

ORDINANCE NO. 2015-22-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE
FROM A TO B I 2

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

Twenty-eight (28) acres off of the south end of the East half of the Northwest Quarter of Section Thirteen (13), in Township Twenty-two (22) North, Range Four (4) West. Except all that part of the above-described real estate that lies South and West of the New York Central Railway, said tract containing one and 2/10 (1.2) acres, more or less. Located in Wea Township, Tippecanoe County, Indiana

Section 2: The above-described real estate should be and the same is hereby rezoned from A to B I 2.

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 November, 20 15.

VOTE:

Yes

Thomas Murtaugh
Thomas Murtaugh, President

Yes

Dave Byers
Dave Byers, Vice President

Yes

Tracy Brown
Tracy Brown, Member

ATTEST:

Nancy A. Hartung
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

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

October 22, 2015
Ref. No.: 15-242

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

CERTIFICATION

RE: **Z-2625--KARRIE J. OLIVE (A to I2):**

Petitioner is requesting rezoning of 26.8 acres located at the northwest corner of CR 450 S and CR 450 E, more specifically 4320 S CR 450 E, Wea 13 (NW) 22-4. CONTINUED FROM THE SEPTEMBER APC MEETING DUE TO A FAILURE TO SUBMIT THE REQUIRED PAPERWORK

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on October 21, 2015 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from A to I2. 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 November 2, 2015 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: Karrie Olive
Timothy & Tera Driscoll
Mike Wolf, Tippecanoe County Building Commissioner



Z-2625
KARRIE J. OLIVE
(A to I2)

STAFF REPORT
September 10, 2015



Staff Report
September 10, 2015

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of owner, is requesting a rezone of 26.8 acres from A to I2 for a proposed towing automotive business (SIC 754). The site is located along CR 450 East (recently renamed to Turbine Trail) at the northwest corner of its intersection with CR 450 South and commonly known as 4320 S 450 East, Wea 13 (NW) 22-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

Originally this tract of land was part of a larger overall rezone of 1,400 acres from A to I3 sponsored by Greater Lafayette Progress, Inc. (now Greater Lafayette Commerce, Z-1715). Then in 2010, the owners of the property successfully petitioned A zoning for their land, citing that Agricultural zoning would allow a better marketing potential. Against staff's recommendation, the County Commissioners rezoned the site back to A (Z-2441). One year later the property sold, and now the petitioner, who is buying on contract from the current owner, requires Industrial zoning for their towing business.

Land surrounding this property in all direction is zoned I3 except for the 1.2 acres on the southwest side of the subject tract which is zoned A. These 1.2 acres are located on the west side of the railroad corridor making it less attractive for industrial development and have always retained its original A zoning.

AREA LAND USE PATTERNS:

The property in question is mostly farmed except for the northeast corner which contains a single-family home and a large accessory building. Land in all directions is currently in row crop production. About ½ mile to the north is the GE Aviation plant under construction as well as Nanshan. Robert's Ridge, a single-family subdivision, is located about ½ mile to the west along CR 450 S.

TRAFFIC AND TRANSPORTATION:

The site is located at the northwest corner of the intersection of CR 450 South and 450 East (recently renamed to Turbine Trail). The home has a wide gravel driveway onto 450 East as well as a large graveled parking lot. The proposed use (automobile towing – SIC 754) requires 4 spaces (1 space per employee plus 1 space per 200 sq. ft. of office area). Sufficient room is available on site to meet this requirement. Parking spaces, maneuvering aisles and the driveway are required to be paved in the I2 zone.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Well and septic serve the use.

STAFF COMMENTS:

This land was originally rezoned from A to I3 in 1997 by Greater Lafayette Progress (now known as Greater Lafayette Commerce) to establish a new industrial expansion sector for Tippecanoe County, as guided by *The Comprehensive Plan*. Since then, utilities have been expanded and industries such as Nanshan, GE Aviation and Heartland Automotive have located in the area. In 2010, the previous owners successfully petitioned for A zoning citing that the property could be better marketed without industrial zoning. Staff recommended against this request with guidance from *The Plan* in mind.

Earlier this summer petitioner approached staff about locating the towing business to the lot where they live. Staff determined that the business is permitted in both the I1 and I2 zoning districts and that a rezone would be necessary. Because of the nature of the business operating 24 hours per day, petitioners' home would be considered an on-site care takers residence. Behind the house is a large accessory structure and graveled parking lot. Recent aerial photography indicated various vehicles parked in the rear of the lot. Petitioner has indicated that the vehicles are being removed and a fence would be built to enclose the site for both security of towed vehicles and to act as a visual buffer.

Salvage operation could occur with the business, but only as an accessory use because salvage operations are only permitted in the I3 zoning district. Vehicles that are towed to the site may remain, but vehicles cannot be brought on site for the purposes of salvaging. If vehicles were brought to the site for the purpose of salvage, the business would be classified as a "junk yard", which is not allowed. Additionally, "junk yards" are subject to other development standards such as increased building setbacks and bufferyards.

With guidance from The Plan and the intent of the 1997 rezone by Greater Lafayette Progress, staff can support this rezone to I2 to help restore this large area of industrial zoning.

STAFF RECOMMENDATION:

Approval