



APPLICATION FOR REZONING PETITION - CITY OF TERRE HAUTE

SPECIAL ORDINANCE NO. 34, 2024

COMMON ADDRESS OF LOTS TO BE REZONED:

50 E. Margaret Avenue, 2 E. Margaret Avenue, 2929 S. 1st Street, 2914 Arleth Street, 2900 Arleth Street, 2901 S. 1st Street Terre Haute, Indiana 47802

Parcel Number:

Parcel No: 84-06-33-382-007.000-002, 84-06-33-382-005.000-002, 84-06-33-382-004.000-002, 84-06-33-382-002.000-002, 84-06-33-382-003.000-002, 84-06-33-382-001.000-002, 84-06-33-382-006.000-002

Current Zoning: C-3 Regional Commerce District

Requested Zoning: R-3 General Residence District

Proposed Use: 120 multifamily apartment units across 2 residential buildings and a detached clubhouse

Name of Owner: Kenneth E. Steiner Jr.

Address of Owner: 3174 W Florine Dr Terre Haute, IN 47802

Phone Number of Owner: (802) 208-4848

Attorney Representing Owner (if any):

Address of Attorney:

Phone Number of Attorney:

For Information Contact: Cole Caress, Development Associate, TWG Development, ccaress@twgdev.com, (317) 590-3616

Council Sponsor:

Kandace Hinton

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

FILED

AUG 28 2024

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 34, 2024**

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 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:

The Land is described as follows:

The following described real estate in the County of Vigo, State of Indiana:

Parcel 1

Lot Number 6, 7, 8 and 9 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-007.000-002

Commonly known as: 50 E. Margaret Drive, Terre Haute, IN 47802

Parcel 2

Lot Number 18 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-005.000-002

Commonly known as: 2 E. Margaret Drive, Terre Haute, IN 47802

Parcel 3

Lot Number 17 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-004.000-00342

Commonly known as: 2929 South 1st Street, Terre Haute, IN 47802

Parcel 4

Eighty (80) feet of even width off the North side of Lot Number 15 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-002.000-002

Commonly known as: 2929 South 1st Street, Terre Haute, IN 47802

Parcel 5

Lot Number 15 in Axtell Park except 80 feet of even width off the North side and Lot Number 16 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-003.000-002

Commonly known as: 2914 Arleth Street, Terre Haute, IN 47802

Parcel 6

Lot Number 14 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-001.000-002

Commonly known as: 2900 Arleth Street, Terre Haute, IN 47802

Parcel 7

Lot Number 5 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

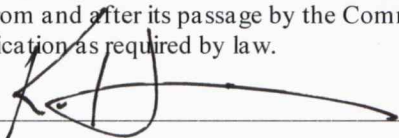
Parcel No. 84-06-33-382-006.000-002

Commonly known as: 2901 South 1st Street, Terre Haute, IN 47802

Be and the same is hereby established as a **R-3 General 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."

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, _____



Kandace Hinton

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

Tammy Boland-President

ATTEST: _____

Michelle Edwards, City Clerk

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

Michelle Edwards, City Clerk

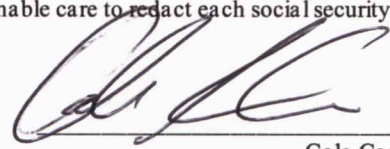
Approved by me, the Mayor, this _____ day of _____, 20__.

Brandon Sakbun, Mayor

ATTEST: _____
Michelle Edwards, City Clerk

This instrument prepared by: **Cole Caress, TWG Development LLC, 1301 E Washington St.
Indianapolis, IN, 46202, (317) 590-3616.**

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.



Cole Caress

PETITION FOR A REZONING

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, **Kenneth E. Steiner Jr.**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

The Land is described as follows:

The following described real estate in the County of Vigo, State of Indiana:

Parcel 1

Lot Number 6, 7, 8 and 9 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-007.000-002

Commonly known as: 50 E. Margaret Drive, Terre Haute, IN 47802

Parcel 2

Lot Number 18 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-005.000-002

Commonly known as: 2 E. Margaret Drive, Terre Haute, IN 47802

Parcel 3

Lot Number 17 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-004.000-002

Commonly known as: 2929 South 1st Street, Terre Haute, IN 47802

Parcel 4

Eighty (80) feet of even width off the North side of Lot Number 15 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-002.000-002

Commonly known as: 2929 South 1st Street, Terre Haute, IN 47802

Parcel 5

Lot Number 15 in Axtell Park except 80 feet of even width off the North side and Lot Number 16 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-003.000-002

Commonly known as: 2914 Arleth Street, Terre Haute, IN 47802

Parcel 6

Lot Number 14 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-001.000-002

Commonly known as: 2900 Arleth Street, Terre Haute, IN 47802

Parcel 7

Lot Number 5 in Axtell Park, being a subdivision of part of the Southwest Quarter (Southwest 1/4) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

For Informational Purposes Only:

Parcel No. 84-06-33-382-006.000-002

Commonly known as: 2901 South 1st Street, Terre Haute, IN 47802

Your petitioner is informed and believes that in accordance with Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for Terre Haute, Indiana," the above-described real estate is now zoned as **C-3 Regional Commerce District**.

Your petitioner would respectfully state that the real estate is now **Former Medical Building Demolished. Three existing single family homes still remain**. Your petitioner intends to use the real estate to **Develop Multifamily Housing**.

Your petitioner would request that the real estate described herein shall be zoned as **R-3 General Residence District**. Your petitioner would allege that the **General 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-3 General 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 WITNES WHEREOF, This petition has been duly executed this 28 day of August,
2024.

BY: 
Kenneth E. Steiner Jr.

PETITIONER: **Kenneth E. Steiner Jr., 3174 W Florine Dr Terre Haute, IN 47802**

This instrument was prepared by **Cole Caress, TWG Development LLC, 1301 E Washington St,
Indianapolis, Indiana 46220, (317) 590-3616**

AFFIDAVIT OF: Kenneth E. Steiner Jr.
COMES NOW affiant _____

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

50 E. Margaret Avenue, 2 E. Margaret Avenue, 2929 S. 1st Street, 2914 Arleth Street, 2900 Arleth Street, at 2901 S. 1st Street Terre Haute, Indiana 47802

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

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

Kenneth E. Steiner Jr.

[Typed name of owner(s) on deed]

SIGNATURE: _____

SIGNATURE: _____

STATE OF INDIANA)
SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, Marion Indiana

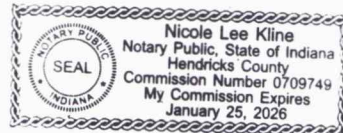
who acknowledges the execution of the above and foregoing, after being duly sworn upon his oath and after having read this Affidavit.

WITNESS my hand and notarial seal, this 28 day of August, 20024.

Notary Public:
Nicole Lee Kline

My Commission Expires: 1.25.26

My County Of Residence: Hendricks





WABASH PLACE APARTMENTS - TERRE HAUTE, IN

LEVEL	1BR	2BR	3BR	# / FLR
1	11	23	6	40
2	8	16	16	40
3	8	16	16	40
Total	27	55	38	120

% by UNIT TYPE

	23%	46%	31%
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UNIT AREA & DETAILS

	1D	1D-MO	2D	2D-MO	2N	2N-MO	3M	3M-MO
MARKET NET AREA	735	735	897	897	965	965	1,124	1,124
# OF BEDROOMS	1	1	2	2	2	2	3	3
# OF BATHROOMS	1	1	1	1	1	1	2	2

MARKET NET AREA - (ANSI/SPRIMA 305.4 METHOD) MEASURED FROM THE CENTRELINE OF DEHING WALLS TO THE OUTSIDE FACE OF EXTERIOR WALLS AND FAR SIDE OF CORRIDOR WALLS.

FINISHED INFORMATION
 125 PARKING SPACES
 2 SPACES/UNIT FOR FIRST 200 UNITS
 1.75 SPACES/UNIT OVER 200 UNITS

ZONING INFORMATION (PLS CHECK)
 MUNICIPALITY AREA: MULTIFAMILY - 1.815 SF PER D.U.
 -MAX ELEV. ALLOWED 120 FEET

SETBACKS PROVIDED ALONG STREET RIGHT-OF-WAY
 MAJOR LOCAL STREET: 30'
 SUBCOLLECTOR STREET: 30'

PRINCIPAL USE BUILDING: 40' HEIGHT ALLOWED
 MAX LOT COVERAGE BY PRINCIPAL BUILDING: 45%

ACCESSIBILITY
 ♿ - Symbolizes Type A Unit
 Total Type A = 4 units
 Total Type B = 126 units

BUILDING AREA LEGEND

- 1BR
- 2BR
- 3BR
- COMMON



2018004610 WD \$25.00
05/03/2018 03:16:34P 2 PGS
Stacey Joy
VIGO County Recorder IN
Recorded as Presented

WARRANTY DEED



THIS INDENTURE WITNESSETH, Burkle Real Estate, LLC, an Indiana Limited Liability Company, (hereinafter "Grantor"), for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **CONVEYS** and **WARRANTS** unto Kenneth E. Steiner, Jr. (hereinafter "Grantee"), the following described **REAL ESTATE** located in the County of Vigo, State of Indiana, to-wit:

Lot Numbers 5, 6, 7, 8, 9, 14, 15, 16, 17, and 18 in Axtell Park, being a subdivision of part of the Southwest Quarter (SW ¼) of Section Thirty-three (33), Township Twelve (12) North, Range Nine (9) West, in accordance with the recorded plat thereof, dated April 30, 1923 and recorded June 27, 1923 at Plat Record 13, Page 47, in records of the Recorder's Office of Vigo County, Indiana.

Subject to easements, covenants, restrictions, leases and other matters of record affecting title to the subject real estate.

Grantor states under oath that there is no gross income tax due and owing as a result of this conveyance.

As a further consideration of the payment of the above sum, the person executing this deed on behalf of Grantor represents and certifies, for the purpose of inducing Grantee to accept this Warranty Deed, that he/she holds the office indicated with his/her signature and has been duly authorized by all appropriate action of the Limited Liability Company to execute and deliver this deed; that Grantor has full capacity to convey real estate conveyed by this instrument and that all necessary action for the making of such conveyance has been take; that the real estate conveyed by this instrument is conveyed in the usual and regular course of business.

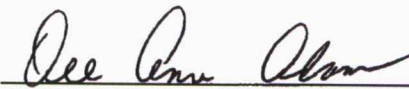
IN WITNESS WHEREOF, Burkle Real Estate, LLC has caused this deed to be executed in its name and on its behalf by its duly authorized officer this 3 day of May, 2018.

ENTERED FOR TAXATION
Subject to final acceptance for Transfer

MAY 03 2018


VIGO COUNTY AUDITOR

Burkle Real Estate, LLC

By: 
Dee Anne Adams, Manager

STATE OF INDIANA)

) SS:

COUNTY OF VIGO)

Before me the undersigned, a Notary Public for Vigo County, State of Indiana, personally appeared Dee Anne Adams, Manager of Burkle Real Estate, LLC and acknowledged the execution of the foregoing this 3rd day of May, 2018.

Kathleen G Cox
Notary Public, a resident of
Vigo County, Indiana

My commission expires:

February 3, 2025



Tax Duplicate Sent To: 3174 W. Florine Dr., Terre Haute, IN 47802

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.

Kathleen G Cox
Kathleen G Cox

Prepared By: Michael Sacopulos, Sacopulos, Johnson & Sacopulos, 676 Ohio Street, Terre Haute, IN 47807.



TERRE HAUTE, IN

PAID

AUG 28 2024

Receipt of Payment

CONTROLLER

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

Date 8/28/24

Name Cole Caress

Reason Rezoning Fee - \$45.00

2929 S 1st St

Terre Haute, IN

Cash \$45.00

Check _____ Ck # _____

Credit _____

Total \$45.00

Received By *EK / J. Moore*