

**SPECIAL ORDINANCE NO. 48, 2011.**

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

---

---

Common Addresses of real estate to be rezoned:

1318 North 30<sup>th</sup> Street 47803  
1816 North 30<sup>th</sup> Street 47803  
1310 North 30<sup>th</sup> Street 47803  
2908 4<sup>th</sup> Avenue 47803

---

Rezone From: R-1 Single Family Residence District

Rezone To: M-1 Light Industry District

Proposed Use: Vehicle Storage Building and  
Impound Lot (for Commercial Clients)

Name of Owner: Paul M. May and Deborah May

Address of Owner: 3305 E. Head Avenue  
Rosedale, IN 47874

Phone Number of Owner: (812) 232-3536

Attorney Representing Owner: Richard J. Shagley

Address of Attorney: Wright, Shagley & Lowery, P.C.  
PO Box 9849, Terre Haute, IN 47808

For Information Contact:  Owner  Attorney

Council Sponsor: Norman Loudermilk

---

---

COPY OF A SITE-PLAN MUST ACCOMPANY THIS APPLICATION

---

**FILED**

DEC 07 2011

**AMENDED**  
**SPECIAL ORDINANCE NO. 48, 2011**

**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 AAn 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 AThe 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:

Lots 333, 334, 335, 336, 337, 338, 339, and 340 in Pettyjohn Addition to the McKean Park Place in Section 14, Township 12 North, Range 9 West, Vigo County, Indiana.

Commonly known as 1316 North 30<sup>th</sup> Street, Terre Haute, IN 47803, 1318 North 30<sup>th</sup> Street, 1310 North 30<sup>th</sup> Street, Terre Haute, IN 47803, and 2908 4<sup>th</sup> Avenue, 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, and subject to the following terms and conditions:

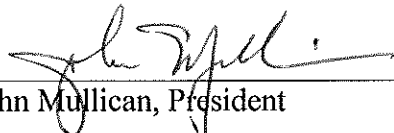
1. A landscaped buffer area of grass and white pines (or other similar trees) shall be established on the exterior of the real estate;
2. The landscape buffer area shall be maintained in accordance with neighborhood standards;
3. A ten foot (10') wall, with approval of the City of Terre Haute, Indiana, shall be erected around the impound lot;
4. The use of the real estate shall be limited to a storage building and impound lot; and
5. No business activity shall be conducted on the real estate from 7:00 p.m. to 7:00 a.m.

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.

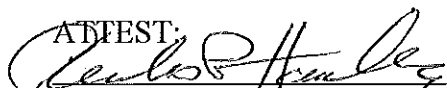
Presented by Council Member,

  
Norman Loudermilk, Councilperson

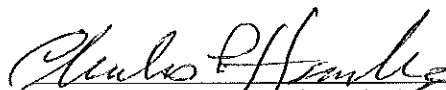
Passed in open Council this 8<sup>th</sup> day of Dec, 2011.

  
John Mullican, President

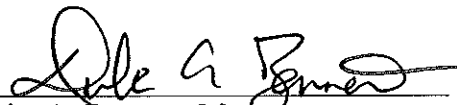
ATTEST:

  
Charles P. Hanley, City Clerk

Presented by me, to the Mayor of the City of Terre Haute, this 9<sup>th</sup> day of Dec, 2011.

  
Charles P. Hanley, City Clerk

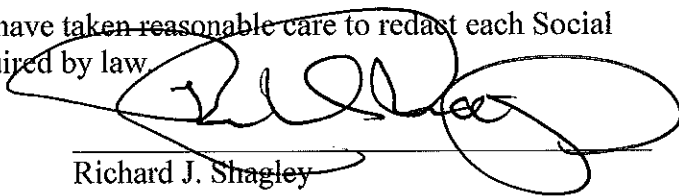
Approved by me, the Mayor of the City of Terre Haute, this 9<sup>th</sup> day of DECEMBER, 2011.

  
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, Paul M. May and Deborah May, respectfully submit their Petition to Rezone the following described real estate in the City of Terre Haute, Vigo County, State of Indiana, to-wit:

Lots 333, 334, 335, 336, 337, 338, 339, and 340 in Pettyjohn Addition to the McKean Park Place in Section 14, Township 12 North, Range 9 West, Vigo County, Indiana.

Commonly known as 1316 North 30<sup>th</sup> Street, Terre Haute, IN 47803, 1318 North 30<sup>th</sup> Street, 1310 North 30<sup>th</sup> Street, Terre Haute, IN 47803, and 2908 4<sup>th</sup> Avenue, Terre Haute, IN 47803.

Your Petitioners are informed and believe 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 R-1 Single Family Residence District.

Your Petitioners would respectfully state that the real estate is now a vacant residential real unit and that Petitioners intend to develop the real estate for the construction of a vehicle storage building and an impound lot for commercial clients.

Your Petitioners would request that the real estate described herein shall be zoned as a M-1 Light Industry District to allow for the use as proposed by the Petitioners. Your Petitioners would allege that the M-1 Light Industry District would not alter the general characteristics of this neighborhood, since the real estate is located adjacent the commercial property owned by Petitioners.

Your Petitioners 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 Petitioners respectfully request 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 C-5 General Central Business 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 Petitioners have executed this Petition to Rezone Real Property, this 9<sup>th</sup> day of November, 2011.

**PETITIONERS:**

*Paul M May*

Paul M. May

*Deborah May*

Deborah May

WRIGHT, SHAGLEY & LOWERY, P.C.

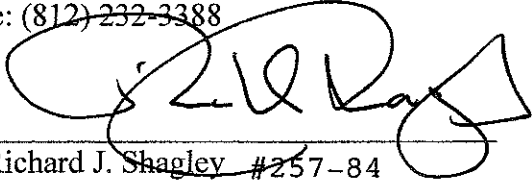
500 Ohio Street

PO Box 9849

Terre Haute, IN 47808

Phone: (812) 232-3388

BY:

  
Richard J. Shagley #257-84  
Attorneys for Petitioners

The owner and mailing address: Paul M. May, 3305 Head Avenue, Rosedale, IN 47874.

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

# SITE PLAN

SPECIAL ORDINANCE 48, 2011

R-1 TO M-1

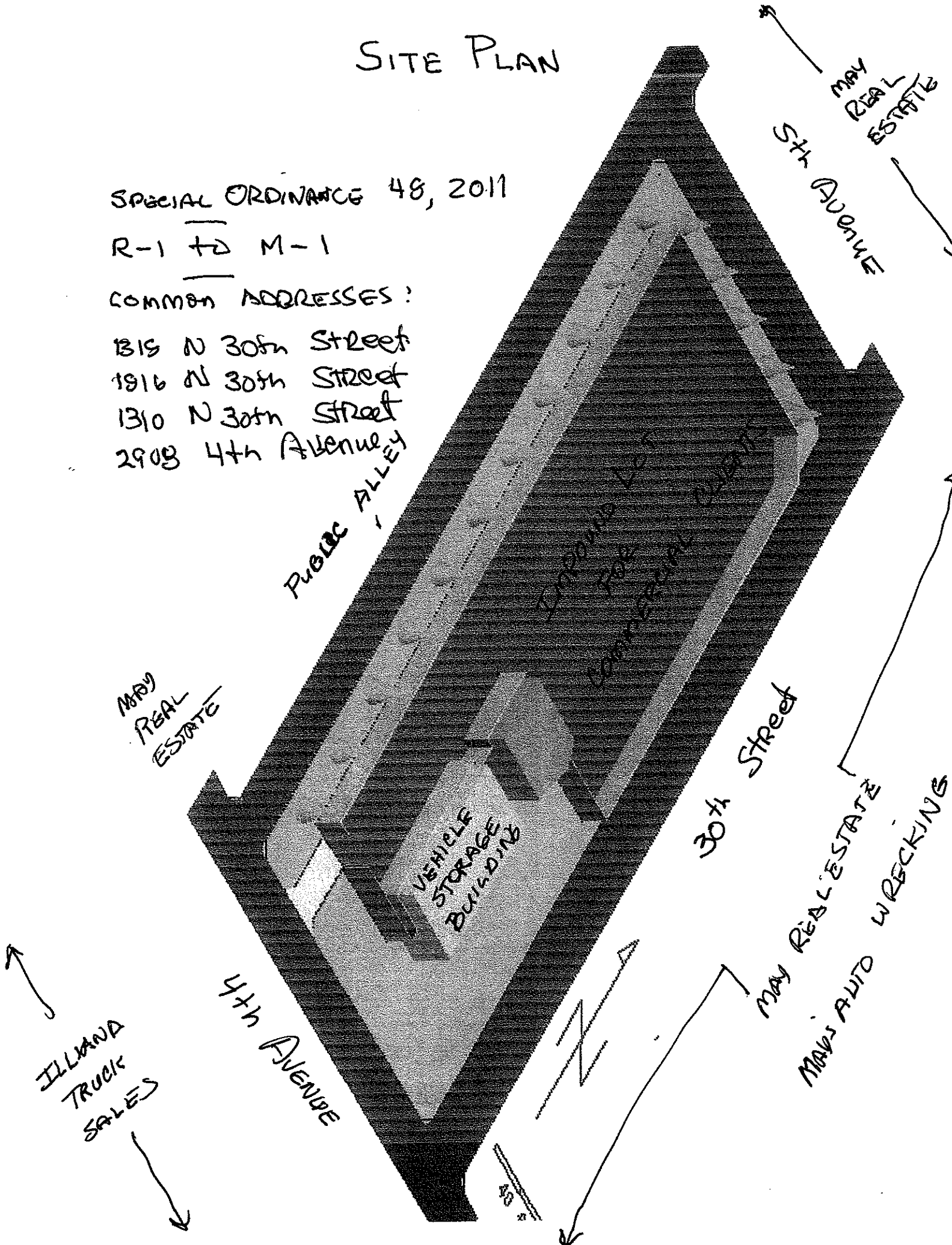
COMMON ADDRESSES:

1315 N 30th Street

1916 N 30th Street

1310 N 30th Street

2908 4th Avenue



MAY REAL ESTATE  
4th Avenue

PUBLIC ALLEY

MAY REAL ESTATE

VEHICLE STORAGE BUILDING

INDOOR LOT FOR COMMERCIAL EVENTS

30th Street

MAY REAL ESTATE  
MAY AUTO WRECKING

ILLIANA TRUCK SALES

4th Avenue

40'

