



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE No. 51 2011

COMMON ADDRESS OF LOTS TO BE REZONED: See Attached

REZONE FROM: R-2 Two-Family Residence District

REZONE TO: C-3 Regional Commerce District

PROPOSED USE: Building to be leased to Ivy Tech Community College for educational purposes and adjoining parking.

NAME OF OWNER: Union Hospital, Inc.

ADDRESS OF OWNER: 1606 North 7th Street
Terre Haute, Indiana 47804

PHONE NUMBER OF OWNER: (812) 238-7604

ATTORNEY REPRESENTING OWNER: B. Curtis Wilkinson

ADDRESS OF ATTORNEY: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP
333 Ohio Street
Terre Haute, Indiana 47807

PHONE NUMBER OF ATTORNEY: (812) 232-4311

FOR INFORMATION, CONTACT: B. Curtis Wilkinson
 Owner Attorney

COUNCIL SPONSOR: Todd Nation

COPY OF SITE PLAN MUST ACCOMPANY THIS APPLICATION



COMMON ADDRESSES OF LOTS TO BE REZONED

1. Parcel No. 84-06-16-437-002.000-002
Address: 657 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
2. Parcel No. 84-06-16-437-003.000-002
Address: 663 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
3. Parcel No. 84-06-16-437-004.000-002
Address: 667 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
4. Parcel No. 84-06-16-437-005.000-002
Address: 673 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
5. Parcel No. 84-06-16-437-006.000-002
Address: 677 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
6. Parcel No. 84-06-16-437-007.000-002
Address: 681 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
7. Parcel No. 84-06-16-437-014.000-002
Address: 1232 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
8. Parcel No. 84-06-16-437-015.000-002
Address: 1226 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
9. Parcel No. 84-06-16-437-016.000-002
Address: 1222 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
10. Parcel No. 84-06-16-437-017.000-002
Address: 1220 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
11. Parcel No. 84-06-16-437-026.000-002
Address: 1214 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
12. Parcel No. 84-06-16-437-027.000-002
Address: 1210 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].



13. Parcel No. 84-06-16-437-019.000-002
Address: 1208 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
14. Parcel No. 84-06-16-437-020.000-002
Address: 698 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].
15. Parcel No. 84-06-16-437-021.000-002
Address: 696 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].
16. Parcel No. 84-06-16-437-022.000-002
Address: 690 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].

FILED

NOV 29 2011

CITY CLERK

SPECIAL ORDINANCE NO. 51, 2011

An Ordinance Amending Title III designed as "COMPREHENSIVE ZONING ORDINANCE FOR TERRE HAUTE, INDIANA" OF ORDINANCE NO. 1, 1967, AS AMENDED ENTITLED, "AN ORDINANCE ADOPTING A COMPREHENSIVE ZONING ORDINANCE FOR THE CITY OF TERRE HAUTE, INDIANA, IN ACCORDANCE WITH CHAPTER 174 OF THE ACTS OF THE INDIANA GENERAL ASSEMBLY, 1947, AS AMENDED, DESIGNATING THE SAME AS A PART OF THE MASTER PLAN FOR THE CITY OF TERRE HAUTE, INDIANA, PROVIDING PENALTIES FOR VIOLATION THEREOF AND DECLARING AN EMERGENCY" BE IT ORDAINED by the Common Council of the City of Terre Haute, Indiana, as follows:

SECTION I. That Title III, Comprehensive Zoning Ordinance of Ordinance No. 1, 1967 effective November 3, 1967, entitled:

An ordinance adopting a comprehensive zoning ordinance for the City of Terre Haute, Indiana, in accordance with Chapter 174 of the Acts of the Indiana General Assembly, 1947, as amended, designating the same as a part of the master plan for the City of Terre Haute, Indiana, providing penalties for violations thereof and declaring an emergency;"

and Chapter 1161 thereof, and the Zoning District Map, is hereby amended to read as follows:

"The property commonly known as 657 4th Avenue, 84-06-16-437-002.000-002, more particularly described as follows, to wit:

Lot 14 in Richard Dunnigan's Subdivision of Lots 41-42 and 43 in Subdivision of Section 16-12-9 except 277 feet off the West side of said Lot 41 and 131 feet off of the South side of said Lot 43 in Terre Haute.

The property commonly known as 663 4th Avenue, 84-06-16-437-003.000-002, more particularly described as follows, to wit:

Lot Number Thirteen (13) in Dunnigan's Subdivision of Lot Number Forty-two (42) and parts of Lots Forty-one (41) and Forty-three (43) in the Subdivision of Section Sixteen (16), Township Twelve (12) North of Range Nine (9) West of the 2d Principal Meridian.

The property commonly known as 667 4th Avenue, 84-06-16-437-004.000-002, more particularly described as follows, to wit:

Lot Number Twelve (12) in Dunnigans Subdivision of Lots 41-42 and 43 in the Subdivision of Section 16, Town 12 North of Range 9 West, except 277 feet off the West end of Lot 41 and 111 feet off the South side of Lot 43, in the City of Terre Haute. Said Lot 12 lies within Lot 42 of Sect. 16-12-9.

The property commonly known as 673 4th Avenue, 84-06-16-437-005.000-002, more particularly described as follows, to wit:

Lot Number Eleven (11) in Dunnigan's Subdivision of Lots 41-42 and 43 in the Subdivision of Section 16, Township 12 North, Range 9 West except 277 feet off West side of Lot Number Forty-one (41) and 111 feet off South side of Lot 43 in Terre Haute.

The property commonly known as 677 4th Avenue, 84-06-16-437-006.000-002, more particularly described as follows, to wit:

Lot 10, in Richard Dunnigan's Subdivision, of Lots 41, 42, and 43 in subdivision of Section 16, Township 12 North, Range 9 West, excepting 277 feet off the West part of said Lot 41, and 131 feet off the South side of said Lot 43.

The property commonly known as 681 4th Avenue, 84-06-16-437-007.000-002, more particularly described as follows, to wit:

Lot Number 9 in Richard Dunnigan's Subdivision of Lots Number 41-42 and 43 in Subdivision of Section 16 in Township 12 North of Range 9 West, excepting 277 feet off the West part of said Lot 41 and 131 feet off the South side of Lot 43.

The property commonly known as 1232 North 7th Street, 84-06-16-437-014.000-002, more particularly described as follows, to wit:

Lot Number Eight (8) in Dunnigan's Subdivision of Lots 41, 42 and 43 in Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the west part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the Recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.

The property commonly known as 1226 North 7th Street, 84-06-16-437-015.000-002, more particularly described as follows, to wit:

Lot Number Seven (7) in Richard Dunningan's Subdivision of Lots 41, 42 and 43 in Subdivision of Section 16, in Township 12 North of Range 9 West, excepting 277 feet off the west part of said Lot 41 and 42 and 131 feet off the south side of said Lot 43.

The property commonly known as 1222 North 7th Street, 84-06-16-437-016.000-002, more particularly described as follows, to wit:

13 feet off the North side of Lot 5 and 15 feet off the South side of Lot 6 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

27 feet off the South side of Lot 5 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

Twenty five (25) feet off of the North side of Lot Number Six (6) in Dunningan's Subdivision of Lots 41, 42 and 43 in the Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the West part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.

The property commonly known as 1220 North 7th Street, 84-06-16-437-017.000-002, more particularly described as follows, to wit:

13 feet off the North side of Lot 5 and 15 feet off the South side of Lot 6 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

27 feet off the South side of Lot 5 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

Twenty five (25) feet off of the North side of Lot Number Six (6) in Dunningan's Subdivision of Lots 41, 42 and 43 in the Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the West part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.

The property commonly known as 1214 North 7th Street, 84-06-16-437-026.000-002, more particularly described as follows, to wit:

Thirty (30) feet off the North side of Lot Number Four (4) in Dunningan's Subdivision of Lots Numbers Forty-two (42), Forty-three (43) and part of Forty-one (41) in the Subdivision of Section Sixteen (16), Township Twelve (12) North of Range Nine (9) West of the 2d Principal Meridian.

The property commonly known as 1210 North 7th Street, 84-06-16-437-027.000-002, more particularly described as follows, to wit:

Fifteen feet off the North side of Lot Number three (3) and ten (10) feet off the south side of Lot Number Four (4) in Dunnigan's Subdivision of Lots Forty-one (41), Forty-two (42) and Forty-three (43) in Subdivision of Section Number Sixteen (16), Township Twelve (12) North Range Nine (9) West, excepting 277 feet off of the West part of said Lot Forty-one (41) and one hundred thirty-one (131) feet off of the south side of Lot Forty-three (43) in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record Two (2) Page Twenty-eight (28) of the records of the Recorder of Vigo County, Indiana.

The property commonly known as 1208 North 7th Street, 84-06-16-437-019.000-002, more particularly described as follows, to wit:

The North half (1/2) of Lot Number Two (2) in Dunnigan's Subdivision of Lot Number Forty-two (42) and a part of Lot Number Forty-one (41) and Lot Number Forty-three (43) in the Subdivision of Section Sixteen (16), Township Twelve (12) North of Range Nine (9) West in the City of Terre Haute.

AND

Twenty-five (25) feet off of the South side of Lot Number Three (3) in Dunnigan's Subdivision of Lots 41-42 & 43 in Subdivision of Section Number 16 Township 12 North, Range 9 West, excepting 277 feet off of the West part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute as shown by the Recorded plat of said Subdivision in Plat Record 2 Page 28 of the Records of the Recorder of Vigo County, Indiana.

AND

Fifteen feet off the North side of Lot Number three (3) and ten (10) feet off the south side of Lot Number Four (4) in Dunnigan's Subdivision of Lots Forty-one (41), Forty-two (42) and Forty-three (43) in Subdivision of Section Number Sixteen (16), Township Twelve (12) North Range Nine (9) West, excepting 277 feet off of the West part of said Lot Forty-one (41) and one hundred thirty-one (131) feet off of the south side of Lot Forty-three (43) in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record Two (2) Page Twenty-eight (28) of the records of the Recorder of Vigo County, Indiana.

The property commonly known as 698 Lafayette Avenue, 84-06-16-437-020.000-002, more particularly described as follows, to wit:

DUNNIGANS SUB S-1/2
16-12-9 Lot 3

The property commonly known as 696 Lafayette Avenue, 84-06-16-437-021.000-002, more particularly described as follows, to wit:

DUNNIGANS SUB S-1/2
16-12-9 Lot 2

The property commonly known as 690 Lafayette Avenue, 84-06-16-437-022.000-002, more particularly described as follows, to wit:

Lot Number One (1) in Dunnigans Subdivision of Lot Number Forty-two (42) and a part of Lots Number Forty-One (41) and Forty-three (43) in the Subdivision of Section 16, Township 12 North, Range 9 West.

be and the same is hereby established as a C-3 District: Regional Commerce District, 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 by law provided.

Presented by Council Member: _____
Todd Nation

Passed in open Council this _____ day of _____, 2012.

John Mullican, President

ATTEST:

Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute this _____ day of _____, 2012.

CITY CLERK Charles P. Hanley

Approved by me, the Mayor of the City of Terre Haute, this _____ day of _____, 2012.


MAYOR Duke Bennett

ATTEST:

Charles P. Hanley, City Clerk

This instrument prepared by: B. Curtis Wilkinson, Attorney, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807.

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.



B. Curtis Wilkinson

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 OF
VIGO COUNTY, INDIANA.

GENTLEPERSONS:

The undersigned, Union Hospital, Inc., by and through Scott L. Teffeteller, its President & Chief Executive Officer and duly authorized representative, respectfully submits this Petition to Rezone Real Property commonly known as the following in Terre Haute, Indiana, and more particularly described as follows, to-wit:

1. Parcel No. 84-06-16-437-002.000-002
Address: 657 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot 14 in Richard Dunnigan's Subdivision of Lots 41-42 and 43 in Subdivision of Section 16-12-9 except 277 feet off the West side of said Lot 41 and 131 feet off of the South side of said Lot 43 in Terre Haute.

2. Parcel No. 84-06-16-437-003.000-002
Address: 663 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number Thirteen (13) in Dunnigan's Subdivision of Lot Number Forty-two (42) and parts of Lots Forty-one (41) and Forty-three (43) in the Subdivision of Section Sixteen (16), Township Twelve (12) North of Range Nine (9) West of the 2d Principal Meridian.

3. Parcel No. 84-06-16-437-004.000-002
Address: 667 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number Twelve (12) in Dunnigans Subdivision of Lots 41-42 and 43 in the Subdivision of Section 16, Town 12 North of Range 9 West, except 277 feet off the West end of Lot 41 and 111 feet off the South side of Lot 43, in the City of Terre Haute. Said Lot 12 lies within Lot 42 of Sect. 16-12-9.

4. Parcel No. 84-06-16-437-005.000-002
Address: 673 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number Eleven (11) in Dunnigan’s Subdivision of Lots 41-42 and 43 in the Subdivision of Section 16, Township 12 North, Range 9 West except 277 feet off West side of Lot Number Forty-one (41) and 111 feet off South side of Lot 43 in Terre Haute.
5. Parcel No. 84-06-16-437-006.000-002
Address: 677 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot 10, in Richard Dunnigan’s Subdivision, of Lots 41, 42, and 43 in subdivision of Section 16, Township 12 North, Range 9 West, excepting 277 feet off the West part of said Lot 41, and 131 feet off the South side of said Lot 43.
6. Parcel No. 84-06-16-437-007.000-002
Address: 681 4th Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number 9 in Richard Dunnigans Subdivision of Lots Number 41-42 and 43 in Subdivision of Section 16 in Township 12 North of Range 9 West, excepting 277 feet off the West part of said Lot 41 and 131 feet off the South side of Lot 43.
7. Parcel No. 84-06-16-437-014.000-002
Address: 1232 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number Eight (8) in Dunnigan’s Subdivision of Lots 41, 42 and 43 in Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the west part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the Recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.
8. Parcel No. 84-06-16-437-015.000-002
Address: 1226 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
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9. Parcel No. 84-06-16-437-016.000-002
Address: 1222 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:

13 feet off the North side of Lot 5 and 15 feet off the South side of Lot 6 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

27 feet off the South side of Lot 5 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

Twenty five (25) feet off of the North side of Lot Number Six (6) in Dunningan's Subdivision of Lots 41, 42 and 43 in the Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the West part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.

10. Parcel No. 84-06-16-437-017.000-002
Address: 1220 North 7th Street
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:

13 feet off the North side of Lot 5 and 15 feet off the South side of Lot 6 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

27 feet off the South side of Lot 5 in Richard Dunningan's Subdivision of Lots No. 41, 42 and 43 in Subdivision of Section 16, Township 12 North of Range 9 West, except 277 feet off the West side of said Lot No. 41 and 131 feet off the South side of said Lot No. 43, in Terre Haute, Indiana.

AND

Twenty five (25) feet off of the North side of Lot Number Six (6) in Dunningan's Subdivision of Lots 41, 42 and 43 in the Subdivision of Section Number 16, Township 12 North, Range 9 West, excepting 277 feet off of the West part of said Lot 41 and 131 feet off of the South side of Lot 43 in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record 2, Page 28 of the Records of the Recorder of Vigo County, Indiana.

11. Parcel No. 84-06-16-437-026.000-002
 Address: 1214 North 7th Street
 [Property currently zoned R-2 – Two-Family Residential District].
 Legal Description:
 Thirty (30) feet off the North side of Lot Number Four (4) in
 Dunnigan’s Subdivision of Lots Numbers Forty-two (42), Forty-
 three (43) and part of Forty-one (41) in the Subdivision of
 Section Sixteen (16), Township Twelve (12) North of Range
 Nine (9) West of the 2d Principal Meridian.
12. Parcel No. 84-06-16-437-027.000-002
 Address: 1210 North 7th Street
 [Property currently zoned R-2 – Two-Family Residential District].
 Legal Description:
 Fifteen feet off the North side of Lot Number three (3) and ten
 (10) feet off the south side of Lot Number Four (4) in
 Dunnigan’s Subdivision of Lots Forty-one (41), Forty-two (42)
 and Forty-three (43) in Subdivision of Section Number Sixteen
 (16), Township Twelve (12) North Range Nine (9) West,
 excepting 277 feet off of the West part of said Lot Forty-one
 (41) and one hundred thirty-one (131) feet off of the south side
 of Lot Forty-three (43) in Terre Haute, as shown by the recorded
 Plat of said Subdivision in Plat Record Two (2) Page Twenty-
 eight (28) of the records of the Recorder of Vigo County,
 Indiana.
13. Parcel No. 84-06-16-437-019.000-002
 Address: 1208 North 7th Street
 [Property currently zoned R-2 – Two-Family Residential District].
 Legal Description:
 The North half (1/2) of Lot Number Two (2) in Dunnigan’s
 Subdivision of Lot Number Forty-two (42) and a part of Lot
 Number Forty-one (41) and Lot Number Forty-three (43) in the
 Subdivision of Section Sixteen (16), Township Twelve (12)
 North of Range Nine (9) West in the City of Terre Haute.
 AND
 Twenty-five (25) feet off of the South side of Lot Number Three
 (3) in Dunnigan’s Subdivision of Lots 41-42 & 43 in
 Subdivision of Section Number 16 Township 12 North, Range 9
 West, excepting 277 feet off of the West part of said Lot 41 and
 131 feet off of the South side of Lot 43 in Terre Haute as shown
 by the Recorded plat of said Subdivision in Plat Record 2 Page
 28 of the Records of the Recorder of Vigo County, Indiana.
 AND

Fifteen feet off the North side of Lot Number three (3) and ten (10) feet off the south side of Lot Number Four (4) in Dunnigan's Subdivision of Lots Forty-one (41), Forty-two (42) and Forty-three (43) in Subdivision of Section Number Sixteen (16), Township Twelve (12) North Range Nine (9) West, excepting 277 feet off of the West part of said Lot Forty-one (41) and one hundred thirty-one (131) feet off of the south side of Lot Forty-three (43) in Terre Haute, as shown by the recorded Plat of said Subdivision in Plat Record Two (2) Page Twenty-eight (28) of the records of the Recorder of Vigo County, Indiana.

14. Parcel No. 84-06-16-437-020.000-002
Address: 698 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
DUNNIGANS SUB S-1/2
16-12-9 Lot 3
15. Parcel No. 84-06-16-437-021.000-002
Address: 696 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
DUNNIGANS SUB S-1/2
16-12-9 Lot 2
16. Parcel No. 84-06-16-437-022.000-002
Address: 690 Lafayette Avenue
[Property currently zoned R-2 – Two-Family Residential District].
Legal Description:
Lot Number One (1) in Dunnigans Subdivision of Lot Number Forty-two (42) and a part of Lots Number Forty-One (41) and Forty-three (43) in the Subdivision of Section 16, Township 12 North, Range 9 West.

Your Petitioner is informed and believes that in accordance with Chapter 1161, Zoning District Maps, of Title 3 "Comprehensive Zoning Ordinance 1, 1967," as amended, the above described real estate parcels are now zoned as R-2 Two-Family Residential District, of the City of Terre Haute, Indiana.

Your Petitioner would respectfully show that the zoning of the above described real estate should be changed to represent the essential character of the locality in which it is situated (that is, fringe properties supporting commercial endeavors adjacent to them North, South, East, and West) and to reflect the general usage of the property, and that the proposed change will not be detrimental to the

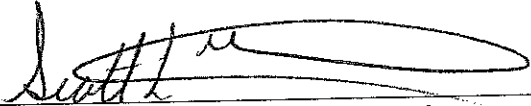
public welfare or injurious to other property or improvements in the neighborhood, nor will it impair an adequate supply of light and air to an adjacent property.

Your Petitioner would respectfully show that the aforementioned parcels of real estate are currently owned or are in the process of being transferred to Petitioner. The properties were once believed to have been used as the site consistent with the rezoning classification of R-2, but are currently vacant and without improvements. Your Petitioner would also respectfully show that the aforementioned parcels of real estate are surrounded by property currently owned by Union Hospital and/or other medical facilities. An approximately 6,000 square foot office building will be constructed on the real estate which will be leased to Ivy Tech Community College for education purposes and parking lot to support said facility. Thus, the contemplated use would apparently require C-3 zoning under Title Three of Comprehensive Zoning Ordinance for Terre Haute, Indiana, as Amended.

A change in the present zoning from R-2 to C-3 Regional Commerce District would not alter the general characteristics of the area and would more appropriately reflect the nature of your Petitioner's anticipated use.

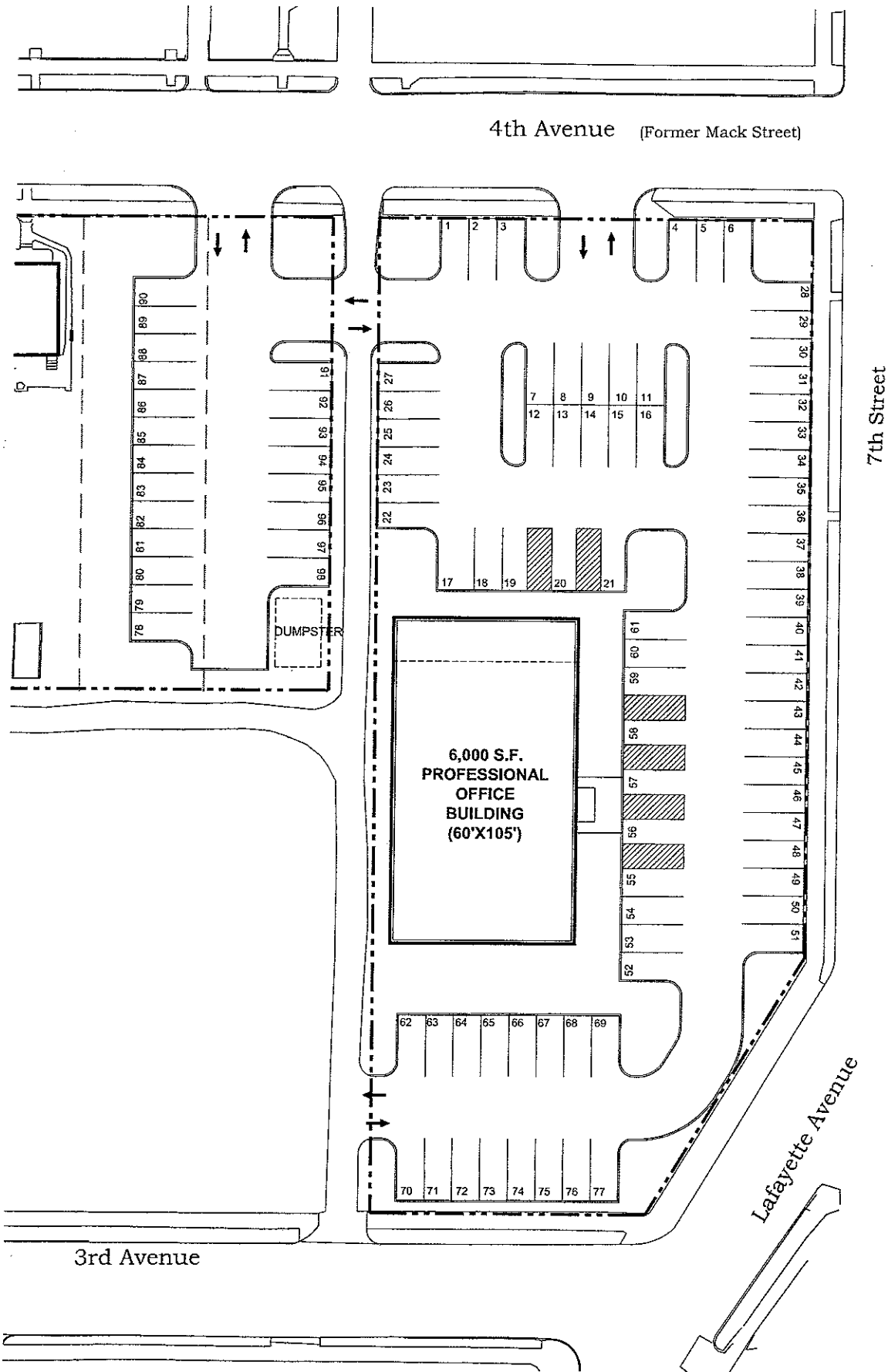
WHEREFORE, your Petitioner respectfully requests that the Area Plan Commission and the Common Council favorably consider the passage of a special ordinance amending the Comprehensive Zoning Ordinance of the City of Terre Haute, Indiana, being Title 3 of General Ordinance 1, 1967, and declaring the above described real estate to be a part of the Community Commerce Business District: C-3 Regional Commerce District, 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 WITNESS WHEREOF, this Petition has been duly executed this 29th day of November, 2011.



Scott L. Teffeteller, President & CEO
Union Hospital, Inc.

This instrument prepared by: B. Curtis Wilkinson, Attorney, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807.



**UNION HOSPITAL PROPOSED
PROFESSIONAL OFFICE BUILDING
SITE PLAN**

TERRE HAUTE, INDIANA

SCALE: 1"=30'-0"
AUGUST 30, 2011



HAFER ASSOCIATES
ARCHITECTURE ENGINEERING
INTERIOR DESIGN PLANNING