

ORDINANCE NO. 2014-06-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE
FROM _____ OR _____ TO _____ R1 _____

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA:

Section 1: The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance and not part of a unified county code is hereby amended to rezone the following described real estate situated in Wea Township, Tippecanoe County, Indiana

INSERT OR ATTACH LEGAL DESCRIPTION

Section 2: The above-described real estate should be and the same is hereby rezoned from _____ OR _____ to R1.

Section 3: This ordinance shall be in full force and effect from and after its adoption.

(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 2nd day of June, 2014.

VOTE:

yes

John Knochel
John Knochel, President

yes

Thomas Murtaugh
Thomas Murtaugh, Vice President

yes

Dave Byers
Dave Byers, Member

ATTEST:

Jennifer Weston
Jennifer Weston Auditor

EXHIBIT "A"

REZONE DESCRIPTION (1.935Acres+/-)

Part of the Southeast Quarter of Section 7, Township 22 North, Range 4 West, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a Berntsen monument in the approximate centerline intersection of County Road 350 South and US 231, marking the Northeast corner of the Southeast Quarter of Section 7; Thence South 88°28'01" West, along the North line of the Southeast Quarter, a distance of 666.03 feet; Thence South 01°49'33" East, a distance of 82.24 feet to a point on the Southerly limited access right-of-way of County Road 350 South, being marked by a 5/8 inch diameter rebar with a plastic cap stamped "RWG 880043" and hereafter referred to as a standard monument; Thence South 01°41'44" East, a distance of 270.00 feet to a standard monument and being the Point of Beginning of this description; Thence continuing South 01°41'44" East, a distance of 232.44 feet to the Northeast corner of the tract conveyed to GTE North Incorporated in Deed Record 8803309 being marked by a standard monument; Thence North 80°27'23" West, along the North line of GTE North, a distance of 50.00 feet to the Northwest corner of GTE North marked by a standard monument; Thence South 01°54'12" East, along the West line of GTE North, a distance of 69.89 feet to the Northerly right of way line of County Road 375 South being marked by a standard monument; Thence North 87°05'05" West, along the Northerly right of way of County Road 375 South, a distance of 260.09 feet to a standard monument; Thence North 02°49'31" West, a distance of 267.45 feet to a standard monument; Thence North 87°31'14" East, a distance of 313.33 feet to the Point of Beginning, containing 1.935 Acres, more or less.

Bearings in the above description are based on Deed Record 0002512.

Subject to any and all easements, rights of way, and restrictions of record.

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

May 22, 2014
Ref. No.: 14-136

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

CERTIFICATION

RE: **Z-2567--STEWART W. KLINE (OR to R1):**
Petitioner is requesting rezoning of 1.935 acres (proposed lots 3 & 4 in Kline South Subdivision) located on the north side of CR 375 S between Old Romney Road and Old US 231 S Wea 7 (SE) 22-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on May 21, 2014 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from OR to R1. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their June 2, 2014 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

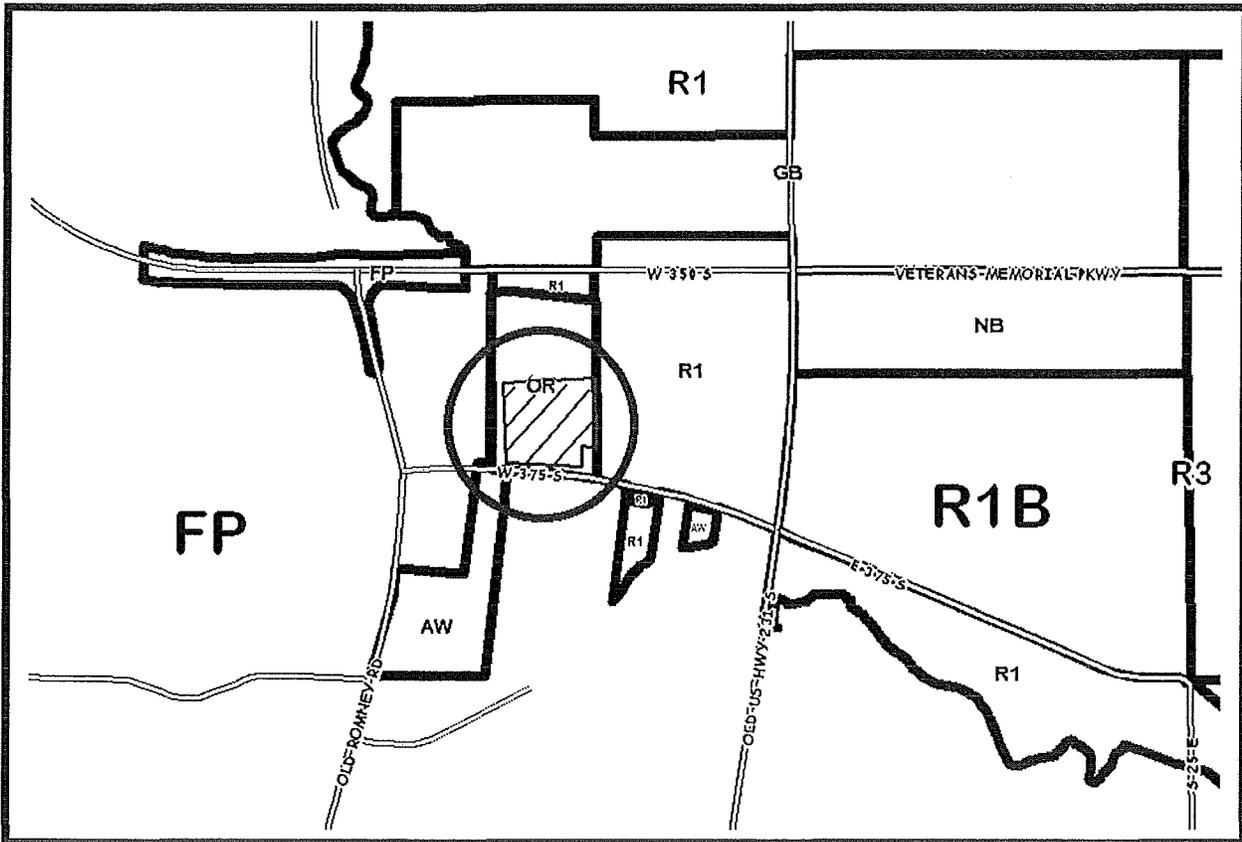
SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Stewart Kline
RW Gross
Ken Brown, Tippecanoe County Building Commissioner

Z-2567
STEWART W. KLINE
(OR to R1)

STAFF REPORT
May 15, 2014



Z-2567
STEWART W. KLINE
OR TO R1

Staff Report
May 15, 2014

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with representation by RW Gross & Associates, is requesting rezoning of 1.935 acres (proposed lots 3 & 4 in Kline South Subdivision) located on the north side of CR 375 S between Old Romney Road and Old US 231 S Wea 7 (SE) 22-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

Along with the adjoining 2.8 acres to the north (part of proposed Lot 1 and all of Lot 2 in Kline South Subdivision), this site was rezoned from R1 to OR in December 1999 to accommodate the owner's proposed relocation of his engineering firm (Z-1880). The original request was to NB, but was amended at the APC hearing to the more restrictive OR zone. In November 2001 (Z-2024), five acres were rezoned from R1 to GB near the northwest corner of Veterans Memorial Parkway and Old US 231 (Wrede Rocks). Last December, 7.3 acres (the 4-lots of Painted Hills Subdivision) located due north across Veterans Memorial Parkway were rezoned from R1 to GB. Properties to the east are zoned R1. Except for a few acres zoned R1 and AW, the properties to the south and west are zoned FP.

AREA LAND USE PATTERNS:

These proposed lots (and the two adjoining on the north) are the lone acres in crop production in the neighborhood. Except for Wrede Rocks landscape materials business to the northeast, the surrounding area consists of large mostly wooded lots occupied by single-family homes.

TRAFFIC AND TRANSPORTATION:

Proposed Lots 3 and 4 are intended to have direct access to CR 375 S, an urban local road as classified by the *Thoroughfare Plan*.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

These lots have been tested by a soil scientist and approved for individual on-site sewage disposal systems and water wells by the County Health Department. A stormwater management plan will need to be approved by the County Drainage Board through the subdivision approval process.

STAFF COMMENTS:

After 14+ years, the owner has determined that the total OR zoned acreage is no longer necessary to relocate the engineering firm. With the approval of this rezone petition and the accompanying subdivision, petitioner hopes to begin development soon.

STAFF RECOMMENDATION:

Approval