



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

**SPECIAL ORDINANCE NO. 11, 2025**

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COMMON ADDRESS OF LOTS TO BE REZONED:

1103 South Center Street, Terre Haute, Indiana 47802; Parcel No. 84-06-28-427-013.000-002

Current Zoning: R-1 Single Family Residential District

Requested Zoning: R- 2 Two Family Residential District

Proposed Use: Two family residences (Duplex)

Name of Owner: Highland Property Group, LLC

Address of Owner: 100 Circle Street, Terre Haute, IN 47803

Phone Number of Owner: 812-249-0238

Attorney Representing Owner (if any): David P. Friedrich

Address of Attorney: Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, LLP, 333 Ohio Street, Terre Haute, IN 47807

Phone Number of Attorney: 812-232-4311

For Information Contact: David P. Friedrich

Council Sponsor: Tammy Boland

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

**FILED**

MAR 10 2025

**CITY CLERK**

**SPECIAL ORDINANCE NO. 11, 2025**

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 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 of 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:

The North Half (1/2) of 142 feet off the East end of Lot Number 12 in John Duncan's Subdivision of part of Out Lot Number 65 in Terre Haute, Indiana, as shown on the recorded plat thereof, recorded February 17, 1872, at Plat Record 1, Page 327, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1103 South Center Street, Terre Haute, Vigo County, Indiana  
47802

Parcel No 84-06-28-427-013.000-002.

Be the same is, hereby established as an R-2 Two Family Residential District, together with all rights and privileges that may inure to said real estate and the owners thereof the law in such cases provided, subject to all limitations and restrictions imposed thereon by deed or otherwise.

The real estate shall be an R-2 Two Family Residential District as the same is defined in the Comprehensive Zoning Ordinance for the City of Terre Haute, Indiana.

WHEREAS, Special Ordinance No. 11, 2025, has been referred to the Area Planning Commission for its review and consideration and a favorable recommendation has been referred by the Commission to the Common Council; and

**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 publications as by law provided.

Presented by Council Member, \_\_\_\_\_

**Tammy Boland**

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, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.


\_\_\_\_\_  
Brandon Sakbun, Mayor

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

This document prepared by:

David P. Friedrich, Wilkinson, Goeller, Modesitt, Wilkinson & Drummy, 333 Ohio Street,  
Terre Haute, IN 47807

I affirm, under the penalties  
for perjury, that I have taken  
responsible care to redact  
each social security number  
in this document, unless required  
by law.

  
David P. Friedrich



**PETITION TO REZONE REAL ESTATE**

TO: THE PRESIDENT AND MEMBERS OF THE COMMON COUNCIL OF THE CITY  
OF TERRE HAUTE, INDIANA;

LADIES and GENTLEMEN:

The Petitioner, Highland Property Group, Inc., is the owner of the following described real estate in Vigo County, Indiana, to-wit:

The North Half (1/2) of 142 feet off the East end of Lot Number 12 in John Duncan's Subdivision of part of Out Lot Number 65 in Terre Haute, Indiana, as shown on the recorded plat thereof, recorded February 17, 1872, at Plat Record 1, Page 327, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1103 South Center Street, Terre Haute, Vigo County, Indiana  
47802

Parcel No 84-06-28-427-013.000-002.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above-described real estate is now zoned as R-1 Single Family Residential District.

The Petitioner would state the real estate has been utilized as a duplex for a number of years but was not zoned properly. The Petitioner intends to continue to use the real estate as two residential units and will be unable to renovate the property until it is properly zoned.

The Petitioner is informed and believes that in accordance with Chapter 10 of the Comprehensive Zoning Ordinance for Terre Haute, as amended, the above described real estate is now zoned as R-1 Single Family Residential District.

Your Petitioner would request the real estate described in this petition be zoned as an R-2 Two Family Residential District to allow for use as proposed by the Petitioner. The Petitioner would allege that the R-2 Two Family 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 and will include parking and interior setback variances approved by the Terre Haute Board of Zoning Appeals.

Wherefore, the Petitioner respectfully requests that the Area Plan Commission of Vigo County and the Common Council of the City of Terre Haute, Indiana, favorably consider the passage of a Special Ordinance Amending the District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121

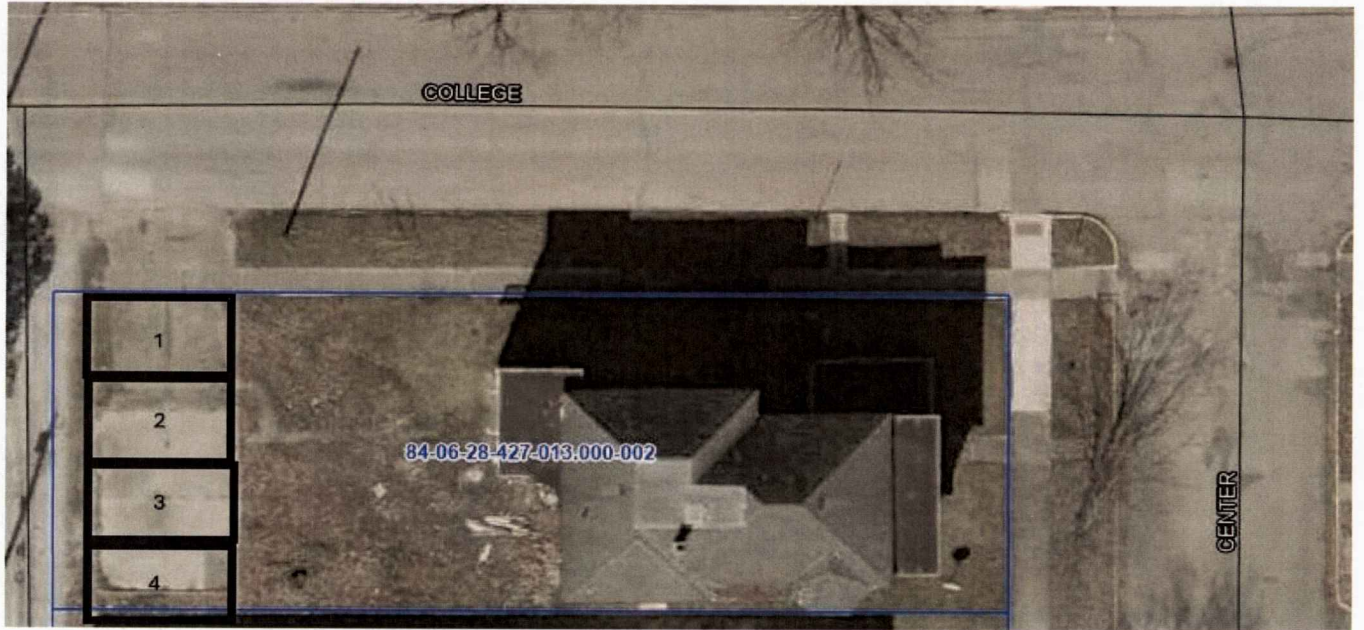
District Maps and declaring the above-described real estate be zoned R-2 Two Family Residential District, entitled to the rights and benefits that may accrue to the real estate and the owners thereof by virtue of the new designation subject to all limitations imposed by deed or otherwise.

In witness whereof, this Petition has been duly executed this   3   day of March 2025.

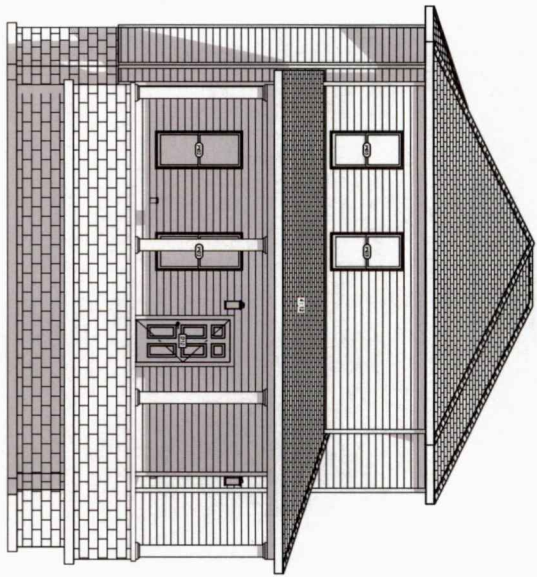
**PETITIONER:**

By: Thomas P Smith  
Thomas Smith  
Manager  
Highland Property Group, LLC

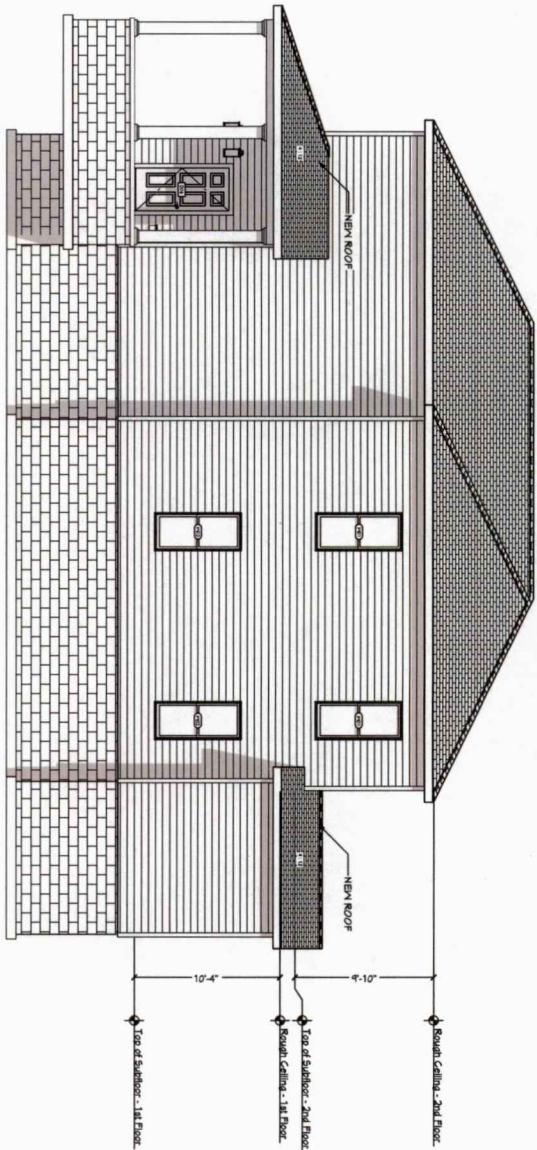
**Site Plan**  
**R-1 to R-2**



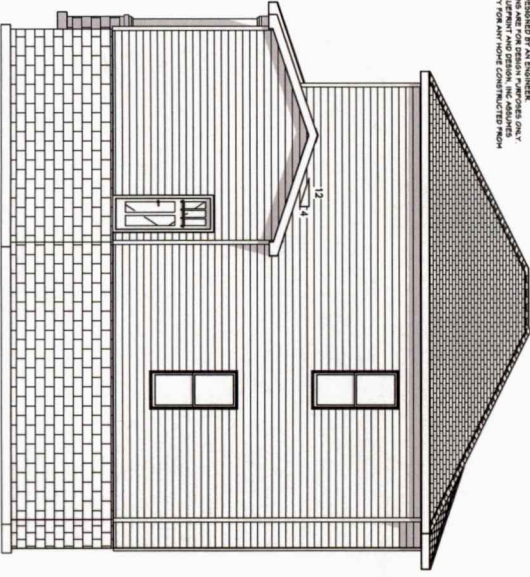




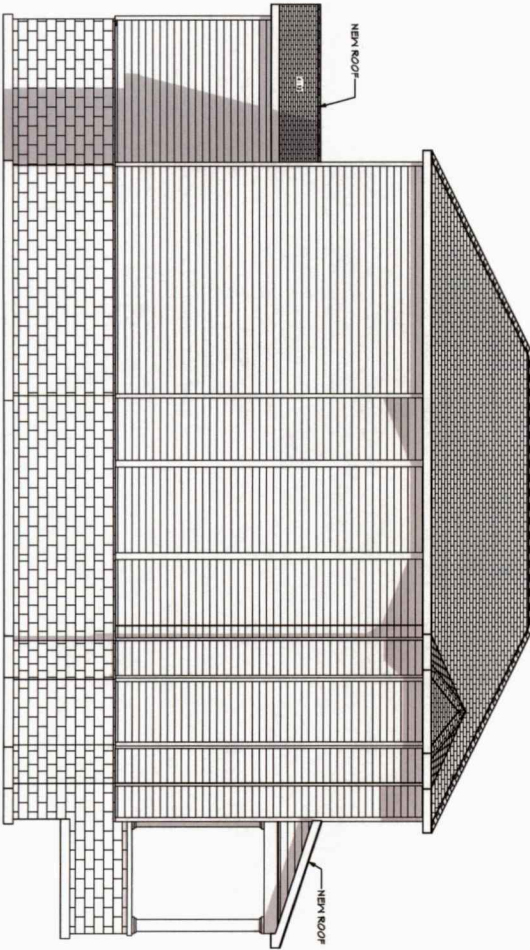
**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0" (24x36 PLAN)



**RIGHT ELEVATION**  
SCALE: 1/8" = 1'-0" (24x36 PLAN)



**REAR ELEVATION**  
SCALE: 1/8" = 1'-0" (24x36 PLAN)



**LEFT ELEVATION**  
SCALE: 1/8" = 1'-0" (24x36 PLAN)

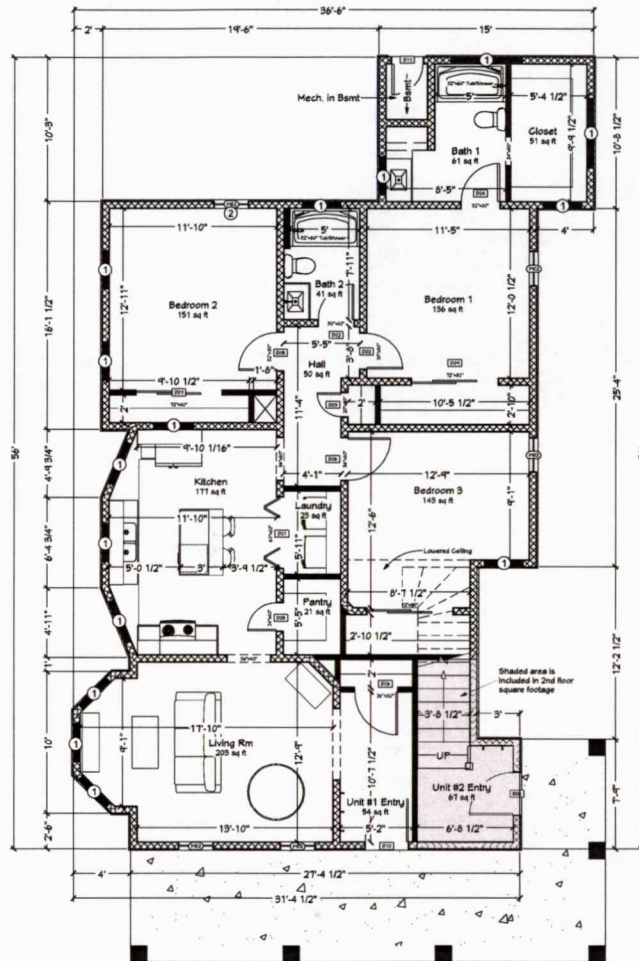
SCALE: 0 1 2 3 4'

GENERAL NOTE:  
1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE MINNESOTA BUILDING CODE, MINNESOTA ELECTRICAL CODE, MINNESOTA MECHANICAL CODE, MINNESOTA PLUMBING CODE, MINNESOTA FUEL GAS CODE, MINNESOTA SOLENOID VALVE CODE, MINNESOTA TANK CODE, MINNESOTA WELDING CODE, MINNESOTA WOOD PRESERVATION CODE, MINNESOTA ZONING ORDINANCE, MINNESOTA FIRE CODE, MINNESOTA ELEVATOR CODE, MINNESOTA ELEVATOR INSULATION CODE, MINNESOTA ELEVATOR SAFETY CODE, MINNESOTA ELEVATOR MAINTENANCE CODE, MINNESOTA ELEVATOR REPAIR CODE, MINNESOTA ELEVATOR REPLACEMENT CODE, MINNESOTA ELEVATOR MODIFICATION CODE, MINNESOTA ELEVATOR CONSTRUCTION CODE, MINNESOTA ELEVATOR OPERATION CODE, MINNESOTA ELEVATOR INSPECTION CODE, MINNESOTA ELEVATOR TESTING CODE, MINNESOTA ELEVATOR CERTIFICATION CODE, MINNESOTA ELEVATOR TRAINING CODE, MINNESOTA ELEVATOR EDUCATION CODE, MINNESOTA ELEVATOR RESEARCH CODE, MINNESOTA ELEVATOR DEVELOPMENT CODE, MINNESOTA ELEVATOR INNOVATION CODE, MINNESOTA ELEVATOR DESIGN CODE, MINNESOTA ELEVATOR CONSTRUCTION FROM THIS PLAN.



REVISION TABLE		
NUMBER	DATE	DESCRIPTION





UNIT #1 1ST FLR: 1394 SQ FT

#### 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.

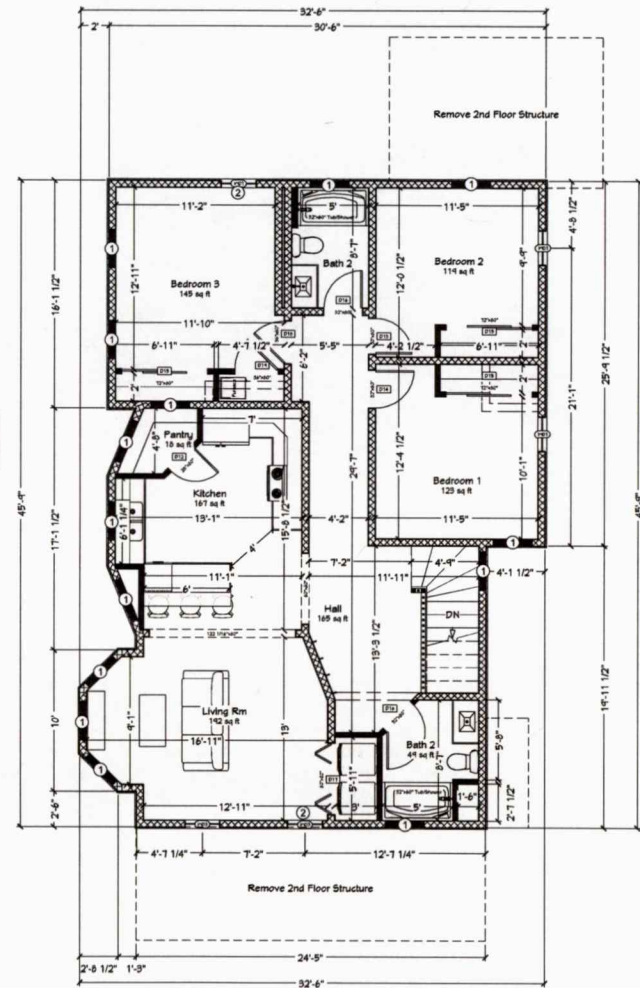
DOOR SCHEDULE "SUBSTITUTE AS NECESSARY"					
NUMBER	LABEL	QTY	FLOOR	SIZE	COMMENTS
D01	20'X80'	1	1	5000 LR	4 DR. BIFOLD
D02	30'X80'	2	1	2600 R IN	HINGED
D03	20'X80'	1	1	1500 R IN	HINGED
D04	32'X80'	1	1	2600 R EX	HINGED
D05	32'X80'	1	1	2600 L IN	HINGED
D06	36'X80'	1	1	3000 L IN	HINGED
D07	12'X80'	2	1	6000 L IN	SLIDER
D08	24'X80'	2	1	2000 L IN	HINGED
D09	12'X80'	1	1	6000 R IN	SLIDER
D10	36'X80'	1	1	3000 R IN	HINGED
D11	26'X80'	1	1	2200 R EX	HINGED
D12	28'X80'	1	2	2400 L IN	HINGED
D13	32'X80'	1	2	2600 R IN	HINGED
D14	32'X80'	1	2	2600 L IN	HINGED
D15	12'X80'	3	2	6000 R IN	SLIDER
D16	32'X80'	2	2	2600 R IN	HINGED
D17	40'X80'	2	2	5000 LR	4 DR. BIFOLD
D18	36'X80'	1	2	3000 L IN	HINGED
D19	36'X80'	1	2	3000 R IN	HINGED

DOOR & WINDOW SCHEDULES ARE FOR ESTIMATES ONLY.  
CONFIRM ALL WINDOWS AND DOORS

WINDOW SCHEDULE "SUBSTITUTE AS NECESSARY"					
NUMBER	LABEL	QTY	FLOOR	SIZE	TEMPERED COMMENTS
W01	30'X12' DH	3	2	2600 DH	DOUBLE HUNG
W02	30'X12' DH	5	1	2600 DH	DOUBLE HUNG
W03	30'X20' DH	2	2	2600 DH	DOUBLE HUNG

NOTE SCHEDULE		
①	24"	FILL EXISTING OPENING
②	3	REPLACE DOOR WITH WINDOW

XXXX EXISTING  
— NEW 24x (3-1/2")  
--- DEMO EXISTING OR NEW OPENING



UNIT #2 2ND FLR: 1300 SQ FT

#### FLOOR PLAN

SCALE: 1/4" = 1'-0" (24x36 PLAN)

SCALE: 0' 1' 2' 3' 4'



REVISION TABLE	DESCRIPTION
NUMBER	DATE

**HIGHLAND PROP.**  
1103 S CENTER ST  
TERRE HAUTE, IN 47602

2475 SERIE CANAL RD  
TERRE HAUTE, IN 47602  
813.269.2201  
MACKEYDESIGN.COM

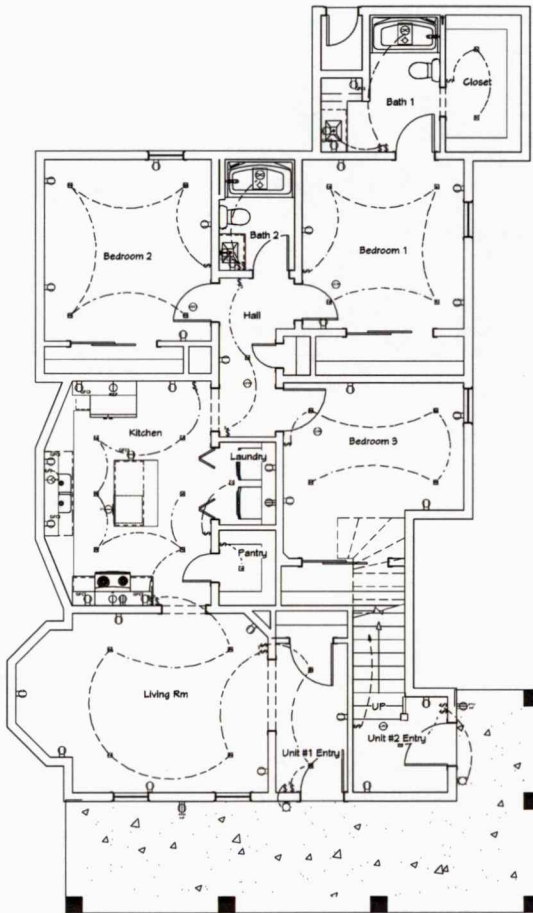


**MACKEY**  
BLUEPRINT & DESIGN

DATE:  
1/8/2025

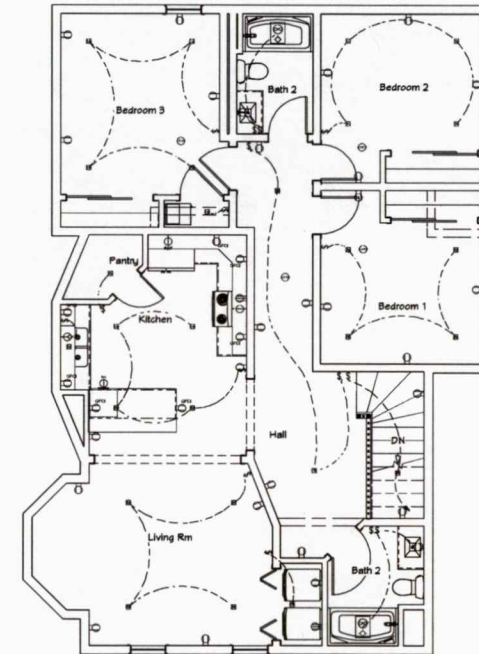
2





**FIRST FLOOR ELECTRICAL PLAN**  
SCALE: 1/4" = 1'-0" (24x36 PLAN)

ELECTRICAL SCHEDULE				
QTY	FLOOR	DESCRIPTION	SYM	COMMENTS
2	1	220V		
2	1	220V GFCI WP		
2	1	BATHROOM SCONCE		
5	1	CO/SMOKE DETECTOR		
1	1	DISHWASHER RECEPTACLE		
26	1	DUPLEX		
2	1	EXHAUST FAN + LIGHT		
2	1	EXTERIOR SCONCE		
4	1	GFCI		
1	1	GARBAGE DISPOSAL SWITCH		
1	1	MICROWAVE RECEPTACLE		
31	1	RECESSED DOWN LIGHT 4		
1	1	REFRIGERATOR OUTLET		
15	1	SINGLE POLE		
8	1	THREE WAY		
2	2	220V		
2	2	BATHROOM SCONCE		
4	2	CO/SMOKE DETECTOR		
1	2	DISHWASHER RECEPTACLE		
26	2	DUPLEX		
2	2	EXHAUST FAN + LIGHT		
7	2	GFCI		
1	2	GARBAGE DISPOSAL SWITCH		
1	2	MICROWAVE RECEPTACLE		
27	2	RECESSED DOWN LIGHT 4		
1	2	REFRIGERATOR OUTLET		
14	2	SINGLE POLE		
2	2	THREE WAY		



**SECOND FLOOR ELECTRICAL PLAN**  
SCALE: 1/4" = 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.

SCALE: 0 1' 2' 3' 4'



REVISION TABLE		
NUMBER	DATE	DESCRIPTION

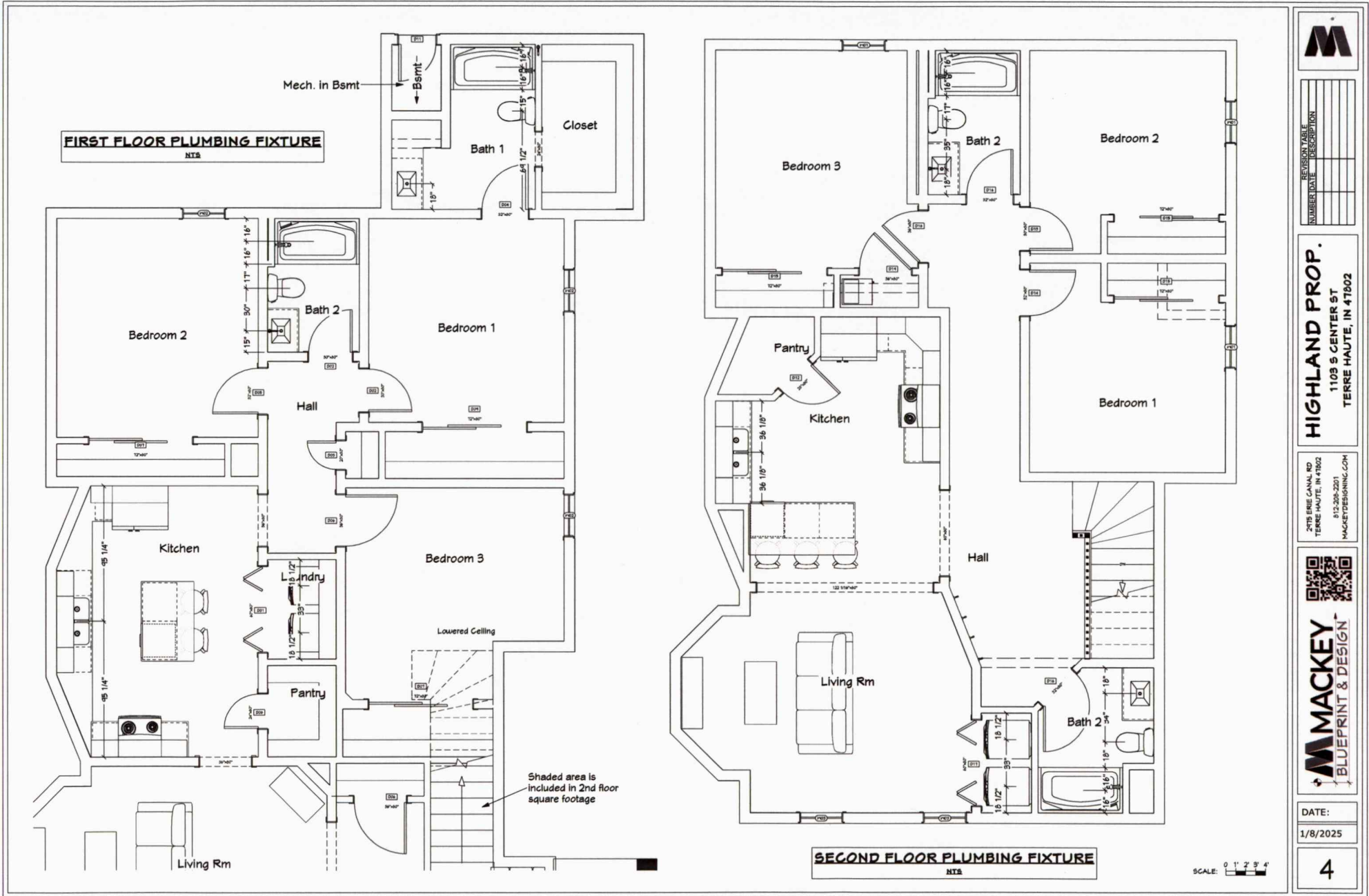
**HIGHLAND PROP.**  
1103 S CENTER ST  
TERRE HAUTE, IN 47602

2475 ERIE CANAL RD  
TERRE HAUTE, IN 47602  
812-263-2231  
MACKEYDESIGNINC.COM



**MACKEY**  
BLUEPRINT & DESIGN

DATE:  
1/8/2025



2024008355 WD \$25.00  
07/31/2024 10:17:01A 3 PGS  
Diana Winsted-Smith  
VIGO County Recorder IN  
Recorded as Presented

## WARRANTY DEED

THIS INDENTURE WITNESSETH, THAT Christi Cline, of Vigo County, State of Indiana, and Charlie Miller, of Vigo County, State of Indiana, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONVEY and WARRANT unto Highland Property Group LLC, a limited liability company organized and existing under the laws of the State of Indiana, the following described real estate located in the County of Vigo, State of Indiana, to-wit:

The North Half (1/2) of 142 feet off the East end of Lot Number 12 in John Duncan's Subdivision of part of Out Lot Number 65 in Terre Haute, Indiana, as shown on the recorded plat thereof, recorded February 17, 1872, at Plat Record 1, Page 327, records of the Recorder's Office of Vigo County, Indiana.

Parcel No. 84-06-28-427-013.000-002

Subject to any grants, easements, leases, rights-of-way, covenants, or restrictions of record which might affect the title to the subject real estate.

Subject to real estate taxes prorated to the date hereof.

IN WITNESS WHEREOF the above referred to Christi Cline and Charlie Miller have hereunto set their hands and seals, this 29<sup>th</sup> day of July, 2024.

ENTERED FOR RECORDE  
subject to final acceptance for Transfer


JUL 31 2024

  
VIGO COUNTY AUDITOR

[Remainder of Page Left Blank]

[Notary Acknowledgment Follows]



  
Christi Cline (SEAL)

STATE OF Indiana, Vigo COUNTY, SS:

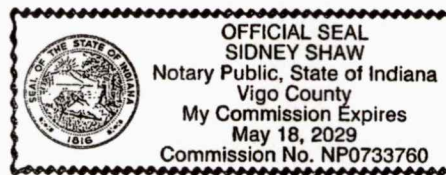
Before me, the undersigned, a Notary Public in and for said county and state, this 18<sup>th</sup> day of July, 2024, personally appeared Christi Cline, and acknowledged the execution of the annexed Deed to be her voluntary act and deed.

WITNESS my hand and Notarial Seal.

My Commission Expires: 5/18/2029

My County of residence is: Vigo

Sidney Shaw  
Notary Public  
Sidney Shaw  
Typewritten or printed name of notary



[Remainder of Page Left Blank]

 (SEAL)  
Charlie Miller

STATE OF Indiana, Vigo COUNTY, SS:

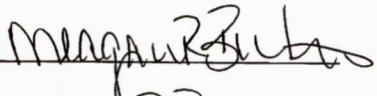
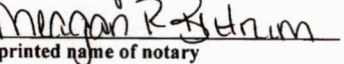
Before me, the undersigned, a Notary Public in and for said county and state, this 29 day of July, 2024, personally appeared Charlie Miller, and acknowledged the execution of the annexed Deed to be his voluntary act and deed.

WITNESS my hand and Notary Seal

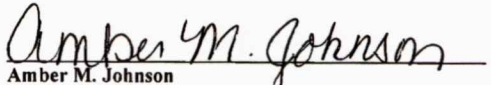
My Commission Expires: 3-19-2026

My County of residence is: Vigo

OFFICIAL SEAL  
MEAGAN R. BUTRUM  
Notary Public, State of Indiana  
Vigo County Notary Public  
My Commission Expires  
March 19, 2026  
Commission No. 711699

  
  
Type written or printed name of notary

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.

  
Amber M. Johnson

THIS INSTRUMENT WAS PREPARED BY: Donald J. Bonomo, Attorney, Cox, Zwerner, Gambill & Sullivan, LLP, 511 Wabash Avenue, Terre Haute, IN 47807, at the specific request of the parties or their authorized representatives based solely on information supplied by one or more of the parties to this conveyance and without examination of title or abstract. The drafter assumes no liability for any errors, inaccuracy, or omissions in this instrument resulting from the information provided and makes no representation regarding the status or quality of the title hereby conveyed by Grantor's execution and Grantee's acceptance of the instrument.

GRANTEE ADDRESS: 1103 S. Center St. Terre Haute, IN. 47802

MAIL TAX STATEMENTS TO: Highland Property Group 433 Wygenwood Ln.  
Terre Haute, IN. 47803

**AFFIDAVIT OF THOMAS SMITH**

Thomas Smith ("Smith"), being first duly sworn upon his oath, deposes and states:

1. Thomas Smith is a Member of Highland Property Group, LLC.
2. Highland Property Group, LLC. is the fee simple owner of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

The North Half (1/2) of 142 feet off the East end of Lot Number 12 in John Duncan's Subdivision of part of Out Lot Number 65 in Terre Haute, Indiana, as shown on the recorded plat thereof, recorded February 17, 1872, at Plat Record 1, Page 327, records of the Recorder's Office of Vigo County, Indiana.

Commonly known as 1103 South Center Street, Terre Haute, Vigo County, Indiana  
47802

Parcel No 84-06-28-427-013.000-002.

3. Copies of the deed, recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Highland Property Group, LLC, is attached to this affidavit as Exhibit A.
4. Smith submits this affidavit for the sole purpose of affirming that Highland Property Group, LLC. 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 Highland Property Group, LLC.
5. The affiant further sayeth not.

*Thomas P Smith*

---

Thomas Smith  
Member  
Highland Property Group, LLC



STATE OF INDIANA)

COUNTY OF VIGO )  
:SS

Subscribed and sworn to before me, a Notary Public, this 3<sup>rd</sup> day of  
March, 2025.

MY COMMISSION EXPIRES:

2/5/2033

COUNTY OF RESIDENCE:

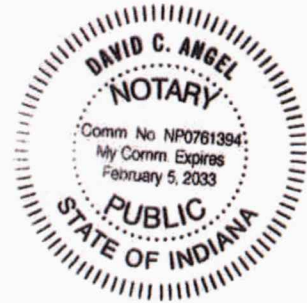
Vigo

*David C. Angel*

NOTARY PUBLIC

*David C. Angel*

(Printed Name)





## Receipt of Payment

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

Date 3/7/25  
Name Dave Friedrich  
Reason Rezoning - \$45.00  
Petition - \$20.00  
Notice - \$25.00

Cash \_\_\_\_\_  
Check \$45.00 Ck # 0107374  
Credit \_\_\_\_\_  
Total \$45.00

Received By

Ekf J. Dhome