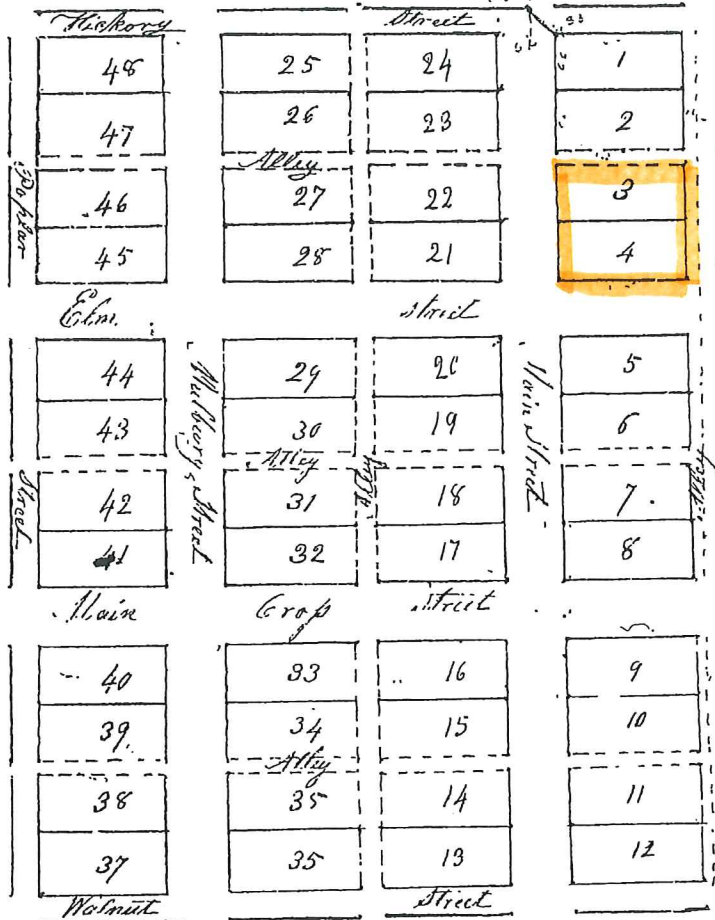
**STAFF REPORT**  
**July 11, 2019**

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# A/Plot of the Town of Concord



The house and stable are to the South West corner of the south fraction of the North East quarter of section No. 2. in Town 21, North of Range No. 4 East. L. A. No. 11-71. C. 11-13

N. B. Shepley  
 corner of the beginning  
 N. corner of lot  
 N. B. corner

Scale of 8 poles per inch

I James B. Johnson of the County of Tippecanoe and State of Indiana have laid off a Town on the North end of the East half of the South West quarter and also the West half of the South East quarter of section No. two in Township No. twenty one North of Range No. four West. Consisting of forty eight regular lots all of which fronts sixty six feet and running back for quantity one hundred and sixty five feet Main, and main cross Mulberry and Elm streets are all sixty six feet wide, Hickory Walnut and Poplar streets are all thirty three feet wide, the Alleys are all one half feet wide, the streets and Alleys are all given as Highways. The streets are run at right angles to the highways five degrees given under my hand and seal this 23rd day of August A.D. 1832

Attest  
 J. B. Johnson

State of Indiana  
 Tippecanoe County  
 Recorder for said County, James B. Johnson the grantor and parties of the above plat ~~are~~ ~~are~~ and acknowledged this 23rd day of August 1832

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**V-51**  
**RALPH & SHIRLEY LINDER**  
**Plat Vacation of Lots 3 & 4, Plat of Concord**

**Staff Report**  
**July 11, 2019**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioners and property owners, Ralph & Shirley Linder, are requesting a vacation of Lots 3 & 4 in the Plat of the Town of Concord in order to replace and expand the front porch on their house which currently crosses the lot line between these two lots. The property is located at 8507 S 350 E, in Lauramie 2 (SE) 21-4.

**AREA ZONING PATTERNS:**

The lots are zoned AW, Agricultural Wooded, as is most of the plat of Concord. A small area zoned Flood Plain exists to the west near the banks of Wea Creek.

**AREA LAND USE PATTERNS:**

“A Plat of the Town of Concord” was recorded in the Tippecanoe County Recorder’s Office on August 23, 1832. The plat created 48 lots, seven streets and several alleys; although only one platted street, Main Street, better known as CR 350 E, was ever constructed (also a small portion of platted “Main Crop Street” which became CR 900 S). Several of the alleyways and streets have been vacated over the years by action of the County Commissioners. Today, less than ten residences exist within the plat, most of them constructed decades ago with no regard for the platted lot lines or unimproved street rights-of-way.

Petitioners have a house, detached garage and a couple of outbuildings. In addition to this vacation request, petitioners have also filed a variance case to be heard at the July ABZA meeting (BZA-2018).

**TRAFFIC AND TRANSPORTATION:**

CR 350 E and CR 900 S are both classified as rural secondary arterials. Petitioners’ detached garage crosses into a platted street to the south of Lot 4. They plan to petition the County Commissioners to vacate this unimproved street in the near future.

**STAFF COMMENTS:**

Within the plat of the town of Concord, there is no community sanitary sewer system, and the typical lot size here (66’ x 165’) is about a third of the required minimum area needed for a septic system. A lot width of 66’ does not meet the AW zone lot width standard of 100’. Vacating the subject lots will allow necessary improvements to petitioners’ historic house without being required to meet arbitrary and unnecessary interior setbacks and lot lines.

Pursuant to Indiana Code 36-7-3, the Area Plan Commission must make the following findings and conclusions in order to approve this proposed plat vacation.

Per the Subdivision Vacation Ballot items:

- 1) Petitioners must be the property owners: Per the County Auditor's Office, Ralph & Shirley Linder **are** the owners of said lots;

And it is Staff's opinion that:

- 2) Conditions in the platted area **have** changed so as to defeat the original purpose of the plat. Originally recorded in 1832 by Tippecanoe County Recorder, Sandford Cox, clearly the town of Concord did not develop exactly as it was planned nearly 200 years ago.
- 3) It **is** in the public interest to vacate all or part of the plat. The two existing lots do not meet current lot standards individually.
- 4) The value of that part of the land in the plat not owned by the petitioners **will not** be diminished by the vacation. The 48 platted lots are owned by 9 different families. Most of the platted lots particularly to the west have never seen any building improvements.

**STAFF RECOMMENDATION:**

Approval