

**APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE**

**SPECIAL ORDINANCE NO. 9**

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COMMON ADDRESS OF LOTS TO BE REZONED:

1201 South 13th Street  
Terre Haute, IN 47802

Current Zoning: Two Family Residential District (R – 2)

Requested Zoning: Multifamily Residential District (R – 3)

Proposed Use: Homeless shelter for women and children; possible office space for non-profits and/or day care facility

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Name of Owner: The Light House Mission Ministries, Inc

Address of Owner: 1450 Wabash Avenue Terre Haute, IN 47807

Phone Number of Owner: (812) 232-7001

Attorney Representing Owner (if any): None

Address of Attorney:

Phone Number of Attorney:

For Information Contact: Rev. Timothy J. Fagg (812) 232-7001 or (812) 240-0537

Council Sponsor: John Mullican

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

FILED

MAR 02 2011

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 9, 2011

CITY CLERK

An Ordinance Amending Chapter 10, Article 2 of the Municipal Code designated as  
"Comprehensive Zoning Ordinance for Terre Haute Indiana."

SECTION 1. BE IT ORDAINED BY THE COMMON COUNCIL of the City of Terre Haute,  
Vigo County, State of Indiana, that Chapter 10, Article 2 of the City Code of Terre Haute, designated as the  
"Comprehensive Zoning Ordinance for Terre Haute" and Division 4, Section 10.121 thereof, District Maps,  
be, and the same is hereby amended to include as follows:

"That the following described real estate situated in the City of Terre Haute, County of Vigo, State of  
Indiana, to-wit:

Block Number Fourteen (14) in Commissioner's Subdivision of  
"Cruft Farm", being a subdivision of the Southwest Quarter of  
Section Twenty-Seven (27), Township Twelve (12) North,  
Range Nine (9) West

Commonly known as: **1201 South 13<sup>th</sup> Street, Terre Haute, Vigo County, Indiana 47802**

Be and the same is hereby established as a **Multifamily Residential District (R-3)**, together with all rights  
and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases  
provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

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 publication as required by law.


Presented by Council Member,

  
John Mullican


Passed in Open Council this 19<sup>th</sup> day of April, 2011.

ATTEST:

  
Charles P. Hanley, City Clerk

  
John Millican, President


Presented by me to the Mayor of the City of Terre Haute this 20<sup>th</sup> day of April, 2011.

  
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this April 20<sup>th</sup> day of April, 2011.

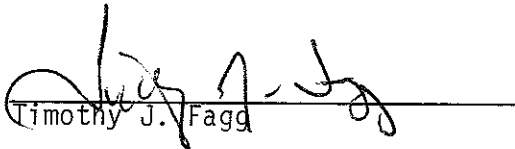
  
Duke Bennett, Mayor

ATTEST:

  
Charles P. Hanley, City Clerk

This instrument prepared by: **Timothy J. Fagg 1450 Wabash Avenue Terre Haute, IN 47807**  
**(812) 232-7001**

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.

  
Timothy J. Fagg

## PETITION TO REZONE REAL PROPERTY

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

And THE PRESIDENT AND MEMBERS OF THE AREA PLAN COMMISSION FOR VIGO COUNTY, INDIANA:

LADIES AND GENTLEMAN:

The undersigned, **The Light House Mission Ministries, Inc.**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Block Number Fourteen (14) in Commissioner's Subdivision of  
"Cruft Farm", being a subdivision of the Southwest Quarter of  
Section Twenty-Seven (27), Township Twelve (12) North,  
Range Nine (9) West

Commonly known as: **1201 South 13<sup>th</sup> Street, Terre Haute, IN 47802.**

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as **Two Family Residential District (R-2)**.

Your petitioner would respectfully state that the real estate is now **a school**. Your petitioner intends to use the real estate to **house homeless women and children**.

Your petitioner would request that the real estate described herein shall be zoned as a **Multifamily Residential District (R-3)**. Your petitioner would allege that the **Multifamily 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, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the **Multifamily Residential District (R-3)** of the City of Terre Haute, Indiana, and 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 WITNES WHEREOF, This petition has been duly executed this 2<sup>nd</sup> day of March, 2011.



BY: The Light House Mission Ministries, Inc.

PETITIONER: **The Light House Mission Ministries, Inc.**  
**1450 Wabash Avenue Terre Haute, IN 47807**

This instrument was prepared by **Timothy J. Fagg 1450 Wabash Avenue Terre Haute, IN 47807**

SOUTH

Parking  
Lot

Fenced in  
YARD

Buildings

Parking  
Lot

Booker T. Washington  
School

1201 So 13<sup>th</sup> St.

13<sup>th</sup> St.

# SITE PLANS

East  
This Side for Crossroad Girls



1st Floor

North

# SITE PLANS

Stairs

BATH/  
SHOWERS

T.V.  
LOUNGE

2nd Floor

STORAGE

STORAGE

STORAGE

STORAGE

BATH/  
SHOWERS

Stairs

North

STORAGE

STORAGE

STORAGE

STORAGE

36

23

23

34

23

30

23

36

31

23

23

10

10

23

23

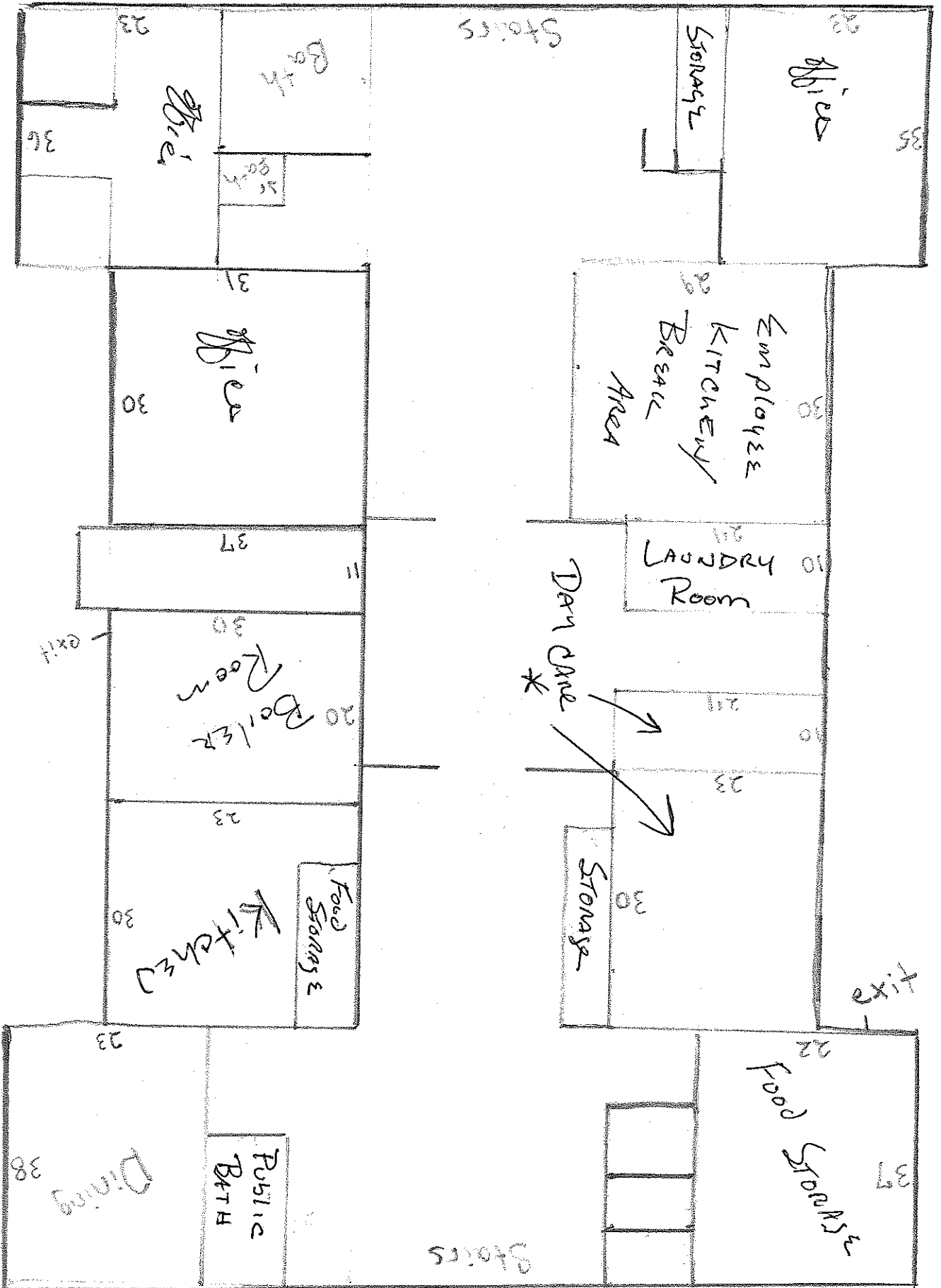
31

This Side of Building For Single Women

This Side For Women with Children

East

# SITE PLANS



Basement

North



**AFFIDAVIT OF:**

COMES NOW affiant TIMOTHY J. FARR

and affirms under penalty of law that affiant is the owner of record of the property located

at 1201 So 13<sup>TH</sup> STREET TERRE HAUTE, IN 47802

for which a rezoning is requested and hereto a copy of the deed is attached evidencing such ownership.

I affirm under penalty for perjury, that the foregoing representations are true.

TIMOTHY J. FARR LIGHTHOUSE MISSION MINISTRIES  
[Typed name of owner(s) on deed]

SIGNATURE: [Signature]

SIGNATURE: \_\_\_\_\_

STATE OF INDIANA)  
SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Vigo IN

who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 2 day of March, 2008.

Notary Public:


[Signature]  
[Typed name]

My Commission Expires: 9/15/18

My County Of Residence: Vigo

FEB 14 2011

*Timothy M. Spore*  
VIGO COUNTY AUDITOR

2011001515 WD \$16.00  
02/14/2011 10:17:30A 1 PGS  
NANCY S. ALLSUP  
VIGO County Recorder IN  
Recorded as Presented  


**WARRANTY DEED**

THIS INDENTURE WITNESSETH That the VIGO COUNTY SCHOOL CORPORATION, formerly known as School City of Terre Haute ("Grantor") of Vigo County, in the State of Indiana, CONVEYS AND WARRANTS to THE LIGHT HOUSE MISSION MINISTRIES, INC. ("Grantee") of Vigo County, in the State of Indiana, for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Vigo County, Indiana:

Block Number Fourteen (14) in Commissioner's Subdivision of "Cruft Farm," being a subdivision of the south west quarter of Section Twenty-seven (27) Township Twelve (12) North, Range Nine (9) West.

Grantor warrants that no corporate gross income tax is due by reason of this deed. Grantor further warrants, that by virtue of its Reorganization and Consolidation in accordance with the provisions of I.C. 20-4-5-1 et seq, Grantor is the successor in interest to the "School City of Terre Haute, Indiana."

The undersigned persons executing this deed on behalf of said Grantor, Vigo County School Corporation, represent and certify that they are duly elected officers of the Board of Trustees of the Vigo County School Corporation and have been fully empowered by proper resolution of the Board of School Trustees of the Vigo County School Corporation to execute and deliver this deed.

SUBJECT to any and all easements, agreements, and restriction of record.

IN WITNESS WHEREOF, the Grantor has executed this deed this 10<sup>th</sup> day of February, 2011.

VIGO COUNTY SCHOOL CORPORATION

By *Alpa Patel*  
Alpa Patel, President

ATTEST:

*Tammy Pearson*  
Tammy Pearson, Secretary

STATE OF INDIANA )  
                                  ) SS:  
COUNTY OF VIGO )

Before me, a Notary Public in and for said County and State, personally appeared Alpa Patel and Tammy Pearson, as President and Secretary respectively, of the Vigo County School Corporation, formerly known as School City of Terre Haute, Indiana, and for and on its behalf acknowledged the execution of the foregoing Warranty Deed, and being by me duly sworn, did say that they are the President and Secretary respectively of the Vigo County School Corporation, a municipal corporation of Indiana; that the foregoing instrument was signed for and on behalf of said Corporation by authority of its Board of Trustees, and that the execution of said instrument was the free act and deed of said Corporation.

WITNESS my hand and Notarial Seal this 10<sup>th</sup> day of February, 2011.

My Commission Expires

June 15, 2016

Resident of Vigo County, IN

*Mary E. Paige*  
Mary E. Paige, Notary Public

This instrument was prepared by Frederick T. Bauer, Atty., 605 Ohio St., Ste. 301, Terre Haute, IN 47807

Sent tax statements to 7450 Wabash AVE TERRE HAUTE 47807

**Receipt**

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

Date: March 2, 2011

Name: Lighthouse Mission

Reason: Rezoning Filing # 25<sup>00</sup>  
Rezoning Petition # 20<sup>00</sup>

**TERRE HAUTE, IN**  
**PAID**

Cash: \_\_\_\_\_

Check: \$45<sup>00</sup> CK# 27316

MAR 01 2011

Credit: \_\_\_\_\_

**CONTROLLER**

Total: \$45<sup>00</sup>

Received By: M. Dorwell/TE



TERRE HAUTE

# Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

FILED

APR 07 2011

CITY CLERK

DATE: April 7, 2011

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER #9-11

CERTIFICATION DATE: April 6, 2011

TO: The Honorable Common Council of the City of Terre Haute

Dear Members,

The Vigo County Area Plan Commission offers you the following report and certification on Special Ordinance No. 9-11. This Ordinance is a rezoning of the property located at 1201 South 13<sup>th</sup> Street. The Petitioner, The Light House Mission, Petitions the Plan Commission to rezone said real estate from zoning classification R-2 to R-3, General Residence District, for a homeless shelter for women/children, possible office space for non-profit and/or daycare facility. The Ordinance was published in the Tribune-Star Newspaper in accordance with IC 5-3-1 and Division XIII of the Comprehensive Zoning Ordinance. Further, this ordinance was posted by the City Building Inspection Department in accordance with IC 36-7-4-604(c).

The Area Plan Commission considered Special Ordinance No. 9-11 at a public meeting and hearing held Wednesday, April 6, 2011. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 9-11 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 9-11 as required by IC 36-7-4-401(a)(7) and IC 36-7-4-605(c).

Therefore, Area Plan Commission's certified recommendation on Special Ordinance No. 9-11, was FAVORABLE.

Fred L. Wilson, President

Jeremy Weir, Executive Director

Received this 7<sup>th</sup> day of April, 2011

## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #09-11

Doc: # 18

Date: April

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### APPLICATION INFORMATION

Petitioner: The light House Mission Ministries, Inc

Owner: Same-as-Above

Representative: Timothy J. Fagg  
1450 Wabash Avenue Terre Haute, IN 47807  
812.232.7001 or 812.240.0537

Proposed Use: Homeless shelter for women and children; possible office space for non-profits and/or day care facility

Proposed Zoning: R-3, General Residence District

Current Zoning: R-2, Two Family Residence District

Location: The property is located on the west side of South 13<sup>th</sup> Street between Cruft Street and Franklin Street.

Common Address: 1201 South 13<sup>th</sup> Street.

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### COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Enhancement areas

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.

Available Services: Area is well served by utilities.

Soil Limitations: Not studied.

Street Access: Access to the site is off Franklin and Cruft. South 13<sup>th</sup> Street is a Major Thoroughfare.

Dev. Priority: Reinvestment and infill development are a high priority within this area.

## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #09-11

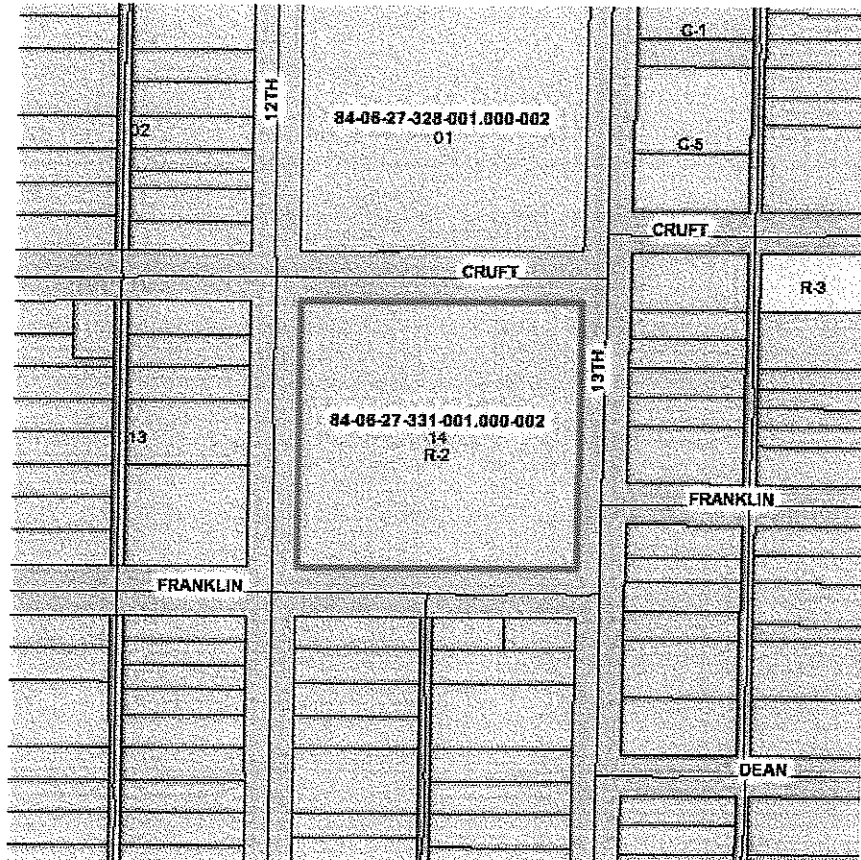
Doc: # 18

Date: April

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### ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-2, Two Family Residence,  
C-5, General Central Business, and C-1 Neighborhood Commerce  
**East** – R-2, Two Family Residence, and R-3, General Residence  
**South** – R-2, Two Family Residence,  
**West** – R-2, Two Family Residence,



**Character of Area:** Residential, Commercial, and Industrial uses are within a close proximity and are permitted by a right of zoning or are legal non-conforming. Residential zoning districts that makeup this neighborhood are intact, except for a few properties fronting South 13<sup>th</sup> Street that have been rezoned for commercial uses.

**Contig. Uses & Zones:** The area is contiguous to R-2, Two Family Residence District, which has the following uses. To the north is the Booker T. Washington Community Center. The predominant use of property to the South, East, and West are Residential uses. This area is going through a transitional period.

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #09-11

Doc: # 18

Date: April

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## ZONING REGULATIONS

R-3 Purpose: The General Residence District

R-3 Uses: Any use permitted in the R-1 and R-2 Districts, Apartment Hotels, Colleges and universities, but not business colleges or trade schools, Fraternal, philanthropic and charitable use or institutions, provided that not more than twenty-five percent (25%) of the gross floor area or four thousand (4,000) square feet shall be used as office space. Hospitals, sanitariums, and convalescent homes, Institutions for the aged and for children, Lodging Houses and Tourist Homes, Nursery Schools, Boarding, Private Clubs or Lodges - not operated for profit, provided that not more than twenty percent (20%) of the gross floor area or two thousand (2,000) square feet, whichever is greater, shall be used as office space, Apartment House.

R-3 Standards: Minimum Lot Size: N/A;  
FAR 8.00 % or 384 Square Feet per bed  
Street Setback: 55 feet from centerline;  
Rear setback 11';  
Interior setback of 5' from the interior lot line;  
A parking plan must be approved by the Engineering and Planning Departments. The Area Planning Department recommends a parking ratio of 1 parking space for each 4 persons living onsite, plus 1 parking space per 2 employees.

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## FINDINGS and RECOMMENDATION

Staff Findings: The proposed rezoning is in harmony with the Comprehensive Plan, as the plan seeks to allow for a range of housing densities based on the zoning ordinance. This site has adequate space 2.5<sup>+/-</sup> acres to support the proposed use of property. This location is also within a close distance to public schools.

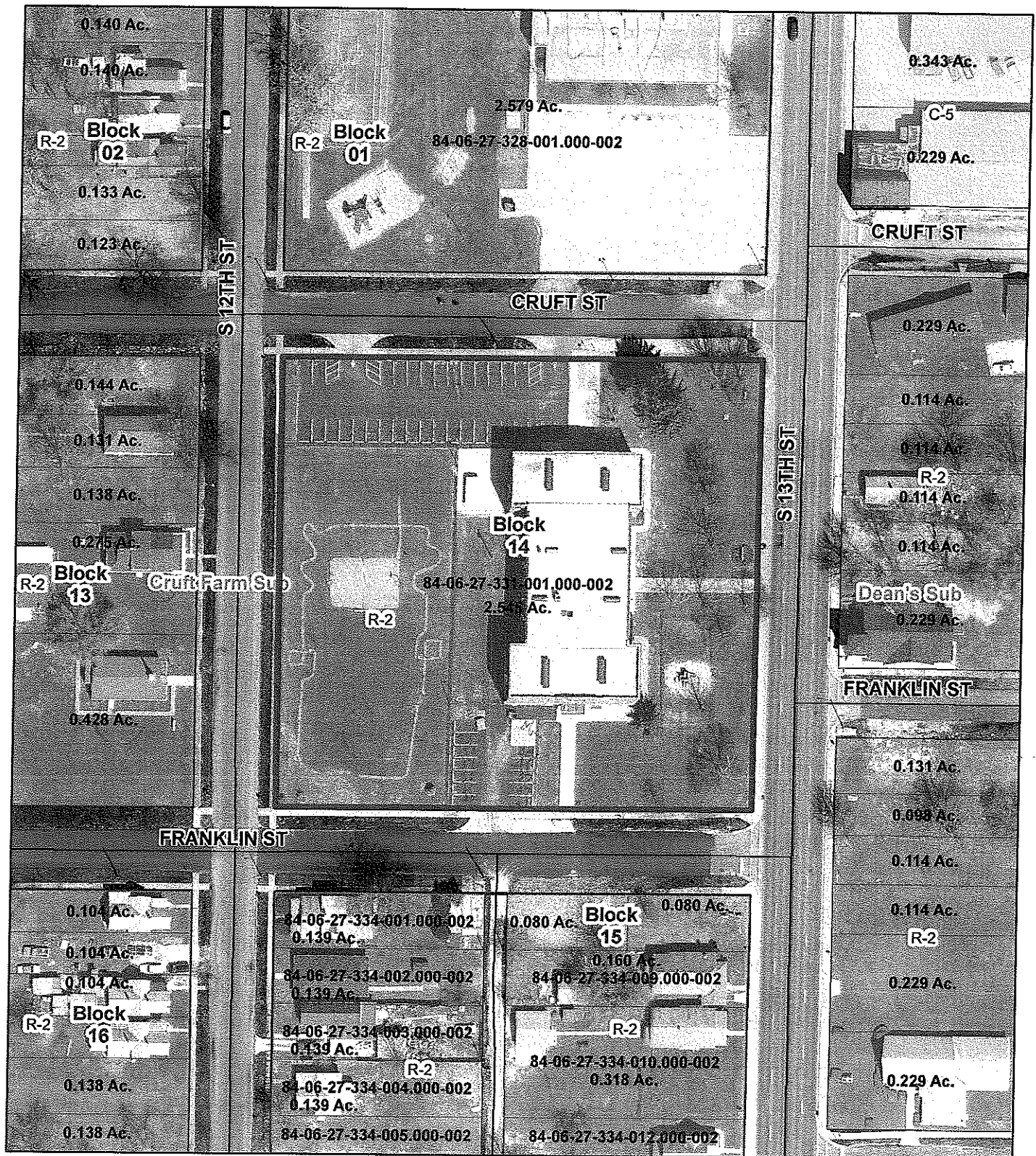
The proposed development will require an approved parking plan.

Recommendation: Staff offers a Favorable Recommendation.

# S.O. #09-11

## The Light House Mission Ministries, Inc.

### R-2 to R-3



Parcel: 84-06-27-331-001.000-002

0 50 100 Feet

Area-of-Interest



Prepared by the Vigo County  
Department of Area Planning



14 Parking Spaces  
on South Lot.

2 HODP

CURRENTLY HERE

Buildings

Light House Mission Couriers Cr.

1201 So 13<sup>th</sup> St.

Parking for Couriers Cr.

1201

13<sup>th</sup> St.

3/24/11

37 Parking Spaces  
on North Lot

2 HODP

CURRENTLY HERE