



AMENDED  
APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 06, 2022

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COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue and  
2134 N 23<sup>rd</sup> St., Terre Haute, IN 47804

Parcel Number: 84-6-14-104-005.000-002; and  
84-6-14-104-0012.000-002

Current Zoning: R-1 Single Family Residence District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13<sup>th</sup> Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Jeffrey A. Lewellyn

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Jeffrey A. Lewellyn

Council Sponsor: **Cheryl Loudermilk**

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

FILED

APR 08 2022

CITY CLERK

**AMENDED  
SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 06, 2022**

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:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

Be and the same is hereby established as a **R-3 Multifamily Residential 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,

Cheryl Loudermilk  
Cheryl Loudermilk

Passed in Open Council this 5<sup>th</sup> day of May, 2022.

Cheryl Loudermilk  
Cheryl Loudermilk - President

ATTEST: Michelle Edwards  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 5<sup>th</sup> day of May 2022.

Michelle Edwards  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of MAY, 2022.

Duke A. Bennett  
Duke A. Bennett, Mayor

ATTEST: Michelle Edwards  
Michelle Edwards, City Clerk

**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.**

Jeffrey A. Lewellyn  
Jeffrey A. Lewellyn, Attorney

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**



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, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

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 **R-1 Single Family Residence District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. 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 (R-3) Multifamily Residential 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 \_\_8<sup>th</sup>\_\_ day of April, 2022.

BY: \_\_\_/s/ Jeffrey A. Lewellyn\_\_\_  
**Jeffrey A. Lewellyn, Attorney**

PETITIONER: Terre Haute Area of Realtor Association, Inc

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute  
Indiana 47807, 812-232-4311**



AMENDED  
APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 06, 2022

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COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue and  
2134 N 23<sup>rd</sup> St., Terre Haute, IN 47804

Parcel Number: 84-6-14-104-005.000-002; and  
84-6-14-104-0012.000-002

Current Zoning: R-1 Single Family Residence District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13<sup>th</sup> Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Jeffrey A. Lewellyn

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Jeffrey A. Lewellyn

Council Sponsor: **Cheryl Loudermilk**

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

**AMENDED  
SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 06, 2022**

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SECTION 1. BE IT ORDIANED 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:

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(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

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(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

Be and the same is hereby established as a **R-3 Multifamily Residential 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,

\_\_\_\_\_  
Cheryl Loudermilk

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 A. Bennett, Mayor

ATTEST: \_\_\_\_\_

Michelle Edwards, City Clerk

**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.**

\_\_\_\_\_  
**Jeffrey A. Lewellyn, Attorney**

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**

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, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

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 **R-1 Single Family Residence District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. 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 (R-3) Multifamily Residential 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 \_\_8<sup>th</sup>\_\_ day of April, 2022.

BY: \_\_\_/s/ Jeffrey A. Lewellyn\_\_\_\_  
**Jeffrey A. Lewellyn, Attorney**

PETITIONER: Terre Haute Area of Realtor Association, Inc

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**



**(INSERT AFFIDAVIT OF OWNERSHIP)**

Affidavit filed with the original filed Petition is still accurate.



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. \_\_\_\_\_

6

COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue Terre Huate Indiana 47804

Parcel Number: 84-6-23-226-003.000-002

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13<sup>th</sup> Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Darwinson A. Valdez

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Darwinson A. Valdez

Council Sponsor: **Cheryl Loudermilk**

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

FILED

FEB 03 2022

CITY CLERK

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 6, 2022

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

SECTION 1. BE IT ORDIANED 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:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

Be and the same is hereby established as a **R-3 Multifamily Residential 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,

*Cheryl Loudermilk*

Cheryl Loudermilk

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
O. Earl Elliott-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 A. Bennett, Mayor

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute  
Indiana 47807, 812-232-4311**

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, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

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 **R-1 Single-Family Residential District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to at least 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. 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,

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 (R-3) Multifamily Residential 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 3 day of March, 2022.

BY: \_\_\_\_\_

  
**Darwinson A. Valdez, Attorney**

PETITIONER: Terre Haute Area of Realtor Association, Inc

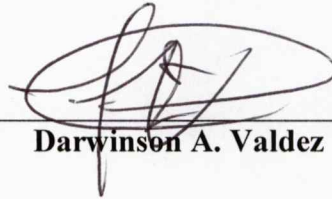
This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**



**AFFIDAVIT OF OWNERSHIP AND CONSENT**

COMES NOW Affiant, Darwinson A. Valdez, Attorney for Terre Haute Area Association of Realtors, Inc., an Indiana Nonprofit Corporation, (the "Corporation") and affirms under penalty of law that the Corporation is the owner of record of the property located at 2227 Maple Avenue, Terre Haute, IN 47804, Parcel 84-06-14-104-005.000-002 for which a rezoning is requested and attached hereto is a copy of the deed evidencing such ownership. Further, as attorney for the Corporation it is represented that the Corporation is seeking to rezone the subject property to **(R-3) General Residence District** to allow for the construction of a tiny homes project.

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

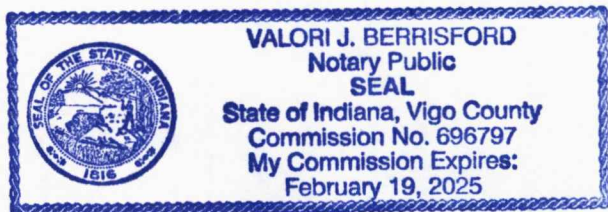
  
\_\_\_\_\_  
Darwinson A. Valdez

STATE OF INDIANA        )  
  :SS  
COUNTY OF VIGO        )

Personally appeared before me, a Notary Public in and for said County and State, Darwinson A. Valdez, who acknowledged the execution of the above and foregoing Affidavit of Ownership and Consent, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal this 4<sup>th</sup> day of March, 2022.

My commission expires: 2-19-25  
Valori J. Berrisford, Notary Public  
Resident of Vigo County, Indiana



ENTERED FOR TAXATION  
Subject to final acceptance for Transfer

OCT 21 2021

NO SALES DISCLOSURE REQUIRED

  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

2021014108 WD \$25.00  
10/21/2021 11:31:57A 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented



THIS INDENTURE WITNESSETH, That

**CARL COOPER,**  
Of Vigo County, in the State of Indiana,

Conveys and Warrants to

**TERRE HAUTE AREA ASSOCIATION OF REALTORS,**  
Of Vigo County, in the State of Indiana,

for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to-wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said lots are located at the South West corner of Maple Avenue and North 23rd Street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:  
2227 Maple Ave., Terre Haute, IN 47804  
PARCEL #84-06-14-104-005.000-002

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:  
2134 N 23rd St., Terre Haute, IN 47804  
PARCEL # 84-06-14-104-012.000-002

Subject to any easements, agreements, streets, alleys, restrictions, covenants, building lines, and rights of way of public record.

Tax bills should be sent to Grantee at such address unless otherwise indicated below.

IN WITNESS WHEREOF, the said Grantor has executed this deed on this 15<sup>th</sup> day of October, 20 21.

Carl Cooper (Seal)  
Carl Cooper

STATE OF INDIANA; COUNTY OF VIGO) SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 15<sup>th</sup> day of October, 20 21, personally appeared Carl Cooper who acknowledged the execution of the foregoing Warranty Deed to be the voluntary act and deed of Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Heather J Sorlie  
Notary Public  
Commission Number: 688254

Heather J Sorlie  
Printed Name

My Commission Expires:  
7.19.2024

My County of Residence:  
Clay

**This Instrument Was Prepared By:** Matthew R. Effner, Attorney, Effner Law Firm, 19 S. 6<sup>th</sup> Street, Suite 1200, Terre Haute, IN 47807, (812) 238-4000, at the specific request of Honey Creek Vigo Title (HCVT) based solely on information supplied by HCVT without examination of title or abstract. Preparer makes no warranties, expressed or implied, regarding the title conveyed by it and assumes no liability for any error, inaccuracy or omission in this instrument resulting from the information provided, the parties hereto signifying their consent to this disclaimer by Grantor's execution and Grantee's acceptance of the instrument. HCVT-2021.

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

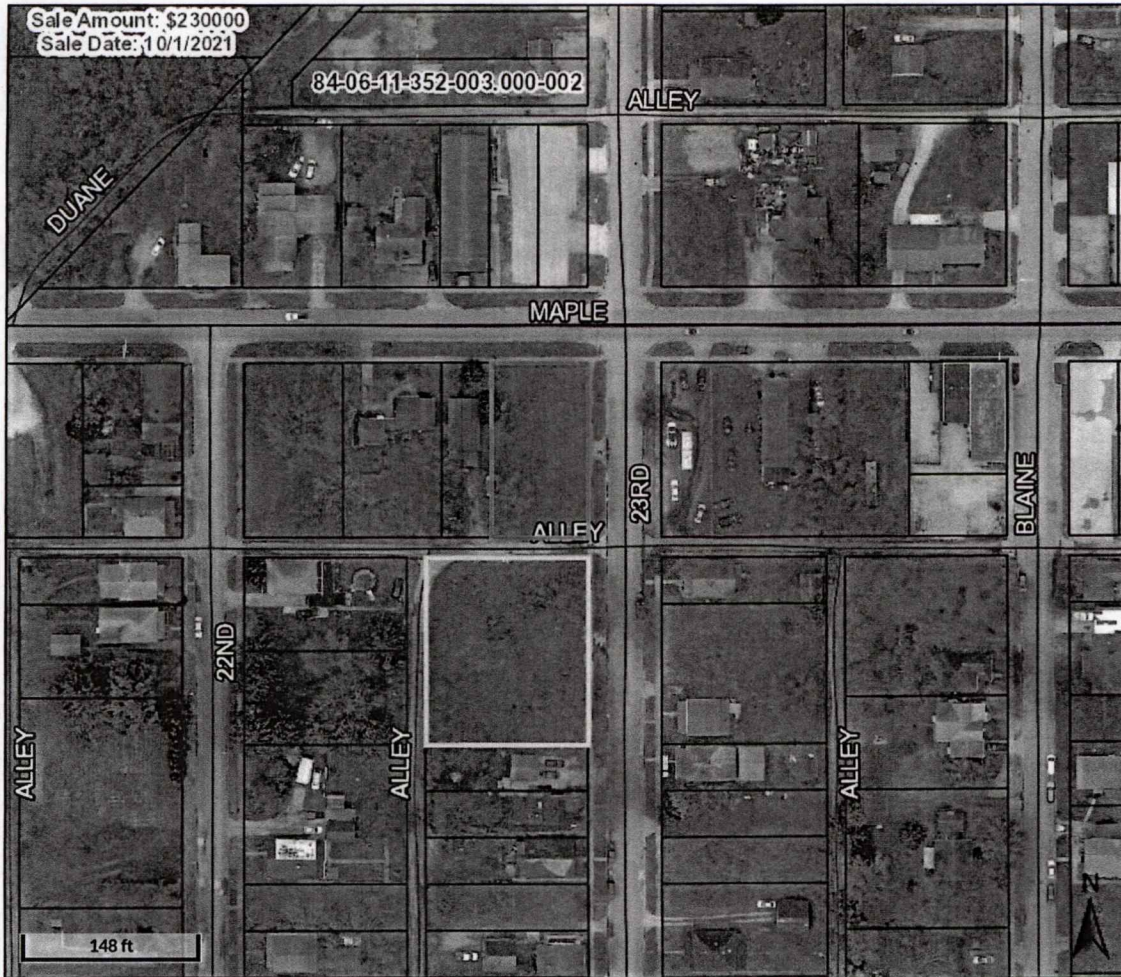
Mail Tax Bills To Grantee At: 1106 S 13<sup>th</sup> Terre Haute, IN 47802

Return Deed To: Honey Creek Vigo Title Services, Inc., 405 S. 6<sup>th</sup> Street, Terre Haute, IN 47807.

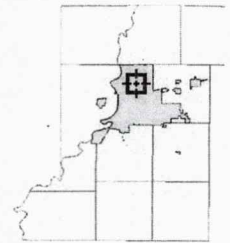




# Beacon™ Vigo County, IN / City of Terre Haute



### Overview



### Legend

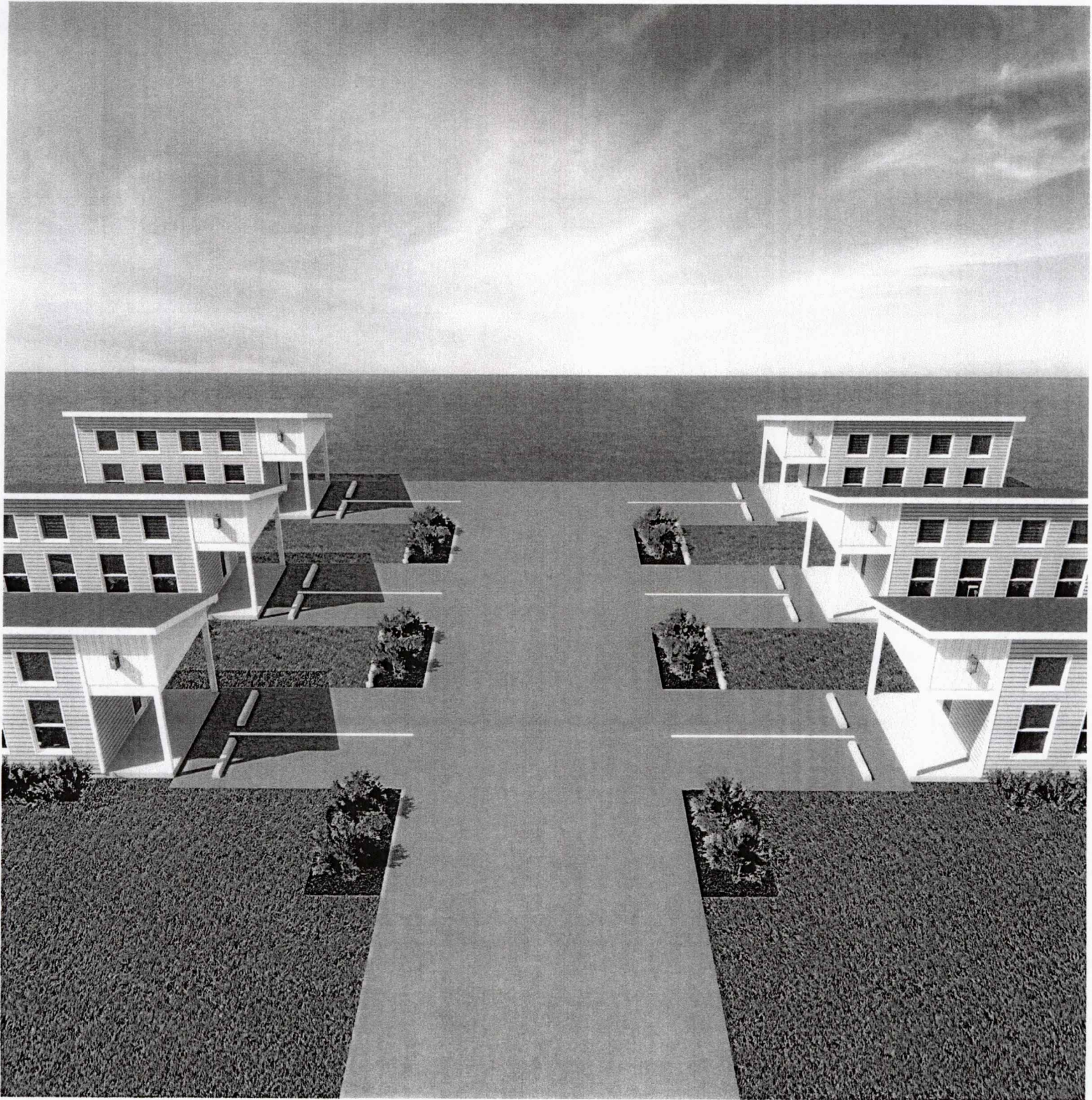
- Corporate Limits
- Political Township
- Sections
- Blocks
- Parcels
- Road Centerlines
- 2021 Sales

Parcel ID	84-06-14-104-005.000-002	Alternate ID	84-06-14-104-005.000-002	Owner Address	Terre Haute Area Association of Realtors
Sec/Twp/Rng	14	Class	Res Vacant platted lot		1616 S 13th St
Property Address	2227 MAPLE AVE TERRE HAUTE	Acreage	n/a		Terre Haute, IN 47802
Neighborhood	118515 - HARRISON				
District	002 HARRISON				
Brief Tax Description	MAPLE AVE PLACE (4510 N 14 1/2) D 443/2429 14-12-9 LOTS 1-2 (Note: Not to be used on legal documents)				

Date created: 3/2/2022  
Last Data Uploaded: 3/2/2022 5:19:58 AM

Developed by Schneider  
GEO SPATIAL









DATE:  
2/25/2022

**M** **MACKKEY**  
BLUEPRINT & DESIGN

4162 S HOUSEMAN ST  
TERRE HAUTE, IN 47302  
812-805-2201  
MACKKEYDESIGNING.COM

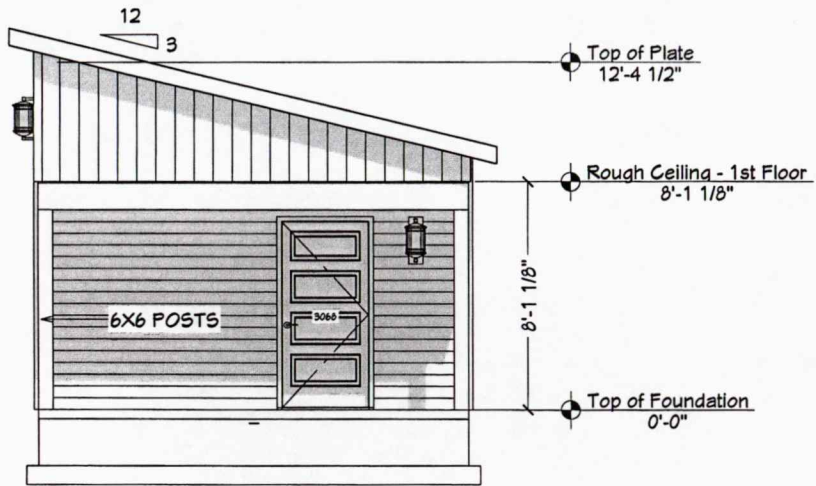
**TINY HOMES**  
**THAAR**

REVISION TABLE	
NUMBER	DESCRIPTION

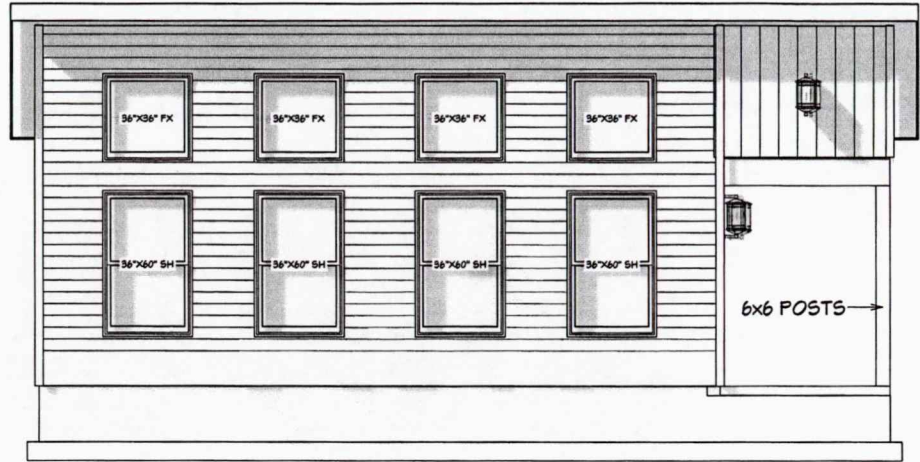


sample

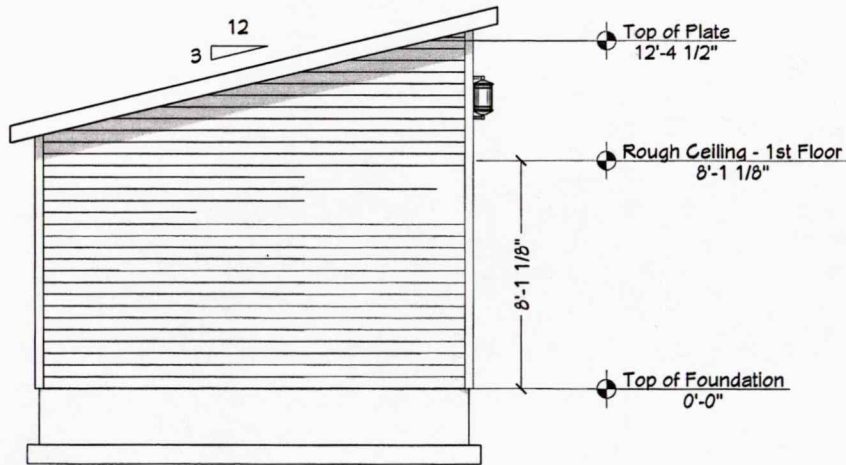




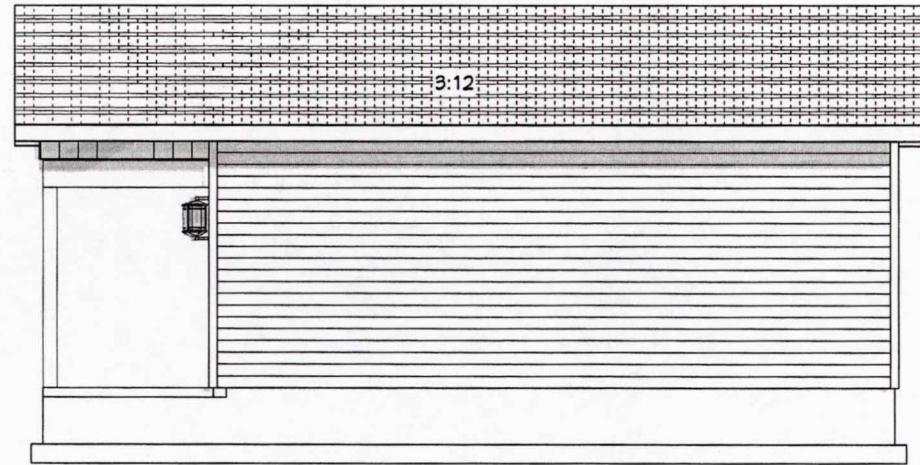
(E1) **NORTH ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



(E2) **EAST ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



(E3) **SOUTH ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



(E4) **WEST ELEVATION**  
SCALE: 1/2" = 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.



REVISION TABLE	DATE	DESCRIPTION

**TINY HOMES**  
THAAR

1405 HOVERMAN ST  
TERRE HAUTE, IN 47302  
812-246-2201  
MACKEYDESIGNINC.COM



DATE:  
2/25/2022

FRONTREAR  
ELEVATION

Sample



REVISION TABLE	DESCRIPTION
NUMBER	DATE

TINY HOMES  
THAAR

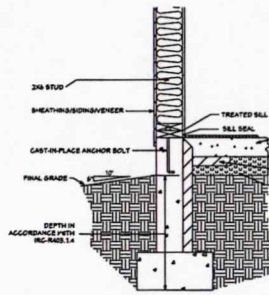
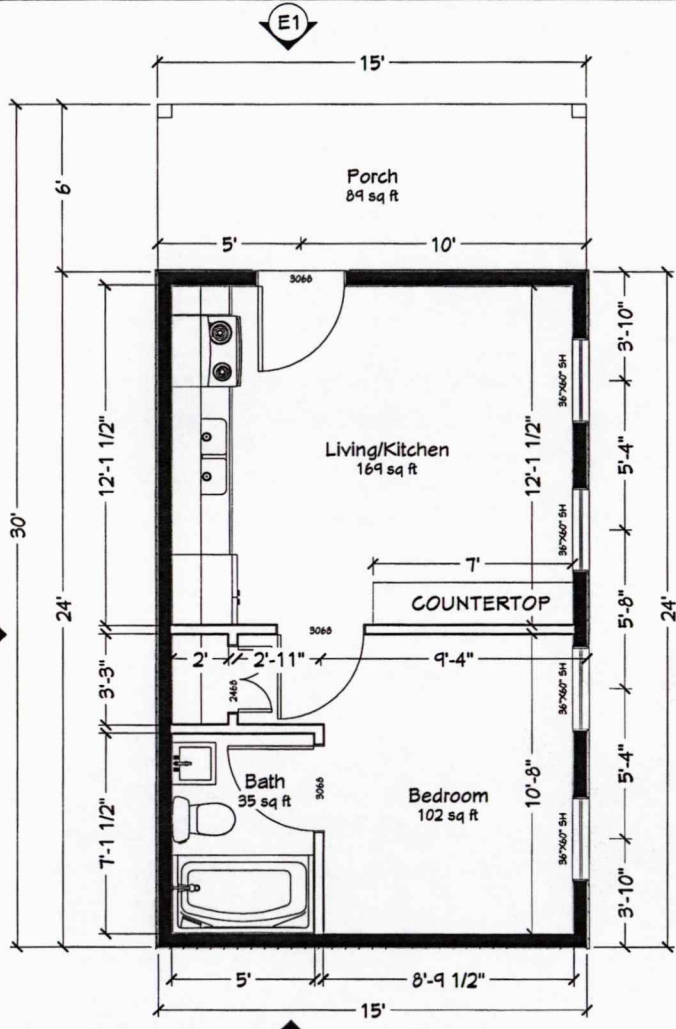
460 S HOUSTON ST  
TERRE HAUTE, IN 47802  
812-202-2200  
MACKEYDESIGN.COM

MACKEY  
BLUEPRINT & DESIGN

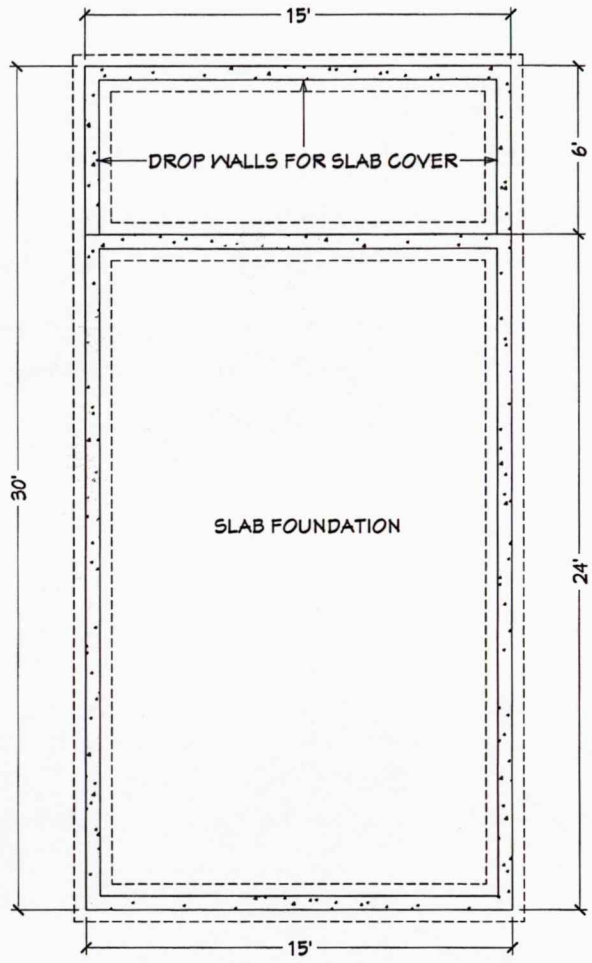
DATE:  
2/25/2022

FOUNDATION PLAN

Sam 116



Slab Foundation  
\*apply local building codes



- 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.
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  5. THESE PLANS ARE FOR DESIGN PURPOSES ONLY. MACKEY BLUEPRINT AND DESIGN, INC ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN.





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

**SPECIAL ORDINANCE NO.** \_\_\_\_\_

6

COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue Terre Huate Indiana 47804

Parcel Number: 84-6-23-226-003.000-002

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13<sup>th</sup> Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Darwinson A. Valdez

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Darwinson A. Valdez

Council Sponsor: **Cheryl Loudermilk**

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

FILED

FEB 03 2022

CITY CLERK

SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 6, 2022

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

SECTION 1. BE IT ORDIANED 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:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

Be and the same is hereby established as a **R-3 Multifamily Residential 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,

*Cheryl Loudermilk*

Cheryl Loudermilk

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
O. Earl Elliott-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 A. Bennett, Mayor

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute  
Indiana 47807, 812-232-4311**

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, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County Indiana 47804)

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 **R-1 Single-Family Residential District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to at least 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. 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 (R-3) Multifamily Residential 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 2 day of March, 2022.

BY: \_\_\_\_\_

  
**Darwinson A. Valdez, Attorney**


PETITIONER: Terre Haute Area of Realtor Association, Inc

This instrument prepared by: **Darwinson A. Valdez, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**

**AFFIDAVIT OF OWNERSHIP AND CONSENT**

COMES NOW Affiant, Darwinson A. Valdez, Attorney for Terre Haute Area Association of Realtors, Inc., an Indiana Nonprofit Corporation, (the "Corporation") and affirms under penalty of law that the Corporation is the owner of record of the property located at 2227 Maple Avenue, Terre Haute, IN 47804, Parcel 84-06-14-104-005.000-002 for which a rezoning is requested and attached hereto is a copy of the deed evidencing such ownership. Further, as attorney for the Corporation it is represented that the Corporation is seeking to rezone the subject property to **(R-3) Multifamily Residential District** to allow for the construction of a tiny homes project.

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

  
\_\_\_\_\_  
**Darwinson A. Valdez**

STATE OF INDIANA        )  
  :ss  
COUNTY OF VIGO        )

Personally appeared before me, a Notary Public in and for said County and State, Darwinson A. Valdez, who acknowledged the execution of the above and foregoing Affidavit of Ownership and Consent, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and Notarial Seal this \_\_\_\_\_ day of March, 2022.

My commission expires: \_\_\_\_\_, Notary Public  
Resident of \_\_\_\_\_ County, Indiana

ENTERED FOR TAXATION  
Subject to final acceptance for Transfer

NO SALES DISCLOSURE REQUIRED

OCT 21 2021

  
VIGO COUNTY AUDITOR

**WARRANTY DEED**

2021014108 WD \$25.00  
10/21/2021 11:31:57A 2 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented



THIS INDENTURE WITNESSETH, That

**CARL COOPER,**  
Of Vigo County, in the State of Indiana,

Conveys and Warrants to

**TERRE HAUTE AREA ASSOCIATION OF REALTORS,**  
Of Vigo County, in the State of Indiana,

for and in consideration of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to-wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said lots are located at the South West corner of Maple Avenue and North 23rd Street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:  
2227 Maple Ave., Terre Haute, IN 47804  
PARCEL #84-06-14-104-005.000-002

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

For information purposes only, the property address is purported to be:  
2134 N 23rd St., Terre Haute, IN 47804  
PARCEL # 84-06-14-104-012.000-002

Subject to any easements, agreements, streets, alleys, restrictions, covenants, building lines, and rights of way of public record.

Tax bills should be sent to Grantee at such address unless otherwise indicated below.



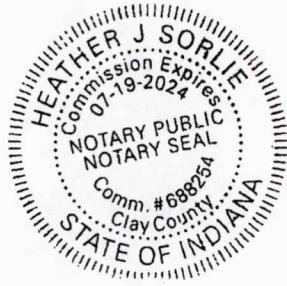
IN WITNESS WHEREOF, the said Grantor has executed this deed on this 15<sup>th</sup> day of October, 20 21.

Carl Cooper (Seal)  
Carl Cooper

STATE OF INDIANA; COUNTY OF VIGO) SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 15<sup>th</sup> day of October, 20 21, personally appeared Carl Cooper who acknowledged the execution of the foregoing Warranty Deed to be the voluntary act and deed of Grantor, and who, having been duly sworn, stated that any representations therein contained are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Heather J Sorlie  
Notary Public  
Commission Number: 688254

Heather J Sorlie  
Printed Name

My Commission Expires:  
7.19.2024

My County of Residence:  
Clay

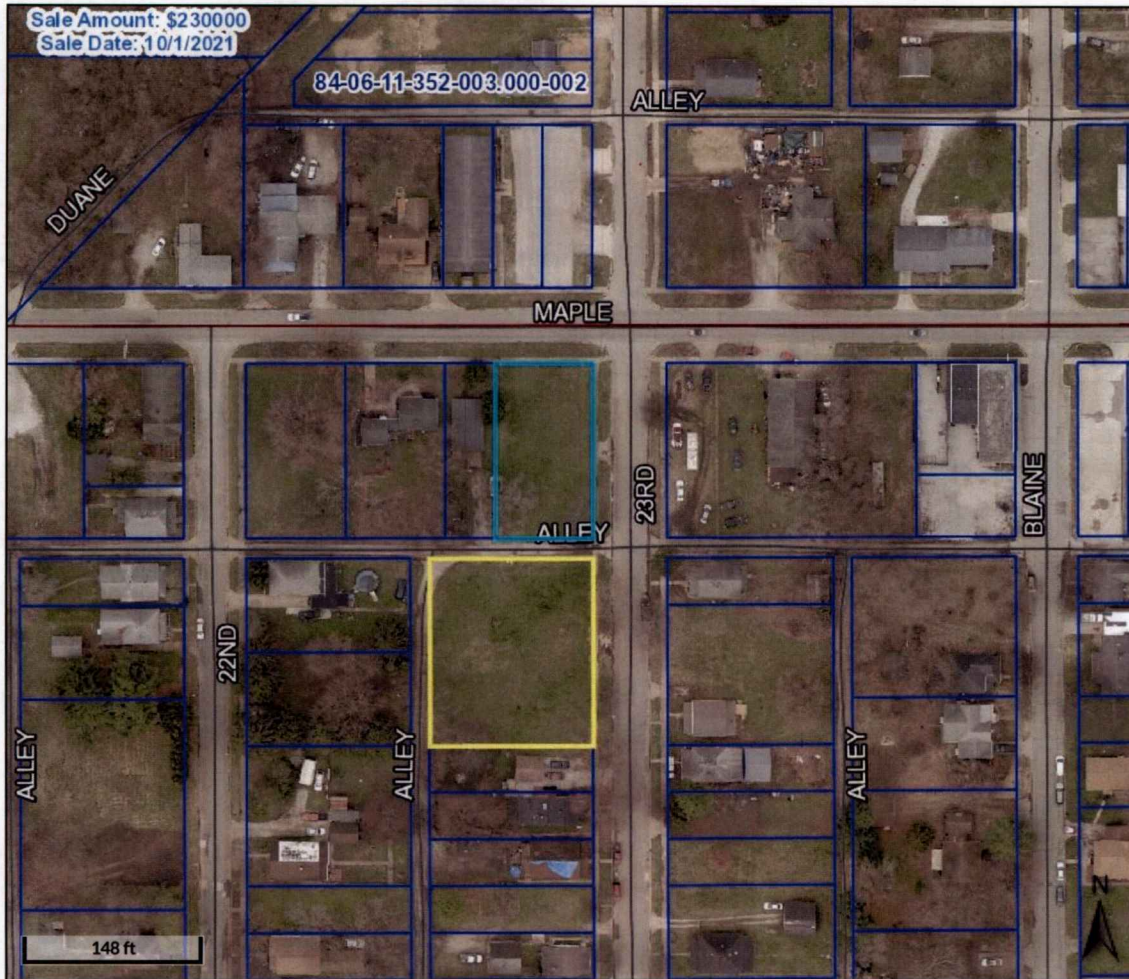
**This Instrument Was Prepared By:** Matthew R. Effner, Attorney, Effner Law Firm, 19 S. 6<sup>th</sup> Street, Suite 1200, Terre Haute, IN 47807, (812) 238-4000, at the specific request of Honey Creek Vigo Title (HCVT) based solely on information supplied by HCVT without examination of title or abstract. Preparer makes no warranties, expressed or implied, regarding the title conveyed by it and assumes no liability for any error, inaccuracy or omission in this instrument resulting from the information provided, the parties hereto signifying their consent to this disclaimer by Grantor's execution and Grantee's acceptance of the instrument. HCVT-2021.

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

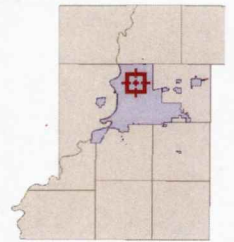
Mail Tax Bills To Grantee At: 1616 S 13<sup>th</sup> Terre Haute, IN 47802

Return Deed To: Honey Creek Vigo Title Services, Inc., 405 S. 6<sup>th</sup> Street, Terre Haute, IN 47807.





**Overview**



**Legend**

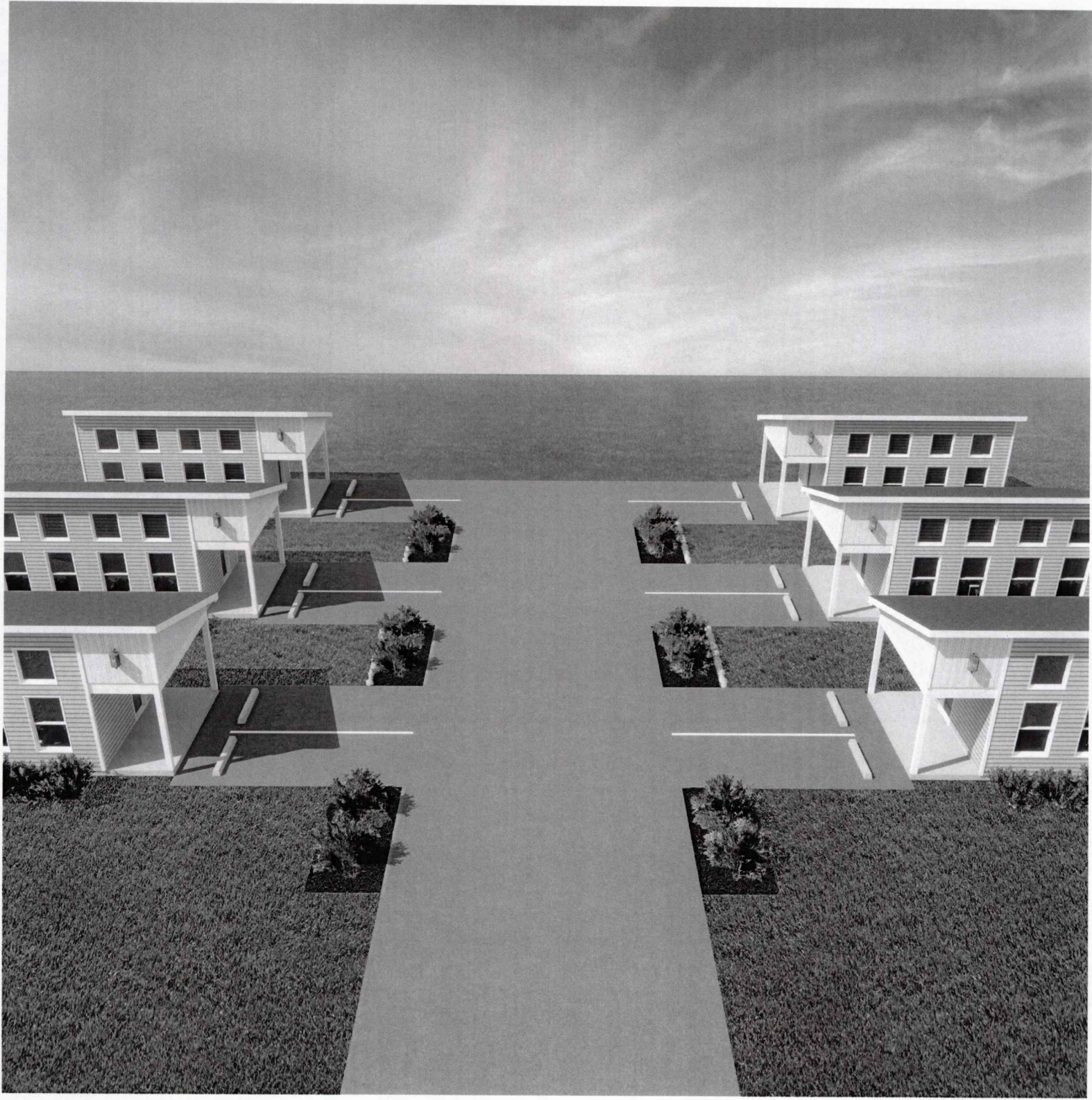
-  Corporate Limits
-  Political Township
-  Sections
-  Blocks
-  Parcels
-  Road Centerlines
-  2021 Sales

<b>Parcel ID</b>	84-06-14-104-005.000-002	<b>Alternate ID</b>	84-06-14-104-005.000-002	<b>Owner Address</b>	Terre Haute Area Association of Realtors
<b>Sec/Twp/Rng</b>	14	<b>Class</b>	Res Vacant platted lot		1616 S 13th St
<b>Property Address</b>	2227 MAPLE AVE	<b>Acreage</b>	n/a		Terre Haute, IN 47802
<b>Neighborhood</b>	118515 - HARRISON				
<b>District</b>	002 HARRISON				
<b>Brief Tax Description</b>	MAPLE AVE PLACE (4510 N 14 1/2) D 443/2429 14-12-9 LOTS 1-2				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 3/2/2022  
Last Data Uploaded: 3/2/2022 5:19:58 AM

Developed by  **Schneider**  
GEOSPATIAL









DATE:  
2/25/2022

**M** **MACKEY**  
BLUEPRINT & DESIGN

~~4060 S HOUSEMAN ST  
TERRE HAUTE, IN 47602  
812-805-2294  
MACKEYDESIGNINC.COM~~

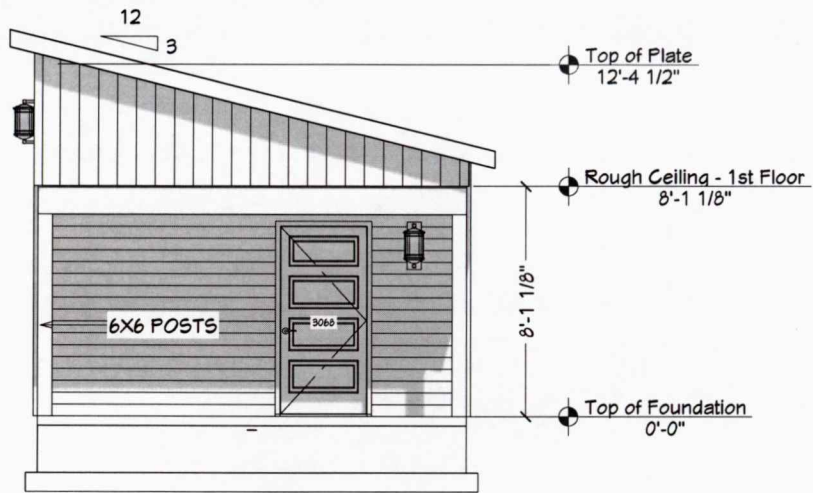
**TINY HOMES**  
**THAAR**

REVISION TABLE		
NUMBER	DATE	DESCRIPTION

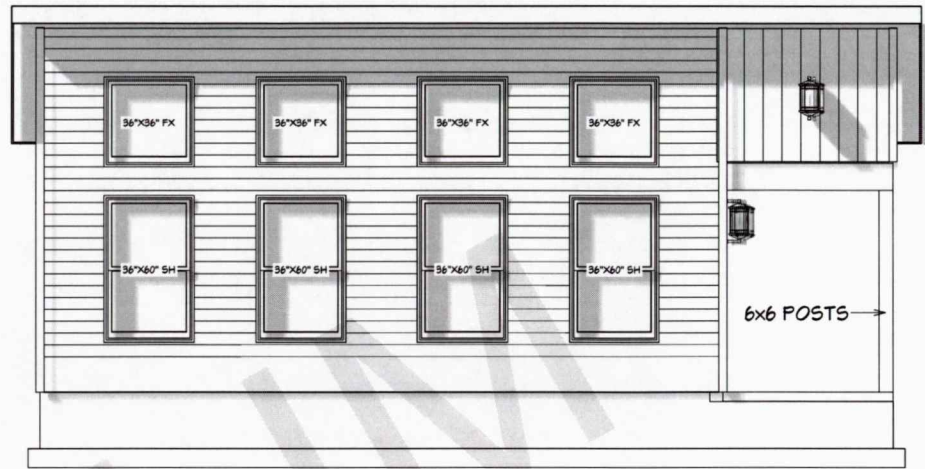


Sample

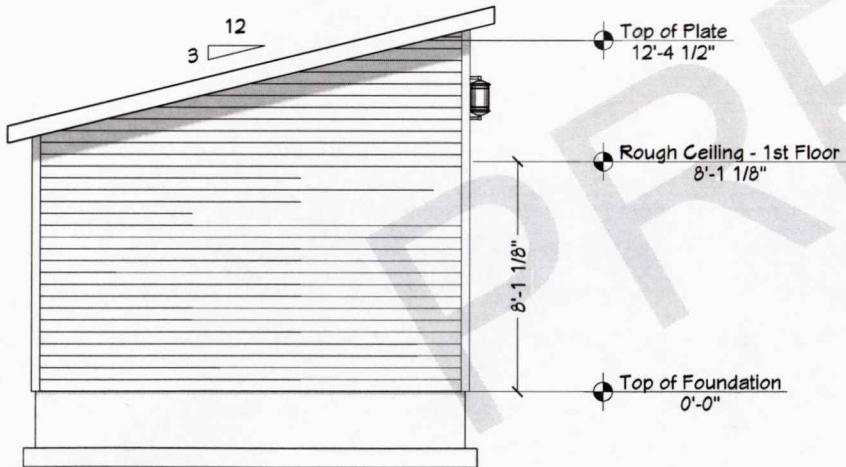




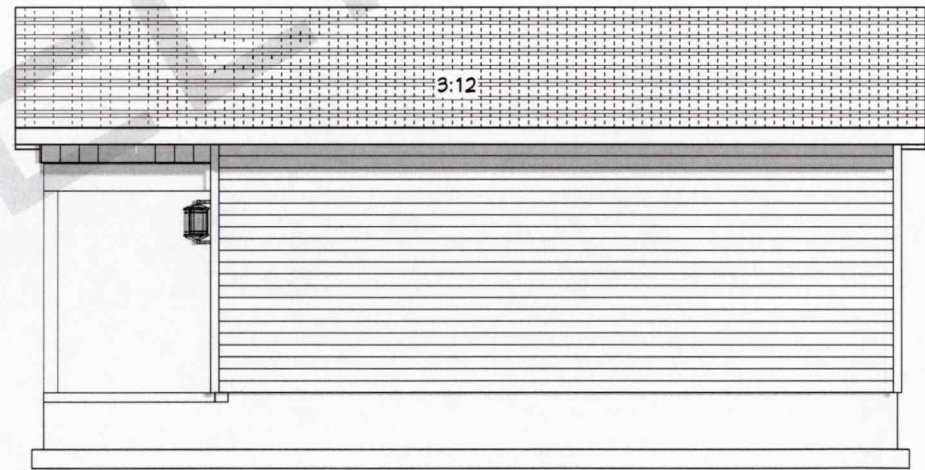
**E1 NORTH ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



**E3 EAST ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



**E2 SOUTH ELEVATION**  
SCALE: 1/2" = 1'-0" (24x36 PLAN)



**E4 WEST ELEVATION**  
SCALE: 1/2" = 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 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.



REVISION TABLE	DESCRIPTION
NUMBER	DATE

**TINY HOMES**  
THAAR

160 S HOBBEMAN ST  
TERRE HAUTE, IN 47302  
812-238-2201  
MACKEYDESIGNINC.COM



DATE:  
2/25/2022

FRONT/REAR  
ELEVATION

*Sample*



REVISION TABLE		
NUMBER DATE DESCRIPTION		

**TINY HOMES**  
THAAR

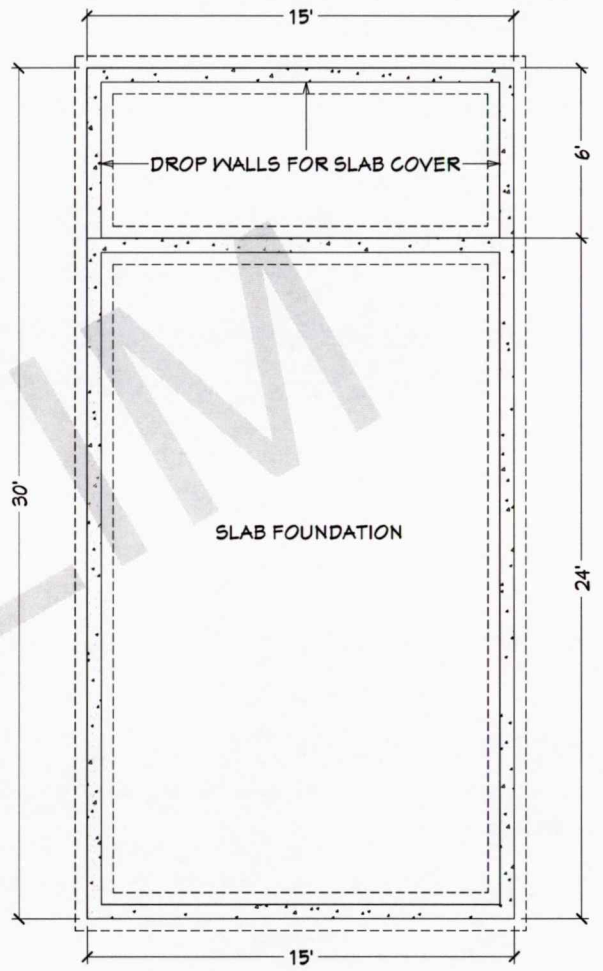
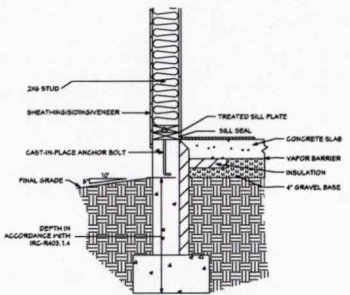
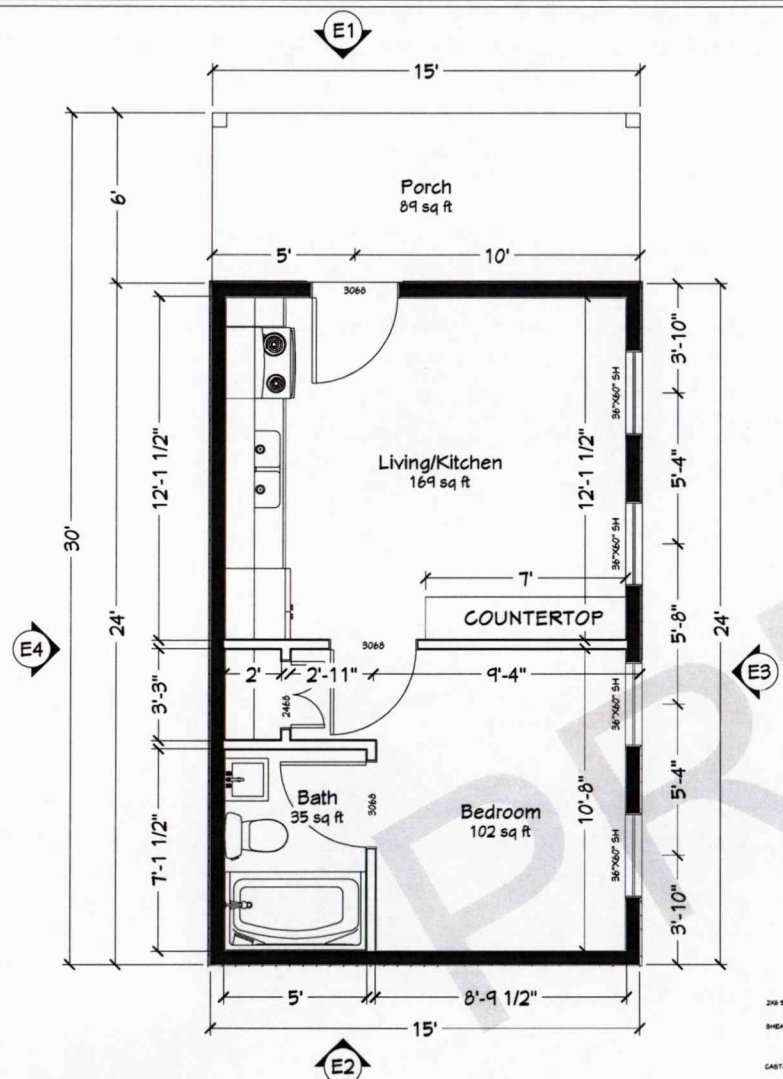
4605 HOUSEMAN ST  
TERRE HAUTE, IN 47352  
817-880-0000  
MACKEYDESIGN.COM

**MACKEY**  
BLUEPRINT & DESIGN

DATE:  
2/25/2022

FOUNDATION PLAN

Sample



- GENERAL NOTES:**
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL NATIONAL AND LOCAL CODES AND REGULATIONS
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**Receipt**

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

Date: 3/3/2022

Name: Darwinism Valedz

Reason: Re zoning - Notice of Filing (\$25.00)  
Re zoning - Petition (\$20.00)

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

Check: 45.00

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

Total: 45.00

TERRE HAUTE, IN  
**PAID**  
MAR 03 2022  
CONTROLLER

Received By: LELIS/JAV





**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

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: May 5, 2022

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 6-22

CERTIFICATION DATE: May 4, 2022

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. 6-22. This Ordinance is a rezoning of 2227 Maple Avenue and 2134 N 23<sup>rd</sup> Street. The Petitioner, Terre Haute Area of Realtor Association, Inc, petitions the Plan Commission to rezone said approximately 8 units of multi-family housing from zoning classification R-1 to R-3, General Residence District.

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. 6-22 at a public meeting and hearing held Wednesday, May 4, 2022. 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. 6-22 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 6-22 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. 6-22 was FAVORABLE WITH THE FOLLOWING CONDITIONS: 1.) Site plan with parking approved by City Engineering 2.) Any required variances approved by the Terre Haute Board of Zoning Appeals 3.) Stormwater drainage plan approved by City Engineering.

Handwritten signature of Fred L. Wilson in black ink.

Fred L. Wilson, President

Handwritten signature of Jared Bayler in black ink.

Jared Bayler, Executive Director

Received this 5th day of May, 2022

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-22

Doc: # 6-22

Date: April 2022

Page 1 of 4

## APPLICATION INFORMATION

Property Owner: Terre Haute Area of Realtor Association, Inc

Proposed Use: Approximately 8 units of Multi-Family Housing

Proposed Zoning: R-3 General Residence District

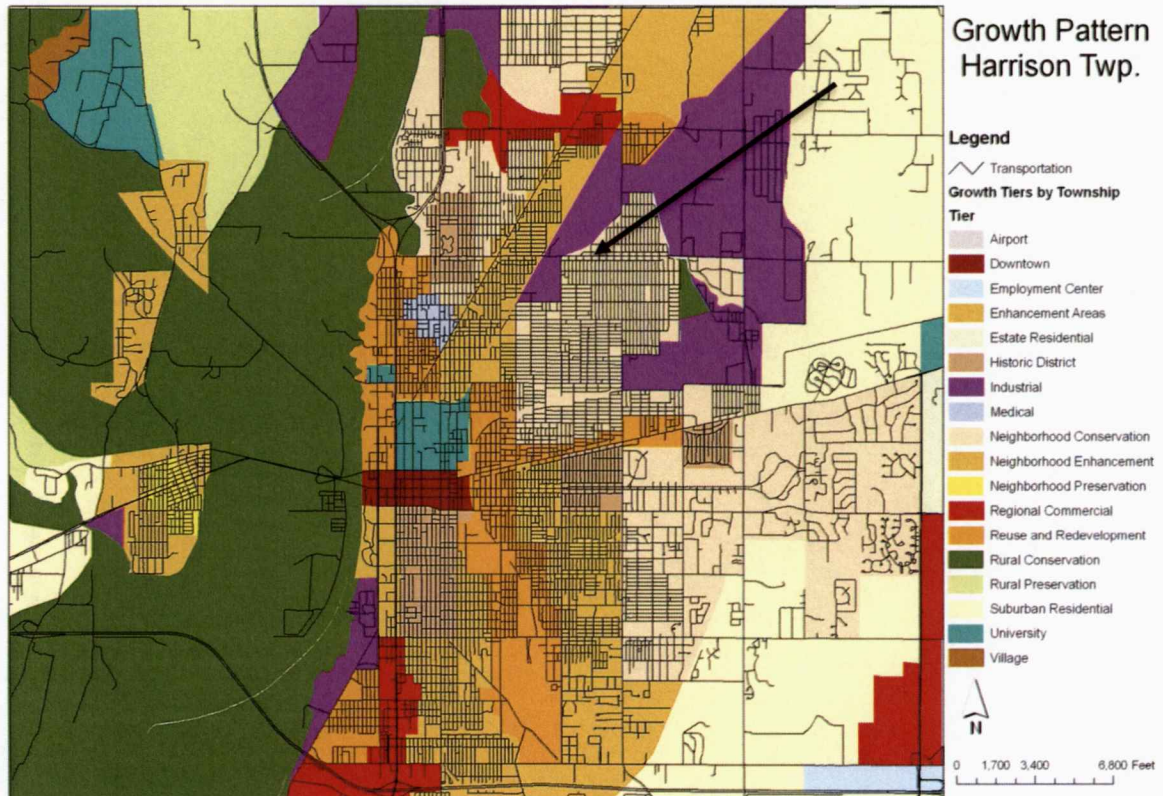
Current Zoning: R-1, Single Family Residence District

Representative: Jeffrey A. Lewellyn

Location: 2227 Maple Avenue & 2134 N. 23<sup>rd</sup> Street Terre Haute,  
IN 47804

Parcel #s: 84-06-14-104-005-000.002/84-06-14-104-012.000-002  
Maple Ave. Place Lots 1-2 & 225-228  
SW corner of Maple Avenue & N. 23<sup>rd</sup> Street

Service Area: The City of Terre Haute





## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-22

Doc: # 6-22

Date: April 2022

Page 2 of 4

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### Neighborhood Conservation

These areas encompass neighborhoods with established and stable residential environments. The vast majority of these areas are fully developed (or expected to be in a relatively short timeframe). Fundamental directives urged for these areas encourage the maintenance of the residential desirability and stability. Where new infill development is proposed, it should be entirely consistent and compatible with pre-existing developments. However, special public attention may, in some cases, be required to assure that drainage, sidewalk improvements, and linkages to pedestrian and bicycle trails are made. Many of these neighborhoods may be excellent candidates for special assessment districts for neighborhood improvements and amenities.

In addition, these areas encompass existing retail activity nodes located throughout the community. In general, these commercial areas have evolved in an unplanned, largely uncoordinated manner along frontage of primary arterials. Within these commercial bands, a great variety of activities exist which target different markets. Some activities are oriented toward “drive-by” markets, fast food restaurants, convenience stores, gasoline stations, drive-in banking facilities, for example. Other activities are special-purpose, oriented to single trips rather than comparative multi-purpose shopping. These single purpose stores serve a market larger than a single neighborhood. Sales and service of automobiles, trucks, boats, recreational vehicles and related activities are special purpose region-serving activities. They require large site with good visibility. Finally, commercial areas include a range of neighborhood level retail activities including grocery stores, pharmacies, personal services such as hair styling, and other frequently purchased goods and services.

Additional policies for Neighborhood Conservation areas should include:

- Allow for a range of housing densities based on the zoning ordinance.
- Allow for a mix of uses, focusing on neighborhood and community serving commercial nodes.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.
- Reuse of commercial oriented structure should be limited to retail activities that contribute to the diversity and variety of retail uses in a commercial node.
- With respect to existing commercial “strips” – i.e. narrow bands of commercial uses occupying major roadway frontage, the limitation of additional or new commercial uses is strongly advised.
- Geographic expansion of this commercial “strips” should be limited to the provision of additional space to ensure the compatibility with adjacent uses, not an intensification of use.
- Improved landscaping, improved pedestrian amenities, and increased attention to lighting, signage, and impacts upon nearby residential areas is advised in the review of development petitions.

Available Services: Area is well served by utilities.

Soil Limitations: unknown



STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #6-22

Doc: # 6-22

Date: April 2022

Page 3 of 4

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Street Access: Maple Avenue and N. 23<sup>rd</sup> St.

Dev. Priority: High intensity residential

## ZONING COMPATIBILITY

Sur. Zones and Uses:     **North** – R-1  
                                  **East** – C-2  
                                  **South** – R-1  
                                  **West** – R-1

---

## 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: F.A.R. 0.7 or 70%  
A minimum Floor Area 512 Sq. Ft., and a minimum Lot Area 1000 Sq. Ft.

### Parking Requirements

- 1.5 parking spaces per 1 bedroom unit.
- 2.0 parking spaces per 2 bedroom unit.
- 3.0 parking spaces per 3 bedroom unit.

**FINDINGS and RECOMMENDATION****Staff Findings:**

The petitioner is requesting to rezone the property to R-3 General Residence District for the purpose of building tiny homes. The primary focus is stated to be tiny homes for homeless veterans. Two parcels are petitioned for rezoning. The first parcel, located at 2227 Maple Avenue, is proposed to be used for “a park like setting for the residents to use as a gathering and community activity center,” but may eventually be used for additional tiny homes. The second parcel to the south, at 2134 N 23<sup>rd</sup> St, is the proposed site for the tiny homes to be built at this time.

The petition proposes up to 8 one-bedroom units. However, a site plan was submitted to the Board of Zoning Appeals for variances as a final site plan to be heard July 1, 2022. The site plan matches what was provided with the six structures. They have requested variances for 1) dwelling unit size of 360 sq ft, 2) to allow an R-3 zoning in a 0.5 density, 3) to allow for a 15' dwelling width.

Parking must be hard surfaced (Sec. 10-137)(d)(4) and the parking lot must be illuminated (Sec. 10-137)(d)(10). The preliminary site plan accounts for two hard-surfaced parking spaces per unit, which is more than would be required. However, this is subject to change as it has only been submitted as a preliminary site plan.

Any home being 400 square feet in area or less shall meet or exceed construction standards as outlined in IRC (Indiana Residential Building Code) Appendix Q and or E. All homes regardless of size must comply with 2020 Indiana Residential Building Code as amended.

**Recommendation:** Staff offers a favorable with the following conditions:

1. Site plan with parking approved by City Engineering.
2. Any required variances approved by the Terre Haute Board of Zoning Appeals
2. Stormwater drainage plan approved by City Engineering.



## VETERAN'S VILLAGE at MAPLE AVENUE

**Goal: Veterans and other people in need to live in a safe home environment while gaining needed life training to become self sufficient.**

- The **Terre Haute Area Association of Realtors®** have undertaken the task of Developing the Veteran's Village at Maple Avenue. **THAAR** has created Veteran's Point, LLC to use for this project.
- **THAAR** has a number of committees at work on this project including Building Committee and Fundraising Committee. This project has been in the planning stages for over a year.
- A total of 6 lots in 2 parcels at Maple Avenue and 23rd St. were donated to THAAR for this project by Mr. Carl Cooper
- The Parcel nearest Maple Avenue is slated to become a park like setting for the residents to use as a gathering and community activity center. Metzger landscaping is developing a plan for this park space.
- The Larger 2nd Parcel will be the site for six Tiny Homes of Approximately 360 sq ft. The development and homes were designed by **MACKEY BLUEPRINT AND DESIGN.**
- Each Tiny Home will be rented to deserving individuals who meet certain criteria and agree to counseling and other services as needed. The Tiny Homes will be used as a gateway for individuals to move on to a permanent living arrangement. It is envisioned that a person will occupy a Tiny Home for a year or less.
- We have estimates of approximately \$25,000 for materials for the homes from Niehaus Lumber and Building Supplies.
- We have commitments of labor and money that is too extensive to list here.



This Veteran's Village development will go before the Terre Haute City council and Area Planning for approval. The **THAAR** planning group has met with Mayor Bennett and County Commissioner Chris Switzer and have pledged their support.

Terre Haute Area Association of REALTORS® Building committee

Mark Clinkenbeard, Aaron Mackey, Tim Malooley, Kyle McClain, (CH)

Tami Kolodziej, Andy Metheny,

President ,Jenny Jones

Vice President , Carrie Smith

Treasurer, Tom Chiado

Secretary, Amy Gordon

Kyle Shoults, Connie Milam, Mandy Baesler, Debi Sullivan, Molly Shopmeyer, Julie Weir

Tracey Malooley

Association Executive Officer

[tracey@thaar.com](mailto:tracey@thaar.com)

812-234-8732



DATE:  
2/25/2022



4460 S HOUSEMAN ST  
TERRE HAUTE, IN 47602  
812-208-2201  
MACKEYDESIGNINC.COM

**TINY HOMES  
THAAR**

NUMBER	DESCRIPTION

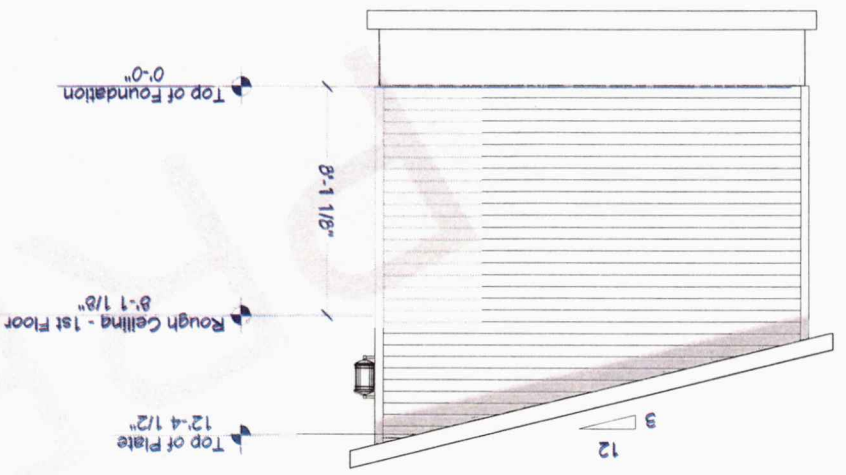




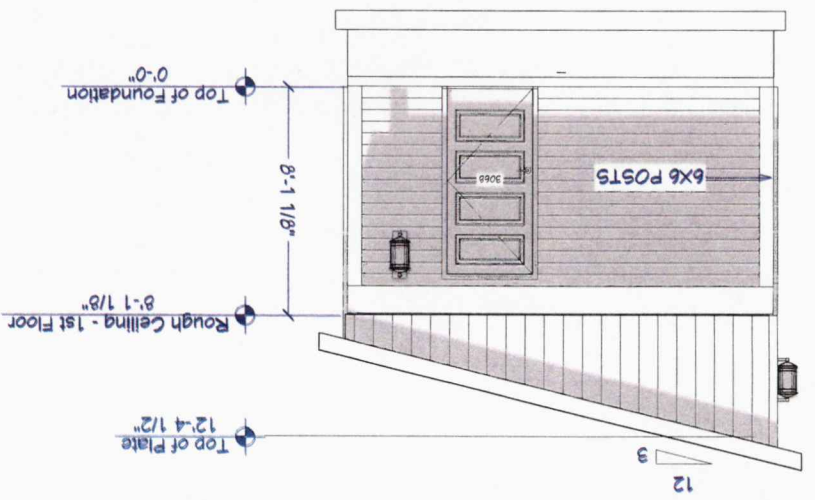
**GENERAL NOTES:**

- 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 COMPLIANCE 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.

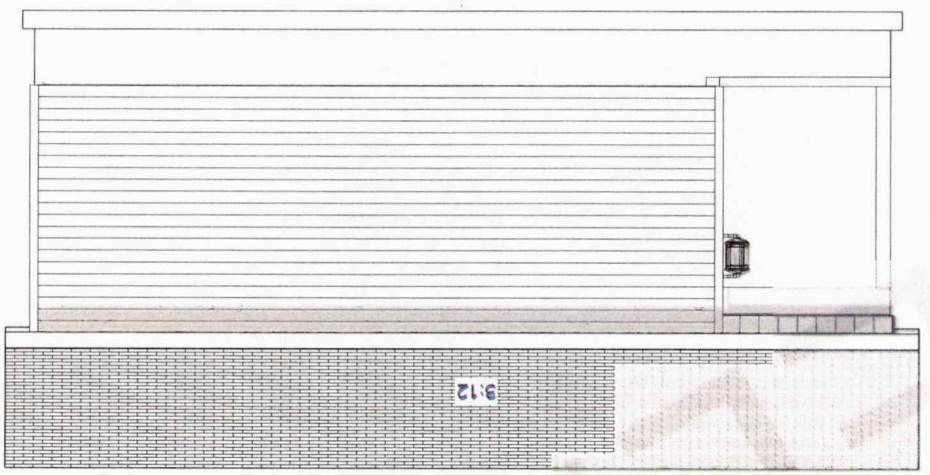
Ⓢ SOUTH ELEVATION  
SCALE: 1/2" = 1'-0" (Deck Plan)



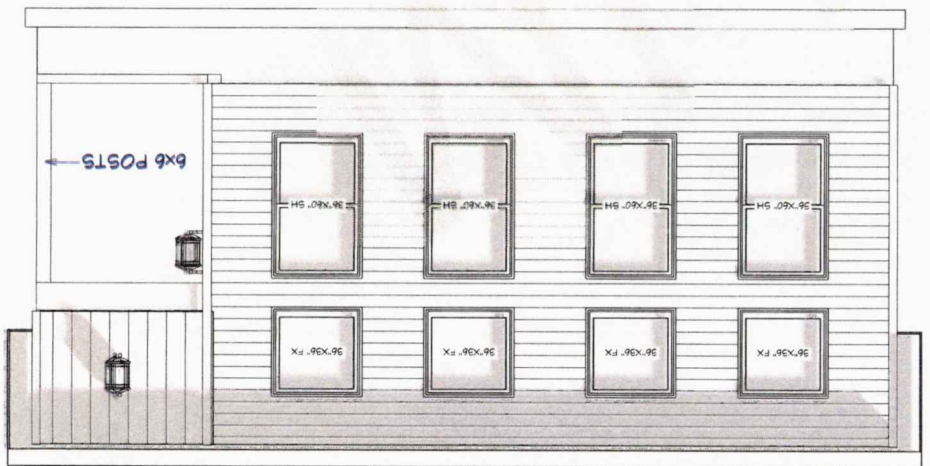
Ⓢ NORTH ELEVATION  
SCALE: 1/2" = 1'-0" (Deck Plan)



Ⓢ WEST ELEVATION  
SCALE: 1/2" = 1'-0" (Deck Plan)



Ⓢ EAST ELEVATION  
SCALE: 1/2" = 1'-0" (Deck Plan)



DATE: 7/25/2022  
ELEVATION

**MACKEY**  
BLUEPRINT & DESIGN

4405 S. HOUSTON ST.  
TOMBALL, TX 77058  
P: 281-225-2251  
MACKEYDESIGN.COM

**TINY HOMES**  
THAAR

REVISION	DATE	DESCRIPTION





NUMBER	REVISION TABLE DESCRIPTION

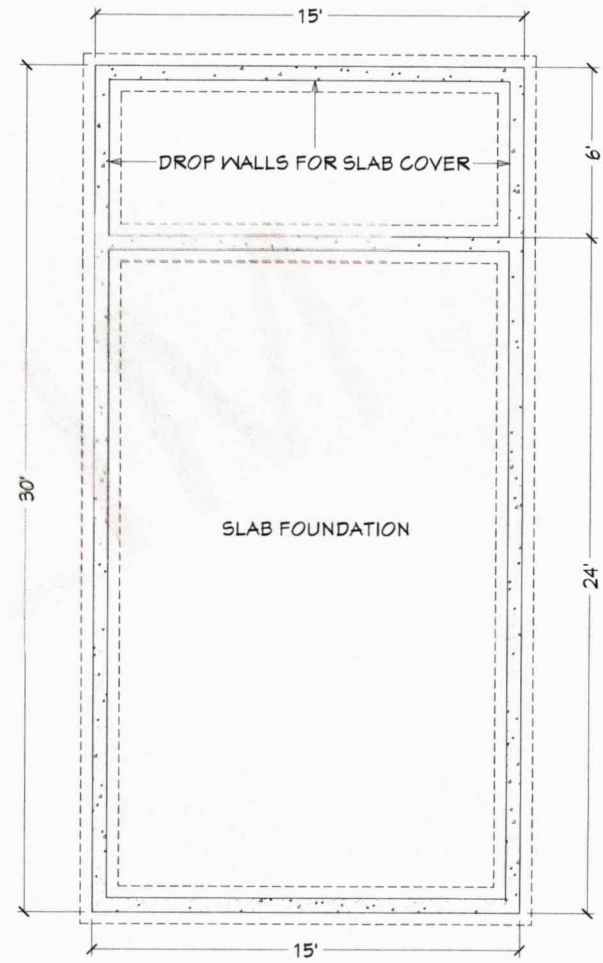
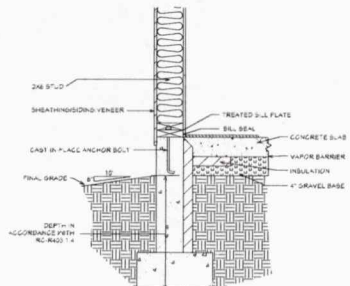
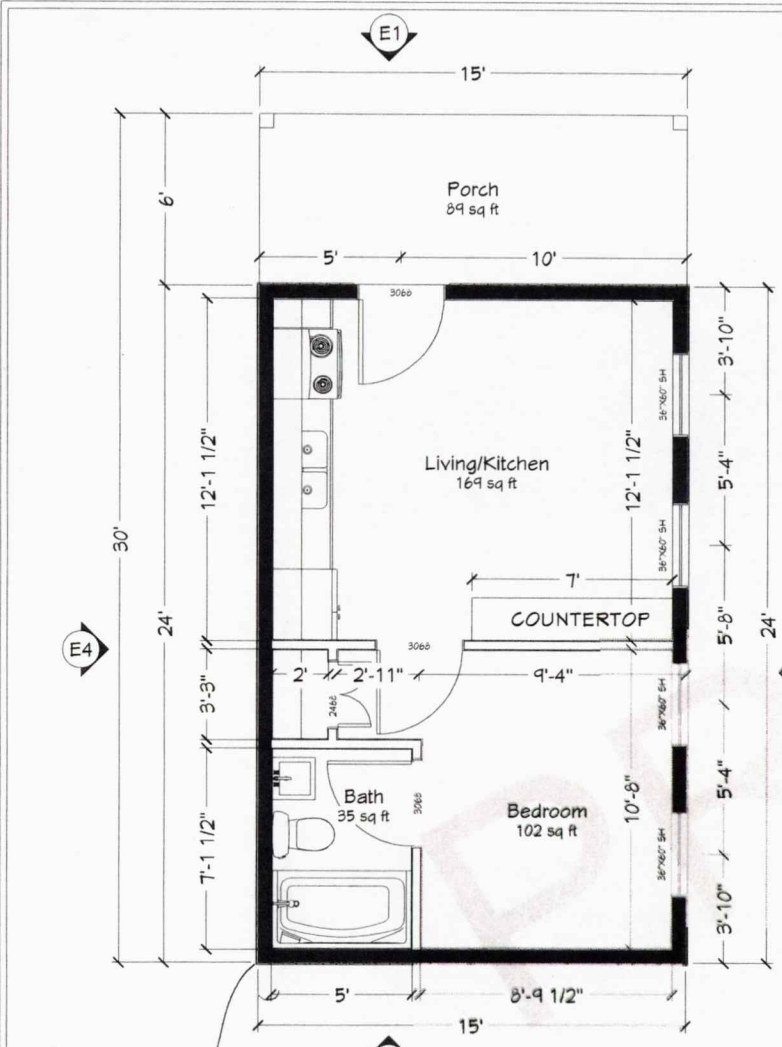
**TINY HOMES**  
THAAR

4465 S HOUSHEAVEN ST  
TERRE HAUTE, IN 47502  
512.268.2201  
MACKEYDESIGNING.COM

**MACKEY**  
BLUEPRINT & DESIGN™

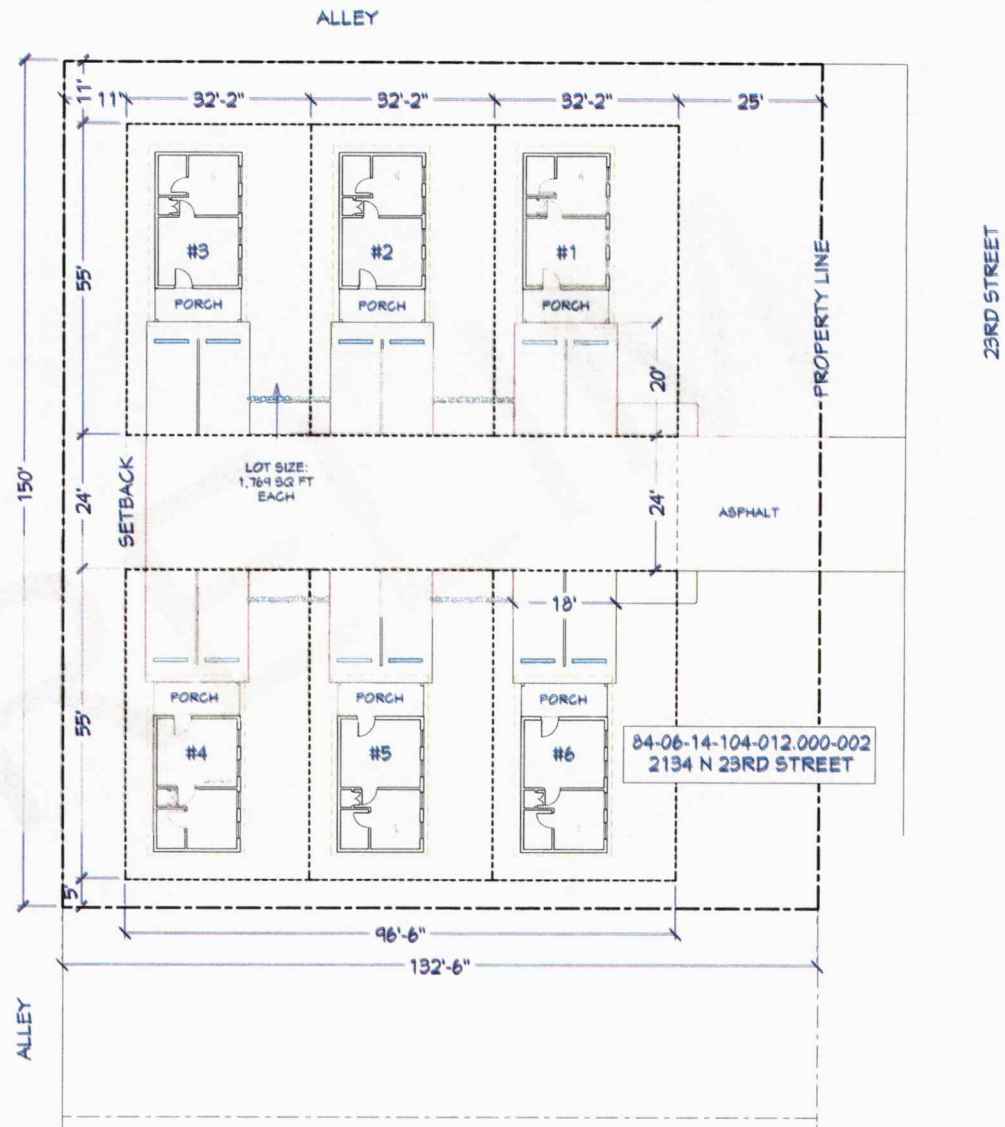
DATE:  
3/25/2022

FOUNDATION 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 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

**PROPOSED PLOT PLAN**  
SCALE: 1" = 10' (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.



DATE	2/25/2022
PROJECT NAME	TINY HOMES THAAR
PROJECT ADDRESS	2134 N 23RD STREET

**TINY HOMES**  
THAAR

MARK'S HOUSEWARES ST.  
TERRACE HALL, IN #1952  
812.228.2201  
MACKEYDESIGNING.COM



DATE:  
2/25/2022

MAIN FLOOR  
PLAN





AMENDED  
APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 06, 2022

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COMMON ADDRESS OF LOTS TO BE REZONED:

2227 Maple Avenue and  
2134 N 23<sup>rd</sup> St., Terre Haute, IN 47804

Parcel Number: 84-6-14-104-005.000-002; and  
84-6-14-104-0012.000-002

Current Zoning: R-1 Single Family Residence District

Requested Zoning: R-3 Multifamily Residential District

Proposed Use: Approximately 8 units of multi-family housing.

Name of Owner: Terre Haute Area of Realtor Association, Inc.

Address of Owner: 1616 S 13<sup>th</sup> Street, Terre Haute IN 47802

Phone Number of Owner: 81223448732

Attorney Representing Owner (if any): Jeffrey A. Lewellyn

Address of Attorney: 333 Ohio Street Terre Haute IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: Jeffrey A. Lewellyn

Council Sponsor: **Cheryl Loudermilk**

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

**AMENDED  
SPECIAL ORDINANCE FOR A REZONING  
SPECIAL ORDINANCE NO. 06, 2022**

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

SECTION 1. BE IT ORDIANED 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:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

Lots 225, 226, 227, and 228 in Maple Avenue Place, a subdivision in the City of Terre Haute, Indiana, said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

Be and the same is hereby established as a **R-3 Multifamily Residential 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,

\_\_\_\_\_  
Cheryl Loudermilk

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 A. Bennett, Mayor

ATTEST: \_\_\_\_\_  
Michelle Edwards, City Clerk

**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.**

\_\_\_\_\_  
**Jeffrey A. Lewellyn, Attorney**

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**

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, Terre Haute Area of Realtor Association, Inc, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Number 1 and 2 in Maple Avenue Place, a subdivision in the City of Terre Haute Indiana, said lots are located at the South West corner of Maple Avenue and North 23<sup>rd</sup> street in said City. Said Plat recorded May 29, 1905 in Plat Record 8, page 43 in the Office of the Recorder of Vigo County, Indiana.

(Commonly known as: 2227 Maple Avenue, Terre Haute, Vigo County, Indiana 47804)

ALSO

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(Commonly known as: 2134 N. 23<sup>rd</sup> St., Terre Haute, Indiana 47804.)

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 **R-1 Single Family Residence District**.

Your petitioner would respectfully state that the real estate is at issue is currently unimproved land. Your petitioner intends to use the real estate to develop up to 8 one-bedroom apartments.

Your petitioner would request that the real estate described herein shall be zoned as a (R-3) Multifamily Residential District. 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 (R-3) Multifamily Residential 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 \_\_8<sup>th</sup>\_\_ day of April, 2022.

BY: \_\_\_/s/ Jeffrey A. Lewellyn\_\_\_  
**Jeffrey A. Lewellyn, Attorney**

PETITIONER: Terre Haute Area of Realtor Association, Inc

This instrument prepared by: **Jeffrey A. Lewellyn, 333 Ohio Street, Terre Haute Indiana 47807, 812-232-4311**



**(INSERT AFFIDAVIT OF OWNERSHIP)**

Affidavit filed with the original filed Petition is still accurate.