

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
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SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

March 22, 2012
Ref. No.: 12-065

Tippecanoe County Commissioners
20 North 3rd Street
Lafayette, IN 47901

CERTIFICATION

RE: **Z-2487--HOPE HEALS HEARTS, INC. (PDRS to A):**

Petitioner is requesting rezoning of 69.53 acres from PDRS (Bridge Creek PD) back to its original A zoning for a proposed church on property located on the east side of CR 1000 E, south of the SR 25/CR 900 N intersection in Washington 12 (NW) 24-3.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 21, 2012 the Area Plan Commission of Tippecanoe County voted 13 yes - 0 no on the motion to rezone the subject real estate from PDRS to A. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Tippecanoe County Commissioners at their April 2, 2012 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Harold Mueller
Greg Sutter
Ken Brown, Tippecanoe County Building Commissioner
Jason Ramsland

ORDINANCE NO. 2012-16-CM

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE CERTAIN
REAL ESTATE FROM "PDRS" TO "A"

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF TIPPECANOE, INDIANA;

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance not a part of the unified county code, is hereby amended to rezone the following described real estate situated in Washington Township, Tippecanoe County, Indiana, to-wit:

See Attached Exhibits

Section 2. The real estate described above should be and the same is hereby rezoned from "PDRS" to "A."

Section 3. This ordinance shall be in full force and effect from and after its passage. (Adopted and Passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this 2nd day of April, 2012.

VOTE:

Yes

Yes

Yes

Thomas P. Murtaugh
Thomas P. Murtaugh, President

John L. Knochel
John L. Knochel, Vice President

David S. Byers
David S. Byers, Member

ATTEST:

Jennifer Weston
Jennifer Weston, Auditor

LEGAL DESCRIPTION TRACT 1

A part of the west half of the northwest quarter of Section Twelve (12), Township Twenty-four (24) North, Range Three (3) West, Washington Township, Tippecanoe County, Indiana, being depicted on a plat of survey by Vester & Assoc., Inc., Job No. E-97146 and being more particularly described as follows, to wit:

Beginning at the southwest corner of the west half of the northwest quarter of said section 12-24-3, said point being marked by a railroad spike, thence along the west line of said west half, North 0° 00' 56" West a distance of 687.38 feet to a PK nail; thence along the centerline of Bridge Creek the following 27 courses, (1) North 70° 12' 18" East a distance of 88.32 feet; (2) South 71° 23' 21" East a distance of 151.29 feet; (3) North 70° 35' 19" East a distance of 73.22 feet; (4) North 6° 50' 29" East a distance of 195.74 feet; (5) North 85° 34' 21" West a distance of 61.54 feet; (6) North 19° 33' 03" West a distance of 35.21 feet; (7) North 28° 29' 18" East a distance of 77.27 feet; (8) South 77° 37' 57" East a distance of 79.32 feet; (9) North 65° 56' 51" East a distance of 51.03 feet; (10) North 19° 34' 31" East a distance of 47.51 feet; (11) North 0° 36' 53" East a distance of 173.39 feet; (12) North 59° 10' 57" East a distance of 68.90 feet; (13) North 38° 00' 58" West a distance of 168.10 feet; (14) North 24° 57' 49" East a distance of 146.02 feet; (15) North 77° 40' 06" East a distance of 25.30 feet; (16) North 37° 59' 20" East a distance of 37.56 feet; (17) North 11° 08' 35" East a distance of 45.04 feet; (18) North 51° 48' 08" East a distance of 168.76 feet; (19) North 4° 32' 26" East a distance of 39.84 feet; (20) North 36° 32' 46" East a distance of 53.74 feet; (21) North 82° 35' 52" East a distance of 81.90 feet; (22) North 12° 43' 55" East a distance of 77.54 feet; (23) North 73° 41' 45" East a distance of 71.78 feet; (24) North 55° 52' 23" East a distance of 84.08 feet; (25) North 35° 15' 50" East a distance of 205.81 feet; (26) North 48° 04' 15" East a distance of 78.55 feet; (27) South 81° 52' 30" East a distance of 125.43 feet; thence along the centerline of the north branch of Bridge Creek, North 50° 53' 14" East a distance of 60.11 feet; thence along said north branch, North 2° 38' 11" East a distance of 71.88 feet to the south line of the Paul Randall Rouse and Sara Elizabeth Rouse property, as described in deed record 97-08419, recorded May 6, 1997 in the office of the Tippecanoe County Recorder; thence along said south line, South 88° 06' 16" East a distance of 95.84 feet to the east line of said west half; thence along said east line, South 0° 12' 14" East a distance of 2285.99 feet to a Thomas L. Newport capped rebar at the southeast corner of said west half; thence along the south line of said west half, North 88° 16' 02" West a distance of 1358.56 feet to the point of beginning, containing 49.5099 acres.

LEGAL DESCRIPTION TRACT 3

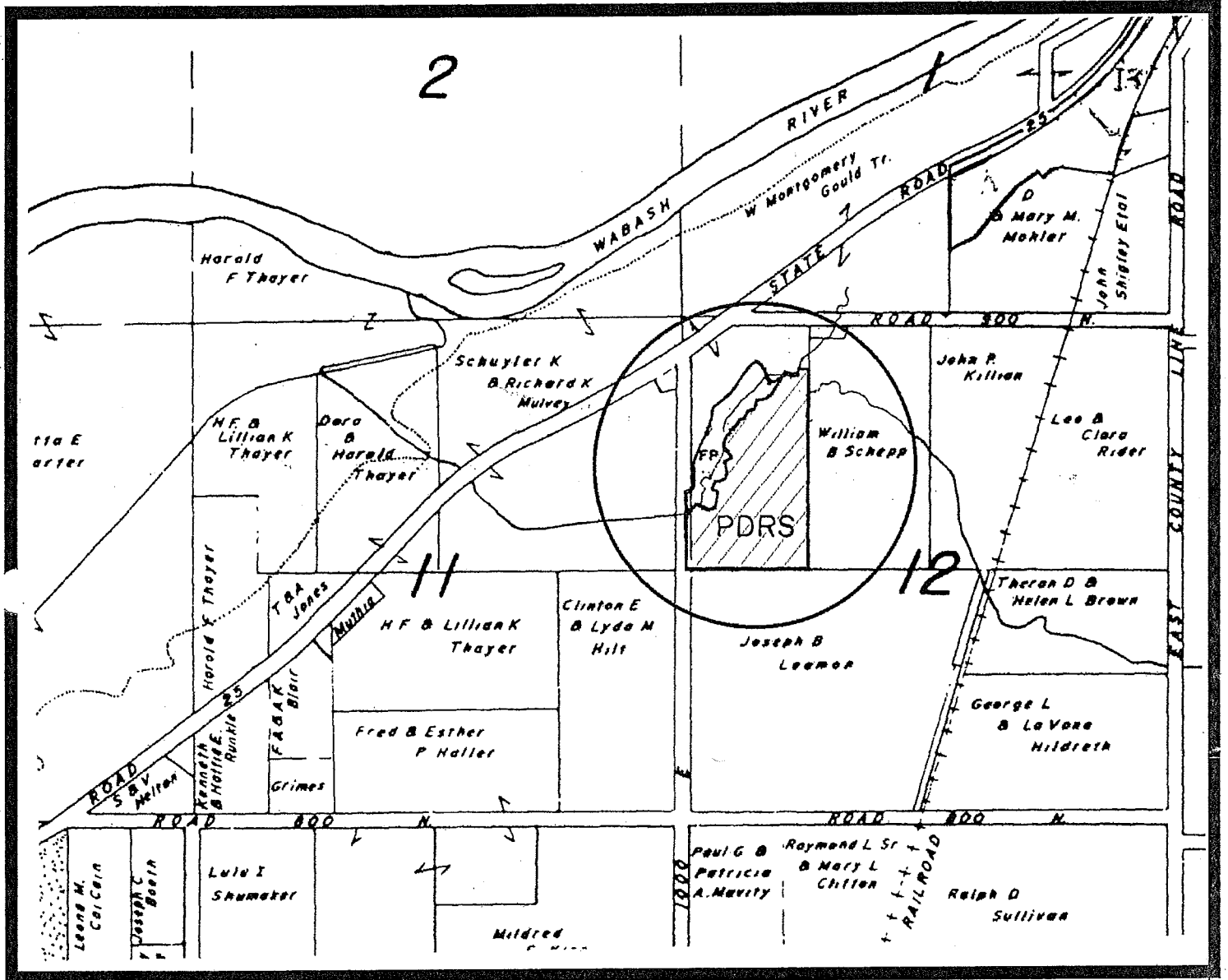
A part of the west half of the northwest quarter of Section Twelve (12), Township Twenty-four (24) North, Range Three (3) West, Washington Township, Tippecanoe County, Indiana, being depicted on a plat of survey by Vester & Assoc., Inc., Job No. E-97146 and being more particularly described as follows, to wit:

Commencing at the southwest corner of the west half of the northwest quarter of said section 12-24-3, said point being marked by a railroad spike thence along the west line of said west half, North 0° 00' 56" West a distance of 687.38 feet to a PK nail and the point of beginning of the herein described tract; thence continuing along said west line, North 0° 00' 56" West a distance of 1327.61 feet to a PK nail; thence North 84° 30' 01" East a distance of 232.55 feet to a corner post; thence North 17° 05' 59" East a distance of 212.57 feet to a corner post; thence North 71° 22' 37" East a distance of 135.18 feet to a corner post at the southwest corner of the William R. Blackhurst and Gail R. Blackhurst property, as described in deed record 96-12469, recorded June 24, 1996 in the office of the Tippecanoe County Recorder; thence along the south line of said Blackhurst property, South 87° 14' 23" East a distance of 529.78 feet to a Thomas L. Newport capped rebar at the southwest corner of the Paul Randall Rouse and Sara Elizabeth Rouse property, as described in deed record 97-08419, recorded May 6, 1997 in the office of the Tippecanoe County Recorder; thence along the south line of said Rouse property, South 88° 06' 16" East, a distance of 303.47 feet to the centerline of the north branch of Bridge Creek; thence along said centerline, South 2° 38' 11" West a distance of 71.88 feet; thence along said centerline, South 50° 53' 14" West a distance of 60.11 feet to the centerline of the main channel of Bridge Creek; thence along said centerline the following 27 courses; (1) North 81° 52' 30" West a distance of 125.43 feet; (2) South 48° 04' 15" West a distance of 78.55 feet; (3) South 35° 15' 50" West a distance of 205.81 feet; (4) South 55° 52' 23" West a distance of 84.08 feet; (5) South 73° 41' 45" West a distance of 71.78 feet; (6) South 12° 43' 55" West a distance of 77.54 feet; (7) South 82° 35' 52" West a distance of 81.90 feet; (8) South 36° 32' 46" West a distance of 53.74 feet; (9) South 4° 32' 26" West a distance of 39.84 feet; (10) South 51° 48' 08" West a distance of 168.76 feet; (11) South 11° 08' 35" West a distance of 45.04 feet; (12) South 37° 59' 20" West a distance of 37.56 feet; (13) South 77° 40' 06" West a distance of 25.30 feet; (14) South 24° 57' 49" West a distance of 146.02 feet; (15) South 38° 00' 58" East a distance of 168.10 feet; (16) South 59° 10' 57" West a distance of 68.90 feet; (17) South 0° 36' 53" West a distance of 173.39 feet; (18) South 19° 34' 31" West a distance of 47.51 feet; (19) South 65° 56' 51" West a distance of 51.03 feet; (20) North 77° 37' 57" West a distance of 79.32 feet; (21) South 28° 29' 18" West a distance of 77.27 feet; (22) South 19° 33' 03" East a distance of 35.21 feet; (23) South 85° 34' 21" East a distance of 61.54 feet; (24) South 6° 50' 29" West a distance of 195.74 feet; (25) South 70° 35' 19" West a distance of 73.22 feet; (26) North 71° 23' 21" West a distance of 151.29 feet; (27) South 70° 12' 18" West a distance of 88.32 feet to the point of beginning, containing 20.0265 acres.

**Z-2487
HOPE HEALS HEARTS, INC.
PDRS TO A**

**STAFF REPORT
March 15, 2012**

Z-2487
HOPE HEALS HEARTS, INC.
(PDRS to A)



Z-2487
HOPE HEALS HEARTS, INC.
PDRS TO A

Staff Report
March 15, 2012

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by Ball Eggleston Law Firm, is seeking a rezone from PDRS to A for 65.54 acres. The abandoned Planned Development, called Bridge Creek, was rezoned in 1999 (Z-1855). Final Detailed Plans, consisting of construction plans only, were recorded on November 9, 1999. Because a Final Plat was not recorded within 10 years of the rezone, this Planned Development is now classified as "abandoned" per UZO 2-28-13(c). Petitioner would like to construct a church on site. When a Planned Development is abandoned, the property cannot support another use until it is rezoned; therefore this rezone is necessary to facilitate any development. The site is located on the east side of CR 1000E about a ¼ mile to the south of SR 25, Washington 12(SW) 24-3.

ZONING HISTORY AND AREA ZONING PATTERNS:

The subject property was rezoned in 1999 from A to PDRS. All surrounding land is zoned either FP associated with the Bridge Creek or A, agricultural.

AREA LAND USE PATTERNS:

The site is a combination of flat agricultural land and steeply wooded slopes adjacent to Bridge Creek. This is typical of this sparsely settled area of the county. The Hoosier Heartland is nearing completion to the east and south of this land.

TRAFFIC AND TRANSPORTATION:

This portion of CR 1000 E is a narrow, 2-lane paved road with woods and steep drops along the shoulder. The existing driveway cut to the subject property will need to be reviewed and approved by the County Highway Department. Traffic counts taken in 2011 indicate that just over 400 vehicles pass this site daily.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Well and septic will serve the site.

STAFF COMMENTS:

Because only portions of the Final Detailed Plans were recorded, this planned development became abandoned 10 years from the date of rezoning (August 7, 2009). In order for any development to occur on this site it must first be rezoned.

The land in this request had always been zoned Agricultural as it is well beyond the reach of sanitary sewer and water service. To date, only Agricultural and Flood Plain zoning surround the site. Rezoning this land will enable the property to be reused and the agricultural zoning district is the most appropriate given its distance from both sanitary utilities and the metropolitan areas of either Lafayette or Delphi.

STAFF RECOMMENDATION:

Approval