



WITHDRAWN

APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 39

COMMON ADDRESS OF LOTS TO BE REZONED:

1300 State Road 46 Terre Haute IN 47803

Current Zoning: O1 Agricultural District

Requested Zoning: C2 Community Commerce District

Proposed Use: Tattoo Parlor

Name of Owner: Harvest Holdings

Address of Owner: 1300 State Road 46 Terre Haute IN 47803

Phone Number of Owner: 812-208-5183

Attorney Representing Owner (if any): NA

Address of Attorney: NA

Phone Number of Attorney: NA

For Information Contact: Jason Martin

Council Sponsor: O Earl Elliott

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

WITHDRAWN

FILED

OCT 04 2016

SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 39, 2016

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 ORDANED 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:

Part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 12 North, Range 8 West, more particularly described as follows: Commencing at a point on the East right of way line of State Highway 46, 414.3 feet South of the North line of said Southwest Quarter of the Southwest Quarter, thence East 235 feet, thence South and parallel to said East right of way line, 72 feet, thence West 235 feet to said East right of way line, thence North along said line 72 feet to the place of beginning.

EXCEPT Commencing at an iron pin found on the East right of way line of State Highway 46, 414.13 feet South (deed) and South 00 degrees 18 minutes 08 seconds West (Indiana State Plane West Coordinates) of the North line of said Southwest Quarter of the Southwest Quarter, thence South 89 degrees 41 minutes 52 seconds East 235.00 feet (Deed) 235.33 feet measured to an iron pin found; thence South 00 degrees 18 minutes 08 seconds West 26.93 feet; thence North 90 degrees 00 minutes 00 seconds West 4.16 feet to the true Place of Beginning; thence South 00 degrees 00 minutes 00 seconds East 30.00 feet; thence North 90 degrees 00 minutes 00 seconds West 12.00 feet; thence North 00 degrees 00 minutes 00 seconds West 30.00 feet; thence South 90 degrees 00 minutes 00 seconds East 12.00 feet to the true Place of Beginning and containing 748 square feet, more or less.

Commonly known as: 1300 State Road 46, Terre Haute, Vigo County Indiana 47803.

Be and the same is hereby established as a C2 Community Commerce District, together with all rights and privileges that may insure 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, O. Earl Elliott
O Earl Elliott

Passed in Open Council this _____ day of _____, 20____.

Todd Nation
Todd Nation-President

WITHDRAWN

ATTEST: _____

Charles P. Hanley, City Clerk

Presented by me to the Mayor of the City of Terre Haute this _____ day of _____ 20__.

Charles P. Hanley, City Clerk

Approved by me, the Mayor, this _____ day of _____, 20__.

Duke A. Bennett, Mayor

ATTEST: _____

Charles P. Hanley, City Clerk

This instrument prepared by: Jason Martin, PO Box 10693, Terre Haute IN 47801, 812-208-5183.

WITHDRAWN

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.

A handwritten signature in black ink, appearing to read "Jason Martin", is written over a horizontal line. The signature is cursive and stylized.

Jason Martin

WITHDRAWN

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, Harvest Holdings LLC, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 12 North, Range 8 West, more particularly described as follows: Commencing at a point on the East right of way line of State Highway 46, 414.3 feet South of the North line of said Southwest Quarter of the Southwest Quarter, thence East 235 feet, thence South and parallel to said East right of way line, 72 feet, thence West 235 feet to said East right of way line, thence North along said line 72 feet to the place of beginning.

EXCEPT Commencing at an iron pin found on the East right of way line of State Highway 46, 414.13 feet South (deed) and South 00 degrees 18 minutes 08 seconds West (Indiana State Plane West Coordinates) of the North line of said Southwest Quarter of the Southwest Quarter, thence South 89 degrees 41 minutes 52 seconds East 235.00 feet (Deed) 235.33 feet measured to an iron pin found; thence South 00 degrees 18 minutes 08 seconds West 26.93 feet; thence North 90 degrees 00 minutes 00 seconds West 4.16 feet to the true Place of Beginning; thence South 00 degrees 00 minutes 00 seconds East 30.00 feet; thence North 90 degrees 00 minutes 00 seconds West 12.00 feet; thence North 00 degrees 00 minutes 00 seconds West 30.00 feet; thence South 90 degrees 00 minutes 00 seconds East 12.00 feet to the true Place of Beginning and containing 748 square feet, more or less.

Commonly known as: 1300 State Road 46, Terre Haute, Vigo County Indiana 47803.

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 O1 Agricultural District.

Your petitioner would respectfully state that the real estate is now a vacant building. Your petitioner intends to use the real estate to operate a tattoo parlor.

Your petitioner would request that the real estate described herein shall be zoned as a C2 Community Commerce District. Your petitioner would allege that the Community Commerce 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,

WITHDRAWN

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 C2 Community 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 WITNES WHEREOF, This petition has been duly executed this 4th day of October, 2016.

BY: 
Harvest Holdings LLC, Jason Martin, President

PETITIONER: Harvest Holdings LLC, 1300 State Road 46, Terre Haute, Vigo County Indiana 47803.

This instrument was prepared by Jason Martin, PO Box 10693, Terre Haute IN 47801, 812-208-5183.

WITHDRAWN

AFFIDAVIT OF:

COMES NOW affiant _____

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

at 1300 State Road 46 Terre Haute IN 47803

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.

Jason Martin for Harvest Holdings LLC
Harvest Holdings LLC

SIGNATURE: Jason Martin

SIGNATURE: _____

STATE OF INDIANA)
SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Jason Martin

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 (4) day of Oct 4, 2016.

Notary Public:
Deborah E. Hill
Deborah E. Hill

My Commission Expires: Nov. 11, 2016

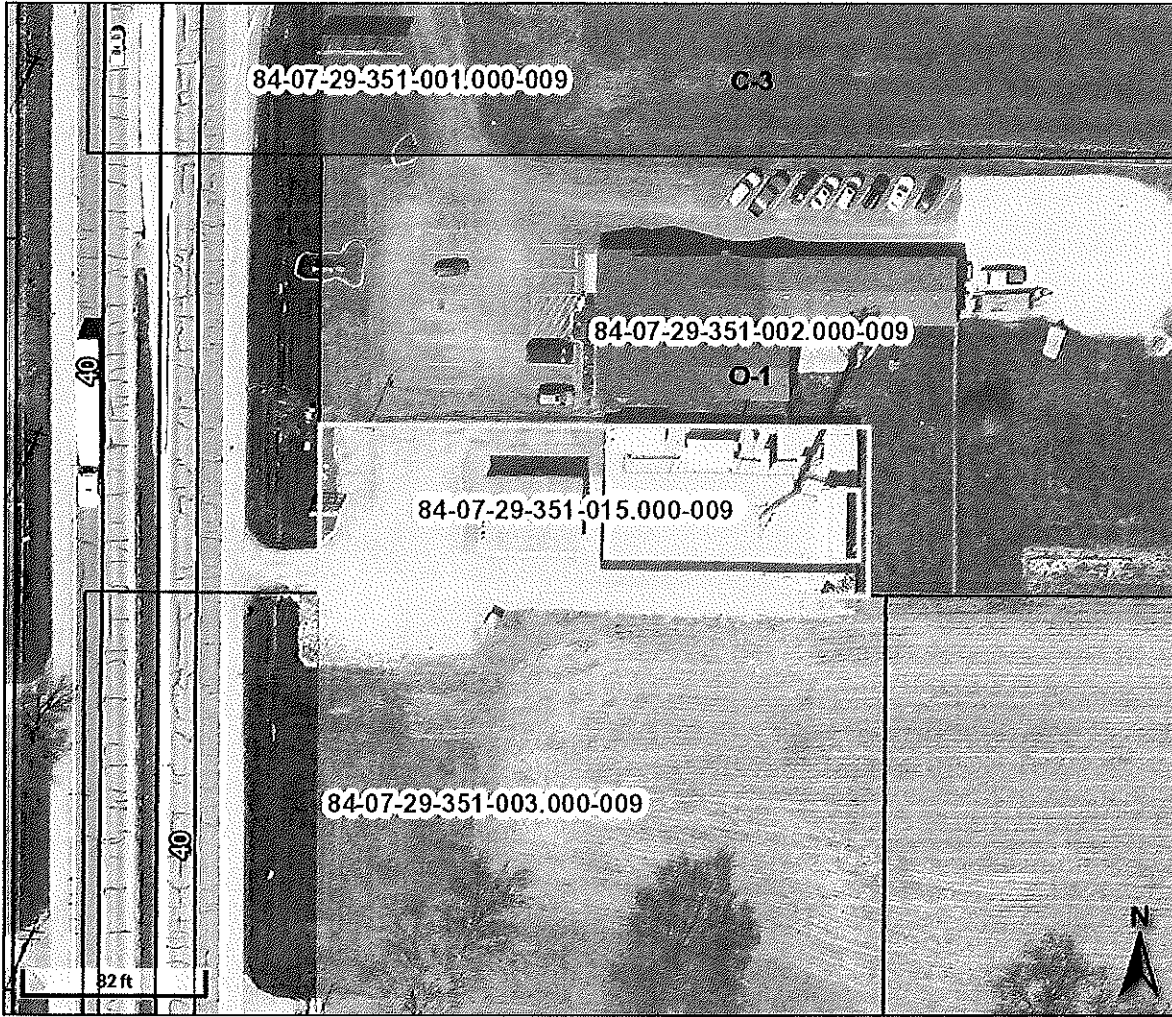
My County Of Residence: Vigo



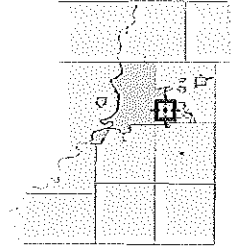
Beacon™

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Vigo County, IN / City of Terre Haute



Overview



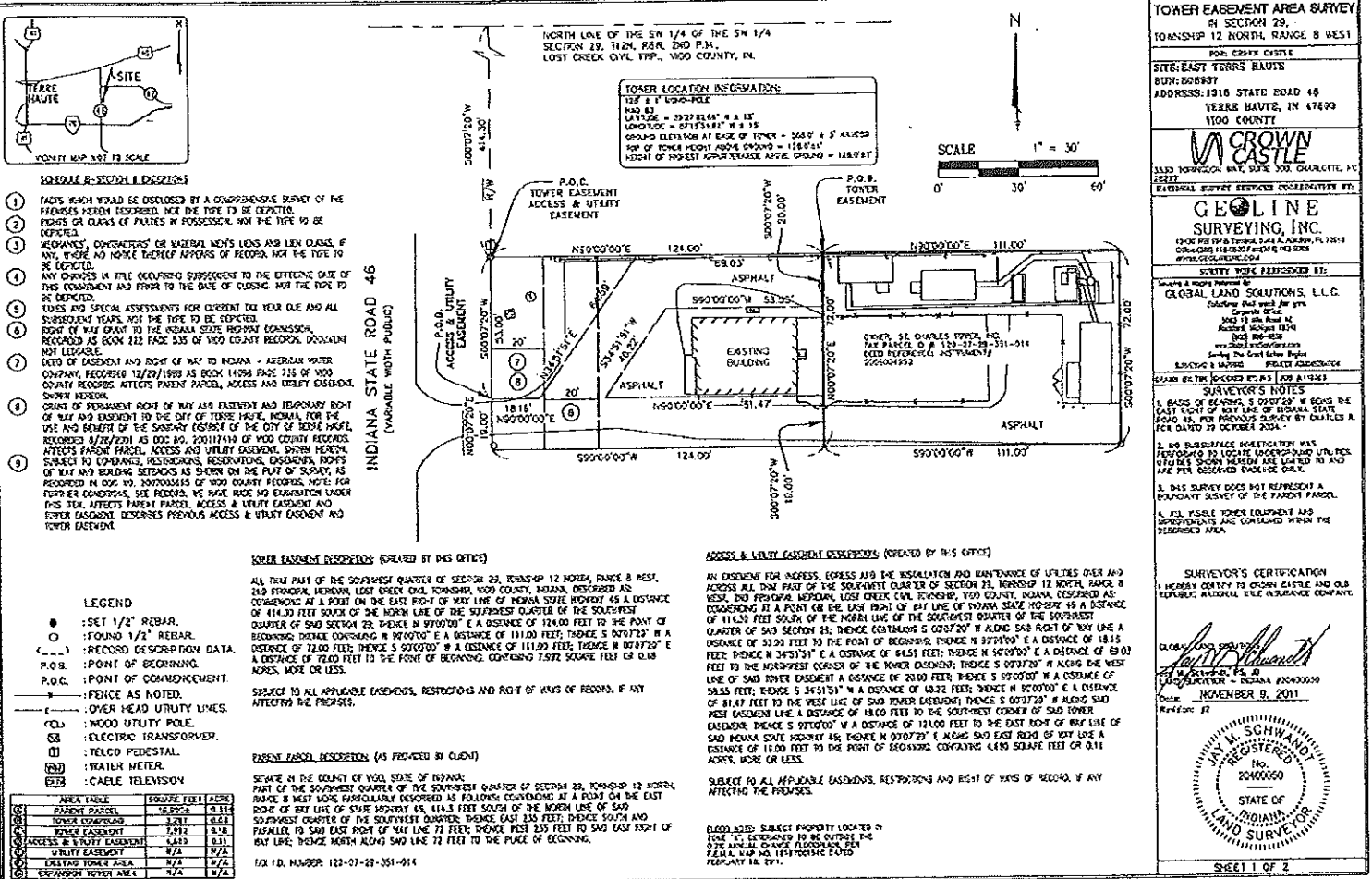
Legend

- Corporate Limits
- Political Township
- Sections
- Blocks
- Parcels
- Road Centerlines

Current Zoning Classifications

- A-1
- A-1MO
- A-1NR
- C-1
- C-1PD
- C-2
- C-2PD
- C-2SU
- C-3
- C-3NR
- C-3PD
- C-3SU
- C-4
- C-5
- C-6
- C-6PD
- C-6SU
- C-7
- C-7NR
- C-8
- C-8PD
- C-9
- C3PUD
- M-0
- M-1
- M-1PD
- M-2
- M-2NR
- M-2PD
- M-O

WITHDRAWN



TOWER EASEMENT AREA SURVEY
 IN SECTION 29,
 TOWNSHIP 12 NORTH, RANGE 8 WEST

FOR: CROWN CASTLE
 SITE: EAST TERRS HAUTS
 BUN: 205597
 ADDRESS: 1916 STATE ROAD 48
 TERRS HAUTS, IN 47693
 WOOD COUNTY

CROWN CASTLE
 3133 HOPKINSON WAY, SUITE 300, CHARLOTTE, NC 28227
 FEDERAL SURVEY SERVICES COLLECTIVE INC.
GEOLINE SURVEYING, INC.
 1306 NW 99th Terrace, Suite A, Acadian, FL 33419
 (813) 880-1800
 www.geoline.com

PROPERTY REPRESENTED BY:
 GLOBAL LAND SOLUTIONS, L.L.C.
 5000 N. 11th Ave., N.
 N. 11th & N. 50th St.
 Charlotte, NC 28218
 www.glsolutions.com

PROPERTY REPRESENTED BY:
 GEORGE W. SCHWAB, JR.
 REGISTERED
 No. 20400050
 STATE OF INDIANA
 LAND SURVEYOR

SURVEYOR'S NOTES:
 1. BASIS OF SURVEY: SURVEY WAS BEING THE EAST RIGHT OF WAY LINE OF INDIANA STATE ROAD 48, PER PROPERTY SURVEY BY CHARLES A. FEE DATED 29 OCTOBER 2004.
 2. NO SUBSTANTIVE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITY DEPTH MEASUREMENTS WERE TAKEN AND ARE SET OUT ON THIS PLAN ONLY.
 3. THIS SURVEY DOES NOT REPRESENT A PLANNING SURVEY OF THE PARENT PARCEL.
 4. ALL VISIBLE TOWER EQUIPMENT AND APPURTENANCES ARE CONTAINED WITHIN THE DESCRIBED AREA.

SURVEYOR'S CERTIFICATION:
 I HEREBY CERTIFY TO CROWN CASTLE AND OUR REPUBLIC NATIONAL TITLE INSURANCE COMPANY

DATE: NOVEMBER 8, 2011
 REFERENCE: 21

SHEET 1 OF 2

- GENERAL NOTES:**
- FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED, NOT THE TYPE TO BE DEPICTED, POINTS OF CORNER OF PLACES IN POSSESSION, NOR THE TYPE TO BE DEPICTED.
 - MEASUREMENTS, CORRECTIONS OR MATERIAL DEFICIENCIES AND LIEN CLASSES, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD, NOT THE TYPE TO BE DEPICTED.
 - ANY DEVICES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMISSION AND PRIOR TO THE DATE OF CLOSING, NOT THE TYPE TO BE DEPICTED.
 - FILES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR AND ALL SUBSEQUENT YEARS, NOT THE TYPE TO BE DEPICTED.
 - RIGHT OF WAY GRANT TO THE INDIANA STATE HIGHWAY COMMISSION, RECORDED AS BOOK 212 PAGE 835 OF WOOD COUNTY RECORDS, DOCUMENT NOT LEGIBLE.
 - DATE OF EASEMENT AND RIGHT OF WAY TO INDIANA - AMERICAN WATER COMPANY, RECORDED 12/29/1988 AS BOOK 11298 PAGE 215 OF WOOD COUNTY RECORDS, AFFECTS PARENT PARCEL, ACCESS AND UTILITY EASEMENT, SHOWN HEREON.
 - GRANT OF PERMANENT RIGHT OF WAY AND EASEMENT AND TEMPORARY RIGHT OF WAY AND EASEMENT TO THE CITY OF TERRS HAUTS, INDIANA, FOR THE USE AND BENEFIT OF THE SANITARY COURSE OF THE CITY OF TERRS HAUTS, RECORDED 8/18/2001 AS DOC. NO. 200117419 OF WOOD COUNTY RECORDS, AFFECTS PARENT PARCEL, ACCESS AND UTILITY EASEMENT, SHOWN HEREON, SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, EASEMENTS, RIGHTS OF WAY AND BUILDING SETBACKS AS SHOWN ON THE PLAN OF SURVEY, IS RECORDED IN DOC. NO. 200700463 OF WOOD COUNTY RECORDS, NOTE FOR FURTHER CONSIDERATION, SEE RECORD. WE HAVE MADE NO EXAMINATION UNDER THIS PLAN, AFFECTS PARENT PARCEL, ACCESS & UTILITY EASEMENT AND TOWER EASEMENT, BUSINESS PREVIOUS ACCESS & UTILITY EASEMENT AND TOWER EASEMENT.

LEGEND

- - SET 1/2" REBAR.
- - FOUND 1/2" REBAR.
- (---) - RECORD DESCRIPTION DATA.
- P.O.B. - POINT OF BEGINNING.
- P.O.C. - POINT OF COMMENCEMENT.
- - - - - FENCE AS NOTED.
- - - - - OVER HEAD UTILITY LINES.
- CL - WOOD UTILITY POLE.
- ES - ELECTRIC TRANSFORMER.
- TP - TELCO PEDESTAL.
- WM - WATER METER.
- CT - CABLE TELEVISION.

MARK TYPE	MARK SIZE	MARKS FEET (L&R)
●	1/2"	0.11
○	1/2"	0.11
(---)	1/2"	0.11
P.O.B.	1/2"	0.11
P.O.C.	1/2"	0.11
- - - - -	1/2"	0.11
- - - - -	1/2"	0.11
CL	1/2"	0.11
ES	1/2"	0.11
TP	1/2"	0.11
WM	1/2"	0.11
CT	1/2"	0.11

TOWER EASEMENT DESCRIPTION (CREATED BY THIS OFFICE)
 ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 8 WEST, 2ND PRINCIPAL MERIDIAN, LOST CREEK CIVIL TOWNSHIP, WOOD COUNTY, INDIANA, DESCRIBED AS COMMENCING AT A POINT ON THE EAST RIGHT OF WAY LINE OF INDIANA STATE HIGHWAY 48 A DISTANCE OF 414.30 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE N 89°07'00" E A DISTANCE OF 124.00 FEET TO THE POINT OF BEGINNING; THENCE CONTAINING N 90°07'00" E A DISTANCE OF 111.00 FEET; THENCE S 02°17'22" W A DISTANCE OF 72.00 FEET; THENCE S 50°07'00" W A DISTANCE OF 111.00 FEET; THENCE S 02°17'22" W A DISTANCE OF 72.00 FEET TO THE POINT OF BEGINNING, CONTAINING 7,592 SQUARE FEET OR 0.18 ACRES, MORE OR LESS.

EASEMENT ZONING RESTRICTIONS (AS PROVIDED BY CLIENT)
 SETBACK IN THE COUNTY OF WOOD, STATE OF INDIANA, PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 8 WEST MORE PARTICULARLY DESCRIBED AS FOLLOWS COMMENCING AT A POINT ON THE EAST RIGHT OF WAY LINE OF STATE HIGHWAY 48, 114.3 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE EAST 135 FEET; THENCE SOUTH AND PARALLEL TO SAID EAST RIGHT OF WAY LINE 72 FEET; THENCE WEST 235 FEET TO SAID EAST RIGHT OF WAY LINE; THENCE NORTH ALONG SAID LINE 72 FEET TO THE PLACE OF BEGINNING.

TAX ID NUMBER: 121-07-27-351-014

ACCESS & UTILITY EASEMENT DESCRIPTION (CREATED BY THIS OFFICE)
 AN EASEMENT FOR ACCESS, EGRESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES OVER AND ACROSS ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 8 WEST, 2ND PRINCIPAL MERIDIAN, LOST CREEK CIVIL TOWNSHIP, WOOD COUNTY, INDIANA, DESCRIBED AS COMMENCING AT A POINT ON THE EAST RIGHT OF WAY LINE OF INDIANA STATE HIGHWAY 48 A DISTANCE OF 114.30 FEET SOUTH OF THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE CONTAINING S 02°17'22" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 51.90 FEET TO THE POINT OF BEGINNING; THENCE N 87°17'00" E A DISTANCE OF 18.10 FEET; THENCE N 24°57'31" E A DISTANCE OF 84.50 FEET; THENCE N 50°07'00" E A DISTANCE OF 83.00 FEET TO THE NORTHWEST CORNER OF THE TOWER EASEMENT; THENCE S 02°17'22" W ALONG THE WEST LINE OF SAID TOWER EASEMENT A DISTANCE OF 20.00 FEET; THENCE S 02°17'22" W A DISTANCE OF 54.55 FEET; THENCE S 34°51'51" W A DISTANCE OF 14.22 FEET; THENCE N 90°07'00" W A DISTANCE OF 81.47 FEET TO THE WEST LINE OF SAID TOWER EASEMENT; THENCE S 02°17'22" W ALONG SAID WEST EASEMENT LINE A DISTANCE OF 18.00 FEET TO THE SOUTHWEST CORNER OF SAID TOWER EASEMENT; THENCE S 97°07'00" W A DISTANCE OF 124.00 FEET TO THE EAST RIGHT OF WAY LINE OF SAID INDIANA STATE HIGHWAY 48; THENCE N 02°17'22" E ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4,890 SQUARE FEET OR 0.11 ACRES, MORE OR LESS.


SUBJECT TO ALL APPLICABLE EASEMENTS, RESTRICTIONS AND RIGHT OF WAYS OF RECORD, IF ANY AFFECTING THE PREMISES.

DISCLAIMER: SUBJECT PROPERTY LOCATED TO THE N.E. QUARTER OF 36 IN OUTSIDE THE 2008 ANNUAL OWNER FLOODPLAIN MAP FROM A MAP NO. 1817000000 DATED FEBRUARY 18, 2011.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

WITHDRAWN

MAR 02 2012

2012003566 WD \$20.00
03/02/2012 02:42:18P 3 PGS
NANCY S. ALLSUP
VIGO County Recorder IN
Recorded as Presented



VIGO COUNTY AUDITOR

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That St. Charles Tower, Inc., "Grantor," a corporation organized and existing under the laws of the State of Missouri, ***CONVEYS AND WARRANTS*** to Harvest Holdings LLC, "Grantee," an Indiana limited liability company, for the sum of One and 00/100 Dollars (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the real estate located in Vigo County, in the State of Indiana, described as follows:

Part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 12 North, Range 8 West, more particularly described as follows: Commencing at a point on the East right of way line of State Highway 46, 414.3 feet South of the North line of said Southwest Quarter of the Southwest Quarter, thence East 235 feet, thence South and parallel to said East right of way line, 72 feet, thence West 235 feet to said East right of way line, thence North along said line 72 feet to the place of beginning.

EXCEPT Commencing at an iron pin found on the East right of way line of State Highway 46, 414.13 feet South (Deed) and South 00 degrees 18 minutes 08 seconds West (Indiana State Plane West Coordinates) of the North line of said Southwest Quarter of the Southwest Quarter, thence South 89 degrees 41 minutes 52 seconds East 235.00 feet (Deed) 235.33 feet measured to an iron pin found; thence South 00 degrees 18 minutes 08 seconds West 26.93 feet; thence North 90 degrees 00 minutes 00 seconds West 4.16 feet to the true Place of Beginning; thence South 00 degrees 00 minutes 00 seconds East 30.00 feet; thence North 90 degrees 00 minutes 00 seconds West 12.00 feet; thence North 00 degrees 00 minutes 00 seconds West 30.00 feet; thence South 90 degrees 00 minutes 00 seconds East 12.00 feet to the true Place of Beginning and containing 748 square feet, more or less.

Subject to all general real estate taxes prorated to the date of this indenture and all subsequent taxes.

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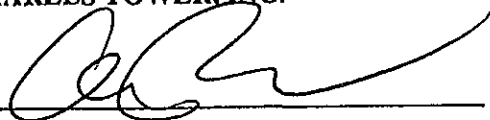
Subject to all covenants, conditions, restrictions, easements, leases, encumbrances, and all other matters of record.

This conveyance is not a special corporate transaction within the meaning of that term as used in the Indiana Corporation Act and amendments thereto.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he is a duly elected officer of Grantor and has been fully empowered, by proper corporate resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed this 1st day of March, 2012.

ST. CHARLES TOWER, INC.

By: X 

X Chris Puricelli - Corporate
Printed Name and Title Secretary

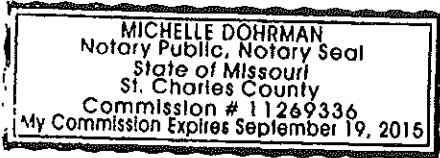
STATE OF MO)
COUNTY OF St. Charles) SS:

Before me, a Notary Public in and for said County and State, personally appeared Chris Puricelli, the Corporate Secretary of St. Charles Tower, Inc., who acknowledged execution of the foregoing Corporate Warranty Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

WITHDRAWN

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Witness my hand and Notarial Seal this 1st day of March, 2012.



X Michelle Dohrman

Notary Public

Michelle Dohrman
Printed Name

My Commission Expires: 9-19-15

My County of Residence: St. Charles

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.

J. Williams

This instrument prepared by: Jeffrey A. Lewellyn, Attorney at Law
333 Ohio Street, Terre Haute, IN 47807

Mail tax statements to: 14909 State Rd 159
Lewis IN 47858

Property address: 1300 State Road 46, Terre Haute, IN 47803

Receipt

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

Date: 10-8-16

Name: Harvest Holdings LLC

Reason: Reasoning - Notice of Filing \$425.00

Reasoning - Petition

30.00
\$45.00
OCT 11 2016
TERRE HAUTE, IN

Cash: _____

Check: _____

Credit: \$45.00

Total: \$45.00

Received By: William Lee

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Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807
Telephone: (812) 462-3354 Fax: (812) 234-3248

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Terre Haute • West Terre Haute • Riley • Seelyville

DATE: November 10, 2016

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #39-16

CERTIFICATION DATE: November 9, 2016

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. 39-16. This Ordinance is a rezoning of the property located at 1300 S.R. 46. The Petitioner, Harvest Holdings/Jason Martin, petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to C-2, Community Commerce District, for a Tattoo Parlor. 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. 39-16 at a public meeting and hearing held Wednesday, November 9, 2016. Remonstrators were 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. 39-16 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 39-16 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.39-16 was, at the Petitioner's request, TABLED until the January, 2017APC meeting.


Fred L. Wilson, President


Jared Bayler, Interim Director

Received this 10th day of November, 2016

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16
Date: November, 2016

Doc: # 79
Page 1 of 4

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APPLICATION INFORMATION

Petitioner: Harvest Holdings

Property Owner: Same-As-Above

Representative: Jason Martin

Proposed Use: Tattoo Parlor

Proposed Zoning: C-2, Limited Community Commerce District

Current Zoning: O-1, Agricultural District

Location: The Property is located on S. St. Rd. 46 approximately .16 miles north of the intersection of Hulman Dr. and SR 46. It is on the east side of the highway.

Common Address: 1300 St. Rd. 46 Terre Haute, Indiana 47805

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute/Lost Creek

Guiding Policies: **Regional Commercial**

Regional commercial areas are major retail centers providing the widest variety of retail goods and services (comparative shopping goods such as jewelry, apparel, household goods, and general merchandise) to a market area larger than the community, with no single type of retail activity dominating the district. The vitality of the areas is based upon the diversity of retail activities being located in a relatively concentrated area. With respect to these major regional shopping areas, future planning should consider the district or area as a whole, thereby assuring the vitality and viability of these regional commercial areas.

Additional policies to guide future development decisions include:

- Utilize spatial containment of commercial activities to existing commercially zoned sites to:
 - Maintain and reinforce the drawing power of major retail centers including anchor department and discount stores.
 - Reduce future traffic congestion and more closely tie existing retail centers with transit operations; expand the opportunities for pedestrian linkages between and among major existing activity centers.
 - Increase the identity of the district as a whole, with improved coordination in urban design elements including directional signage,

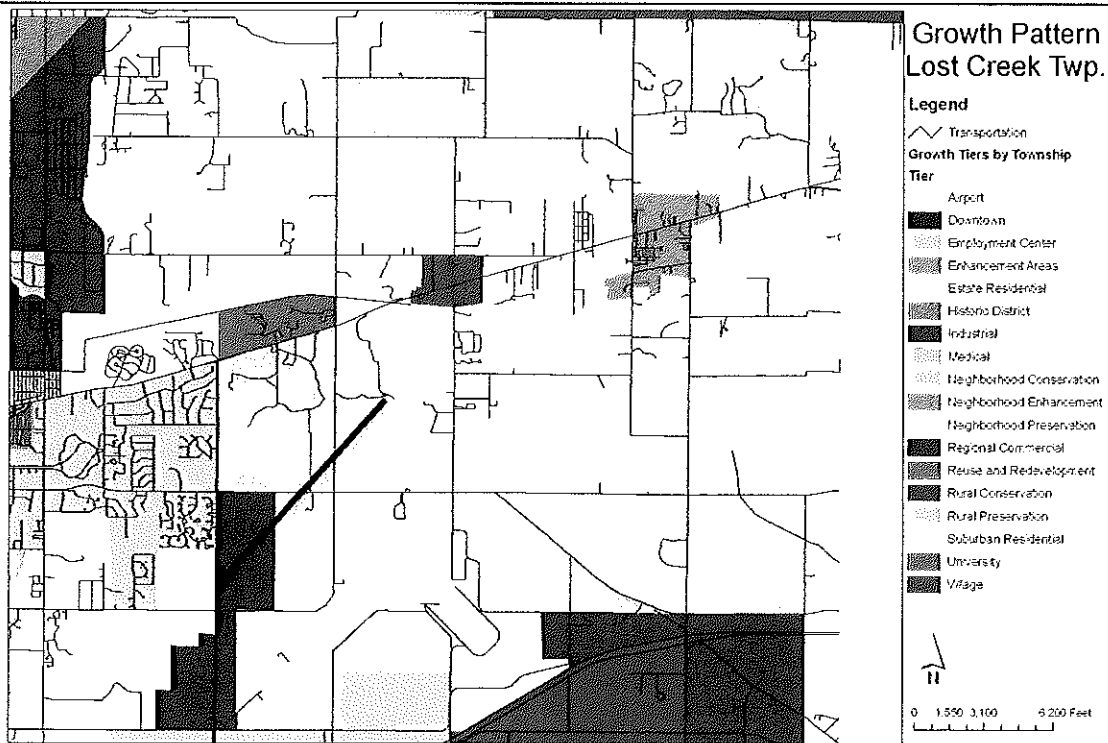
common landscape elements such as lighting or street furniture; develop a common approach to business signage.

- Encourage reinvestment in and continual upgrading of existing retail space; encourage the intensification of activities for retail comparative shopping purposes.
- Ancillary activities such as fast-food restaurants or quick stop establishments do not add to the regional character of activity centers. Emphasis should increasingly be upon multiple-trip purpose activities with regional significance.
- Ensure that future retail commercial development in the area does not detract from the viability of existing activity centers and does not detract from the livability of residential Neighborhoods in the vicinity.

Available Services: Area is well served by utilities.

Street Access: Highway 46

Dev. Priority: This area has a medium priority for capital investment



ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – O-1, Agricultural District
East – O-1, Agricultural District
South – O-1, Agricultural District
West – O-1, Agricultural District

ZONING REGULATIONS

C-2 Purpose: The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

C-2 Uses: Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostatting establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, Restaurants. Liquor may be served if incidental to the serving of food as the principal activity. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)

C-2 Standards: Minimum Lot Size: 3,300 Sq. Ft.

WITHDRAWN

FINDINGS and RECOMMENDATION

Staff Findings: The Thrive 2025 Comprehensive Plan has identified this area within the City of Terre Haute as a Regional Commercial Area. The development priority for commercial development within this area could be low to high intensity based on the local thoroughfare network and previous in place developments. High intensity commercial development and uses need to have direct access without traffic intrusion onto residential neighborhoods and needs the appropriate buffering.

A Zoning change for the proposed property is recommended and will not create any additional traffic. The Property use is compatible with surrounding uses.

Recommendation: Staff has a Favorable Recommendation on the C-2 Community Commercial District at this location with the following conditions.

1. Approval of an onsite parking plan.
2. Removal of trash and debris from a previous tenant that is creating a nuisance and potential health hazard.



Area Planning Department For Vigo County

WITHDRAWN

159 Oak Street, Terre Haute, Indiana 47807
Telephone: (812) 462-3354 Fax: (812) 234-3248

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: January 5, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #39-16

CERTIFICATION DATE: January 4, 2017


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. 39-16. This Ordinance is a rezoning of the property located 1300 S.R. 46. The Petitioner, Harvest Holdings/Jason Martin, petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to C-2, Community Commerce District, for a tattoo parlor. 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. 39-16 at a public meeting and hearing held Wednesday, January 4, 2017. 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. 39-16 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 39-16 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.39-16 was TABLE due to no representation.


Fred L. Wilson, President


Jared Bayler, Interim Director

Received this 5th day of January, 2017

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16

Doc: # 79

Date: November, 2016

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APPLICATION INFORMATION

WITHDRAWN

Petitioner: Harvest Holdings

Property Owner: Same-As-Above

Representative: Jason Martin

Proposed Use: Tattoo Parlor

Proposed Zoning: C-2, Limited Community Commerce District

Current Zoning: O-1, Agricultural District

Location: The Property is located on the east side of S. St. Rd. 46 approximately .16 miles north of the intersection of Hulman Dr. and SR 46.

Common Address: 1300 SR. 46 Terre Haute, Indiana 47803

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute/Lost Creek

Guiding Policies: **Regional Commercial**

Regional commercial areas are major retail centers providing the widest variety of retail goods and services (comparative shopping goods such as jewelry, apparel, household goods, and general merchandise) to a market area larger than the community, with no single type of retail activity dominating the district. The vitality of the areas is based upon the diversity of retail activities being located in a relatively concentrated area. With respect to these major regional shopping areas, future planning should consider the district or area as a whole, thereby assuring the vitality and viability of these regional commercial areas.

Additional policies to guide future development decisions include:

- Utilize spatial containment of commercial activities to existing commercially zoned sites to:
 - Maintain and reinforce the drawing power of major retail centers including anchor department and discount stores.
 - Reduce future traffic congestion and more closely tie existing retail centers with transit operations; expand the opportunities for pedestrian linkages between and among major existing activity centers.
 - Increase the identity of the district as a whole, with improved coordination in urban design elements including directional signage,

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16

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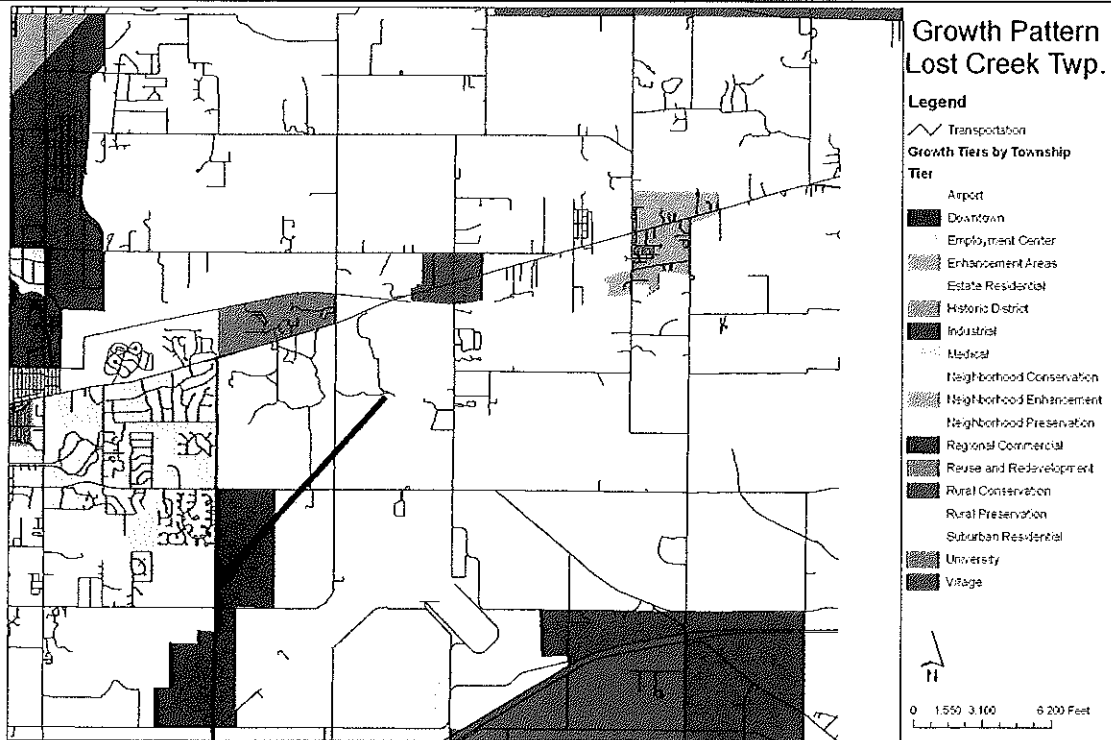
common landscape elements such as lighting or street furniture; develop a common approach to business signage.

- o Encourage reinvestment in and continual upgrading of existing retail space; encourage the intensification of activities for retail comparative shopping purposes.
- o Ancillary activities such as fast-food restaurants or quick stop establishments do not add to the regional character of activity centers. Emphasis should increasingly be upon multiple-trip purpose activities with regional significance.
- o Ensure that future retail commercial development in the area does not detract from the viability of existing activity centers and does not detract from the livability of residential Neighborhoods in the vicinity.

Available Services: Area is well served by utilities.

Street Access: Highway 46

Dev. Priority: This area has a medium priority for capital investment



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 39-16

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ZONING COMPATIBILITY

WITHDRAWN

Sur. Zones and Uses: **North** – O-1, Agricultural District
East – O-1, Agricultural District
South – O-1, Agricultural District
West – O-1, Agricultural District

ZONING REGULATIONS

C-2 Purpose: The Community Commerce Zone is designed for the residents of the nearby community consisting of more than one (1) of the neighborhoods in that section of the city, so as to permit a wider variety of both business uses and services. It is designed not for an abutting neighborhood, but for a relatively larger consumer population for both daily and occasional shopping. The development is characterized by a lack of “comparison shopping” and is limited to providing only one (1) store for each type of business.

C-2 Uses: Amusement establishments, bowling alleys, pool halls, swimming pools, dance halls, and skating rinks, Any use permitted in the C-1 Zone except as otherwise provided in this Chapter, Antique shops, Art galleries, but not including auction rooms, Banks and financial institutions, Bicycle sales, rental, and repair stores, Blue-printing and photostatting establishments, Books and stationery stores, Camera and photographic supply stores, Candy and ice cream stores, Leather goods and luggage stores, Loan offices, Locksmith shops, Medical and dental clinics, Meeting halls, Millinery shops, Municipal or privately-owned recreation buildings or community-center, Musical instrument sales and repair, Newspaper distributors for home delivery and retail sale, Office supply stores, Offices, business and professional, Optometrists, Paint and wallpaper stores, Restaurants. Liquor may be served if incidental to the serving of food as the principal activity. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07), Live entertainment. (Gen. Ord. No. 2, 2007, As Amended, 2-8-07)

C-2 Standards: Minimum Lot Size: 3,300 Sq. Ft.

FINDINGS and RECOMMENDATION

Staff Findings: This petition was originally docketed for November. It was tabled by the petitioner to work out legal issues related to the lease by Crown Castle for the cell tower located in the rear of the property. No updates have been provided to our office since the petition was tabled.

The Thrive 2025 Comprehensive Plan has identified this area within the City of Terre Haute as a Regional Commercial Area. The development priority for commercial development within this area could be low to high intensity based on the local thoroughfare network and previous in place developments. High intensity commercial development and uses need to have direct access without traffic intrusion onto residential neighborhoods and needs the appropriate buffering.

A zoning change for the proposed property is recommended and will not create any additional traffic. The property use is compatible with surrounding uses.

Recommendation: Staff has a Favorable Recommendation on the C-2 Community Commercial District at this location with the following conditions.

1. Approval of an onsite parking plan.
2. That the new C-2 zoning create no new hardship with regard to the existing cell tower lease.

~~WITHDRAWN~~

Head -- number of lines	1
Body -- number of lines	33
Tail -- number of lines	1
Total number of lines in notice	35

COMPUTATION OF CHARGES

35 lines 1 columns wide equal _____ equivalent lines
 0.4359 per line _____ \$ 15.26

Additional charges for notices containing rule or tabular work (50 per cent of above amount) _____
 Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM _____ \$ 15.26
 AD # 180070

YOUR ACCT # 19149

DATA FOR COMPUTING COST

Width of single column 7.4 ems
 Number of insertions 1 in the paper
 Size of type. 7 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after showing all just credits, and that no part of the same has been paid.

Kim Wilkerson

12/21/2016
 Last Run Date

Title: Legal Clerk/ Kim Wilkerson

PUBLISHER'S AFFIDAVIT

State of Indiana)
) ss:
Vigo County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Kim Wilkerson who, being duly sworn, says that she is LEGAL CLERK of the Tribune Star newspaper general circulation printed and published in the English language in the (city) (town) of Terre Haute, IN in state and county aforesaid, and that

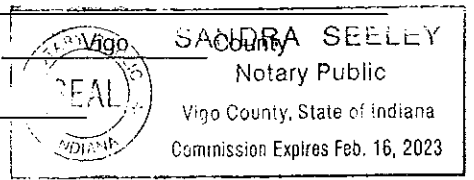
1 time(s), the dates of publication being as follows:

December 21 - 2016

Subscribed and sworn to me this 5 day of January

Sandra Seeley
 Notary Public

My commission expires 2/16/2023



LEGAL NOTICE

Notice is hereby given that the Common Council of the City of Terre Haute, Indiana will discuss the following ordinances at their Sunshine Meeting on January 5, 2017 and consider them for passage at their Regular Meeting on January 12, 2017 both meetings at 6:00 PM. The meetings are to be held in the City Hall Courtroom. The ordinances are on file in the Office of the City Clerk.

RESOLUTION 33, 2016 Designating an area commonly identified as 929 Wabash Avenue, Terre Haute, Indiana as an Economic Revitalization Area for the purpose of a Seven (7) Year Real Property Tax Abatement (VCHS Erhmann LLC) <For Adoption> <Nation>

SPECIAL ORDINANCE 39, 2016 Rezoning of property located at 1300 State Road 46 <Elliott>

SPECIAL ORDINANCE 44, 2016 Authorizing a Tax Anticipation Warrant Loan <Morris>

Charles P. Hanley
 City Clerk
 180070 TS 12/21/16 hspaxlp



TERRE HAUTE
A LEVEL ABOVE

Area Planning Department For Vigo County

159 Oak Street, Terre Haute, Indiana 47807
Telephone: (812) 462-3354 Fax: (812) 234-3248

WITHDRAWN

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: February 2, 2017

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

**THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #39-16**

CERTIFICATION DATE: February 1, 2017

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. 39-16. This Ordinance is a rezoning of the property located 1300 S.R. 46. The Petitioner, Harvest Holdings/Jason Martin, petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to C-2, Community Commerce District, for a tattoo parlor. 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. 39-16 at a public meeting and hearing held Wednesday, February 1, 2017. 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. 39-16 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 39-16 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.39-16 was **WITHDRAW**.


Fred L. Wilson, President


Jared Bayler, Interim Director

Received this 2nd day of February 2017

Body -- number of lines _____ 68
 Tail -- number of lines _____ 1
 Total number of lines in notice _____ **WITHDRAWN** _____ 70

COMPUTATION OF CHARGES

70 lines 1 columns wide equal _____ equivalent lines
 0.4479 per line _____ \$ 31.35

Additional charges for notices containing rule or tabular work (50 per cent of above amount) _____
 Charge for extra proofs of publication (\$1.00 for each proof in excess of two) _____

TOTAL AMOUNT OF CLAIM _____ \$ 31.35

AD # 181819

LEGAL NOTICE

Notice is hereby given that the Common Council of the City of Terre Haute, Indiana will discuss the following ordinances at their Sunshine Meeting on February 2, 2017 and consider them for passage at their Regular Meeting on February 9, 2017 both meetings at 6:00 PM. The meetings are to be held in the City Hall Courtroom. The ordinances are on file in the Office of the City Clerk.

19149
 DST
7.4 ems
1 in the paper
7 point

SPECIAL ORDINANCE 39, 2016 Rezoning of property located at 1300 State Road 46 <Ellott>

provisions and penalties of Chapter 155, Acts 1953,

SPECIAL ORDINANCE 44, 2016 Authorizing a Tax Anticipation Warrant Loan <Morris>

that the foregoing account is just and correct, that the amount claimed is legally due, after showing all just part of the same has been paid.

SPECIAL ORDINANCE 45, 2016 Rezoning of property at 1310-1311-1315-1319-1320-1325-1329-1333-1400-1402-1404-1408-1412-1416-1420-1422-1432 North 4th Street, 1407-1421-1431 North 3rd Street, 400-406-408-412 4th Avenue, and 1425 North 4th Street <DeBaun>

2017
 Run Date

Kim Wilkerson
 Title: Legal Clerk/ Kim Wilkerson

GENERAL ORDINANCE 1, 2017 Amending City Code, Chapter 7, Article 3, Fire Prevention Code and Chapter 2, Article 9, Funds and Fiscal Procedures <Azar>

PUBLISHER'S AFFIDAVIT

SPECIAL ORDINANCE 1, 2017 Amending Special Ordinance 23, 2016, City Hall Salaries <Nasser>

State of Indiana)
) ss:
Vigo County)

SPECIAL ORDINANCE 2, 2017 Amending Special Ordinance 26, 2016, Park Department Salaries <Nasser>

Personally appeared before me, a notary public in and for said county and state, the undersigned Kim Wilkerson who, being duly sworn, says that she is LEGAL CLERK of the Tribune Star newspaper general circulation printed and published in the English language in the (city) (town) of Terre Haute, IN in state and county aforesaid, and that

SPECIAL ORDINANCE 3, 2017 Amending Special Ordinance 31, 2016, Fire Department Salaries <Nasser>

1 time(s), the dates of publication being as follows:

SPECIAL ORDINANCE 4, 2017 Amending Special Ordinance 24, 2016, MVH (Street) Salaries <Nasser>

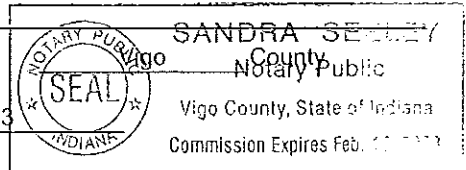
January 23 - 2017

SPECIAL ORDINANCE 5, 2017 Amending Special Ordinance 28, 2016, Waste Water Salaries <Nasser>

Subscribed and sworn to me this 23 day of January

SPECIAL ORDINANCE 6, 2017 Amending Special Ordinance 27, 2016, Cemetery Department Salaries <Nasser>

Sandra Seeley
 Notary Public



My commission expires 2/16/2023

Charles P. Hanley
 City Clerk
 181819 TS 1/23/17 hspaxlp