

Z-2975

ORDINANCE NO. 2014-09-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, TO REZONE REAL ESTATE,  
FROM A TO R1.**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE, 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 Tippecanoe Township, Tippecanoe County, Indiana, to wit:

A part of the Southeast Quarter of Section Twenty-nine (29), Township Twenty-four (24) North, Range Four (4) West, Tippecanoe Township, Tippecanoe County, Indiana, being part of the Gary D. Brown and Teresa M. Brown property as described in Document Number 201212001788, in the Office of the Recorder of Tippecanoe County, Indiana, being more completely described as follows:

COMMENCING at the southwest corner of the southeast quarter of said Section 29; thence along the west line of the west half of said southeast quarter, North 00°22'59" West, 1416.96 feet to the POINT OF BEGINNING of the herein described tract; thence continuing along said west line, North 00°22'59" West, 553.34; thence parallel with the south line of said west half, South 88°40'58" East, 426.83 feet; thence South 19°40'04" West, 401.29 feet; thence South 60°05'34" West, 332.19 feet to the point of beginning, containing 3.70 acres, more or less.

Section 2. The real estate described above should be and the same is hereby rezoned from A to R1.

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

(Adopted and passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 7<sup>th</sup> day of JULY, 2014.

**VOTE:**

Yes

Yes

—

John L. Knochel

John L. Knochel, President

Thomas P. Murtaugh

Thomas P. Murtaugh, Vice President

absent

David S. Byers, Member

Attest:

Jennifer Weston  
Jennifer Weston, Auditor

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](http://www.tippecanoe.in.gov/apc)

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

June 19, 2014  
Ref. No.: 14-167

Tippecanoe County Commissioners  
20 North 3<sup>rd</sup> Street  
Lafayette, IN 47901

## CERTIFICATION

RE: **Z-2575--TIPPECANOE DEVELOPMENT, LLC (A to R1):**  
Petitioner is requesting rezoning of 3.70 acres located within proposed Section 8 of Winding Creek Subdivision, west of CR 75 E and north of CR 500 N, Tippecanoe 29 (SE) 24-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 18, 2014 the Area Plan Commission of Tippecanoe County voted 8 yes - 0 no on the motion to rezone the subject real estate from A 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 July 7, 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: Derrin Sorenson  
Gary & Theresa Brown  
Ken Brow, Tippecanoe County Building Commissioner  
Daniel Teder

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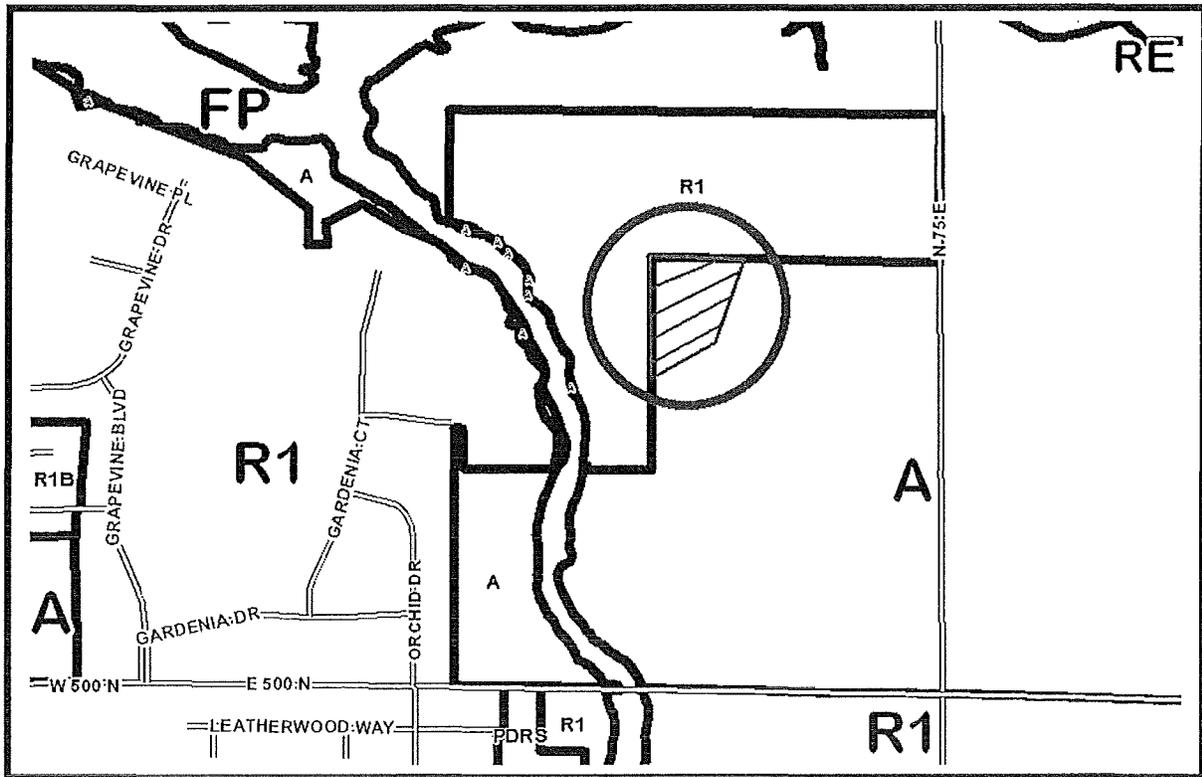
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Z-2575  
TIPPECANOE DEVELOPMENT, LLC  
(A to R1)

STAFF REPORT  
June 12, 2014

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**Z-2575**  
**TIPPECANOE DEVELOPMENT, LLC**  
**A to R1**

**Staff Report**  
**June 12, 2014**

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

Petitioner, represented by attorney Daniel A. Teder, is requesting rezoning of 3.70 acres as part of a proposed 118 lot subdivision (Winding Creek Section 8), and is located 900-ft west of CR 75 E and approximately 1/4 mile north of CR 500 N in Tippecanoe 29 (SE) 24-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

Before 1998, land throughout the area was zoned Agricultural dating back to 1965. In September 1998, the Winding Creek rezone cases (Z-1792 & Z-1793) changed 231 acres from A to R1 and R1B. Last May (2013), the County Commissioners rezoned an "L" shaped 54.73 acre tract from A to R1 (Z-2528) that is the lion's share of the proposed Section 8 of Winding Creek Subdivision. This larger R1 tract adjoins the existing Winding Creek Section 2 on its west side, and connects to CR 75 E on the east. However, an unnamed tributary of Burnetts Creek with FP zoning separates the southwest corner of the new section from the rest of Winding Creek. The subject 3.70 acre rezone site has been acquired from the property adjoining to the southeast. Land to the east and south is zoned A.

**AREA LAND USE PATTERNS:**

About half of the proposed Section 8 is in agricultural production, which splits the remaining open and sparsely wooded areas at the south and east ends of the property. Coyote Crossing golf course is located to the northwest. To the north is a heavily wooded area. Farther north is more of the golf course and the recently approved Sections 5 and 7 in Winding Creek. A major sketch plan application has been filed for Winding Creek Subdivision Section 8, which includes the subject 3.7 acres.

**TRAFFIC AND TRANSPORTATION:**

The *Thoroughfare Plan* classifies CR 75 E as a rural local road, which will provide access to most of the proposed 118 lots in Section 8. Zinnia Street is intended to be extended from Winding Creek Section 2, ending in a cul-de-sac to serve the southwest area of the site that is separated from the rest of Section 8 by the Burnetts Creek tributary.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

Sanitary sewer service (American Suburban Utilities) is intended to come from existing mains located to the west in Winding Creek and Coyote Crossing. Water service

COYOTE CROSSING, LLC  
KEY NO. 126-06200-0152  
ID NO. 79-03-29-300-002.000-018  
PO BOX 811  
LAFAYETTE, IN 47902

EXISTING SANITARY  
SEWER

TIMBERSTONE DEVELOPMENT, LLC  
KEY NO. 126-06200-0174  
ID NO. 79-03-29-300-003.000-018  
PO BOX 811  
LAFAYETTE, IN 47902

30' SANITARY SEWER EASEMENT  
DOCUMENT NO. 201212000853

15' WATER EASEMENT  
DOCUMENT NO. 201111000642

GARY D & TERESA M BROWN  
KEY NO. 126-06200-0163  
ID NO. 79-03-29-400-004.000-018  
894 EAST 500 NORTH  
WEST LAFAYETTE, IN 47906

CC & J PI  
KEY NO.  
ID NO. 79-03  
5424 ED  
ALEXAN

NE COR. W 1/2, SE 1/4  
SECTION 29-24-4

S89°10'45"E 2250.47'

S0°26'54"E 673.65'

N88°40'58"W 1328.17'

N88°40'58"W 901.34'

426.83'  
S19°40'04"W 481.29'

S60°05'34"W 332.19'

S0°22'59"E 423.66'

N89°17'04"W 864.69'

N0°41'03"W 1459.14'

S89°18'57"W 50.00'

N0°41'03"W 183.08'

GARDENIA COURT

ZINNIA STREET

WINDING CREEK RIVE

COUNTY ROAD 75 EAST

1"= 1970.37'

EC 3