

SPECIAL ORDINANCE NO. 13, 2025

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

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Common Addresses of lots to be rezoned:

(A) 2314 Locust St., Terre Haute, Indiana 47807
Parcel No. 84-06-14-379-026.000-002

(B) 2310 Locust St., Terre Haute, Indiana 47807
Parcel No. 84-06-14-379-017.000-002

Rezoned From: (A) R-1 Single Family Residence District
(B) C-2 Community Commerce District

Rezoned To: C-6 Strip Business

Proposed Use: Automobile Sales

Name of Owners: Charish Otte

Address of Owners: 5600 E. Rosehill Ave, Terre Haute, IN 47805

Phone Number of Owners: c/o Richard J. Shagley II
812-232-3388

Attorney Representing Owners: Richard J. Shagley II

Address of Attorney: Wright, Shagley & Lowery , P.C.
PO Box 9849, Terre Haute, IN 47807

For Information Contact: Owner Attorney

Council Sponsor: Jim Chalos

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COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

FILED

MAR 05 2025

**SPECIAL ORDINANCE FOR A REZONING
SPECIAL ORDINANCE NO. 13, 2025**

CITY CLERK

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

SECTION I. 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:

Lots Number Two Hundred Forty-two (242), Two Hundred Forty-three (243) and Two Hundred Forty-four (244) in Locust Street Subdivision of a part of the Southwest quarter (1/4) of Section Fourteen (14), Township Twelve (12) North, Range Nine (9) West, as per recorded plat of the same recorded in Plat Book 6-A, page 79 of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-14-379-026.000-002

Parcel No. 84-06-14-379-017.000-002

Commonly known as 2314 Locust St., Terre Haute, Indiana 47807 and 2310 Locust St., Terre Haute, Indiana 47807

Be and the same is hereby established as a C-6 Strip Business, 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, _____
Jim Chalos, Councilperson

Passed in open Council this ____ day of _____, 2025.

Todd Nation, President

ATTEST:

Michelle Edwards, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this ____ day of _____, 2025. At _____ o'clock.

Michelle Edwards, City Clerk

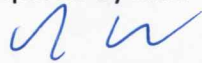
Approved by me, the Mayor of the City of Terre Haute, this ____ day of _____, 2025.

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.



Richard J. Shagley II

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807

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 GENTLEMEN:

The undersigned, Charish Otte 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 Two Hundred Forty-two (242), Two Hundred Forty-three (243) and Two Hundred Forty-four (244) in Locust Street Subdivision of a part of the Southwest quarter (1/4) of Section Fourteen (14), Township Twelve (12) North, Range Nine (9) West, as per recorded plat of the same recorded in Plat Book 6-A, page 79 of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-14-379-026.000-002

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Commonly known as 2314 Locust St., Terre Haute, Indiana 47807 and 2310 Locust St., Terre Haute, Indiana 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 (A) R-1 Single Family Residence District and (B) C-2 Community Commerce District.

Your Petitioner intends to use the existing building for the Automobile Sales office and use a portion of the remaining property for the automobile lot. Your Petitioner would request that the real estate described herein shall be zoned as a C-6 Strip Business.

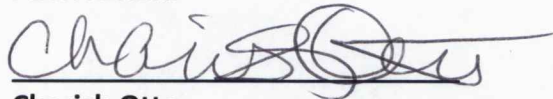
Your Petitioner would allege that the C-6 Strip Business would not alter the general characteristics of this neighborhood since there are other restaurants in the area.

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 Terre Haute, Indiana," and declaring the above-described real estate to be part of the C-3 Regional 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 owner 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 28 day of February, 2025.

PETITIONER:



Charish Otte

This instrument prepared by Richard J. Shagley II, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

SITE PLAN
SPECIAL ORDINANCE NO. , 2025



(A) 314 Locust St., Terre Haute, Indiana 47807
Parcel No. 84-06-14-379-026.000-002

(B) 2310 Locust St., Terre Haute, Indiana 47807
Parcel No. 84-06-14-379-017.000-002

(A) R-1 Single Family Residence District and
(B) C-2 Community Commerce District
to
C-3 Regional Commerce District

Proposed Use: Automobile Sales

STATE OF INDIANA) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now Charish Otte, being duly sworn upon her oath, deposes and says:

1. That Charish Otte, is the owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Lots Number Two Hundred Forty-two (242), Two Hundred Forty-three (243) and Two Hundred Forty-four (244) in Locust Street Subdivision of a part of the Southwest quarter (1/4) of Section Fourteen (14), Township Twelve (12) North, Range Nine (9) West, as per recorded plat of the same recorded in Plat Book 6-A, page 79 of the Recorder's Office of Vigo County, Indiana.

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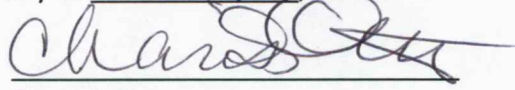
Commonly known as 2314 Locust St., Terre Haute, Indiana 47807 and
2310 Locust St., Terre Haute, Indiana 47807

2. That a copy of the Deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, is attached hereto and made a part hereof and marked as Exhibit A.

3. That Affiant makes this Affidavit for the sole purpose of affirming that Charish Otte is the owner of record of the above-described real estate, for which a proposed change to the zoning map of the City of Terre Haute, Indiana, has been filed and to induce the Common Council of the City of Terre Haute, Indiana, to accept the Petition to Rezone Real Property as filed by Charish Otte.

4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 28 day of February, 2025.


Charish Otte

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 28 day of February, 2025.

Reneitta Lampkin
Reneitta Lampkin Notary Public



My Commission expires: Nov. 1, 2026

My County of Residence: Vigo

This instrument prepared by Richard J. Shagley II, Attorney at Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 9849, Terre Haute, Indiana 47807.

ENTERED FOR TAXATION
Subject to final acceptance for Transfer

JUN 27 2024


VIGO COUNTY AUDITOR

2024006548 WD \$25.00
06/27/2024 08:48:58A 2 PGS
Diana Winsted-Smith
VIGO County Recorder IN
Recorded as Presented



WARRANTY DEED

THIS INDENTURE WITNESSETH That *Alisa Smith, by her Attorney in Fact, Monique Allen*, of Vigo County, Indiana, conveys and warrants to *Charish E. Otte*, of Vigo County, Indiana, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described Real Estate in Vigo County, in the State of Indiana, to-wit:

Lots Number Two Hundred Forty-two (242), Two Hundred Forty-three (243) and Two Hundred Forty-four (244) in Locust Street Subdivision of a part of the Southwest quarter (1/4) of Section Fourteen (14), Township Twelve (12) North, Range Nine (9) West, as per recorded plat of the same recorded in Plat Book 6-A, page 79 of the Recorder's Office of Vigo County, Indiana.

Subject to rights-of-way, conditions, restrictions and other easements of record.

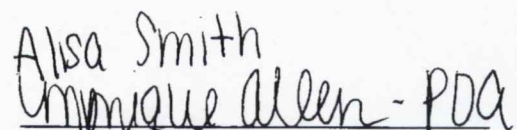
Commonly known as: 2314/2310 Locust St., Terre Haute IN 47807

Parcel No. 84-06-14-379-026.000-002

Parcel No. 84-06-14-379-017.000-002

That Grantor, *Alisa Smith's* interest is being transferred by Power of Attorney, which was recorded on the 27th day of June, 2024, Instrument No. 2024006547 in the Office of the Recorder, Vigo County, Indiana.

IN WITNESS WHEREOF, The said *Alisa Smith, by her Attorney in Fact, Monique Allen*, has caused this deed to be executed on the 25th day of June, 2024.


Alisa Smith, by her Attorney in Fact, Monique Allen



TERRE HAUTE, IN

PAID

MAR 05 2025

CONTROLLER

Receipt of Payment

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

Date 3/5/25
Name Richard Shagley
Reason Rezoning - 20
Fee - 25

Cash _____

Check \$45.⁰⁰ Ck # 074894

Credit _____

Total \$45.⁰⁰

Received By Ell J. Thome