

**ORDINANCE NO. 2015-02-CM**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE FROM A TO I3**

**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 Sheffield Township, Tippecanoe County, Indiana

A part of the West Half of the Northwest Quarter of Section Eighteen (18) in Township Twenty-Two (22) North, Range Three (3) West, Described as follows: Beginning at a point One Thousand One Hundred Seventy-Nine and 75/100 (1179.75) feet South of the Northwest corner of the northwest Quarter of said Section; thence East parallel to the North Section line of Said Section Two Hundred Twenty-three (223) feet; thence South parallel with the West Section line of said Section Two Hundred Sixty-one (261) feet; thence West parallel with the North Section line of said Section Two Hundred Twenty-three (223) feet to the Section line which is the center of a county gravel road; thence North along the Section line Two Hundred Sixty-one (261) feet to the place of beginning. Containing 1.34 acres, more or less. Located in Sheffield Township, Tippecanoe County, Indiana

**Section 2:** The above-described real estate should be and the same is hereby rezoned from A to I3.

**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 5<sup>th</sup> day of January, 2015.**

VOTE:  
y

Thomas Murtaugh  
Thomas Murtaugh, President

y

David Byers  
David Byers, Vice President

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absent  
Tracy Brown, Member

ATTEST:

Bob Plantenga  
Bob Plantenga 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

December 18, 2014  
Ref. No.: 14-334

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

## CERTIFICATION

RE: **Z-2594--ICHIYA, LLC (A to I3):**

Petitioner is requesting rezoning of 1.34 acres located on the east side of CR 500 E, just north of its intersection with US 52 South, more specifically 4237 S 500 E, Sheffield 18 (NW) 22-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on December 17, 2014 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from A to I3. 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 January 5, 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: Ichiya, LLC  
Daniel Teder  
Ken Brown, Tippecanoe County Building Commissioner

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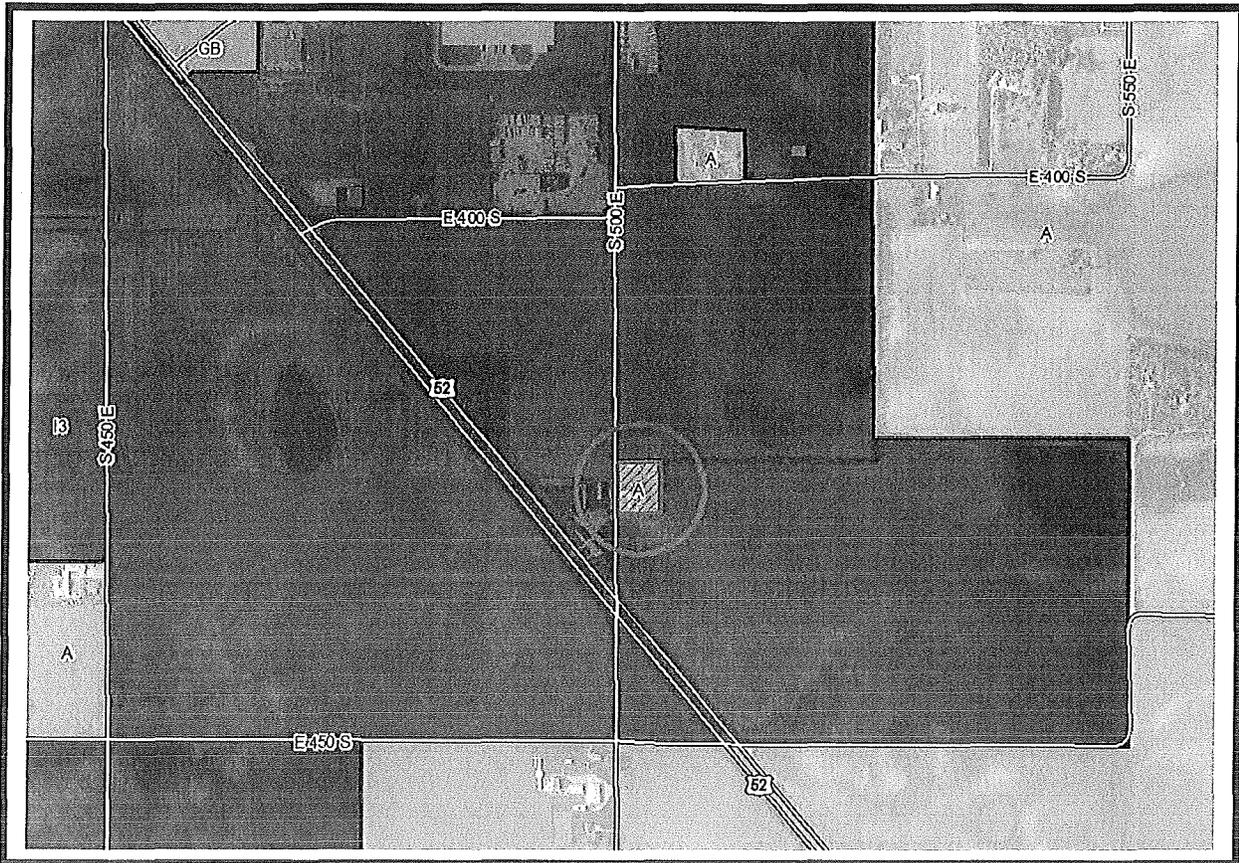
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**Z-2594  
ICHIYA, LLC  
(A to I3)**

**STAFF REPORT  
December 11, 2014**

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**Staff Report**  
**December 11, 2014**

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

Petitioner and property owner, Richard Johnson, LLC signing member, represented by attorney Daniel Teder, is requesting rezoning of 1.34 acres located on the east side of CR 500 E, just north of its intersection with US 52 South, more specifically 4237 S 500 E, Sheffield 18 (NW) 22-3.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The site is zoned A, Agricultural while all surrounding properties for a quarter of a mile in all directions are zoned I3, Industrial. The surrounding industrially-zoned land was part of the southeast industrial expansion area; this area was rezoned in 5 separate filings made by Greater Lafayette Progress, Inc. (GLPI) from 1996 to 2001. The rezones completed by GLPI were completed to implement the SIA amendment to the Comprehensive Plan. No other rezones have occurred in section 18 of Sheffield Township. Small tracts within this large Industrially-zoned area that are still zoned Agricultural were likely because the owners did not consent to have their property included in the GLPI rezone requests.

**AREA LAND USE PATTERNS:**

The subject property supports a single-family home and is surrounded by farmland to the north, south, and east. West across CR 500 E is a lot occupied by a single-family home and farm buildings which are also owned by the petitioner. TKO Graphix is located east of the site along CR 450 S and started operations in the last year. This business has applied for three BZA variances and was granted two variances. Another business associated with used trailers is located to the north on the corner of CR 400 S and 500 E.

**TRAFFIC AND TRANSPORTATION:**

This property has approximately 250' of frontage along CR 500 E a local rural road according to the adopted *Thoroughfare Plan*. The site is located less than 500' from the intersection with US 52. A change of use permit is required from the highway department if property is redeveloped.

**UTILITY CONSIDERATIONS:**

According to the Lafayette City Engineer's office, sanitary sewer and water are not available at this site but there is a potential to expand it to the site from the intersection of 400 S and US 52.

**STAFF COMMENTS:**

This anomalous A zoned site is a remnant residence that was excluded (because the property owner at the time didn't give consent) from the GLPI industrial rezone nearly 20 years ago. The site abuts industrial zoning on all sides. The site's only frontage is along CR 500. A new owner is now ready for I3 zoning.

The property offers limited potential as a single-family home site because of the adjoining I3 zoning; it also has limited potential as farmland because of its small size. Staff can support this rezone because the ideal use from a Comprehensive Plan perspective is that the site be combined with an adjacent property and eliminate a residence as a neighbor to any future industrial use. All of these factors indicate that I3 zoning is appropriate for the site.

The property is within the boundaries of the area included in the ***Amendment to the Adopted Land Use Plan Regarding the Expanded SIA Development Area*** adopted in 1987. The ***Plan*** shows this site as well as all surrounding land within the "Industrial" land use sector. Staff feels that the future availability of sanitary sewer and water make I3 zoning appropriate for this site and serves to implement the adopted ***Comprehensive Plan***.

**STAFF RECOMMENDATION:**

Approval