



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 11, 2022

COMMON ADDRESS OF LOTS TO BE REZONED:

1000 South 7th Street, Terre Haute, Indiana 47807

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R- 2 Two Family Residential District

Proposed Use: Two family residence (Duplex)

Name of Owner: Highland Property Group, LLC

Address of Owner: 100 Circle Street, Terre Haute, IN 47803

Phone Number of Owner: 812-249-0238

Attorney Representing Owner (if any): David P. Friedrich

Address of Attorney: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: David P. Friedrich

Council Sponsor: Todd Nation

***COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION**

SPECIAL ORDINANCE NO. 11, 2022

CITY CLERK

An Ordinance Amending Chapter 10, of the Terre Haute City Code, Zoning and Subdivision Regulations, as adopted by General Ordinance No. 10, 1999, as Amended, entitled An Ordinance Adopting And Enacting a Code of Ordinances for the City of Terre Haute, Indiana; Establishing The Same; Providing For Repeal of Certain Ordinances Not Included Therein, Except As Herein Provided; Providing For The Manner Of Amending Such Code Of Ordinances; Providing a Penalty For Violations Thereof; Providing When This Ordinance Shall Become Effective And Officially Adopting The Terre Haute City Code, And Passing Ordinances Addressing Fees, Fines And Regulations.

BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Chapter 10, of the Terre Haute City Code, known and referred to as The Comprehensive Zoning Ordinance of Terre Haute of General Ordinance No. 10, 1999, effective, December 10, 1999, Section 10-121, thereof, District Maps, is hereby amended to read as follows:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as 1000 South 7th^h Street, Terre Haute, Vigo County, Indiana 47807

Parcel No 84-06-27-160-001.000-002.

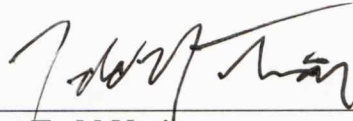
Be the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana, subject to the terms and conditions set forth herein.

WHEREAS, Special Ordinance No. 11, 2022, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

SECTION II. WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, _____


Todd Nation

Passed in Open Council this _____ day of _____, 2022.

Cheryl Loudermilk-President

ATTEST: _____
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this _____ day of _____ 2022.

Michelle Edwards, City Clerk

Approved by me, the Mayor, this _____ day of _____, 2022.

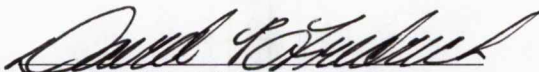
Duke Bennett, Mayor

ATTEST: _____
Michelle Edwards, City Clerk

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,
Terre Haute, IN 47807

I affirm, under the penalties
for perjury, that I have taken
responsible care to redact
each social security number
in this document, unless required
by law.


David P. Friedrich

PETITION TO REZONE REAL ESTATE

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Highland Property Group, Inc., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as: 1000 South 7th Street, Terre Haute, Vigo County, Indiana
47807

Parcel No. 84-06-27-160-001.000-002

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above-described real estate is now zoned as R-1 Single Family Residential District.

The Petitioner would state the real estate was vacant, condemned and scheduled for demolition prior to its purchase by the Petitioner. The Petitioner intends to use the real estate as two residential units.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-1 Single Family Residential District.

Your Petitioner would request the real estate described in this petition be zoned as an R-2 Two Family Residential District to allow for use as proposed by the Petitioner. The Petitioner would allege that the R-2 Two Family Residential District would not alter the general characteristics of this neighborhood.

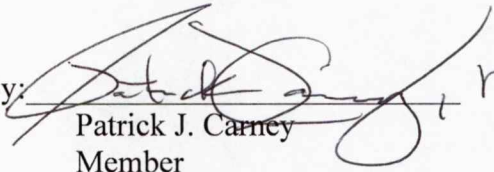
Your Petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate be zoned R-2 Two Family

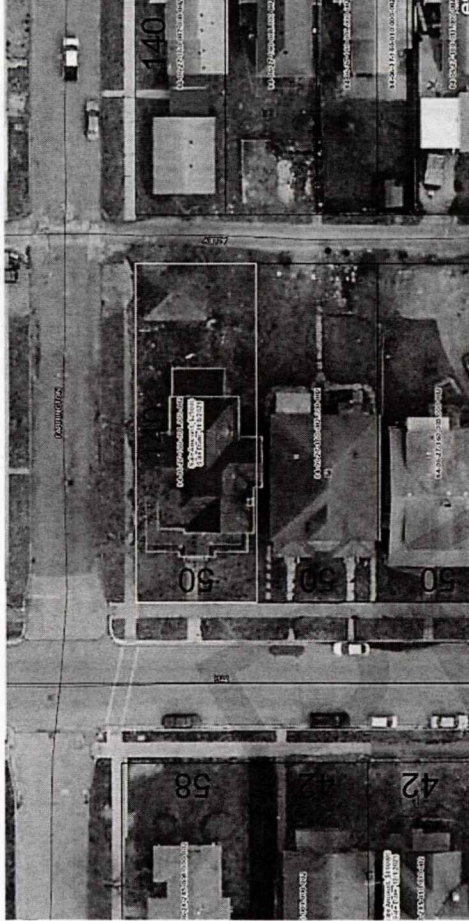
Residential District, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this 21st day of March, 2022.

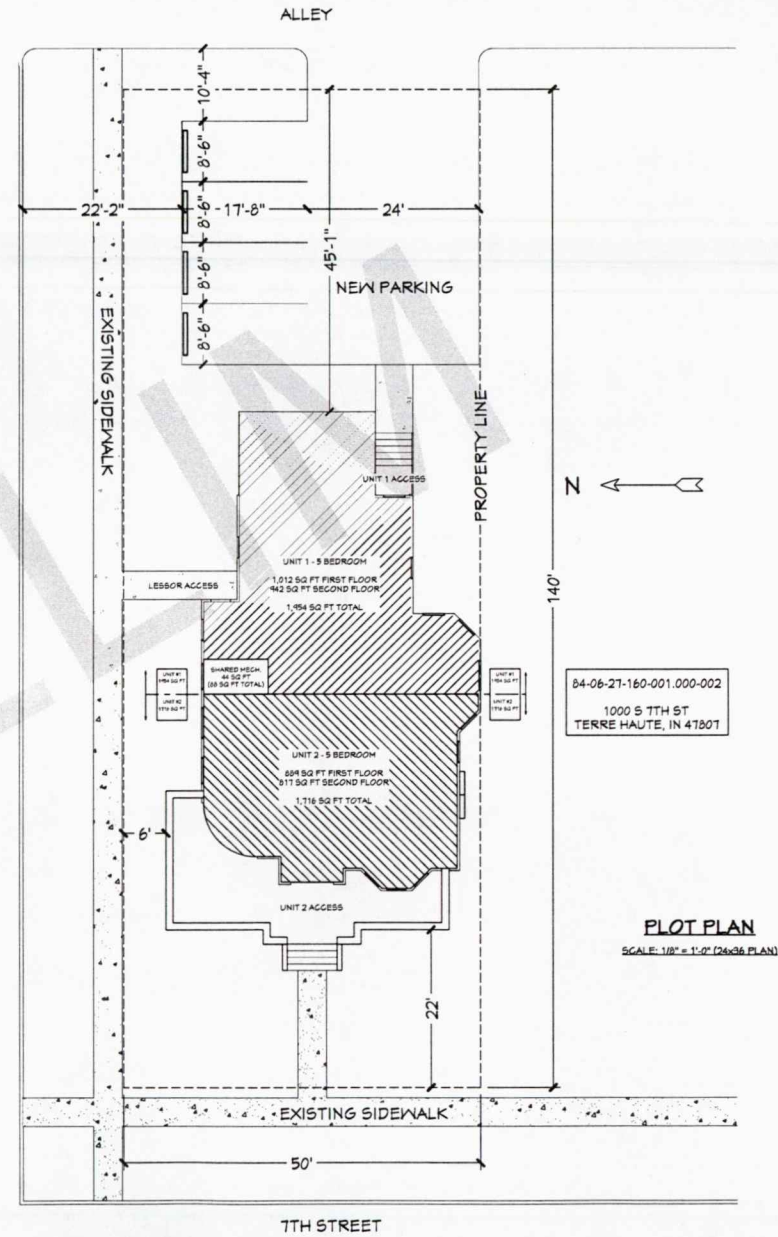
PETITIONER:

By:  Member
Patrick J. Carney
Member
Highland Property Group, LLC

Site Plan R-2 to R-1



FARRINGTON



REVISION TABLE	NUMBER	DATE	DESCRIPTION

HIGHLAND PROPERTIES
REMODEL
1000 S. 7TH ST
TERRE HAUTE, IN 47807

4460 S HOUSEMAN ST
TERRE HAUTE, IN 47802
812.208.2201
MACKEYDESIGNING.COM



DATE:
2/5/2022

PLOT
PLAN



REVISION TABLE	NUMBER	DATE	DESCRIPTION

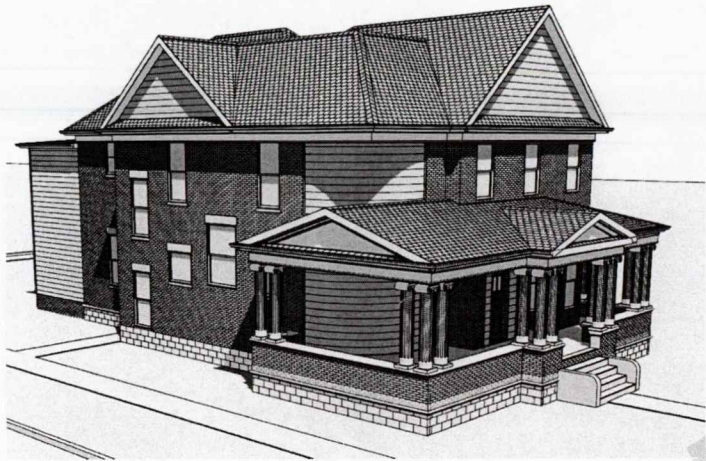
HIGHLAND PROPERTIES
 REMODEL
 1000 S. 11TH ST
 TERRE HAUTE, IN 47607

4460 S. HOUSEMAN ST
 TERRE HAUTE, IN 47602
 812-293-2201
 MACKEYDESIGNING.COM

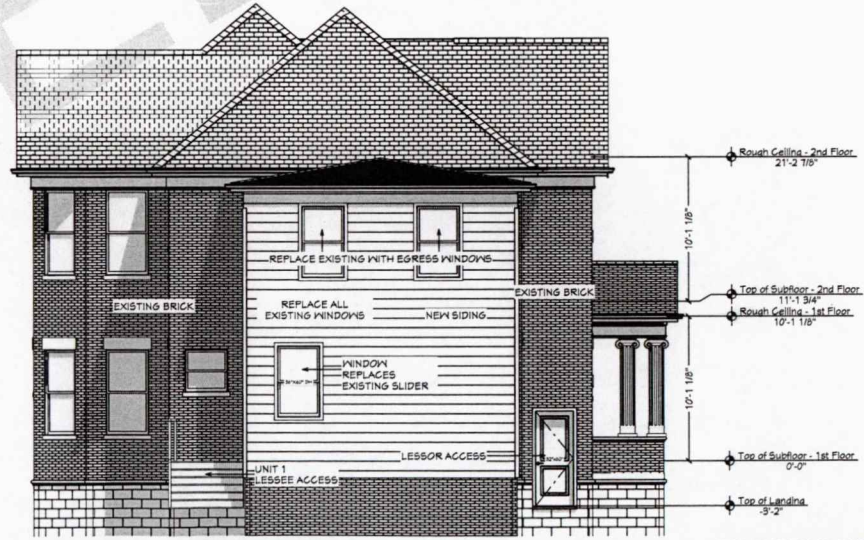
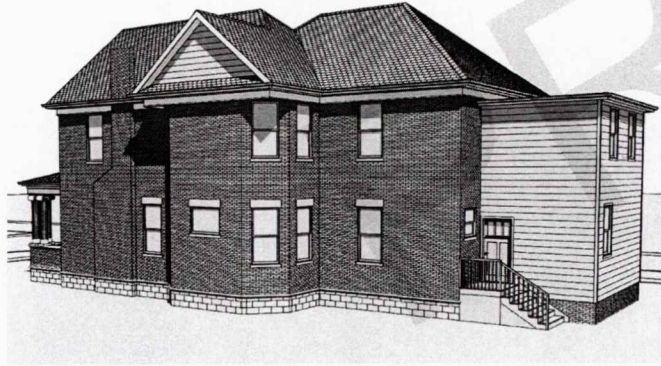


DATE:
 2/5/2022

FRONT/REAR
 ELEVATION



(E1) **FRONT ELEVATION**
 SCALE: 1/4" = 1'-0" (24x36 PLAN)



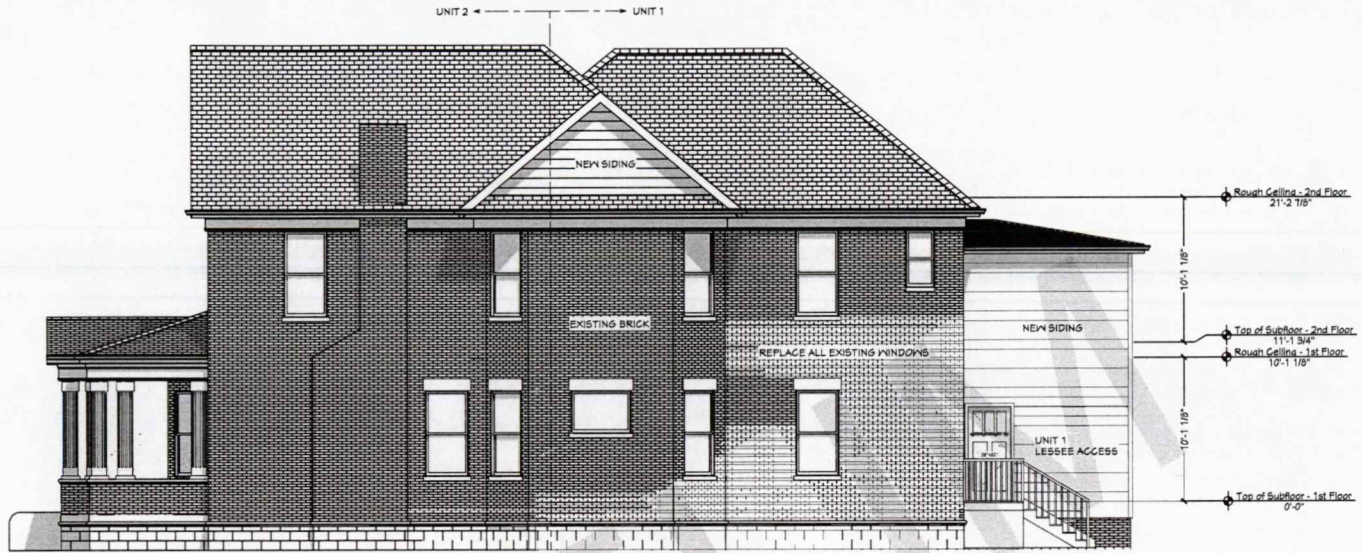
(E2) **REAR ELEVATION**
 SCALE: 1/4" = 1'-0" (24x36 PLAN)

GENERAL NOTES:

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE OF CONSTRUCTION.
3. CONTRACTOR TO ENSURE COMPATABILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
4. ALL FOUNDATION AND STRUCTURAL MEMBERS SHALL BE DESIGNED BY AN ENGINEER.
5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.

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E4 RIGHT ELEVATION
SCALE: 1/4" = 1'-0" (24x36 PLAN)



E2 LEFT ELEVATION
SCALE: 1/4" = 1'-0" (24x36 PLAN)



REVISION TABLE
NUMBER DATE DESCRIPTION

HIGHLAND PROPERTIES
REMODEL
1000 S. 11TH ST
TERRE HAUTE, IN 47807

4460 S HOUSEMAN ST
TERRE HAUTE, IN 47802
613.209.2201
MACKEYDESIGNING.COM

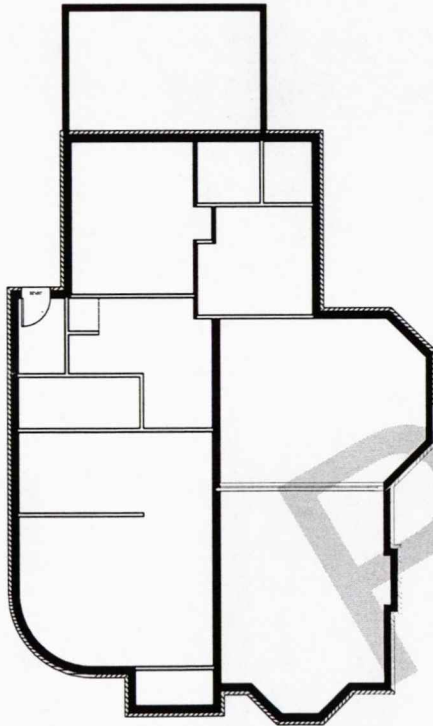


DATE:
2/5/2022

LEFT/RIGHT
ELEVATION

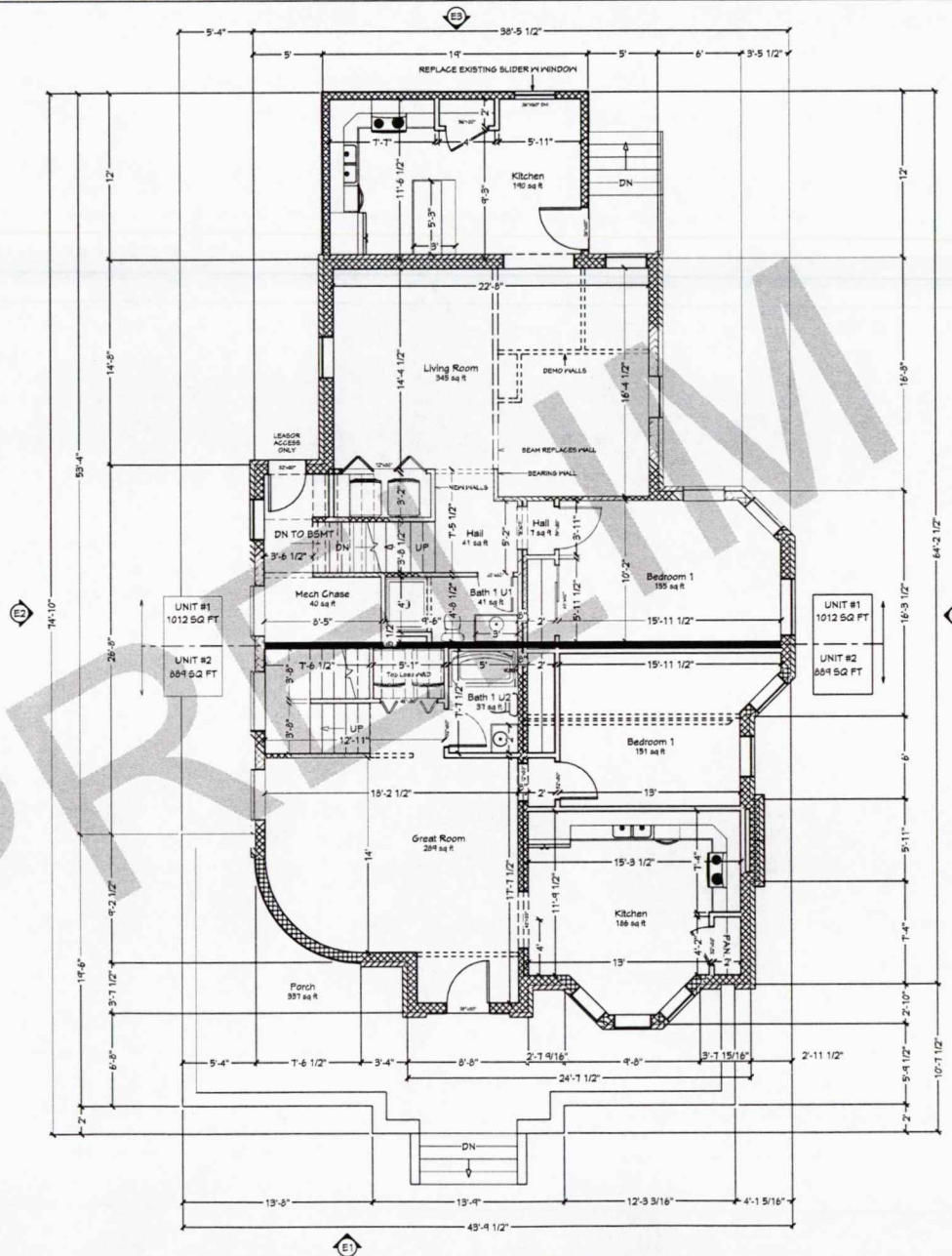
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EXISTING FIRST FLOOR PLAN

SCALE: 3/16" = 1'-0" (24x36 PLAN)



ALL DIMENSIONS TO BE CONFIRMED ON SITE

2D Symbol	Wall Schedule
[Symbol]	PORCH WALLS
[Symbol]	EXTERIOR EXISTING IN BRICK
[Symbol]	2X6 NEW
[Symbol]	EXISTING
[Symbol]	INTERIOR NEW 2X4
[Symbol]	DEMO WALL

FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0" (24x36 PLAN)



NUMBER	DATE	REVISION TABLE	DESCRIPTION

HIGHLAND PROPERTIES
REMODEL
1000 S. 11TH ST
TERRE HAUTE, IN 47807

4460 S HOUSEMAN ST
TERRE HAUTE, IN 47802
812-288-2201
MACKEYDESIGNING.COM

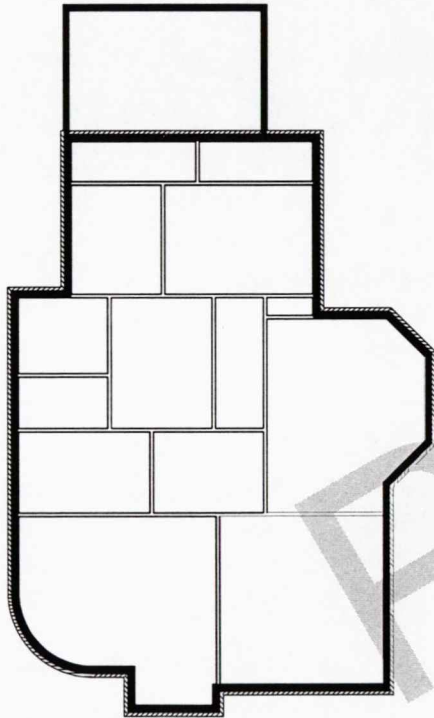


DATE:
2/5/2022

MAIN FLOOR PLAN

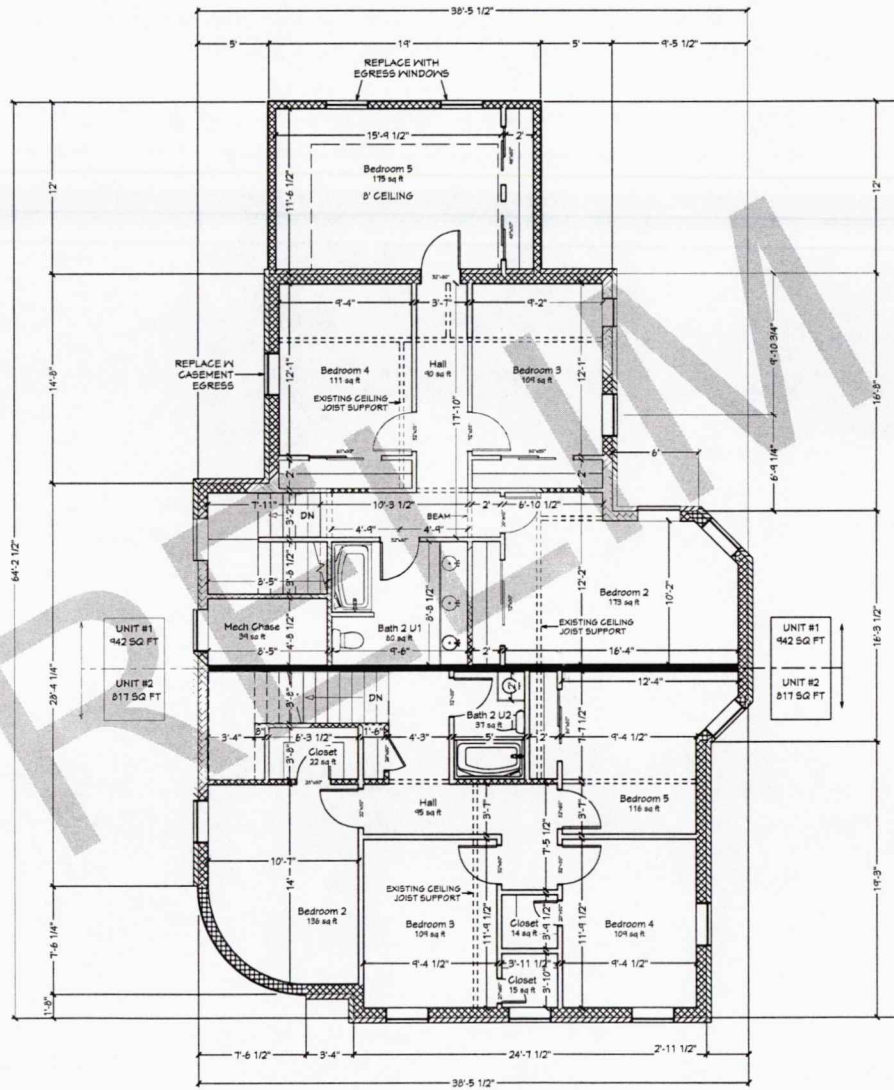
GENERAL NOTES:

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2. CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS AT THE SITE OF CONSTRUCTION.
3. CONTRACTOR TO ENSURE COMPATIBILITY OF THE BUILDING WITH ALL SITE REQUIREMENTS.
4. ALL FOUNDATION AND STRUCTURAL MEMBERS SHALL BE DESIGNED BY AN ENGINEER.
5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.



EXISTING SECOND FLOOR PLAN

SCALE: 3/16" = 1'-0" (24x36 PLAN)



ALL DIMENSIONS TO BE CONFIRMED ON SITE

2D Symbol	Wall Schedule
	2X6 NEW
	DEMO WALL
	EXISTING
	EXTERIOR EXISTING IN BRICK
	INTERIOR NEW 2X4
	PORCH WALLS



REVISION TABLE	
NUMBER DATE DESCRIPTION	

HIGHLAND PROPERTIES
REMODEL
1000 S. 7TH ST
TERRE HAUTE, IN 47807

4460 S HOUSEMAN ST
TERRE HAUTE, IN 47802
812-200-2201
MACKEYDESIGNING.COM



DATE:
2/5/2022

ROOM
PLAN

SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0" (24x36 PLAN)

ENTERED FOR TAXATION
Subject to final acceptance for Transfer

2021014857 WD \$25.00
11/08/2021 09:13:50A 1 PGS
Diana Winsted-Smith
VIGO County Recorder IN
Recorded as Presented

NOV 08 2021

James W Beamble
VIGO COUNTY AUDITOR

WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Jose Thomas Vieira, Jr., of Hendricks County, State of Indiana, and Mary Jane Vieira, of Hendricks County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY and WARRANT unto Highland Property Group LLC, a limited liability company organized and existing under the laws of the State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-27-160-001.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

Subject to real estate taxes prorated to the date hereof.

IN WITNESS WHEREOF the above referred to Jose Thomas Vieira, Jr and Mary Jane Vieira have hereunto set their hands and seals, this 5th day of November, 2021.

Jose Thomas Vieira Jr (SEAL)
Jose Thomas Vieira Jr
STATE OF Indiana

Mary Jane Vieira (SEAL)
Mary Jane Vieira
COUNTY, SS: Vigo

Before me, the undersigned, a Notary Public in and for said county and state, this 5th day of November, 2021, personally appeared Jose Thomas Vieira, Jr and Mary Jane Vieira and acknowledged the execution of the annexed Deed to be their voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires: 3-19-2026

My County of residence is Vigo



OFFICIAL SEAL
MEAGAN R. BUTRUM
Notary Public, State of Indiana
Vigo County
My Commission Expires
March 19, 2026
Commission No. 711609

Meagan R. Butrum
Meagan R. Butrum
Handwritten or printed name of notary

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Meagan R. Butrum
Meagan R. Butrum

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument

AFFIDAVIT OF PATRICK J. CARNEY

Patrick J. Carney ('Carney'), being first duly sworn upon her oath, deposes and states:

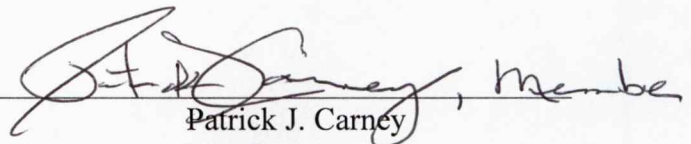
1. Carney is a Member of Highland Property Group, LLC.
2. Highland Property Group, LLC. is the fee simple owner of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lot Number Six (6) in the Administrator's Subdivision of Lot Number 14 and the South Half of Lot Number 12 in the Raymond's Subdivision of the Northwest Quarter of Section 27, in Township 12 North of Range 9 West, made by Melton S. Durham as Administrator of the Estate of Charles Cruft, deceased, and recorded March 8, 1884, in Plat Record 3, Page 140, in the Recorder's Office of Vigo County, Indiana.

Commonly known as 1000 South 7th^h Street, Terre Haute, Vigo County, Indiana
47807

Parcel No 84-06-27-160-001.000-002.

3. Copies of the deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Highland Property Group, LLC, is attached to this affidavit as Exhibit A.
4. Carney submits this affidavit for the sole purpose of affirming that Highland Property Group, LLC. is the owner of record of the above-described real estate for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by Highland Property Group, LLC.
5. The affiant further sayeth not.


Patrick J. Carney

Member

Highland Property Group, LLC

STATE OF INDIANA)

COUNTY OF VIGO) :SS

Subscribed and sworn to before me, a Notary Public, this 21st day of March, 2022.

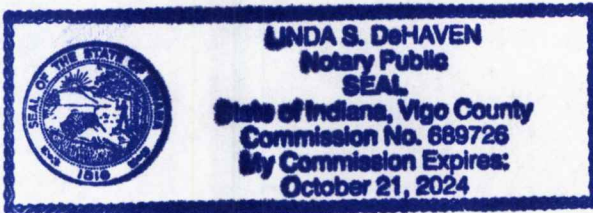
MY COMMISSION EXPIRES:

Linda S. DeHaven

NOTARY PUBLIC

COUNTY OF RESIDENCE:

(Printed Name)



Receipt

TERRE HAUTE, IN

The following was paid to the City of Terre Haute, Controller's Office. **PAID**

MAR 28 2022

Date: 3/28/22

Name: Dave Ferdinich

CONTROLLER

Reason: Rezoning - notice of filing 25.00

Rezoning - Petition 20.00

Cash: _____

Check: 45.00 CN 104905

Credit: _____

Total: 45.00

Received By: Carla Dwyer