



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

**SPECIAL ORDINANCE NO. 33**

COMMON ADDRESS OF LOTS TO BE REZONED: **1503 Ohio Street, Terre Haute, IN 47807**  
**218 South 15<sup>th</sup> Street Terre Haute, IN 47807**

Parcel Number: **84-06-22-480-001.000-002 and 84-06-22-480-007.000-002**

Current Zoning: **R3 General Residence District**

Requested Zoning: **C2 Community Commerce District**

Proposed Use: **Continued use as professional offices (optometry, dental, and consulting) for the past 32 years, and use of 218 south 15<sup>th</sup> as parking lot for staff of business at 1503 Ohio Street**

Name of Owner: **James Foulkes and Elizabeth Foulkes**

Address of Owner: **205 Briarwood, Terre Haute, IN 47803**

Phone Number of Owner: **812-240-3175**

Attorney Representing Owner (if any): \_\_\_\_\_

Address of Attorney: \_\_\_\_\_

Phone Number of Attorney: \_\_\_\_\_

For Information Contact: \_\_\_\_\_

Council Sponsor: **Anthony Dinkel**

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

FILED

AUG 07 2024

**SPECIAL ORDINANCE FOR A REZONING**  
**SPECIAL ORDINANCE NO. 33, 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 ORDAINED 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:

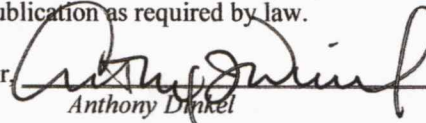
**Lot Number 216 in Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana,  
Also, Lot Number 207 in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12  
inclusive and 21 to 24 inclusive in Gilberts 4<sup>th</sup> Subdivision and Lots 204 to 210 inclusive to  
Gilberts 2<sup>nd</sup> Subdivision to the City of Terre Haute, in Section 22, Township 12 North of  
Range 9 West of the 2d Principal Meridian.**

Commonly known as: **1503 Ohio Street, Terre Haute, IN 47807 and 218 South 15<sup>th</sup> Street,  
Terre Haute, IN 47807**

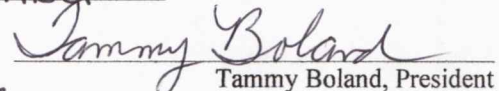
Be and the same is hereby established as a **C2 Community Commerce District**, together with all rights  
and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases  
provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

SECTION II, WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same  
shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its  
approval by the Mayor and publication as required by law.

Presented by Council Member

  
Anthony Dinkel

Passed in Open Council this 5<sup>th</sup> day of September, 2024.

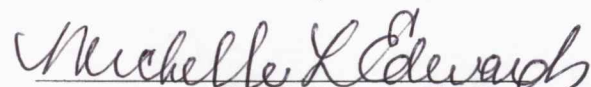
  
Tammy Boland, President

ATTEST:

  
Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this 5<sup>th</sup> day of September, 2024.

@ 7:23pm o'clock

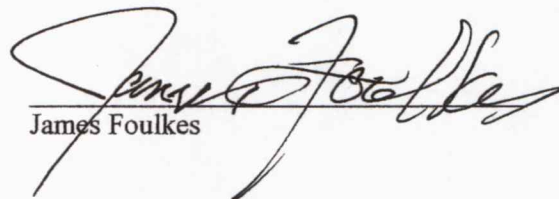
  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this 5<sup>th</sup> day of September, 2024.

ATTEST:   
Michelle Edwards, City Clerk

  
Brandon Sakbun, Mayor

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.



James Foulkes

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, : **James Foulkes and Elizabeth Foulkes**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

**Lot Number 216 in Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana, Also, Lot Number 207 in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12 inclusive and 21 to 24 inclusive in Gilberts 4<sup>th</sup> Subdivision and Lots 204 to 210 inclusive to Gilberts 2<sup>nd</sup> Subdivision to the City of Terre Haute, in Section 22, Township 12 North of Range 9 West of the 2d Principal Meridian.**

Commonly known as: **1503 Ohio Street, Terre Haute, IN 47807 and 218 South 15<sup>th</sup> Street, Terre Haute, IN 47807**

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 **R3 General Residence District**

Your petitioner would respectfully state that the real estate is now in use as professional offices (optometry, dental, and consulting) for the past 32 years.

Your petitioner intends to use the real estate to for Continued use as professional offices (optometry, dental, and consulting).

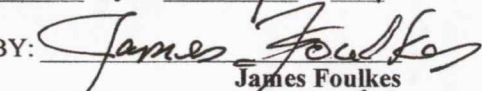
Your petitioner would request that the real estate described herein shall be zoned as a **C2 Community Commerce District**. Your petitioner would allege that the **C2 Community Commerce District**. would not alter the general characteristics of this neighborhood.

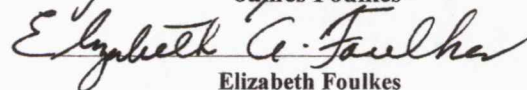
Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the **C2 Community Commerce District** of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNES WHEREOF, This petition has been duly executed this 6<sup>th</sup> day of July 2024.

BY:

  
James Foulkes

  
Elizabeth Foulkes

PETITIONER: **James Foulkes and Elizabeth Foulkes**.

This instrument was prepared by: **James Foulkes 205 Briarwood, Terre Haute, IN 47803**



**AFFIDAVIT OF:**

COMES NOW affiant James H Foulkes and Elizabeth A Foulkes

and affirms under penalty of law that affiant is the owner of record of the property located  
at 1503 Ohio Street terre Haute, IN (Parcel 84-06-22-480-001.000-002 )  
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.

James H Foulkes and Elizabeth A Foulkes  
[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, James Foulkes & Elizabeth Foulkes

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

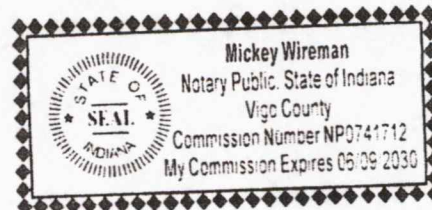
WITNESS my hand and notarial seal, this 3rd day of August, 200 2024

Notary Public:

Mickey Wireman  
[Typed name]

My Commission Expires: 10-9-2030

My County Of Residence: Vigo



**AFFIDAVIT OF:**

COMES NOW affiant James H Foulkes and Elizabeth A Foulkes

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

at 218 South 15<sup>th</sup> Street terre Haute, IN (Parcel 84-06-22-480-007.000-002 )

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.

James H Foulkes and Elizabeth A Foulkes  
[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, Vigo County, Indiana, James H. Foulkes & Elizabeth Foulkes  
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 3rd day of August, 2002024

Notary Public:

Mickey Wireman  
[Typed name]

My Commission Expires: 6-9-2030

My County Of Residence: Vigo



FOR TAXATION

36 03217

11341915

Duly entered for taxation this

day of MAR 11 1996 19

## Warranty Deed

Received for record this day of

19 at

o'clock M. and recorded in Book

No. Page

000857

Auditors fee \$

Judith Anderson

AUDITOR VIGO COUNTY

Auditor \_\_\_\_\_ County

THIS INDENTURE WITNESSETH:

Recorder \_\_\_\_\_ County

That NOAMAN N. BOTROS and CAROL J. BOTROS, husband and wife\_\_\_\_\_ of Vigo County, in the State of IndianaCONVEY AND WARRANT to JAMES H. FOULKES and ELIZABETH A. FOULKES, husband and wife\_\_\_\_\_ of Vigo County, in the State of Indianafor and in consideration of the sum of One Dollar and other valuable consideration -Dollars,the receipt whereof is hereby acknowledged, the following described Real Estate in Vigo

County in the State of Indiana, to-wit:

Lot Number 216 in the Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana.

Also

Lot Number Two hundred Seven (207) in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12 inclusive and 21 to 24 inclusive in Gilberts 4th Subdivision and Lots 204 to 210 inclusive in Gilberts 2nd Subdivision to the City of Terre Haute, in Section 22, Township 12 North of Range 9 West of the 2d Principal Meridian.

Subject to taxes prorated to date.

Grantors warrant that grantor Noaman N. Botros is the identical person as the Noaman M. Botros named as one of the grantees in a certain deed dated August 26, 1992, and recorded August 28, 1992, in Deed Record 433, Page 752, of the records of the Recorder's Office of Vigo County, Indiana.

RECEIVED FOR RECORD  
AT 5:15 O'CLOCK A M  
RECORD 441 PAGE 852

MAR 11 1996

Nancy L. Burkhardt  
RECORDER VIGO COUNTY

IN WITNESS WHEREOF, The said grantor above named Noaman N. Botros and Carol J. Botros,  
husband and wife

has hereunto set their hands and seal s, this 7th day of MARCH 19 96  
Carol J. Botros (Seal) Noaman N. Botros (Seal)  
Carol J. Botros (Seal) Noaman N. Botros (Seal)  
\_\_\_\_\_  
(Seal) (Seal)

STATE OF INDIANA, VIGO COUNTY, ss.Before me, the undersigned, a Notary Public, in and for said County and State, this 7th day ofMARCH A.D. 19 96, personally appeared the within namedNOAMAN N. BOTROS and CAROL J. BOTROS, husband and wife\_\_\_\_\_  
Grantor sin the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed.

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

Commission expires JULY 19 1996 Dawn M. Auterson Notary PublicDAWN M. AUTERSON

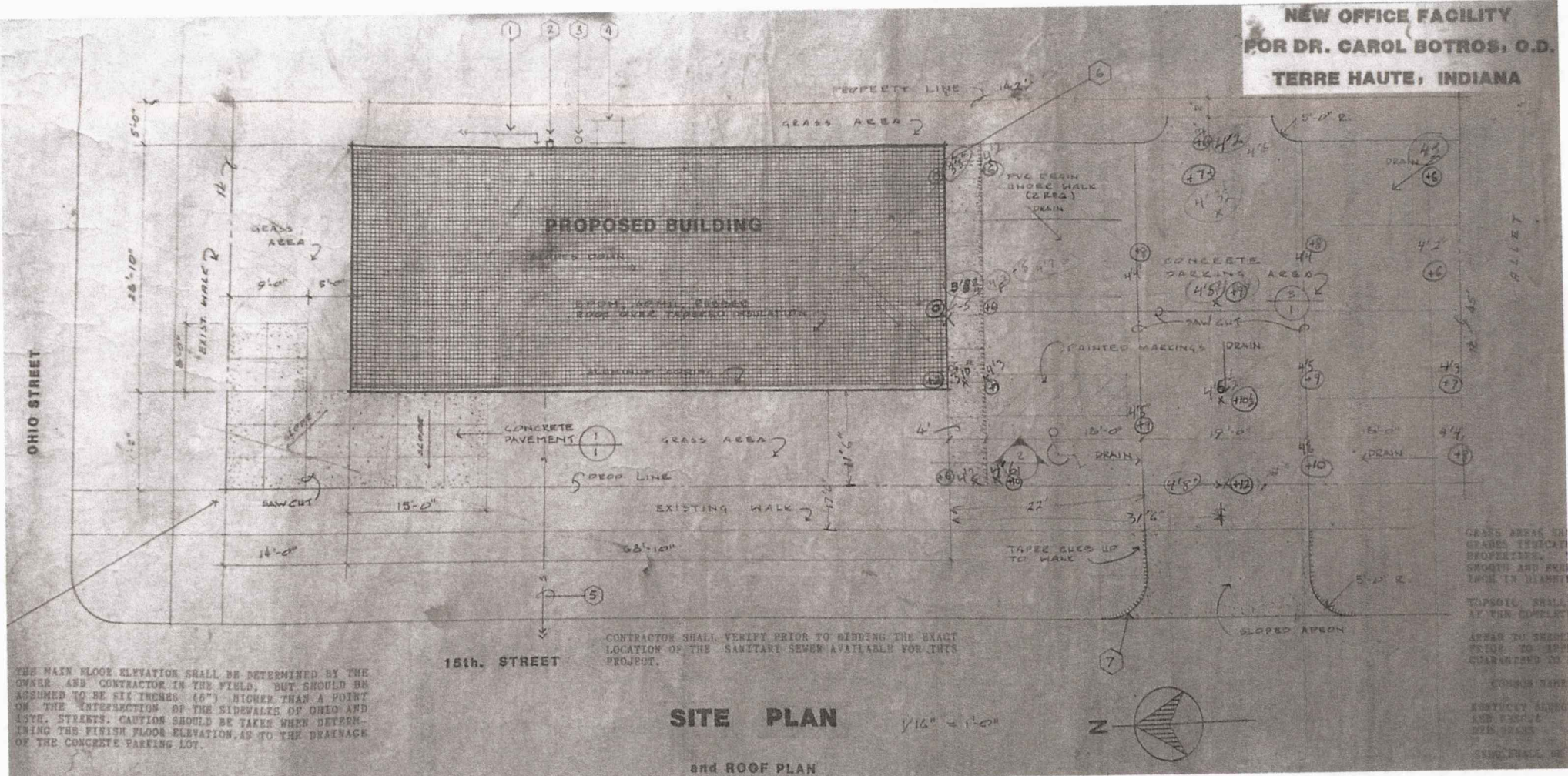
Print or Type Name of Notary

Resident of VIGO CountyMail Tax Duplicates To: JAMES FOULKES 205 Broadway Dr Terre Haute IN 47803This instrument prepared by C. Don Nattkemper, Attorney at Law, 322 South Sixth Street,

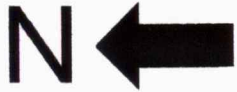
Post Office Box 1444, Terre Haute, Indiana 47808-1444



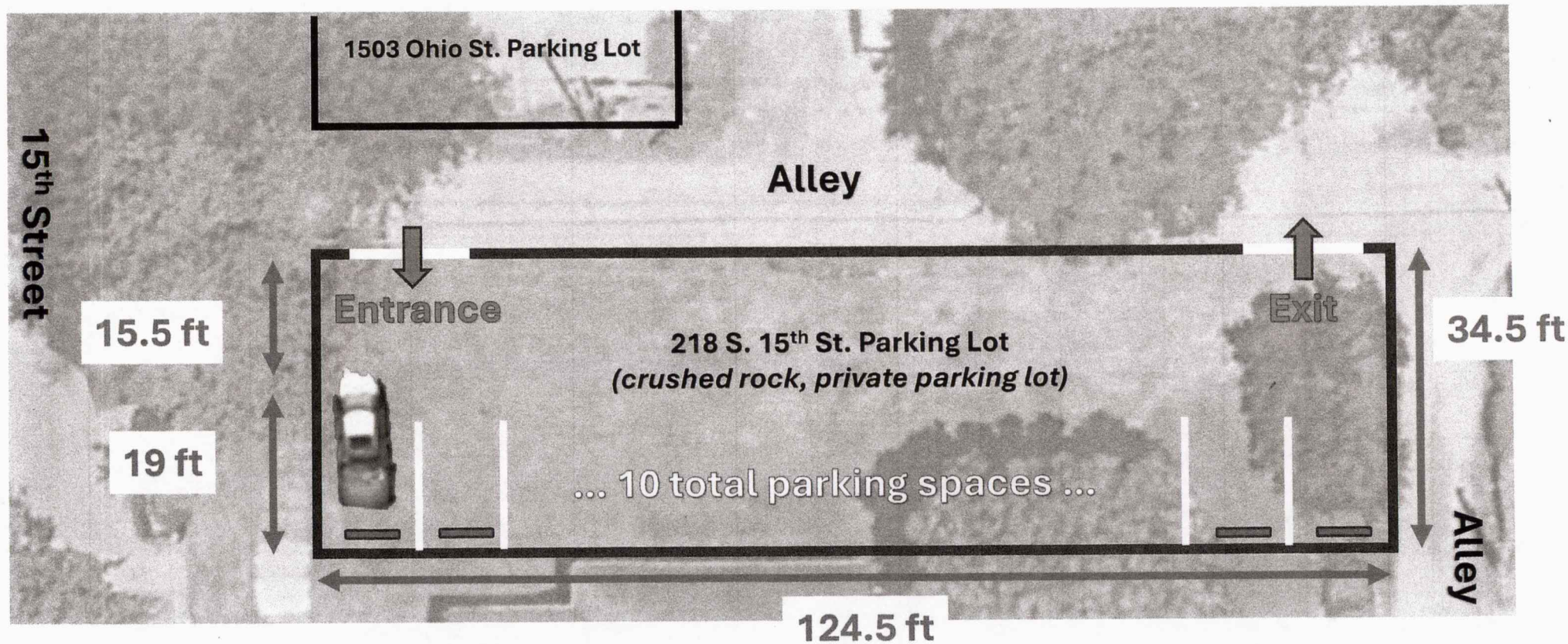
**NEW OFFICE FACILITY  
FOR DR. CAROL BOTROS, O.D.  
TERRE HAUTE, INDIANA**











1503 Ohio St. Parking Lot

Alley

Entrance

Exit

218 S. 15th St. Parking Lot  
(crushed rock, private parking lot)

... 10 total parking spaces ...

15th Street

15.5 ft

19 ft

124.5 ft

34.5 ft

Alley



TERRE HAUTE, IN  
**PAID**

AUG 07 2024

CONTROLLER

## Receipt of Payment

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

Date 8/7/24  
Name James Foulker  
Reason Rezoning Filing Fee - \$25.00  
\_\_\_\_\_  
\_\_\_\_\_

Cash \$25.00  
Check \_\_\_\_\_ Ck # \_\_\_\_\_  
Credit \_\_\_\_\_  
Total \$25.00

Received By EP / J. Mome

TERRE HAUTE, IN.

**PAID**

AUG 07 2024

CONTROLLER



## Receipt of Payment

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

Date

8/7/24

Name

James Foylkes

Reason

Rezoning - 45.00

1503 Ohio St.

218 S 15<sup>th</sup> St.

Cash

\$45.00

Check

Ck #

Credit

Total

\$45.00

Received By

Greg J. Moore





# 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: September 5, 2024

## REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO  
SPECIAL ORDINANCE NUMBER 33-24

CERTIFICATION DATE: September 4, 2024

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. 33-24. This Ordinance is a rezoning of property located at 1503 Ohio Street and 218 S. 15<sup>th</sup> Street, Terre Haute, IN. Parcel numbers 84-06-22-480-001.000-002 & 84-06-22-480-007.000-002. The Petitioners, James and Elizabeth Foulkes petitions the Plan Commission to rezone said professional offices (dental, optometry and consulting) along with a parking lot from zoning classification R-3 to C-2 Limited Community 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. 33-24 at a public meeting and hearing held Wednesday, September 4, 2024. Remonstrators were not present. At this meeting, a quorum was present throughout the meeting pursuant to IC 36-7-4-301, and the Area Plan Commission took official action on Special Ordinance No. 33-24 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 33-24 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. 33-24 was FAVORABLE with the following conditions: 1) Meet all requirements requested by the Department of Engineering 2) Approval of required variances and Special Use through the BZA



*Norm B. Froderman*

Norm Froderman, APC Secretary

*Jared Bayler*

Jared Bayler, Executive Director

Received this 5th day of September, 2024

## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 33-24

Doc: # 63

Date: September 2024

Page 1 of 4

### APPLICATION INFORMATION

Property Owner: James Foulkes & Elizabeth Foulkes

Proposed Use: Professional Offices (Dental, optometry and consulting) along with a parking lot.

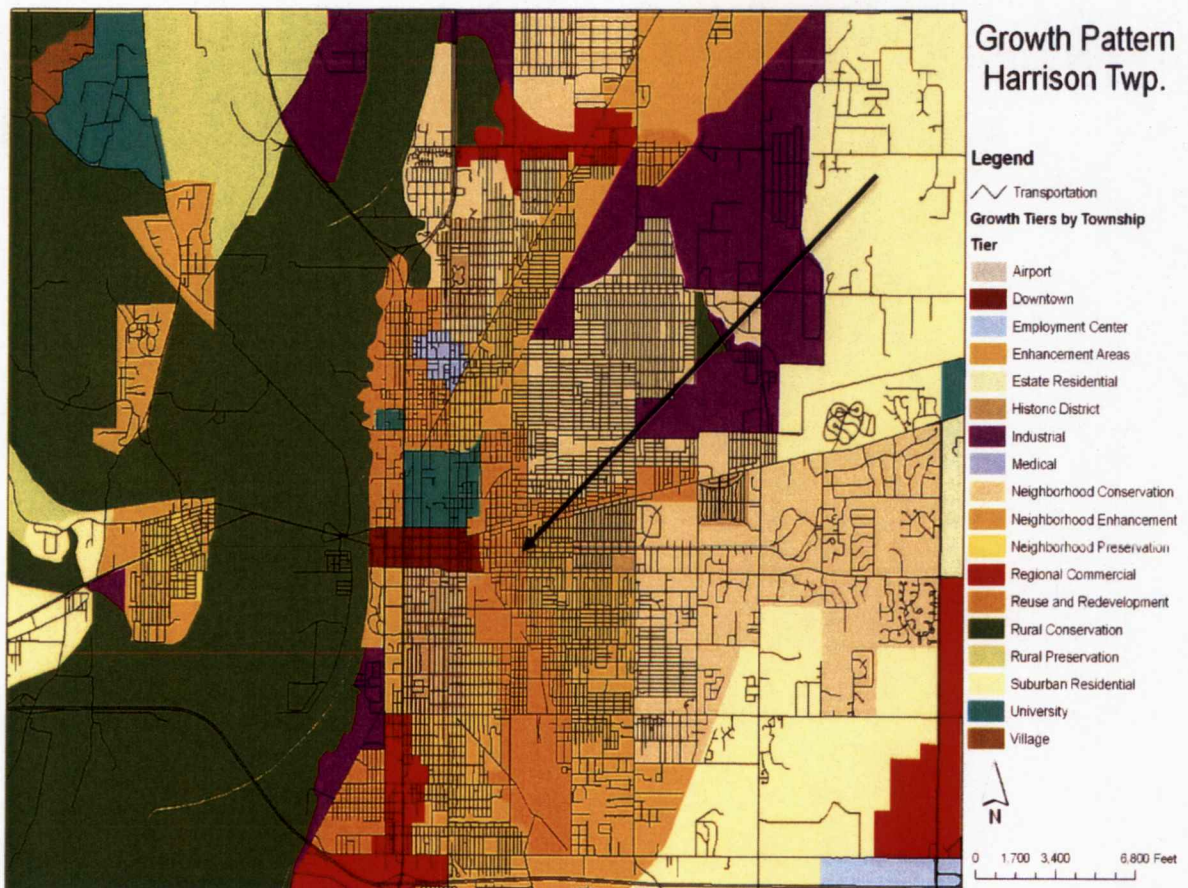
Proposed Zoning: C-2 Limited Community Commerce

Current Zoning: R-3, General Residence District

Common Address: 1503 Ohio Street- Business & 218 S. 15<sup>th</sup> Street, Terre Haute – parking lot. Parcel#84-06-22-480-001.000-002 & 84-06-22-480-007.000-002 –Gilberts 2<sup>nd</sup> Sub Replat Lot 216, 207

### COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute





## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 33-24  
Date: September 2024

Doc: # 63  
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### Neighborhood Enhancement Areas

Areas that qualify as Neighborhood Enhancement, represent residential areas with aging housing stock, older industrial areas that are in need of reinvestment, and neighborhood commercial nodes that need assistance in meeting modern development standards. These areas are primarily located within the Terre Haute, West Terre Haute, Seelyville, and Riley.

In regards to residential neighborhoods that are in need of rehabilitation, they should receive priority efforts with respect to public improvements such as drainage, sidewalks, street, curb and gutter repair and replacement, and landscaping in the public rights-of-way. Where appropriate, new residential infill projects should be considered a high priority for undeveloped parcels. Over time incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.

Over time, it is reasonable to expect some displacement of existing industrial facilities, either because of functional and competitive obsolescence of facilities themselves or because corporate restructuring. As facilities are displaced, facility reuse plans or site redevelopment plans should be prepared. In some cases, industrial reuse or redevelopment may not be appropriate, for example in older core of the City of Terre Haute.

Neighborhood commercial areas are small scale, retail activity clusters or planned centers that serve limited market areas – typically 4,000 to 10,000 people. They provide shopping opportunities for those most frequently purchased goods and services. Neighborhood commercial areas should be distributed throughout the community in relationship to the distribution of households. Each neighborhood commercial center should be a master planned commercial development that is contained within a defined tract or land area. Auto ingress and egress must be controlled. Most importantly, these areas should relate to surrounding residential neighborhoods but not adversely impact the livability of those neighborhoods through traffic, lighting, noise, litter, or other impacts. They will require strong buffering and landscape regulations, as well as being architecturally harmonized and able to blend with their neighborhood context.

Additional policies for Neighborhood Enhancement Areas should include:

- Encourage infill development that is compatible with the land use mix and intensity of existing development.
- Support preservation and rehabilitation of historic properties.
- Incompatible and inconsistent uses with the residential context of these neighborhoods should be eliminated.
- Identify areas that need sub-area plans and prioritize the development of those plans by area.
- Allow for a range of housing densities based on the zoning ordinance.
- Encourage neighborhoods to develop a unique sense of place, but still be part of the larger city.

## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 33-24

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Available Services: The area is well served by utilities.

Street Access: S. 15<sup>th</sup> Street

### ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – R-3

**East** – R-3

**South** – R-3

**West** – R-3

### ZONING REGULATIONS

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

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

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



## STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO # 33-24  
Date: September 2024

Doc: # 63  
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### **FINDINGS and RECOMMENDATION**

#### Staff Findings:

The petitioner is requesting to rezone the property to C-2 Limited Community Commerce District to continue its use as professional offices. The property has been used as professional offices (optometry, dental, and consulting) for the past 32 years. They are proposing to use 218 S. 15<sup>th</sup> Street as a parking lot for the staff of the business at 1503 Ohio Street. 218 S 15<sup>th</sup> Street is currently a vacant lot.

There are approximately nine parking spaces at the rear of the existing building, which are hard-surfaced. The vacant lot does not technically have to be rezoned, but will need a Special Use from the Board of Zoning Appeals for off-site parking whether it is R-3 or C-2. The parking lot will need to be hard-surfaced and comply with the regulations for Off-Street Parking and Loading Requirements (Section 10-137). Both lots will also need a variance from the minimum 50' buffer to residential due to the new C-2 zoning. If the property for the proposed parking lot remained R-3, a buffer would not be necessary.

In their recommendation, the Department of Engineering stated that the parking lot would not be expected to impact the neighborhood negatively. They offered a positive recommendation with the following conditions: 1) Submit and receive approval of plans to meet Terre Haute's development standards for the parking lot and; 2) Obtain special use approval under Sec. 10-208 for accessory parking facility that is not on the same zoning lot.

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

1. Meet all requirements requested by the Department of Engineering
2. Approval of required variances and Special Use through the BZA



**CITY OF  
TERRE HAUTE  
ENGINEERING  
DEPARTMENT**

City Hall  
17 Harding Avenue, Room 200  
Terre Haute, IN 47807  
Phone: 812.244.4903  
[www.terrehaute.in.gov](http://www.terrehaute.in.gov)

**MARCUS MAURER, P.E.**  
CITY ENGINEER

## MEMORANDUM

TO: Sydney Shahar  
Vigo County Area Planning Department

FROM: Marcus Maurer  
City Engineer

DATE: August 21, 2024

RE: **Special Ordinance No. 33, 2024**

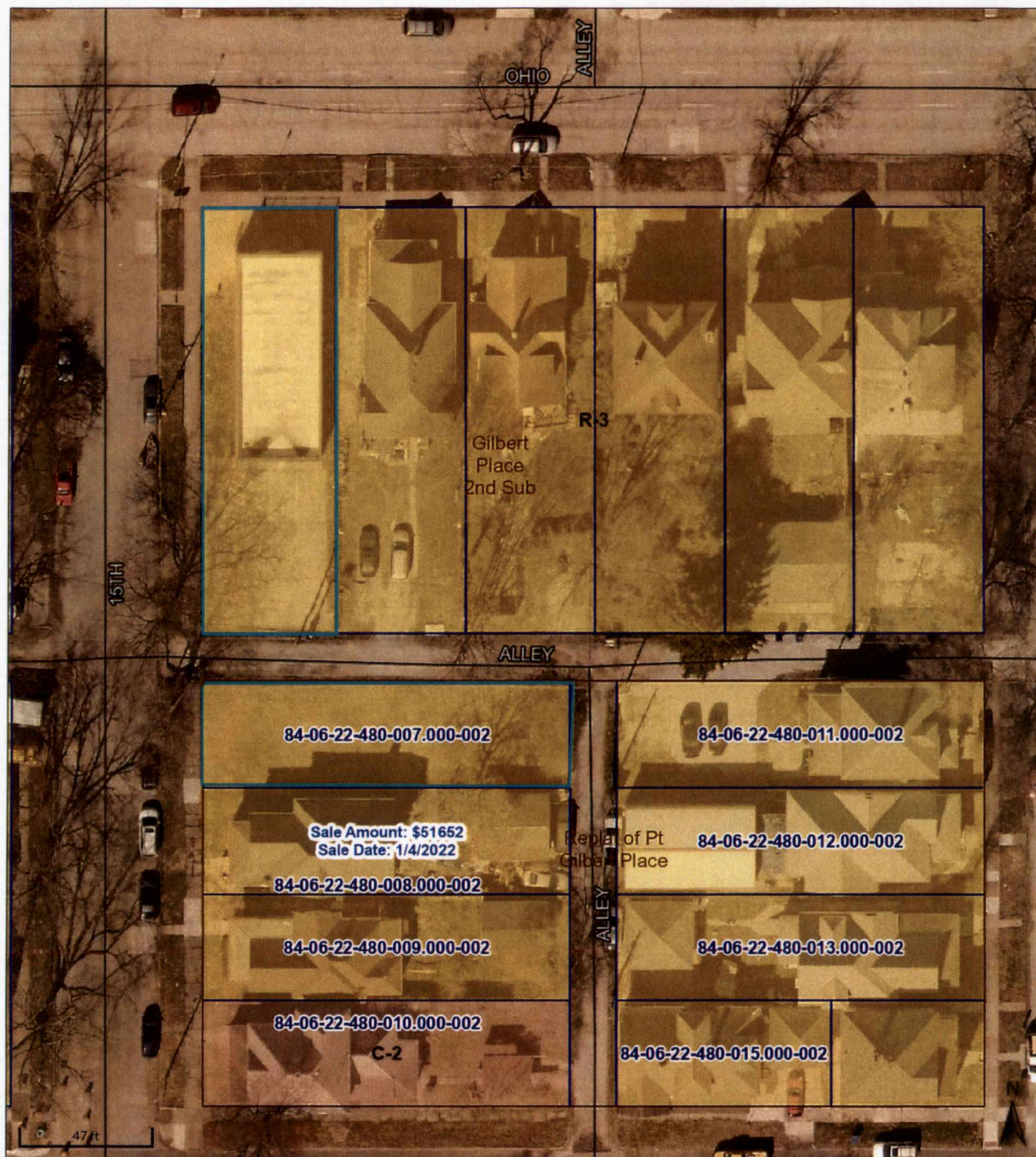
The Terre Haute Department of Engineering has reviewed the request to rezone the properties at 1503 Ohio Street and 218 S. 15<sup>th</sup> Street from R-3, multi-family residential, to C-2, Community Commerce District. The property at 1503 Ohio St, will continue to operate an existing business as it has for 32 years. The new addition would be a proposed parking lot at 218 S. 15<sup>th</sup>. This parking lot would not be expected to impact the neighborhood negatively. The Department of Engineering offers a positive recommendation with the following conditions:

- Submit and receive approval of plans to meet Terre Haute's development standards for the parking lot.
- Obtain special use approval under Sec. 10-208 for accessory parking facility that is not on the same zoning lot.



Docket #63 SO #33-24

1503 Ohio St. and 218 S. 15th St.







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

*Docket #63*

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Name of Owner: **James Foulkes and Elizabeth Foulkes**

Address of Owner: **205 Briarwood, Terre Haute, IN 47803**

Phone Number of Owner: **812-240-3175**

Attorney Representing Owner (if any): \_\_\_\_\_

Address of Attorney: \_\_\_\_\_

Phone Number of Attorney: \_\_\_\_\_

For Information Contact: \_\_\_\_\_

Council Sponsor: **Anthony Dinkel**

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



FILED

AUG 07 2024

SPECIAL ORDINANCE FOR A REZONING  
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CITY CLERK

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"That the following described real estate situated in the City of Terre Haute, County of Vigo, State of  
Indiana, to-wit:

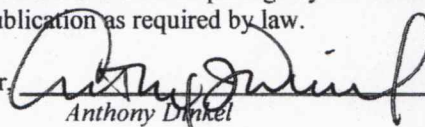
**Lot Number 216 in Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana,  
Also, Lot Number 207 in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12  
inclusive and 21 to 24 inclusive in Gilberts 4<sup>th</sup> Subdivision and Lots 204 to 210 inclusive to  
Gilberts 2<sup>nd</sup> Subdivision to the City of Terre Haute, in Section 22, Township 12 North of  
Range 9 West of the 2d Principal Meridian.**

Commonly known as: **1503 Ohio Street, Terre Haute, IN 47807 and 218 South 15<sup>th</sup> Street,  
Terre Haute, IN 47807**

Be and the same is hereby established as a **C2 Community Commerce District**, together with all rights  
and privileges that may insure to said real estate and the owners thereof by virtue of the law in such cases  
provided, subject to all limitations and restrictions imposed thereon by deed or otherwise."

SECTION II, WHEREAS, an emergency exists for the immediate taking effect of this Ordinance, the same  
shall be in full force and effect from and after its passage by the Common Council of Terre Haute, and its  
approval by the Mayor and publication as required by law.

Presented by Council Member

  
Anthony Dinkel

Passed in Open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Tammy Boland, President

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

Michelle Edwards, City Clerk

Presented by me to the Mayor of the City of Terre Haute this \_\_\_\_\_ day of \_\_\_\_\_ 2024.

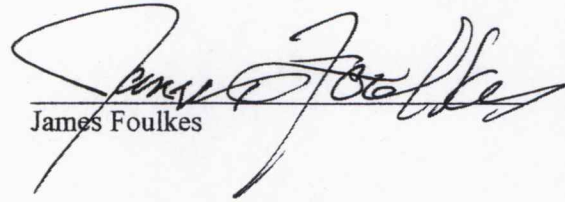
\_\_\_\_\_  
Michelle Edwards, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Brandon Sakbun, 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.

  
James Foulkes



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, : **James Foulkes and Elizabeth Foulkes**, respectfully submits this Petition to rezone the following described real estate in the City of Terre Haute, County of Vigo, Indiana, to wit:

**Lot Number 216 in Second Subdivision of Gilbert Place, Terre Haute, Vigo County, Indiana, Also, Lot Number 207 in the Replat of a part of Gilbert Place, a replat of Lots No. 1 to 12 inclusive and 21 to 24 inclusive in Gilberts 4<sup>th</sup> Subdivision and Lots 204 to 210 inclusive to Gilberts 2<sup>nd</sup> Subdivision to the City of Terre Haute, in Section 22, Township 12 North of Range 9 West of the 2d Principal Meridian.**

Commonly known as: **1503 Ohio Street, Terre Haute, IN 47807 and 218 South 15<sup>th</sup> Street, Terre Haute, IN 47807**

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 **R3 General Residence District**

Your petitioner would respectfully state that the real estate is now **in use as professional offices (optometry, dental, and consulting) for the past 32 years.**  
Your petitioner intends to use the real estate to **for Continued use as professional offices (optometry, dental, and consulting).**

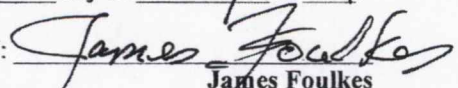
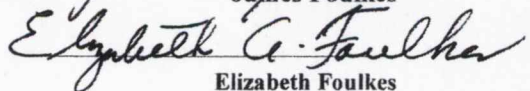
Your petitioner would request that the real estate described herein shall be zoned as a **C2 Community Commerce District**. Your petitioner would allege that the **C2 Community Commerce District**. would not alter the general characteristics of this neighborhood.

Your petitioner would respectfully show the proposed change would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

WHEREFORE, your petitioner respectfully requests that the Area Plan Commission for Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance amending the Comprehensive Zoning Ordinance of the city of Terre Haute, Indiana, being Chapter 10, Article 2 of the Municipal Code designated as "Comprehensive Zoning Ordinance for the Terre Haute, Indiana," and declaring the above-described real estate to be part of the **C2 Community Commerce District** of the City of Terre Haute, Indiana, and entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

IN WITNES WHEREOF, This petition has been duly executed this 6<sup>th</sup> day of July 2024.

BY:

  
James Foulkes  
  
Elizabeth Foulkes

PETITIONER: **James Foulkes and Elizabeth Foulkes.**

This instrument was prepared by: **James Foulkes 205 Briarwood, Terre Haute, IN 47803**

**AFFIDAVIT OF:**

COMES NOW affiant James H Foulkes and Elizabeth A Foulkes

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

at 1503 Ohio Street terre Haute, IN (Parcel 84-06-22-480-001.000-002 )

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.

James H Foulkes and Elizabeth A Foulkes

[Typed name of owner(s) on deed]

SIGNATURE: \_\_\_\_\_

James H Foulkes

SIGNATURE: \_\_\_\_\_

Elizabeth A. Foulkes

STATE OF INDIANA)

SS: (COUNTY OF VIGO)

Personally appeared before me, a Notary Public in and for

said County and State, James Foulkes & Elizabeth Foulkes

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 3rd day of August, 200 2024

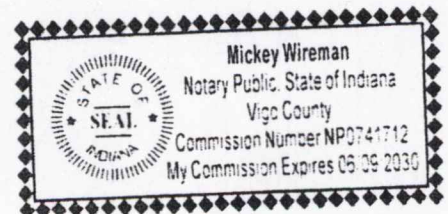
Notary Public:

Mickey Wireman

[Typed name]

My Commission Expires: 6-9-2030

My County Of Residence: Vigo





**AFFIDAVIT OF:**

COMES NOW affiant James H Foulkes and Elizabeth A Foulkes

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

at 218 South 15<sup>th</sup> Street terre Haute, IN (Parcel 84-06-22-480-007.000-002 )

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.

James H Foulkes and Elizabeth A Foulkes

[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, Vigo County, Indiana, James H. Foulkes & Elizabeth Foulkes

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 3rd day of August, 2002024

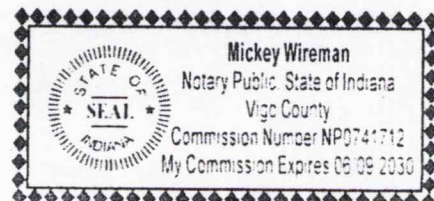
Notary Public:

Mickey Wireman

[Typed name]

My Commission Expires: 6-9-2030

My County Of Residence: Vigo



FOR TAXATION

96 03217

11341915

Duly entered for taxation this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

MAR 11 1996

## Warranty Deed

Received for record this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. and recorded in Book No. \_\_\_\_\_ Page \_\_\_\_\_

000857

Auditors fee \$ \_\_\_\_\_

Auditor VIGO COUNTY

Auditor \_\_\_\_\_ County

THIS INDENTURE WITNESSETH:

Recorder \_\_\_\_\_ County

That NOAMAN N. BOTROS and CAROL J. BOTROS, husband and wife

of VIGO County, in the State of Indiana  
CONVEY AND WARRANT to JAMES H. FOULKES and ELIZABETH A. FOULKES, husband and wifeof VIGO County, in the State of Indiana  
for and in consideration of the sum of One Dollar and other valuable consideration Dollars,  
the receipt whereof is hereby acknowledged, the following described Real Estate in VIGO  
County in the State of Indiana, to-wit:Lot Number 216 in the Second Subdivision of Gilbert Place, Terre Haute, Vigo  
County, Indiana.

Also

Lot Number Two hundred Seven (207) in the Replat of a part of Gilbert Place,  
a replat of Lots No. 1 to 12 inclusive and 21 to 24 inclusive in Gilberts 4th  
Subdivision and Lots 204 to 210 inclusive in Gilberts 2nd Subdivision to the  
City of Terre Haute, in Section 22, Township 12 North of Range 9 West of the  
2d Principal Meridian.

Subject to taxes prorated to date.

Grantors warrant that grantor Noaman N. Botros is the identical person as  
the Noaman M. Botros named as one of the grantees in a certain deed dated  
August 26, 1992, and recorded August 28, 1992, in Deed Record 433, Page 752,  
of the records of the Recorder's Office of Vigo County, Indiana.RECEIVED FOR RECORD  
AT 5:15 O'CLOCK A M  
RECORD 441 PAGE 852

MAR 11 1996

Nancy L. Lambert  
RECORDER VIGO COUNTYIN WITNESS WHEREOF, The said grantor above named Noaman N. Botros and Carol J. Botros,  
husband and wifehave hereunto set their hands and seal, this 7th day of MARCH 19 96  
Carol J. Botros (Seal) Noaman N. Botros (Seal)

STATE OF INDIANA, VIGO COUNTY, ss.

Before me, the undersigned, a Notary Public, in and for said County and State, this 7th day of  
MARCH A.D. 19 96, personally appeared the within named  
NOAMAN N. BOTROS and CAROL J. BOTROS, husband and wife

Grantor's

in the above conveyance, and acknowledged the execution of the same to be their voluntary act and deed.

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

Commission expires JULY 19 1996

Dawn M. Auterson  
Notary Public  
Print or Type Name of Notary

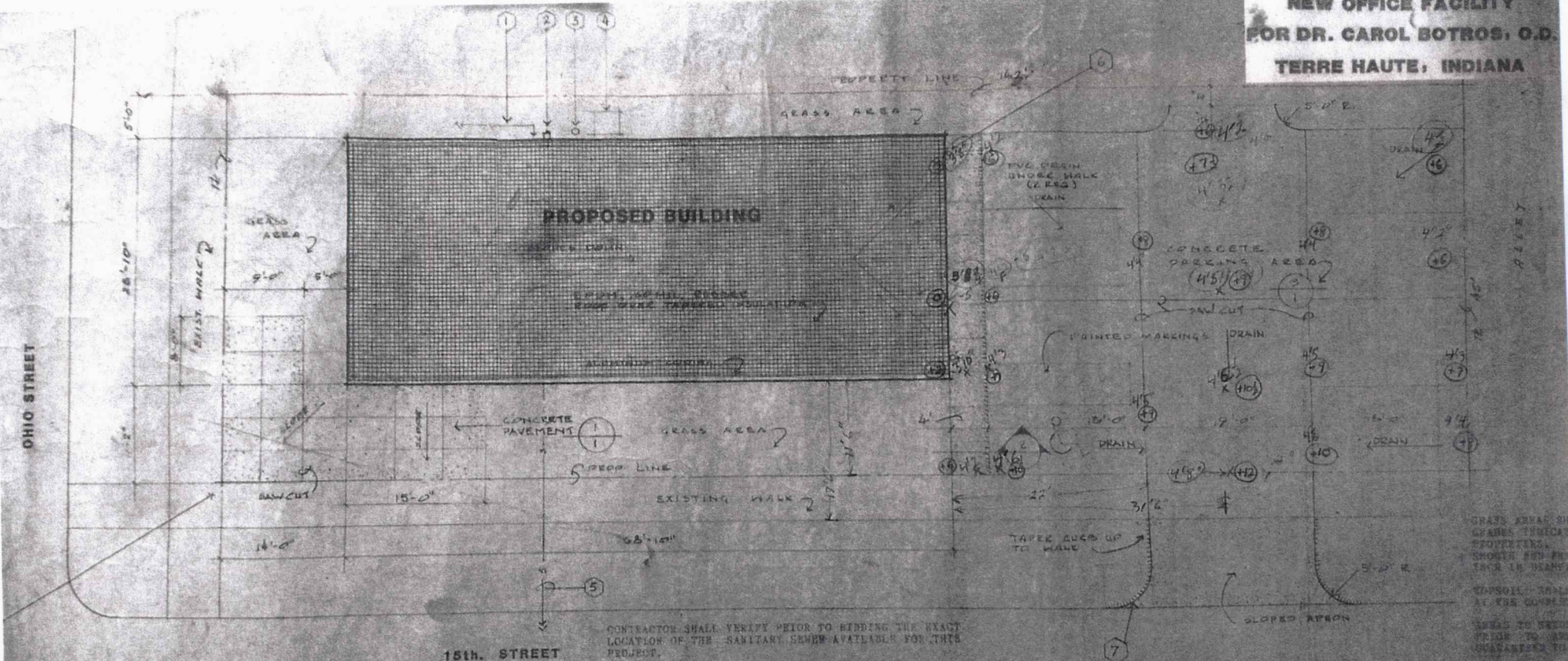
Resident of VIGO County

Mail Tax Duplicates To: JAMES FOULKES 205 Broadway Dr Terre Haute IN 47803

This instrument prepared by C. Don Nattkemper, Attorney at Law, 322 South Sixth Street,  
Post Office Box 1444, Terre Haute, Indiana 47808-1444



NEW OFFICE FACILITY  
FOR DR. CAROL BOTROS, O.D.  
TERRE HAUTE, INDIANA



THE MAIN FLOOD ELEVATION SHALL BE DETERMINED BY THE OWNER AND CONTRACTOR IN THE FIELD, BUT SHOULD BE ASSUMED TO BE SIX INCHES (6") HIGHER THAN A POINT ON THE INTERSECTION OF THE SIDEWALKS OF ORIO AND 45TH. STRAINS. CAUTION SHOULD BE TAKEN WHEN DETERMINING THE FINISH FLOOD ELEVATION AS TO THE DRAINAGE OF THE CONCRETE PARKING LOT.

CONTRACTOR SHALL VERIFY PRIOR TO BIDDING THE EXACT LOCATION OF THE SANITARY SEWER AVAILABLE FOR THIS PROJECT.

## SITE PLAN

$$1/16'' = 1.5708''$$

and ROOF PLAN





N



Ohio Street

1503 Ohio St.

15<sup>th</sup> Street

Alley

Alley

218 S.  
15<sup>th</sup> St.

10 m





1503 Ohio St. Parking Lot

Alley

15<sup>th</sup> Street

Entrance

Exit

15.5 ft

34.5 ft

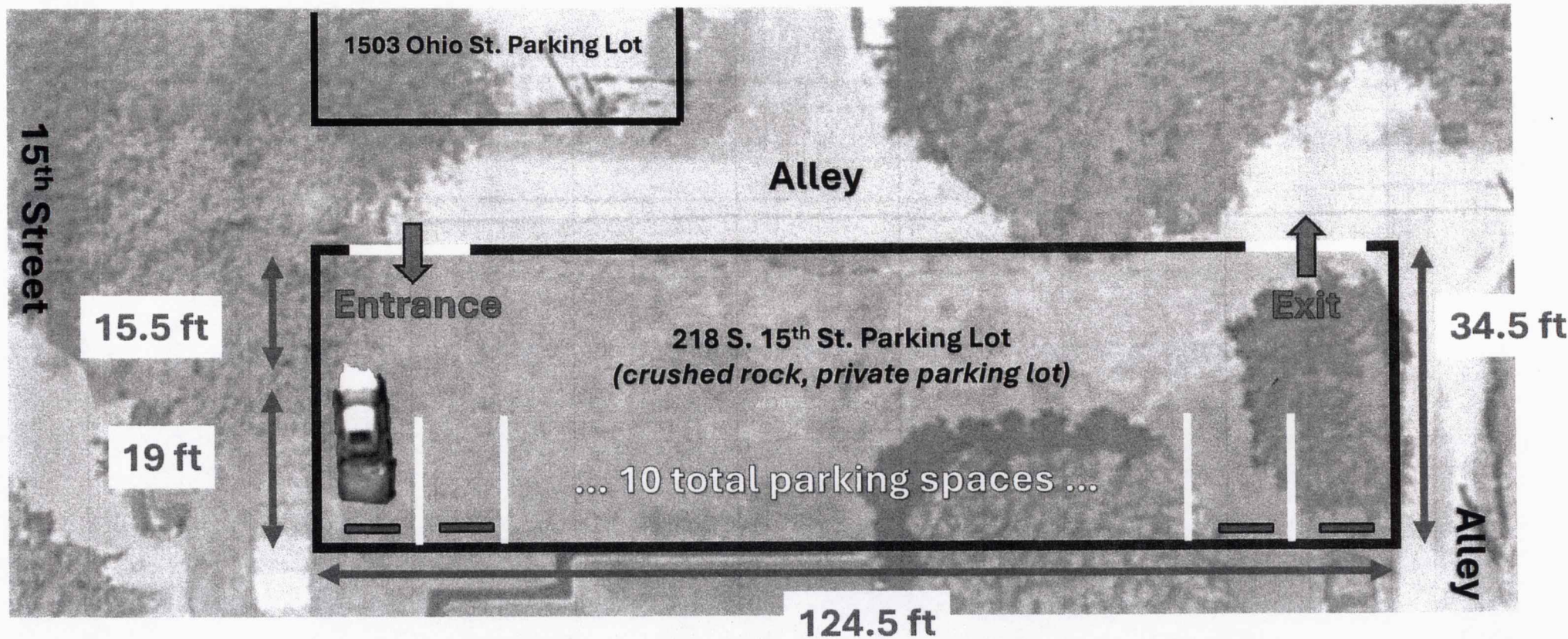
19 ft

218 S. 15<sup>th</sup> St. Parking Lot  
(crushed rock, private parking lot)

... 10 total parking spaces ...

Alley

124.5 ft





# Arrived

On your right: 1503 Ohio St, Terre Hat

Rate your route



**End Route**

08/09/2024





1503

1503  
James H.  
FOULKES DDS  
FAMILY  
DENTAL CARE

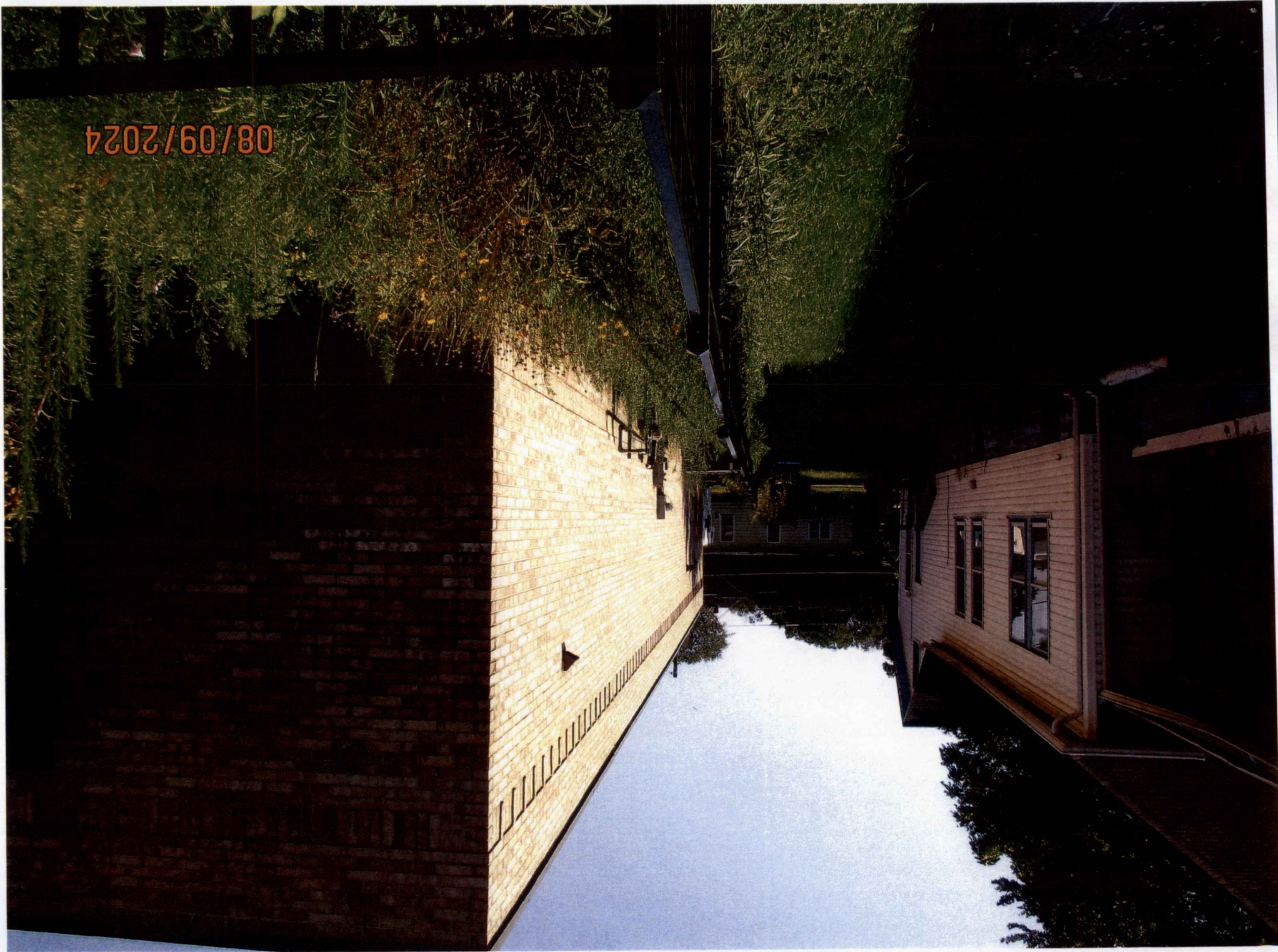
08/09/2024





08/09/2024



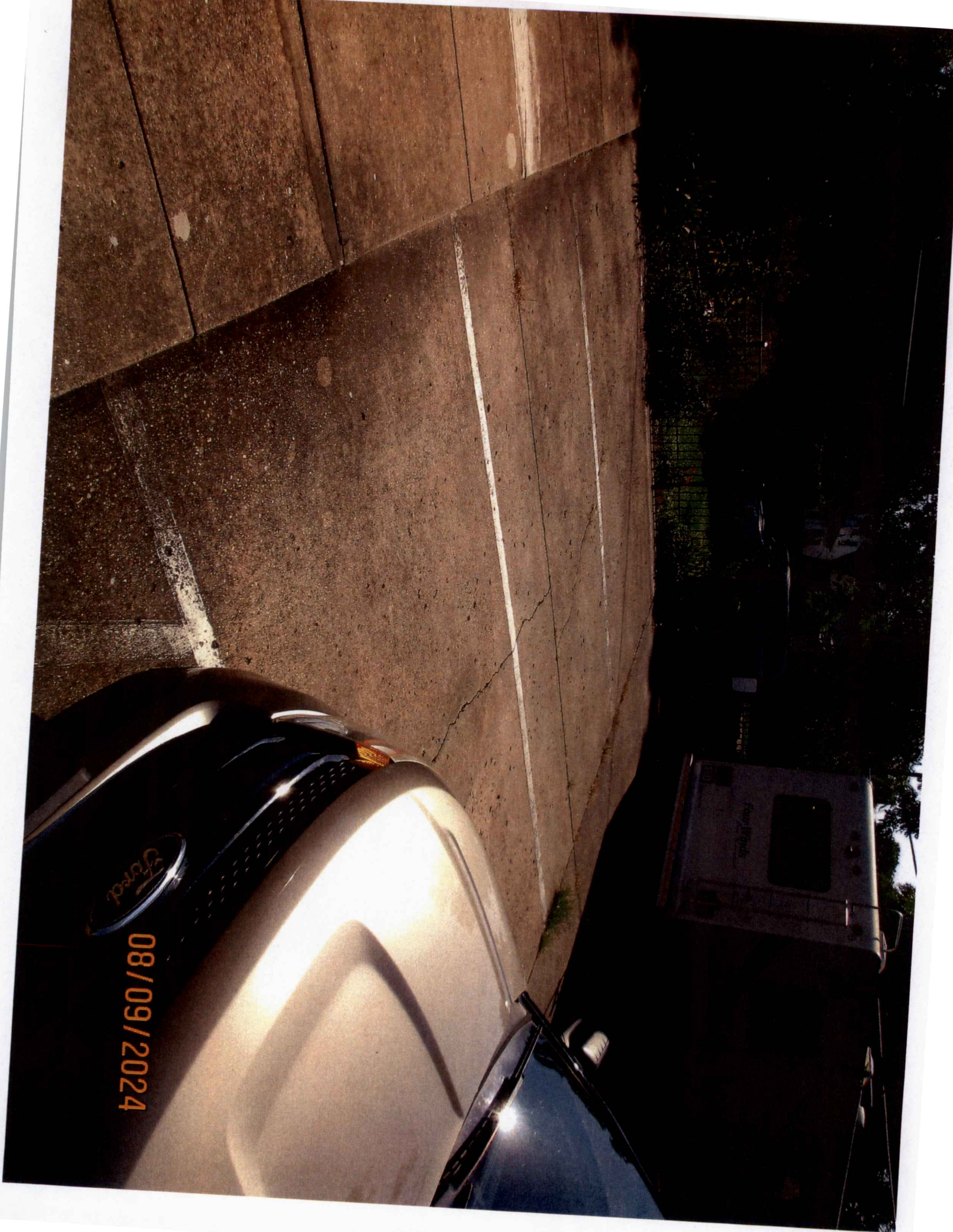






08/09/2024







11:11AM Fri Aug 9

# 218 S 15th St



Address · Terre Haute, Indiana



Directions



More

## Details

Address

218 S 15th St

Terre Haute, IN 47807

08/09/2024







08/09/2024





08/09/2024