

Z-2601

ORDINANCE NO. 2015-07-CM

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, TO REZONE REAL ESTATE,  
FROM R1 TO R1B.**

**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:

(See legal description attached hereto)

Section 2. The real estate described above should be and the same is hereby rezoned from R1 to R1B.

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 20<sup>th</sup> day of April, 2015.

**VOTE:**

Yes

Yes

Yes

SPM  
Thomas Murtaugh, President

DSB  
David Byers, Vice President

TKB  
Tracy Brown, Member

Attest: Bob Plantenga  
Bob Plantenga, Auditor

**SCANNED**

## MODERNIZED DESCRIPTION

A part of the Nissan Chemical America Corporation real estate as described in Document Number 93-29179 in the Office of the Recorder of Tippecanoe County, Indiana and located in the Southwest Quarter of Section 19, Township 24 North, Range 4 West, and the Southeast Quarter of Section 24, Township 24 North, Range 5 West, Tippecanoe Township, Tippecanoe County, Indiana, being depicted on an ALTA/ACSM Land Title survey by TBIRD Design Services, Job No. 15002, being more completely described as follows:

Commencing at a Berntsen Monument marking the location of the Southwest Corner of the Southwest Quarter of said Section 19, thence North  $00^{\circ} 44' 53''$  West, along the Western line of said Section 19, a distance of 54.21 feet to a P.K. Nail set with metal washer stamped "TBIRD FIRM #0052" (hereinafter referred to as P.K. Nail set) on the centerline of CR 600 North and the POINT OF BEGINNING, said centerline is per the "Tippecanoe County Highway County Road 600N" plans dated November 25, 1968 and September 15, 1975, prepared by H. Stewart Kline Associates and on file in the Office of the Tippecanoe County Highway Department, thence North  $72^{\circ} 55' 07''$  West, along said centerline, 89.97 feet to a P.K. Nail set; thence continuing along said centerline, westerly along a tangent curve to the left having a central angle of  $16^{\circ} 51' 02''$ , a radius of 477.46 feet, and an arc length of 140.42 feet to a P.K. Nail set; thence North  $89^{\circ} 46' 09''$  West, along said centerline and the southern line of the Southeast Quarter of said Section 24, a distance of 1084.19 feet to a P.K. Nail found marking the location of the Southwest corner of the East Half of said Southeast Quarter; thence along the western line of said East Half, North  $00^{\circ} 13' 47''$  West, 1666.24 feet to a "Newport" capped rebar; thence South  $89^{\circ} 48' 53''$  East, 1299.51 feet to a rebar on the eastern line of the Southeast Quarter of said Section 24; thence along said eastern line, South  $00^{\circ} 22' 02''$  East, 446.32 feet to a "TBIRD" capped rebar; thence North  $89^{\circ} 23' 18''$  East, along the northern line of the South Half of the Southwest Quarter of said Section 19, a distance of 787.23 feet to a capped rebar found on the western line of the Tippecanoe School Corporation real estate as described in Document Number 04-035035 in said Office of the Recorder, thence South  $00^{\circ} 32' 10''$  East, along said western line, 1315.20 feet to a P.K. Nail set on the centerline of said CR 600 North, thence South  $89^{\circ} 27' 58''$  West, along said centerline, 565.82 feet to a P.K. Nail set, thence northwesterly, along said centerline, on a tangent curve to the right having a central angle of  $17^{\circ} 36' 56''$ , a radius of 477.46 feet and an arc length of 146.79 feet to a P.K. Nail set, thence North  $72^{\circ} 55' 07''$  West, along said centerline, 79.69 feet to the POINT OF BEGINNING containing 73.61 acres, more or less.

Subject to all easements, rights-of-way and restrictions of record.



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

March 19, 2015  
Ref. No.: 15-043

Tippecanoe County Commissioners  
20 North 3<sup>rd</sup> Street  
Lafayette, IN 47901

## CERTIFICATION

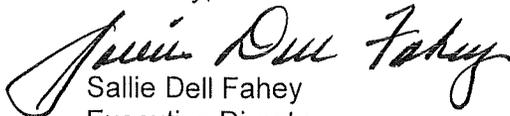
RE: **Z-2601--TIPPECANOE DEVELOPMENT II, LLC (R1 to R1B):**  
Petitioner is requesting rezoning of 73.61 acres for a single-family subdivision located on the north side of CR 600 N, just west of the Battle Ground Middle School property located on CR 50 W, Tippecanoe 19 (SW) 24-4 and 24 (SE) 24-5. CONTINUED FROM THE FEBRUARY APC DUE TO AN INCONCLUSIVE VOTE.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on March 18, 2015 the Area Plan Commission of Tippecanoe County voted 3 yes - 8 no on the motion to rezone the subject real estate from R1 to R1B. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Tippecanoe County Commissioners that the proposed rezoning ordinance be DENIED 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 6, 2015 regular meeting. Petitioners or their representatives must appear to present their case.

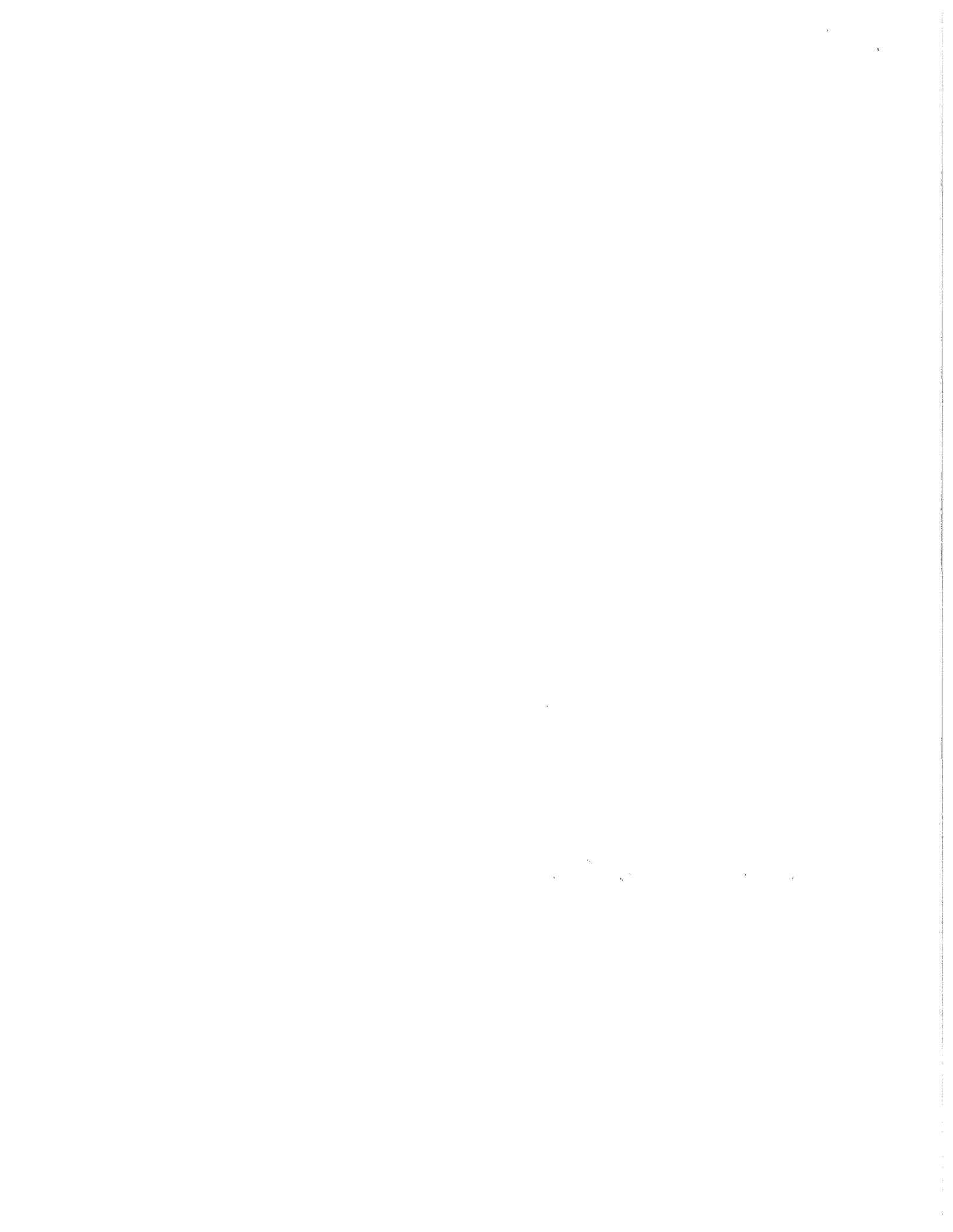
Sincerely,

  
Sallie Dell Fahey  
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: John Scheumann, Tippecanoe Development  
Nissan Chemical  
Daniel Teder  
Mike Wolf, Tippecanoe County Building Commissioner



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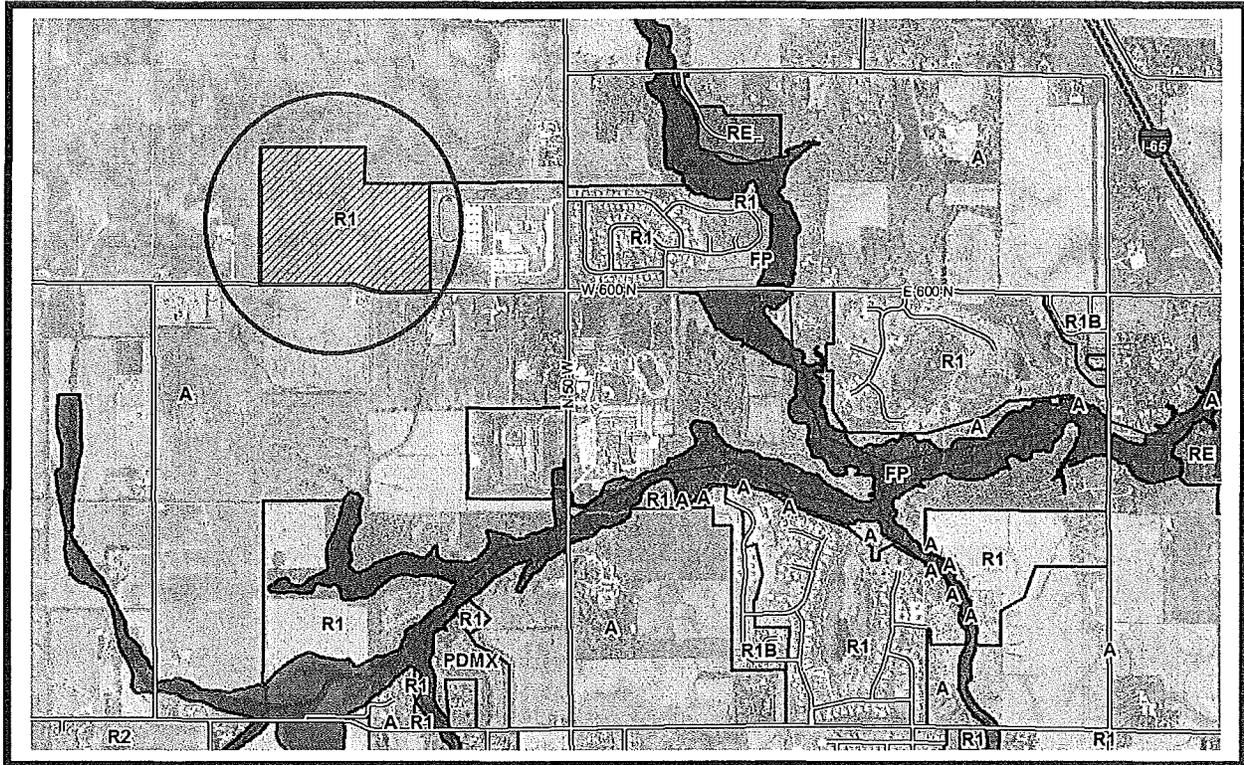
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Z-2601  
TIPPECANOE DEVELOPMENT II, LLC  
(R1 to R1B)

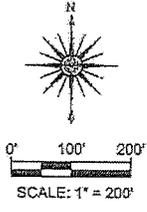
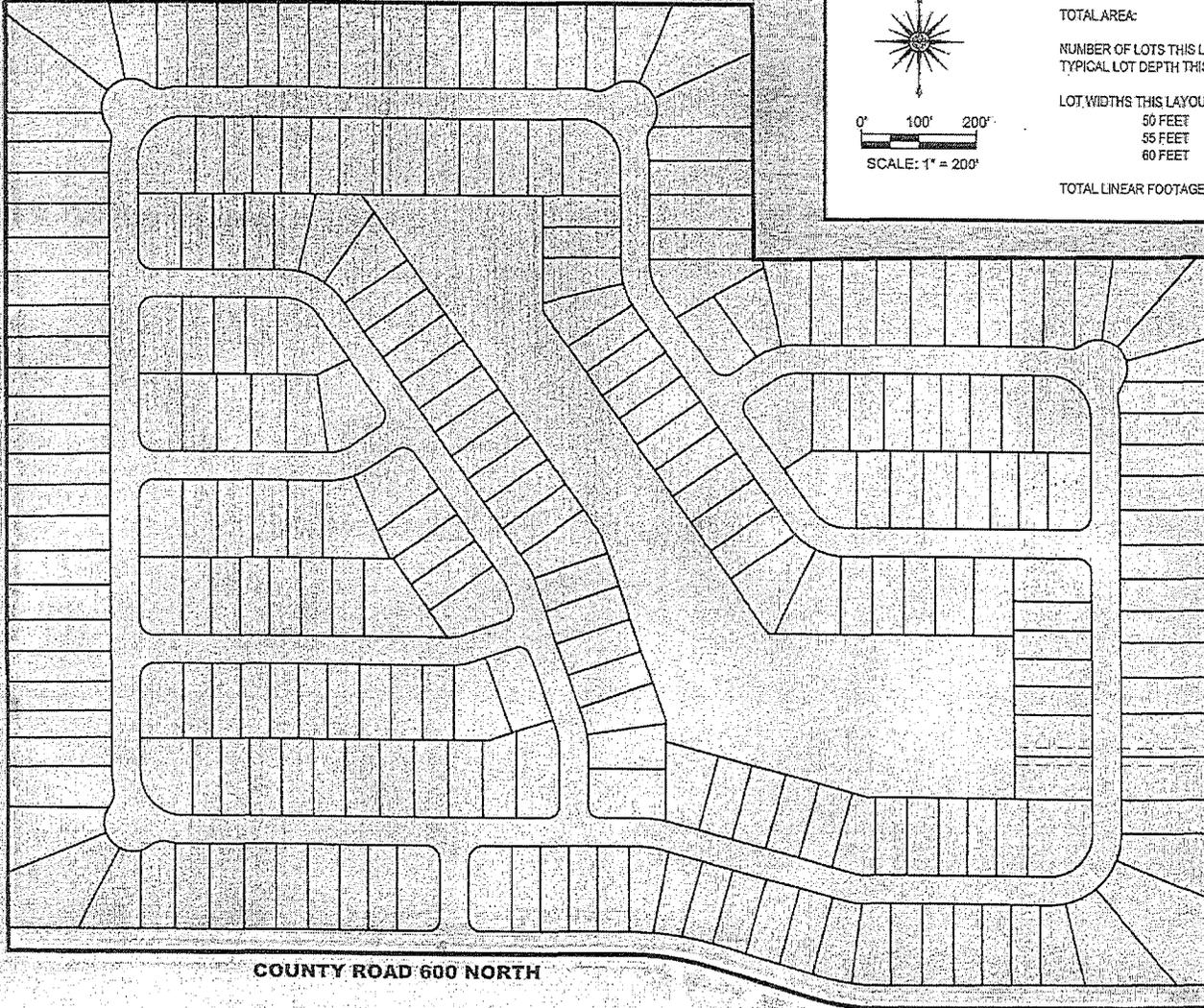
STAFF REPORT  
February 12, 2015

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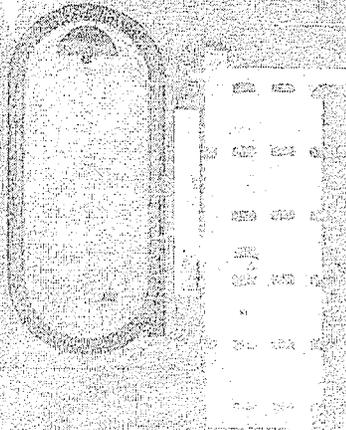


FILE: P:\03\15\15002\15002.dwg - USER: BSH/BJP/BJP - DATE: MONDAY, FEBRUARY 4, 2016 - 10:07 AM



**SITE DATA:**

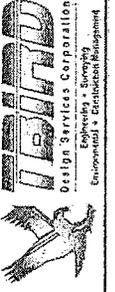
TOTAL AREA:	73.6 ACRES
NUMBER OF LOTS THIS LAYOUT:	257
TYPICAL LOT DEPTH THIS LAYOUT:	135 FEET
LOT WIDTHS THIS LAYOUT:	
50 FEET	83 (32%)
55 FEET	92 (36%)
60 FEET	82 (32%)
TOTAL LINEAR FOOTAGE OF STREET:	9,517 FEET



**BATTLE GROUND  
MIDDLE SCHOOL**

**COUNTY ROAD 600 NORTH**

100 Acorns (101) Street  
Lafayette, Indiana  
Phone: (765) 232-1100  
Fax: (765) 232-0303  
www.bridgeway.com



**FIELDSTONE SUBDIVISION**  
TIPPECANOE DEVELOPMENT II, LLC

PROJECT:	15002	DATE:	2/4/2016
DRAWING FILE:	15002.LAYOUT 18.DWG	CHECKED BY:	1
		DRAWN BY:	1

CONCEPTUAL  
LAYOUT

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**Z-2601**  
**TIPPECANOE DEVELOPMENT II, LLC**  
**R1 to R1B**

**Staff Report**  
**February 12, 2015**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner (signed by member John B. Scheumann) with consent of the owner (Nissan Chemical America Corp.) and represented by attorney Daniel Teder is requesting rezoning of 73.61 acres for a single-family subdivision located on the north side of CR 600 N, just west of the Battle Ground Middle School property located on CR 50 W, Tippecanoe 19 (SW) 24-4 and 24 (SE) 24-5.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

In October 2005, these nearly 74 acres were rezoned from A (Agricultural) to R1 for a proposed 164 lot subdivision that was never developed (Z-2258 and S-3769—Fieldstone Subdivision). There have been several rezones from A to R1 in the immediate area, starting in 1993 for the Harrison High School expansion on the 78 acre property (Z-1552). In 1996 TSC (Tippecanoe School Corporation) successfully rezoned 36 acres for the Burnett Creek Elementary School (Z-1684). In 2001, nearly 60 acres at the northeast corner of CR 50 W and CR 600 N were rezoned to R1 for the now nearly built out Harrison Highlands single-family subdivision (Z-2043). In 2005, TSC rezoned the 50 acre Battle Ground Middle School property, which borders the subject site on the east (Z-2260).

Land to the north, west and south of this site is zoned A.

**AREA LAND USE PATTERNS:**

This site is currently open and in crop production. Except for the nearby schools and a number of single-family homes to the southeast, most of the surrounding land is also open and farmed.

**TRAFFIC AND TRANSPORTATION:**

The *Thoroughfare Plan* classifies CR 600 N as a rural secondary arterial. The seasonally adjusted average daily traffic (ADT) volume taken along this site's CR 600 N frontage in 2013 was 2,286 vehicles. The count along CR 50 W, just north of the 600 N intersection, is nearly the same at 2,273. However, east of CR 50 W, the ADT volume along 600 N is about double that at 4,538 vehicles per day. The County Highway Department has commented to staff that overall the CR 600 N pavement is in good condition (resurfaced in 2008), and that the reverse curves are signed and have 40 mph speed advisory plaques.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

Indiana American Water and American Suburban Utilities sanitary sewer mains are available along CR 600 N to serve this new development. The Haffner Regulated Drain runs north to south, nearly splitting the site in half. The conceptual subdivision layout for the site shows a large outlot that is likely planned to accommodate this existing drainage feature.

**SCHOOLS:**

As noted in the zoning history, the three schools that serve this district (Burnett Creek Elementary, Battle Ground Middle School and Harrison High School) are located within walking distance of this proposed subdivision site. TSC has not provided any comments to staff concerning this proposed change in residential zoning.

**STAFF COMMENTS:**

A conceptual layout provided by the petitioner shows a total of 257 lots, which would be a density of 3.5 lots per acre. The plan also shows that there will be an even mix of three lot widths (50, 55 & 60 feet) with a typical lot depth of 135-ft. Petitioner hopes to develop this subdivision for first time home buyers. The R1B lot size standards will allow a higher density and will hopefully lower per lot costs that can be passed to potential buyers. Apparently, this location is also within a USDA rural development area that will make financing easier for first time home buyers, a critical factor in today's new home construction market.

**STAFF RECOMMENDATION:**

Approval