

SPECIAL ORDINANCE NO.10, 2010

APPLICATION FOR REZONING PETITION CITY OF TERRE HAUTE

Common Address of lots to be rezoned:

6391 and 6425 East State Road 42, Terre Haute, IN 47803

Rezone From: O-1 Agricultural District

Rezone To: M-1 Light Industry District

Proposed Use: Truck Sales and Service Facility

Name of Owner: Palmer Properties, LLC

Address of Owner: c/o Mr. W.G. Tait
PO Box 42607
Indianapolis, IN 46240-0607

Phone Number of Owner: (812) 232-3388 (Attorneys)

Attorney Representing Owner: Richard J. Shagley

Address of Attorney: 500 Ohio Street, Terre Haute, IN 47807

For Information Contact: [] Owner [x] Attorney

Council Sponsor: Neil Garrison

COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

SPECIAL ORDINANCE NO. 10 , 2010

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:

Commencing at a point 1,150.6 feet East of the Northwest corner, of the Northeast Quarter, of Section 29, Township 12 North, Range 8 West; running thence East along the North Line of said Northeast Quarter, a distance of 165 feet (Record) 170.87 feet (Meas.) to the Northeast corner of the Northwest Quarter, of the Northeast Quarter of said Section 29; thence South along the East Line of said Quarter, Quarter, Section 792 feet; thence West and parallel to the North Line of said Quarter, 165 feet (Record) 170.87 feet (Meas.); thence North 792 feet to the point of beginning. Containing 3 acres more or less.

(Commonly known as Tract-1 in Katie Estates Subdivision)

Being part of the Northeast Quarter, of the Northeast Quarter, of Section 29, Township 12 North, Range 8 West, of Lost Creek Township, Vigo County, Second Principal Meridian, Indiana; and more particularly described as follows:

Beginning at a point S-00°05'08"-E (Assumed Bearing) along the East Line of said Quarter Quarter, Section 46.95 feet, from the Northwest corner of the Northeast Quarter, of the Northeast Quarter, of Section 29; thence S-70°34'19"-E 313.37 feet; thence N-26°02'42"-E 52.02 feet; thence N-01°33'23"-W 638.80 feet to the South right-of-way line for State Road 42; thence N-86°41'00"-W 100.65 feet; thence S-89°03'24"-W 192.41 feet to the point of beginning.

(Commonly known as Lot-2A being part of Tract-2 in Katie Estates Subdivision)

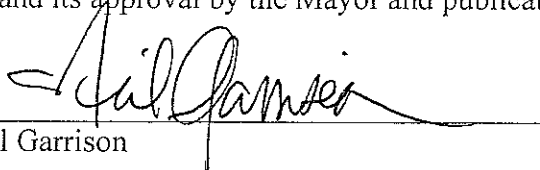
Commonly known as 6391 and 6425 East State Road 42, Terre Haute, IN 47803.

be and the same is, hereby established as a M-1 Light Industry 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

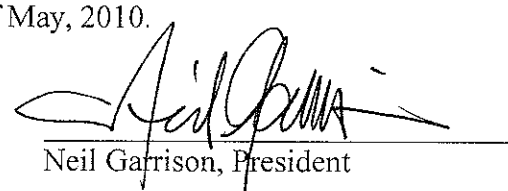
otherwise.

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

Presented by Council Member,


Neil Garrison

Passed in open Council this 13 day of May, 2010.


Neil Garrison, President

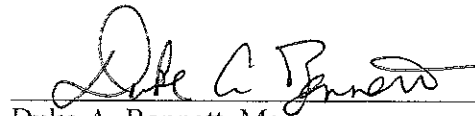
ATTEST:


Charles P. Hanley, City Clerk

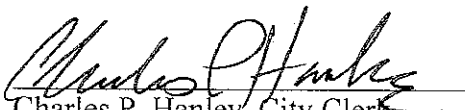
Presented by me, to the Mayor of the City of Terre Haute, this 14 day of May, 2010.


Charles P. Hanley, City Clerk

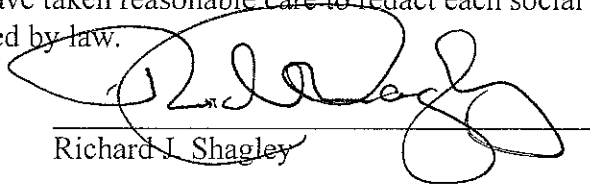
Approved by me, the Mayor of the City of Terre Haute, this 14th day of May, 2010.


Duke A. Bennett, Mayor

ATTEST:


Charles P. Hanley, 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

This instrument prepared by Richard J. Shagley, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, 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 PLANNING COMMISSION OF VIGO COUNTY, INDIANA.

LADIES and GENTLEMEN:

The undersigned, Palmer Properties, L.L.C, respectfully submits this Petition to Rezone the following described real estate in the City of Terre Haute, Vigo County, State of Indiana, to-wit:

Commencing at a point 1,150.6 feet East of the Northwest corner, of the Northeast Quarter, of Section 29, Township 12 North, Range 8 West; running thence East along the North Line of said Northeast Quarter, a distance of 165 feet (Record) 170.87 feet (Meas.) to the Northeast corner of the Northwest Quarter, of the Northeast Quarter of said Section 29; thence South along the East Line of said Quarter, Quarter, Section 792 feet; thence West and parallel to the North Line of said Quarter, 165 feet (Record) 170.87 feet (Meas.); thence North 792 feet to the point of beginning. Containing 3 acres more or less.

(Commonly known as Tract-1 in Katie Estates Subdivision)

Being part of the Northeast Quarter, of the Northeast Quarter, of Section 29, Township 12 North, Range 8 West, of Lost Creek Township, Vigo County, Second Principal Meridian, Indiana; and more particularly described as follows:

Beginning at a point S-00°05'08"-E (Assumed Bearing) along the East Line of said Quarter Quarter, Section 46.95 feet, from the Northwest corner of the Northeast Quarter, of the Northeast Quarter, of Section 29; thence S-70°34'19"-E 313.37 feet; thence N-26°02'42"-E 52.02 feet; thence N-01°33'23"-W 638.80 feet to the South right-of-way line for State Road 42; thence N-86°41'00"-W 100.65 feet; thence S-89°03'24"-W 192.41 feet to the point of beginning.

(Commonly known as Lot-2A being part of Tract-2 in Katie Estates Subdivision)

Commonly known as 6391 and 6425 East State Road 42, Terre Haute, IN 47803.

Your Petitioner is informed and believes that in accordance with Chapter 10, known and referred to as "The Comprehensive Zoning Ordinance for Terre Haute", as amended, the above described real estate is now zoned as O-1 Agricultural District.

Your Petitioner would respectfully state that the real estate is now and has been used as a truck sales and service facility, and your Petitioner intends to continue said use.

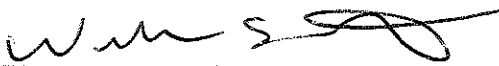
Your Petitioner would request that the real estate described herein shall be zoned as M-1 Light Industry District to allow for the use as proposed by the Petitioner. Your Petitioner would allege that the M-1 Light Industry District would not alter the general characteristics of this neighborhood, since the real estate is located on one of the City's major streets.

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 area.

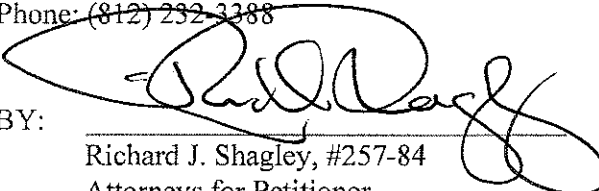
WHEREFORE, your Petitioner respectfully requests that the Area Planning Commission and the Common Council of the City of Terre Haute, Indiana favorably consider the passage of a Special Ordinance amending the District Maps of Chapter 10, of the Terre Haute City Code entitled The Comprehensive Zoning Ordinance for Terre Haute, Section 10-121 District Maps and declaring the above-described real estate to be part of the M-1 District of the City of Terre Haute, Indiana, and is 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, the undersigned Petitioner has executed this Petition to Rezone Real Property this 1 day of April, 2010.

PETITIONER:
PALMER PROPERTIES, LLC

By: 
W. G. Tait

WRIGHT, SHAGLEY & LOWERY, P.C.
500 Ohio Street
Terre Haute, IN 47807
Phone: (812) 232-3388

BY: 
Richard J. Shagley, #257-84
Attorneys for Petitioner

The owner and mailing address: Palmer Properties, LLC, c/o Mr. W. G. Tait, PO Box 42607, Indianapolis, IN 46240-0607.

This instrument prepared by Richard J. Shagley, Attorney-at-Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, P.O. Box 8448, Terre Haute, Indiana 47808-8448.

STATE OF INDIANA)
) SS:
COUNTY OF VIGO)

AFFIDAVIT

Comes now William G. Tait, being duly sworn upon his oath, deposes and says:

1. That Palmer Properties, LLC is the fee simple owner of record of the following described real estate located in the City of Terre Haute, County of Vigo, State of Indiana, to-wit:

Commencing at a point 1,150.6 feet East of the Northwest corner, of the Northeast Quarter, of Section 29, Township 12 North, Range 8 West; running thence East along the North Line of said Northeast Quarter, a distance of 165 feet (Record) 170.87 feet (Meas.) to the Northeast corner of the Northwest Quarter, of the Northeast Quarter of said Section 29; thence South along the East Line of said Quarter, Quarter, Section 792 feet; thence West and parallel to the North Line of said Quarter, 165 feet (Record) 170.87 feet (Meas.); thence North 792 feet to the point of beginning. Containing 3 acres more or less.

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(Commonly known as Lot-2A being part of Tract-2 in Katie Estates Subdivision)

Commonly known as 6391 and 6425 East State Road 42, Terre Haute, IN 47803.

2. That a copy of the Warranty Deed, dated December 31, 2000, and recorded in the records of the Recorder's Office of Vigo County, Indiana, transferring fee simple title to Affiant, 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 Palmer Properties, 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 Palmer Properties, LLC.

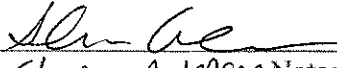
4. Further, Affiant saith not.

Dated at Terre Haute, Indiana this 1 day April, 2010.


W. G. Tait for Palmer Properties, LLC

STATE OF INDIANA, COUNTY OF VIGO, SS:

SUBSCRIBED AND SWORN TO before me, a Notary Public in and for said County and State, this 1st day of April 2010.


Sharon Anderson, Notary Public

My Commission expires:

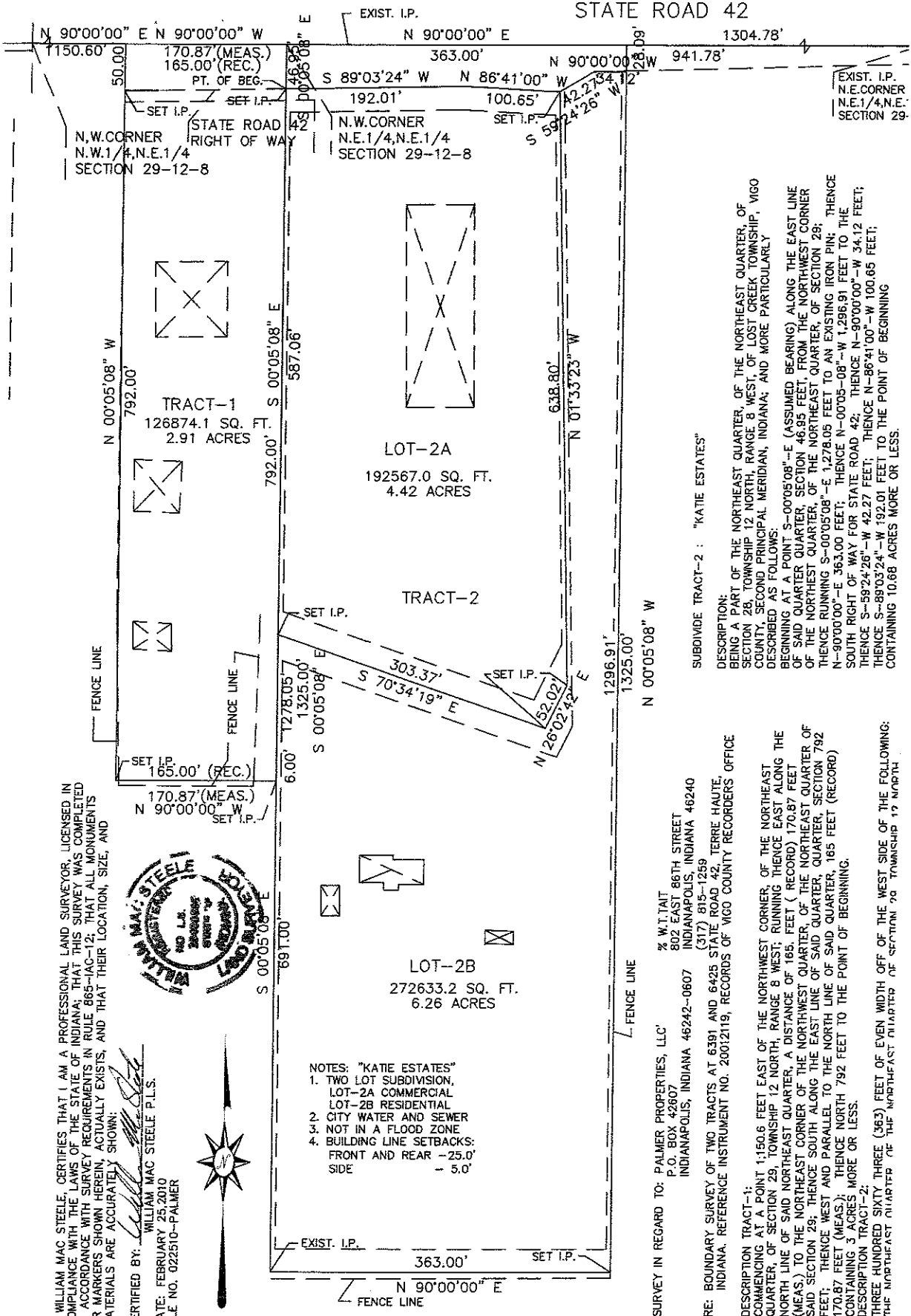
11-15-2017

My County of Residence:

Putnam

This instrument prepared by Richard J. Shagley, Attorney At Law, WRIGHT, SHAGLEY & LOWERY, P.C., 500 Ohio Street, Terre Haute, IN 47807.

STATE ROAD 42



I, WILLIAM MAC STEELE, CERTIFIES THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS SURVEY WAS COMPLETED IN ACCORDANCE WITH SURVEY REQUIREMENTS IN RULE 865-IAC-12; THAT ALL MONUMENTS OR MARKERS SHOWN HEREIN, ACTUALLY EXIST, AND THAT THEIR LOCATION, SIZE, AND MATERIALS ARE ACCURATELY SHOWN:



CERTIFIED BY: *William Mac Steele*
 WILLIAM MAC STEELE P.L.S.
 DATE: FEBRUARY 25, 2010
 Q. FILE NO. 022510-PALMER



SCALE 1"=100'

- NOTES: "KATIE ESTATES"
1. TWO LOT SUBDIVISION, LOT-2A COMMERCIAL LOT-2B RESIDENTIAL
 2. CITY WATER AND SEWER
 3. NOT IN A FLOOD ZONE
 4. BUILDING LINE SETBACKS: FRONT AND REAR - 25.0' SIDE - 5.0'

SUBDIVIDE TRACT-2 : "KATIE ESTATES"

DESCRIPTION: BEING A PART OF THE NORTHEAST QUARTER, OF THE NORTHEAST QUARTER, OF SECTION 28, TOWNSHIP 12 NORTH, RANGE 8 WEST, OF MOST CREEK TOWNSHIP, VIGO COUNTY, SECOND PRINCIPAL MERIDIAN, INDIANA; AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT S-00°05'08"-E (ASSUMED BEARING) ALONG THE EAST LINE OF SAID QUARTER, SECTION 46.95 FEET, FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER, OF THE NORTHEAST QUARTER, OF SECTION 29; THENCE RUNNING S-00°05'08"-E 1,278.05 FEET TO AN EXISTING IRON PIN; THENCE N-90°00'00"-E 363.00 FEET; THENCE N-00°05'-08"-W 1,296.91 FEET TO THE SOUTH RIGHT OF WAY FOR STATE ROAD 42; THENCE N-90°00'00"-W 34.12 FEET; THENCE S-59°24'26"-W 42.27 FEET; THENCE N-86°41'00"-W 100.65 FEET; THENCE S-89°03'24"-W 192.01 FEET TO THE POINT OF BEGINNING CONTAINING 10.68 ACRES MORE OR LESS.

SURVEY IN REGARD TO: PALMER PROPERTIES, LLC
 P.O. BOX 42607
 INDIANAPOLIS, INDIANA 46240
 RE: BOUNDARY SURVEY OF TWO TRACTS, AT 6391 AND 6495, STATE ROAD 42, TERRE HAUTE, INDIANA. REFERENCE INSTRUMENT NO. 20012119, RECORDS OF VIGO COUNTY RECORDERS OFFICE

DESCRIPTION TRACT-1:
 COMMENCING AT A POINT 1,150.6 FEET EAST OF THE NORTHWEST CORNER, OF THE NORTHEAST QUARTER, OF SECTION 29, TOWNSHIP 12 NORTH, RANGE 8 WEST; RUNNING THENCE EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 165. FEET (RECORD) 170.87 FEET (MEAS.) TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION 29; THENCE SOUTH ALONG THE EAST LINE OF SAID QUARTER, SECTION 29; 170.87 FEET (MEAS.); THENCE NORTH TO THE NORTH LINE OF SAID QUARTER, 165 FEET (RECORD) CONTAINING 3 ACRES MORE OR LESS.
 DESCRIPTION TRACT-2:
 THREE HUNDRED SIXTY THREE (363) FEET OF EVEN WIDTH OFF OF THE WEST SIDE OF THE FOLLOWING: THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 NORTH,

SITE PLAN
 0-1 to M-1
 6391 and 6225
 EAST STATE
 ROAD 42
 TRUCK SALES
 AND SERVICE
 FACILITY
 PALMER PROPERTIES,
 LLC

WILLIAM MAC STEELE
 ENGINEERING AND LAND SURVEYING
 875 EAST COUNTY ROAD 250 NORTH
 SULLIVAN, INDIANA 47882
 (812) 268-3813

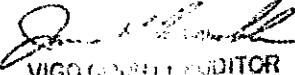
JKW Date 02/15/2001 Time 09:53:33
Mitchell Newton 3P
Vigo County Recorder
Filing Fee: 18.00
I 20012119

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer

Page 1 of 3
EXEMPT FROM DISCLOSURE

FEB 15 2001

WARRANTY DEED


VIGO COUNTY AUDITOR

THIS INDENTURE WITNESSETH, that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, PALMER REALTY F.L.P., an Indiana family limited partnership, ("Grantor"), conveys and warrants to PALMER PROPERTIES, LLC, an Indiana limited liability company ("Grantee"), the following described real estate located in Vigo County, in the State of Indiana (the "Real Estate"):

See Exhibit "A" attached hereto and by reference made a part hereof.

subject to any and all taxes and assessments not yet delinquent, and all easements, restrictions, commitments, rights-of-way, appurtenances, covenants, mortgages, agreements and other matters of record.

IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed this

31 day of December, 2000.

PALMER REALTY, F.L.P.

By: Eldon D. Palmer
Eldon D. Palmer, General Partner

By: M. Elaine Palmer
Elaine M. Palmer, General Partner

"Grantor"

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before me, a Notary Public in and for the County entered below, in the State of Indiana, personally appeared Eldon D. Palmer and M. Elaine Palmer as general partners of Palmer Realty, F.L.P., all of whom acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations contained herein are true.

Witness my hand and Notarial Seal this 31 day of December, 2000.

My commission expires:
02/06

Thomas M. Kapitani
Notary Public

Printed: THOMAS M. KAPITANI

Resident of Johnson County

Send tax statements to:
Palmer Properties, LLC
Attn: Jeffrey Curry
P.O. Box 42607
Indianapolis, IN 46242-0607

Return recorded deed to Preparer:
C. Daniel Yates
HENDERSON DAILY WITHROW & DEVOE
One Indiana Square, Suite 2600
Indianapolis, Indiana 46204
317.639.4121

EXHIBIT "A"

*to the Warranty Deed between PALMER REALTY, F.L.P., Grantor,
and PALMER PROPERTIES, LLC, Grantee.*

Legal Description

Tract One More commonly known as 6391-6425 East S.R. 42 (parcel no. 729200004) and 6391-6425 East S.R. 42 (parcel no. 729200005). More specifically described as:

100

Commencing at a point 1,150.6 feet East of the Northwest corner of the Northeast Quarter (1/4) of Section 29, Township 12 North, Range 8 West, running thence East along the North line of said Northeast Quarter (1/4) a distance of 165 feet, to the Northeast corner of the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of said Section 29, Township 12 North, Range 8 West; thence South and along the North and South Quarter (1/4) Section line of said Northeast Quarter (1/4) a distance of 792 feet; thence West and parallel with the North line of said Northeast Quarter (1/4) a distance of 165 feet; thence North a distance of 792 feet, to the point of beginning and containing 3 acres, more or less.

Except all coal and minerals lying under the foregoing described real estate and mining rights pertaining thereto as conveyed to James A. Cooper, Jr., by deed record 138, page 92, records of Recorder's Office of Vigo County.

Also, subject to all easements granted across, over and/or under the above described real estate and other lands.

ALSO:

100

Three Hundred Sixty-Three (363) feet of even width off the West side of the following: The Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-Nine (29), Township Twelve (12) North, Range Eight (8) West.

Except the coal underlying the surface of the above described real estate, and the rights pertaining thereto, as conveyed to James A. Cooper, Jr., and shown by deed recorded in Deed Record 138, page 92, in the Vigo County Recorder's Office.



TERRE HAUTE

Area Planning Department **FILED**
For Vigo County

159 Oak Street, Terre Haute, Indiana 47807

Telephone: (812) 462-3354

Fax: (812) 234-3248

MAY 10 2010

CITY CLERK

Terre Haute • West Terre Haute • Riley • Seelyville

DATE: May 6, 2010

REPORT TO THE CITY COUNCIL ON ZONING MAP AMENDMENT

THE VIGO COUNTY AREA PLAN COMMISSION HEREBY GIVES CERTIFICATION TO
SPECIAL ORDINANCE NUMBER #10-10

CERTIFICATION DATE: May 5, 2010

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. 10-10. This Ordinance is a rezoning of the property located at 6391 and 6425 E. S.R. 42. The Petitioner, Palmer Properties, Petitions the Plan Commission to rezone said real estate from zoning classification 0-1 to M-1, Light Industry District, for truck sales and service facility. 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. 10-10 at a public meeting and hearing held Wednesday, May 5, 2010. 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. 10-10 as required by IC 36-7-4-302. The Area Plan Commission of Vigo County now hereby attaches certification to Special Ordinance No. 10-10 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. 10-10, was FAVORABLE WITH THE FOLLOWING CONDITION: 1) Must gain Health Department approval.



Fred L. Wilson, President



Jeremy Weir, Executive Director

Received this 6th day of May, 2010

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-10

Doc: # 34

Date: August 2010

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APPLICATION INFORMATION

Petitioner: Palmer Properties, LLC

Property Owner: Same-As-Above

Representative: Richard J. Shagley

Proposed Use: Truck Sales and Service Facility

Proposed Zoning: M-1, Light Industrial District

Current Zoning: O-1, Agricultural District

Location: The property is located on the South side of East State Road 42, 1000 ft. west of the intersection of Hunt St. and State Road 42.

Common Address: 6391 and 6425 East State Road 42

COMPREHENSIVE PLAN GUIDANCE

Service Area: The City of Terre Haute

Guiding Policies: Airport

The Airport area shown on the Growth Pattern maps incorporates the Terre Haute International Airport and surrounding uses. The airport area has significant potential for airport-related business and industrial services. The airport area should be the focus of a sub-area plan that creates a parcel-by-parcel master land use plan to accommodate additional growth while acknowledging the limitations related to development adjacent to an airport.

Available Services: Area lacks some urban services.

Soil Limitations: see subdivision report Katie Estates Subdivision

Street Access: East State Road 42 is a Major Roadway

Dev. Priority: ~~Capital~~ investment is a high priority *need to be compatible with future economic development*

ZONING COMPATIBILITY

Sur. Zones and Uses: **North** – A-1, Agricultural District
East – M-2, Heavy Industrial District
South – O-1, Agricultural District
West – O-1, Agricultural District

Character of Area: This area has seen recent investment relating to warehousing and distribution. The close proximity to the I-70, St. Rd. 42, and the International Airport has significant potential for airport-related business and industrial services.

Contig. Uses & Zones: The contiguous zoning to the north and west is A-1 and O-1 Agricultural District with uses that are permitted, to the east is M-2, Heavy Industrial District, and the property to the south is zoned O-1, Agricultural District.

ZONING REGULATIONS

M-1 Purpose: It is the purpose of this classification to provide for complete separation of residential and commercial areas, from industrial areas for the mutual protection of both industrial and residential, and commercial uses. It is recognized that for industrial growth, a reasonable excess of quality land must be held in exclusive reserve for industrial expansion. In the granting of special uses, this goal must be paramount in the consideration thereof and special uses not clearly of manufacturing or industrial nature must be incidental to an established industrial facility. The Light Industrial zone classification provides for additional sites in a more densely developed area. It provides for those industries which are more compatible with densely developed, contiguous, residential and commercial uses and which can readily meet the industrial performance standards as contained in Sec. 10-143.

M-1 Uses: Any production, processing, cleaning, servicing, testing, repair, or storage of material, goods, or products which shall conform with the performance standards set forth in Sec. 10-143 (except such uses as are specifically excluded), and which shall not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dust, or other particulate matter, toxic and noxious materials, odors, fire or

STAFF REVIEW – CITY OF TERRE HAUTE ZONE CHANGE

Number: SO #10-10

Doc: # 34

Date: August 2010

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explosive hazards, glare or heat. Within three hundred feet (300') of a Residence District, all storage except of motor vehicles, shall be within completely enclosed buildings or may be located out-of-doors if it is effectively screened by a solid wall or fence (including solid entrance and exit gates) as specified in Sec. 10-172 e. for junkyards; Automobile laundries; Building materials sales; Contractor or construction office, shops, and yards; Fuel and ice sales, if located in completely enclosed buildings; Garages and parking lots, for motor vehicles; Public utility and public service uses, including; Signs as regulated in Sec. 10-141; Trade schools.

M-1 Standards:

Minimum Lot Size: 3,300 Sq. Ft.

FAR 0.5 %

Street Setback: 55 feet from centerline;

Rear setback 11';

Interior setback of 5' from the interior lot line;

One (1) parking space per each employee on the largest shift.

FINDINGS and RECOMMENDATION

Staff Findings:

The comprehensive guidance states that airport-related business and industrial services provide a significant potential for new development and growth within the Terre Haute International Airport area. City of Terre Haute has seen an expansion of warehouse and distribution related services within the Airport area. This area needs to focus new development around a sub-area plan, which will accommodate additional growth while acknowledging the limitations of urban-services that are available within this area.

This site lacks sanitary sewer, and is awaiting Health department approval,

Recommendation: Favorable Recommendation, ~~contingent on health department approval.~~