

ORDINANCE NO. 2013-19-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
TIPPECANOE COUNTY, INDIANA, TO REZONE REAL ESTATE,
FROM A TO R1.**

**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 and not part of a unified county code, is hereby amended to rezone the following described real estate situated in Tippecanoe Township, Tippecanoe County, Indiana, to wit:

A part of the Southeast and Southwest Quarter of Section Twenty-nine (29), Township Twenty-four (24) North, Range Four (4) West, Tippecanoe Township, Tippecanoe County, Indiana, being part of the Jarrell property as described in Document No. 02026069 in the Tippecanoe County Recorder's Office, being depicted as Tract 1 on an ALTA/ACSM Land Title Survey by TBIRD Design Service Corp., Job No. 11081; being more completely described as follows:

Commencing at the southeast corner of the southwest quarter of Section 29-24-4; thence along the south line of said southwest quarter, North 89°17'04" West, 909.48 feet to the east line of Winding Creek Subdivision – Section Two, as per the plat thereof recorded as Document No. 03046479; thence along said east line, North 00°41'03" West, 1175.28 feet to the south right-of-way line of Zinnia Street per said Winding Creek Subdivision plat and the POINT OF BEGINNING of the herein described tract; thence continuing along said east line and its extension, North 00°41'03" West, 1459.14 feet to a "Schneider" capped rebar on the north line of the south half of said Section 29; thence along said north line, South 89°10'45" East, 2250.47 feet to the east line of the west half of the southeast quarter of said Section 29; thence along said east line, South 00°26'54" East, 673.65 feet to the northeast corner of the Brown property as corrected in 2012; thence along the north line of said Brown property and parallel with the south line of said southeast quarter, North 88°40'58" West, 1328.17 feet to the east line of the southwest quarter of said Section 29; thence along said east line, South 00°22'59" East, 977.00 feet; thence parallel with the south line of said southwest quarter, North 89°17'04" West, 864.69 feet; thence North 00°41'03" West, 183.08 feet; thence South 89°18'57" West, 50.00 feet to the point of beginning, containing 54.73 acres, more or less.

Section 2. The real estate described above should be and the same is hereby rezoned from A to R1.

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
6th day of May, 2013.

VOTE:

Y

Y

Y

David S. Byers
David S. Byers, President

John L. Knochel
John L. Knochel, Vice President

Thomas P. Murtaugh
Thomas P. Murtaugh, Member

Attest: Jennifer Weston
Jennifer Weston, Auditor

THE

Area Plan Commission

of TIPPECANOE COUNTY

20 NORTH 3RD STREET
LAFAYETTE, INDIANA 47901-1209

(765) 423-9242
(765) 423-9154 [FAX]
www.tippecanoe.in.gov/apc

SALLIE DELL FAHEY
EXECUTIVE DIRECTOR

April 18, 2013
Ref. No.: 13-114

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

CERTIFICATION


RE: **Z-2528--TIMBERSTONE DEVELOPMENT, LLC (A to R1):**
Petitioner is requesting rezoning of 54.73 acres for a proposed 112 lot subdivision located on the west side of CR 75 E, north of CR 500 N, Tippecanoe 29 (S1/2) 24-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on April 17, 2013 the Area Plan Commission of Tippecanoe County voted 11 yes - 0 no on the motion to rezone the subject real estate from A to R1. 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 Commissioner at their May 6, 2013 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,


Sallie Dell Fahey
Executive Director

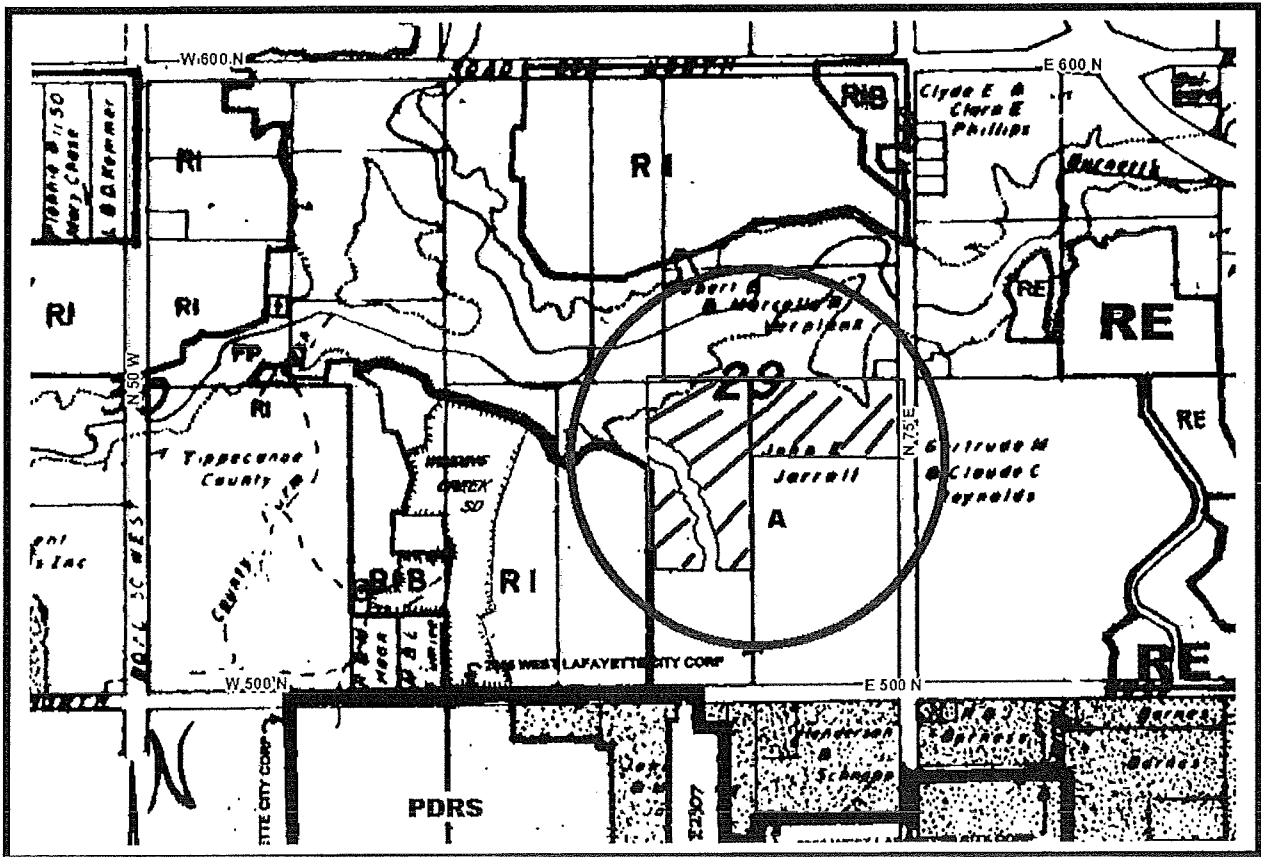
SDF/lmu

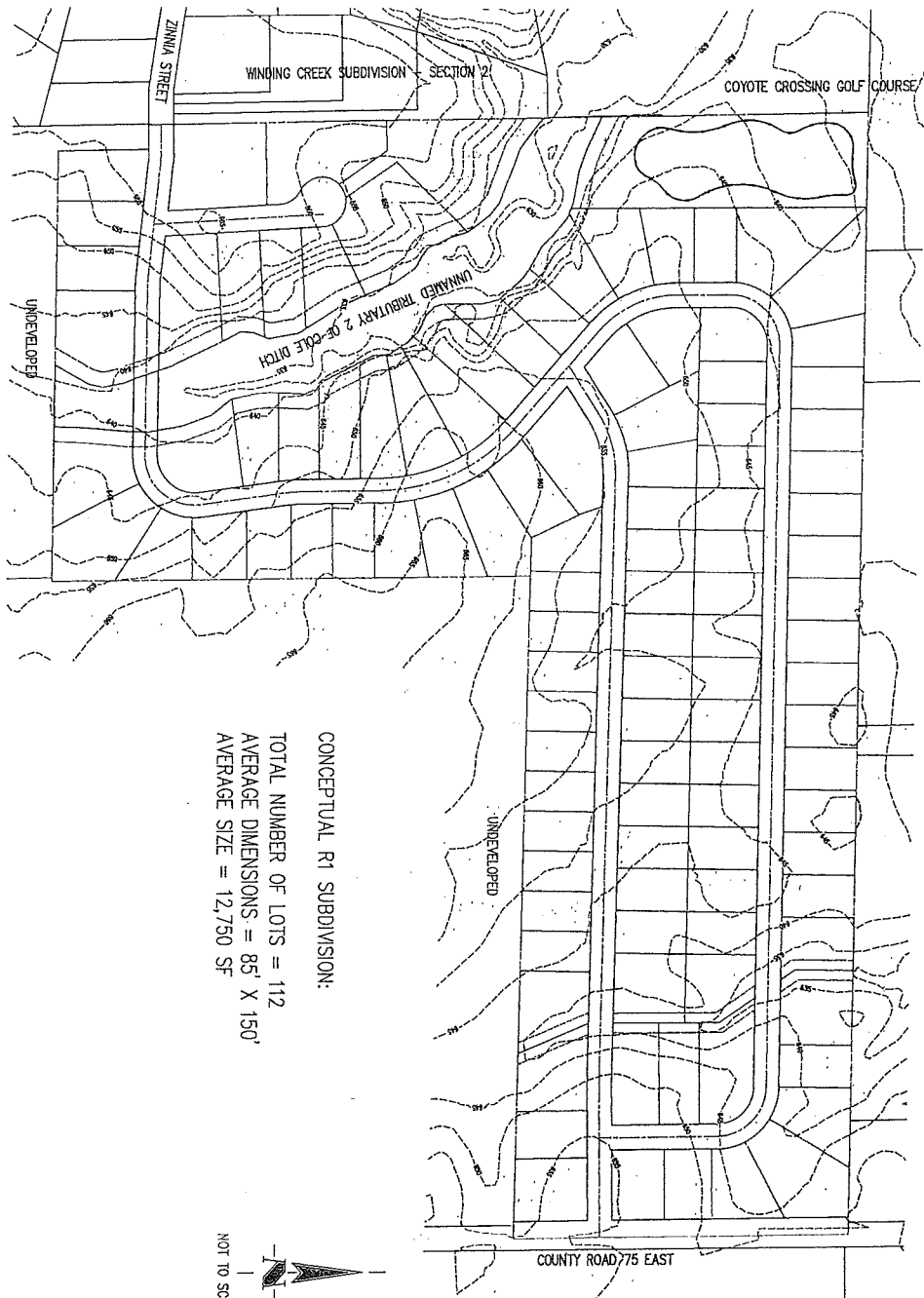
Enclosures: Staff Report & Ordinances

cc: Scott Giese, Timberstone
Derrin Sorenson
Daniel Teder
Ken Brown, Tippecanoe County Building Commissioner

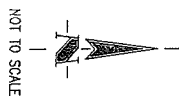
Z-2528
TIMBERSTONE DEVELOPMENT, LLC
(A to R1)

STAFF REPORT
April 11, 2013





CONCEPTUAL R1 SUBDIVISION:
 TOTAL NUMBER OF LOTS = 112
 AVERAGE DIMENSIONS = 85' X 150'
 AVERAGE SIZE = 12,750 SF



	SHEET NO. 01 OF 01 SHEETS CONCEPTUAL LAYOUT #1	CONCEPTUAL R1 SUBDIVISION TIPPICANOE COUNTY, INDIANA TIPPICANOE DEVELOPMENT, LLC PO BOX 811, LAFALETTE, IN 47905	THE SCHNEIDER CORPORATION 1000 WEST 10TH STREET SUITE 1000 LAFALETTE, IN 47905 PHONE: 765.846.0001 FAX: 765.846.0001 WWW.SCHNEIDERCORP.COM	PROFESSIONAL ENGINEER LICENSE NO. 12123	DATE:	TITLE:
	DATE:	TITLE:	DATE:	TITLE:	DATE:	TITLE:

Z-2528
TIMBERSTONE DEVELOPMENT, LLC
A to R1

Staff Report
April 11, 2013

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, represented by attorney Dan Teder, is requesting rezoning of 50.59 acres for a proposed 112 lot subdivision located on the west side of CR 75 E, north of CR 500 N, Tippecanoe 29 (S1/2) 24-4.

ZONING HISTORY AND AREA ZONING PATTERNS:

Before 1998, land throughout the area was zoned Agricultural dating back to 1965. In September 1998, the Winding Creek rezone cases (Z-1792 & Z-1793) changed 231 acres from A to R1 and R1B. The proposed subdivision acreage totals 54.73, however, the Flood Plain area of a tributary of the Burnetts Creek runs through the south half of the tract and has been removed from the rezone description. Adjoining on the west is R1 and more FP associated with the tributary. Properties to the north are zoned A and FP. To the east and south is more A zoning. Farther east are properties zoned RE (Rural Estate).

AREA LAND USE PATTERNS:

About half of the subject "L" shaped site is in agricultural production, which splits the remaining open and sparsely wooded areas. Winding Creek Subdivision, Section 2 adjoins along the west boundary. Coyote Crossing golf course abuts at the northwest corner of this site. Along the north property line is a heavily wooded area. Farther north is more of the golf course and the recently approved Sections 5 and 7 in Winding Creek. The Meadowgate Estates (RE) Subdivision is located farther east, across CR 75 E.

TRAFFIC AND TRANSPORTATION:

The *Thoroughfare Plan* classifies CR 75 E as a rural local road, which will provide access to most of the subject site. A 30-ft half-width right-of-way dedication will be required along the CR 75 E frontage with the approval of the proposed subdivision. An existing street (Zinnia Street) will be extended from Winding Creek Section 2 to serve the south end of the site. The conceptual subdivision plan submitted with this rezone request does show Zinnia Street bridging the tributary, connecting to the new streets on the east side.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

A 10" sanitary sewer main and 8" water main (American Suburban Utilities and Indiana American Water Company) are available at the stub end of Zinnia Street. The conceptual plan appears to show a detention pond in an outlot at the northwest corner of the subdivision. Drainage and erosion control plans will need to be approved by the