



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 11

COMMON ADDRESS OF LOTS TO BE REZONED:

2904 Fenwood Avenue, Terre Haute, Indiana 47803

Parcel 84-06-23-230-003.000-002

Current Zoning: M-2 Heavy Industrial District

Requested Zoning: R-1 Single Family Residence District

Proposed Use: Single Family Residence Home

Name of Owner: David D & Jerdina N Whitaker

Address of Owner: 2904 Fenwood Avenue

Phone Number of Owner: (812)-241-6469

Attorney Representing Owner (if any): N/A

Address of Attorney: N/A

Phone Number of Attorney: N/A

For Information Contact: Jerdina N Whitaker

Council Sponsor: Cheryl Loudermilk

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

JUN 07 2024

SPECIAL ORDINANCE NO. 11, 2024

CITY CLERK

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

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

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

Lots Numbers 165 and 166 in Schaal's Second Subdivision of a part of the North $\frac{1}{2}$ of the North East $\frac{1}{4}$ of Section 23, Township 12 North, Range 9 West, as per recorded plat thereof, recorded November 18, 1909, in Plat Record 10, Page 30, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 2904 Fenwood Avenue, Terre Haute, IN 47803

be and the same is, hereby established as a **R-1 Single Family Residence District** together with all rights and privileges that may inure to said real estate and the owners thereof by virtue of the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise except as specifically authorized under the terms of this ordinance.

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 the City of Terre Haute, and its approval by the Mayor and publications as by law provided.

Presented by Council Member, _____
Cheryl Loudermilk, Councilperson

Passed in open Council this _____ day of _____, 2024.

Tammy Boland, President

ATTEST:

Michelle L. Edwards, City Clerk

Presented to me the Mayor of the City of Terre Haute, this _____ day of _____,
2024 at _____ o'clock.

Michelle L. Edwards, City Clerk

Approved by me, the Mayor of the City of Terre Haute, this _____ day of _____,
2024.

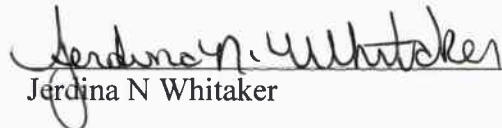
Brandon C. Sakbun, Mayor

ATTEST:

Michelle L. Edwards, City Clerk

This instrument prepared by Jerdina N Whitaker, 2904 Fenwood Ave, Terre Haute, Indiana
47803

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.



Jerdina N Whitaker

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, David and Jerdina N Whitaker respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

Lots Numbers 165 and 166 in Schaal's Second Subdivision of a part of the North ½ of the North East ¼ of Section 23, Township 12 North, Range 9 West, as per recorded plat thereof, recorded November 18, 1909, in Plat Record 10, Page 30, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 2904 Fenwood Avenue, Terre Haute, IN 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 M-2 Heavy Industrial District.

Your petitioner would respectfully state that the real estate is now single family residence. Your petitioner intends to continue to use the real estate as a single family residence.

Your petitioner would request that the real estate described herein shall be zoned as a R-1 Single Family Residence District. Your petitioner would allege that the Single Family Residence 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-1 Single Family Residence District of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNESS WHEREOF, This petition has been duly executed this 7th day of June, 2024.

BY: David Whitaker
David Whitaker

BY: Jerdina N. Whitaker
Jerdina N. Whitaker

PETITIONER: David and Jerdina N Whitaker, 2904 Fenwood Avenue, Terre Haute, IN 47803

This instrument prepared by Jerdina N Whitaker, 2904 Fenwood Ave, Terre Haute, Indiana
47803

AFFIDAVIT OF:

COMES NOW affiant, David Whitaker and affirms under penalty of law that affiant is the owner of record of the property located at 2904 Fenwood Avenue, Terre Haute, Indiana 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.

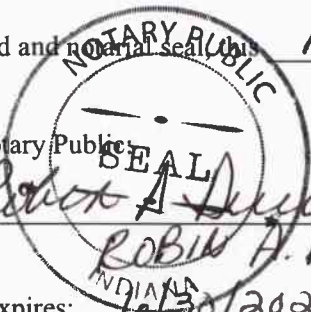
SIGNATURE: David Whitaker
David Whitaker

STATE OF INDIANA)
)
COUNTY OF VIGO)

SS:

Personally appeared before me, a Notary Public in and for said County and State, David Whitaker 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 1 day of March, 2024.

Notary Public

Robin A. Drummy
ROBIN A. DRUMMY

My Commission Expires: 6/30/2026

My County Of Residence: Vigo

AFFIDAVIT OF:

COMES NOW affiant, Jerdina N. Whitaker and affirms under penalty of law that affiant is the owner of record of the property located at 2904 Fenwood Avenue, Terre Haute, Indiana 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.

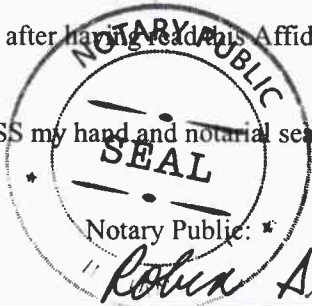
SIGNATURE: Jerdina N. Whitaker
Jerdina N. Whitaker

STATE OF INDIANA)
)
COUNTY OF VIGO)

SS:

Personally appeared before me, a Notary Public in and for said County and State, Jerdina N. Whitaker who acknowledges the execution of the above and foregoing, after being duly sworn upon her oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 28 day of FEBRUARY, 2024.



Robin A. Drummy
ROBIN A. DRUMMY

My Commission Expires: 6/30/2026

My County Of Residence: VI/CO

MAY 7 1999

RECORDED FOR RECORD

Justin D. Anderson Notary
Vigo County

008086

99 06 1706

VIGO COUNTY RECORDER'S OFFICE
VIGO CO. RECORDS

WARRANTY DEED

THIS INDENTURE WITNESSETH, That ELIJAH EARL GOOD and MARSHA KAY GOOD, husband and wife, (Grantors) of Vigo County, in the State of Indiana, CONVEY AND WARRANT to DAVID D. WHITAKER and JERDINA N. WHITAKER, husband and wife, (Grantees) of Vigo County, in the State of Indiana, for the sum of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate in Vigo County, State of Indiana:

Lots Numbers 165 and 166 in Schaal's Second Subdivision of a part of the North 1/2 of the North East 1/4 of Section 23, Township 12 North, Range 9 West, as per recorded plat thereof, recorded November 18, 1909, in Plat Record 10, Page 30, records of the Recorder's Office of Vigo County, Indiana.

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

SUBJECT to real estate taxes prorated between Grantors and Grantees to date of this deed.

IN WITNESS WHEREOF, Grantors have executed this deed this 30th day of April, 1999.

Elijah Earl Good Marsha Kay Good
Elijah Earl Good Marsha Kay Good

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

Before me a Notary Public in and for said County and State, personally appeared Elijah Earl Good and Marsha Kay Good, husband and wife, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

WITNESS my hand and Notarial Seal this 30th day of April, 1999.

My Commission Expires September 24, 2006
Resident of Vigo County, IN
Susan K. Keller
Notary Public
SUSAN K. Keller

This instrument Prepared By: Frederick T. Bauer, Attorney at Law, 605 Ohio St, Ste. 301, Terre Haute, IN 47807

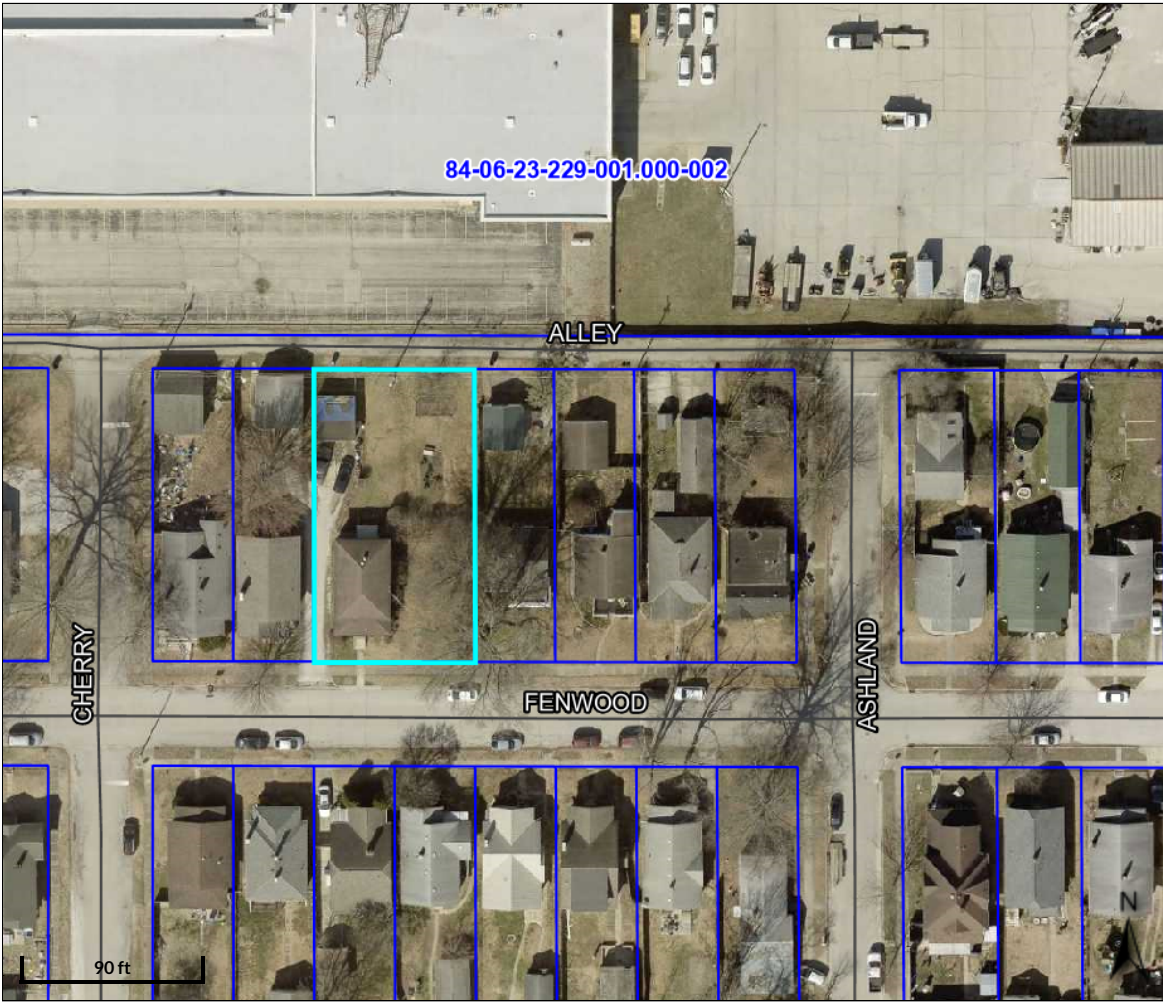
Return deed to: David D. Whitaker 3871 E. Hall Ave.
Terre Haute, In 47805

Send tax bills to: Resource Bancshares Mortgage
7909 Parklane Road #150
Columbia, SC 29223

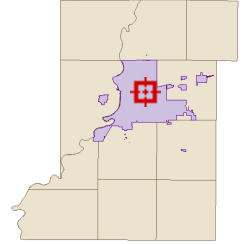
RECEIVED FOR RECORD

AT _____ O'CLOCK _____ M
RECORD 444 PAGE 1706
Mitchell Hewton
RECORDER VIGO COUNTY





Overview



Legend

- Corporate Limits
- Political Townships
- Sections
- Blocks
- Parcels
- Road Centerlines
- 2022 Sales

Parcel ID	84-06-23-230-003.000-002	Alternate ID	84-06-23-230-003.000-002	Owner Address	Whitaker David D & Jerdina N
Sec/Twp/Rng	23	Class	Res 1 fam dwelling platted lot		2904 Fenwood Ave
Property Address	2904 FENWOOD AVE	Acreage	n/a		Terre Haute, IN 47803
	TERRE HAUTE				
Neighborhood	118528 - HARRISON				
District	002 HARRISON				
Brief Tax Description	SCHAALS 2ND SUB				
	D- 444/1706 23-12-9 LOTS 165-166				
	<i>(Note: Not to be used on legal documents)</i>				

Date created: 6/10/2024
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