

z- 2617

ORDINANCE NO. 2015-16-CM
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE
FROM R1 TO A

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, 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 Fairfield Township, Tippecanoe County, Indiana

See Exhibit A attached.

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

Section 3: This ordinance shall be in full force and effect from and after its adoption.

(Adopted And Passed) (Denied) by the Board Of Commissioners of Tippecanoe County, Indiana, this 6th day of July, 2015.

VOTE:

<u>Yes</u>	<u>[Signature]</u> Thomas Murtaugh, President
<u>Yes</u>	<u>[Signature]</u> David Byers, Vice President
<u>Yes</u>	<u>[Signature]</u> Tracy Brown, Member

ATTEST:
[Signature]
Bob Plantenga Auditor

EXHIBIT A

A part of the real estate conveyed to Horace A. and Geneva M. Hilt in Deed Record Book 316, Page 39 in the office of the Recorder of Tippecanoe County and being a part of the Longlois Reserve in Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, more particularly described as follows:

Beginning on the West line of the Lot 1 of Longlois Reserve at the Northwesternly Right of Way of State Road 25 being marked by a concrete right of way marker; thence South 51 °39' 18" West along the Northeastly Right of Way, a distance of 53.82 feet to a concrete Right of Way marker; thence North 38°37'53" West along the East Line of Springvale Cemetery a distance of 702.48 feet to an iron pipe; thence North 6°33 '07" East, a distance of 684.21 feet to a 5/8 inch diameter rebar with a plastic cap stamped "RWG 880043", hereafter called a standard monument; thence North 65°46'17" East, a distance of 406.42 feet to a standard monument on the West line of Lot 1 of Longlois Reserve; thence South 1°21 '00" East, along the West line of Lot 1 of Longlois Reserve, a distance of 1362.21 feet to the Point of Beginning, containing 10.505 acres, more or less.

The Bearings in this description are based on the West line of Lot 1 of Longlois Reserve being assumed North 1°21' West.

EXCEPT a part of a tract of land owned by Legado Development Group, LLC as recorded in Document Number 201313000305 in the Office of the Recorder of Tippecanoe County, Indiana (ORTCI), and being a part of the Longlois Reserve in Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, described as follows: Beginning on the West line of Lot 1 of said Longlois Reserve at the Northwesternly right-of-way line of Schuyler Avenue; thence South 51° 38' 33" West (Bearings ore based on NAD 83) 55.68 feet along the Northwesternly right-of-way line of Schuyler Avenue to the East line of Springvale Cemetery; thence North 38° 17' 01" West 535.83 feet along the East line of Springvale Cemetery; thence North 70° 11' 12" East 233.59 feet; thence North 89° 03' 19" East 148.18 feet to the West line of Lot 1 of said Longlois Reserve; thence South 00° 56' 41" East 467.73 feet along the West line of Lot 1 of said Longlois Reserve to the Point of Beginning and containing 2. 453 Acres.

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

June 18, 2015
Ref. No.: 15-123

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

CERTIFICATION

RE: **Z-2617--ROLLING MAUL, LLC (GB to A):**

Petitioner is requesting rezoning of 5.992 acres of an 11.429 acre tract located at 2780 Conservation Club Road, Fairfield, Longlois Reserve (N1/2) 23-4.

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on June 17, 2015 the Area Plan Commission of Tippecanoe County voted 10 yes - 0 no on the motion to rezone the subject real estate from GB 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 July 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: David Bugay
Gutwein Law
Mike Wolf, Tippecanoe County Building Commissioner

Z-2617
ROLLING MAUL, LLC
(GB to A)

STAFF REPORT
June 11, 2015



Z-2617
ROLLING MAUL, LLC
GB TO A

Staff Report
June 11, 2015

REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner, with consent of its president David Bugay and represented by attorney Chris Shelmon of Gutwein Law, is requesting the rezoning of 5.992 acres from GB to A. If rezoned petitioner will seek a special exception for the expansion of Legacy Sports Club (SIC 7999), which is adjacent to the west. The site is landlocked and is due north of Pomp's Goodyear Tire repair (2700 Schuyler) and west of Brenneco Plumbing (2780 Conservation Club Road), Fairfield, Longlois Reserve (N½) 23-4. (For a conceptual layout of the proposed expansion of the sports club, see Z-2616.)

ZONING HISTORY AND AREA ZONING PATTERNS:

The property has always been zoned General Business according to the earliest zoning maps. GB zoning is also located to the east and south. A small area of R1 zoning abuts to the southeast and A zoning is located to the north and west. (R1 zoning farther to the southwest, owned by petitioner's other corporation, is the subject of a rezone also on this agenda – Z-2616.)

AREA LAND USE PATTERNS:

The site is currently covered in grass and unimproved. Land to the east is occupied by Brenneco Plumbing; Pomp's Goodyear Tire is located to the south. To the northwest is Legacy Sports Club and to the southeast are three residences that get access from Conservation Club Road.

TRAFFIC AND TRANSPORTATION:

The site has no frontage on a public road but petitioner owns additional land adjacent to the west where access will be gained. The entire sports club site will eventually have access from both Conservation Club Road and Schuyler Avenue.

ENVIRONMENTAL AND UTILITY CONSIDERATIONS:

Private septic and well will serve the site.

STAFF COMMENTS:

Petitioner is seeking a rezone from GB to A to allow for the expansion of The Legacy Sports Club. A special exception in the GB zone could be filed in order to expand this use (SIC 7999 outdoor) but petitioner has chosen to keep all of the landholdings in the A zone and request special exception approval from the BZA for the entire site under one zoning district.

The sports club was established in 2011 and has been successful to the extent that petitioner has sought 3 different special exceptions to accommodate the expansions and increasing demand for sporting fields. These 5.9 acres are proposed to hold 2 soccer fields with seating and a concession stand.

The GB zoning for this site is shown on the earliest zoning maps. Because no city sewer and water service the area, the *Comprehensive Plan* recommends a less intense zoning district, such as Agricultural, as being more appropriate. Staff applauds petitioner's plans to have a single zoning district for its landholdings, combined into one property, and a cohesive development plan for its successful sports complex venture.

STAFF RECOMMENDATION:

Approval