

ORDINANCE NO. 2019-04-CM  
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE  
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE  
FROM A TO R1B

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 Wabash Township, Tippecanoe County, Indiana

See legal description attached hereto

**Section 2:** The above-described real estate should be and the same is hereby rezoned from A to R1B.

**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 4<sup>th</sup> day of February, 2019.

VOTE:

Yes \_\_\_\_\_ David Byers  
David Byers, President

Yes \_\_\_\_\_ Tracy Brown  
Tracy Brown, Vice President

Yes \_\_\_\_\_ Thomas Murtaugh  
Thomas Murtaugh, Member

ATTEST:

Robert Plantenga  
Robert Plantenga, Auditor

## LEGAL DESCRIPTION – AREA TO BE REZONED

The Northeast Quarter of Section 25, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana.

### EXCEPT:

A part of the NE Quarter of Section 25, Township 24 North, Range 5 West, Wabash Township, Tippecanoe County, Indiana, more particularly described as follows:

Beginning at the NW corner of the NE Quarter; thence Easterly along the North line of the NE Quarter, 830.00 feet; thence Southerly parallel with the West line of the NE Quarter, 480.00 feet; thence Westerly parallel with the North line of the NE Quarter, 830.00 feet to the West line of the NE Quarter; thence Northerly along the West line of the NE Quarter, 480.00 feet to the point of beginning, containing 9.13 acres, more or less.

### ALSO EXCEPT:

A part of the Northeast quarter of Section 25, Township 24 North, Range 5 West in Tippecanoe County, Indiana, being described as follows:

Beginning at the Northeast corner of said quarter section; thence South 00 degrees 44 minutes 13 seconds East along the east line of said quarter section 1519.45 feet to the southwest corner of Tract III of a tract of land conveyed to Boanco, Inc. as recorded in Document No. 91-09208 in the Office of the Recorder of Tippecanoe County, thence along a westerly extension of the southern line of said Boanco, Inc. tract, North 89 degrees 43 minutes 39 seconds West 114.67 feet; thence North 00 degrees 44 minutes 13 seconds West, parallel with the east line of said quarter section, 1519.38 feet to the north line of said quarter section; thence South 89 degrees 45 minutes 57 seconds East, along said north line, 114.66 feet to the point of beginning. Containing 4.00 acres, more or less.

### ALSO EXCEPT:

All that part of the Northeast Quarter (1/4) of Section Twenty-five (25), Township Twenty-four (24) North, Range Five (5) West, Wabash Township, Tippecanoe County, Indiana, lying North of the centerline of existing County Road 600 North.

### ALSO EXCEPT:

A part of the Northeast Quarter of Section 25, Township 24 North, Range 5 West in Tippecanoe County, Indiana, being described as follows:

COMMENCING at a PK Nail with washer set in a wood post marking the southeast corner of said Northeast Quarter; thence along the South Line of said Northeast Quarter, North 89°43'03" West, 67.33 feet to the POINT OF BEGINNING; thence continue along said South Line, North 89°43'03" West, 230.43 feet to the 100-year flood plain associated with the Cole Ditch and / or the Fred Hafner Regulated Drain; thence along said 100-year flood plain for the following nine (9) courses: 1) North 11°42'55" East, 24.78 feet; 2) North 11°45'25" East, 19.28 feet; 3) North 37°19'21" East, 63.91 feet; 4) North 51°17'05" East, 49.22 feet; 5) South 77°29'07" East, 47.25 feet; 6) South 75°22'00" East, 48.98 feet; 7) South 75°31'31" East, 6.55 feet; 8) South 43°09'45" East, 84.67 feet; 9) South 18°40'05" West, 42.09 feet to the POINT OF BEGINNING, containing 0.51 acres, more or less.

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

January 17, 2019  
Ref. No.: 2019-013

Tippecanoe County Commissioners  
20 North Third Street  
Lafayette, Indiana 47901

## CERTIFICATION

RE: **Z-2751 TIPPECANOE DEVELOPMENT II, LLC (A to R1B):**  
Petitioner is requesting the rezoning of 145 acres to allow the subdivision of 536 single-family lots (Fieldstone II Subdivision) located on the south side of CR 600 N and the east side of CR 150 W, in Wabash 25 (NE) 24-5. With commitment.

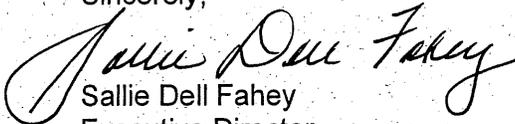
Dear County Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 16, 2019 the Area Plan Commission of Tippecanoe County voted 15 yes - 0 no to accept the proposed commitment and 11 yes - 4 no on the motion to rezone the subject real estate from A to R1B. 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 County Commissioners at its February 4<sup>th</sup>, 2019 regular meeting. Petitioners or their representatives must appear to present their case.

If Tippecanoe County approves the rezoning with commitment, APC staff will ensure that the approved commitment is recorded and an original recorded commitment is sent to the County Commissioners.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/kl

Enclosures: Staff Report & Ordinances

cc: John B. Scheumann  
Boanco, Inc.  
Daniel Teder, Reiling Teder & Schrier