

THE

# Area Plan Commission

of TIPPECANOE COUNTY

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SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

November 19, 2020  
Ref. No.: 2020-290

Tippecanoe County Commissioners  
20 North Third Street  
Lafayette, Indiana 47901

## CERTIFICATION

### **RE: Z-2808 STEVEN MCINTYRE (NB TO R1):**

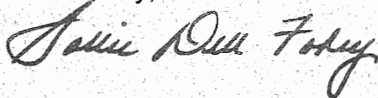
Petitioner is requesting rezoning of a property on the east side of CR 700 E (Yorktown Street) just south of the unincorporated town of Stockwell, specifically 9409 S 700 E, Lauramie 9 (SW) 21-3. *Continued from the October APC agenda because a legal ad was not published in time.*

Dear Commissioners:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on November 18, 2020 the Area Plan Commission of Tippecanoe County voted 16 yes - 0 no on the motion to rezone the subject real estate from (NB to R1). Therefore, the Area Plan Commission of Tippecanoe County recommends to the 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 December 7, 2020 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Steven McIntyre  
Mike Wolf, Building Commissioner

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

Petitioner, who is also the property owner, is requesting rezoning of 9409 S 700 E. The petitioner plans to reestablish a single-family home in the existing structure on the east side of CR 700 E, (Yorktown Street), just south of the unincorporated town of Stockwell, Lauramie 9 (SW) 21-3.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The site was originally zoned A, Agricultural. The site was then rezoned to AA, Select Agricultural in 1988 with the adoption of the second Lauramie Township zoning map (Z-1341). The site was then rezoned from AA to NB to establish a funeral home in 2014, (Z-2570).

Stockwell, because it is unincorporated, does not have official corporation limits. Old zoning maps for Stockwell found in the APC office represent the old platted part of the unincorporated town. This boundary also marks the change in zoning between R1 to the north (on the old Stockwell map) and AA on property to the east, south and west (on the overall Lauramie Township map).

Once Stockwell was served by sanity sewer, a significant number of rezones have been heard in the last two decades: there was an attempt to rezone three vacated lots on Church Street from R3 to A to allow placement of a mobile home in 2014 which was denied (McIntyre, Z-2548), 2 lots on Yorktown were rezoned from GB & NB to NBU in 2011 (Easterbrook, Z-2452), 2 lots on Monroe Street were rezoned from NB to R1 in 2009 (Morgan, Z-2413) and a lot on Attica Street was also rezoned from NB to R1 in 2007 (Evans, Z-2343).

Staff believes Stockwell needs a neighborhood plan that establishes urban zoning in the town to better fit the existing lots currently in place.

**AREA LAND USE PATTERNS:**

According to petitioner, the house on site has been vacant since 2017. Petitioner plans to renovate the existing structure to convert it from a funeral home to a single-family residence. Homes to the north and south are single-family homes. This lot is included in a three-lot string of homes that exist outside of the old platted area that are all now served by sewer.

**TRAFFIC AND TRANSPORTATION:**

CR 700 E is classified as a rural secondary by the adopted *Thoroughfare Plan*. The setback required is 40'. A driveway permit review will be required as a part of the building permit process.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

This site is served by sewer and well. No bufferyard is required in R1 when it is adjacent to Agricultural zoning.

**STAFF COMMENTS:**

Stockwell has made significant strides in the last 20 years, including the introduction of sanitary sewer and the Keep Stockwell Beautiful campaign. Staff supports the reuse of the existing structure as a single-family home. Because this site is served by sewer it aligns with policy to recommend in favor of rezones to development districts. This site, along with the rest of Stockwell, should be the beneficiary of a town/neighborhood rezone to incorporate our urban zones. In the spirit of fostering rural town growth and stabilizing neighborhoods, staff can support this request.

**STAFF RECOMMENDATION:**

Approval.

Z-2808

ORDINANCE NO. 2020-20-CM  
AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE  
COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE  
FROM Nb TO R1

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 Lauramie Township, Tippecanoe County, Indiana

(Legal Description)

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

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 7th day of December, 2020.

VOTE:

Yes

Tracy Brown  
Tracy Brown, President

Yes

Thomas Murtaugh  
Thomas Murtaugh, Vice President

Yes

David Byers  
David Byers, Member

ATTEST:

Robert Plantenga  
Robert Plantenga, Auditor

A part of the Northwest Quarter of the Southwest Quarter of Section 9, Township 21 North, Range 3 West, Lauramie Township, Tippecanoe County, Indiana, being a part of the Saber Management – Lafayette, LLC property as described in Document No. 9901927, being depicted on a boundary survey by Vester & Associates, Inc., Job No. E-03107, and being more completely described as follows, to-wit:

Beginning at the Northwest Corner of the Southwest Quarter of Section 9, Township 21 North, Range 3 West, said point being marked by an A1NB monument; thence along the North line of said Southwest Quarter, North 88 degrees 53 minutes 14 seconds East, 200.00 feet; thence parallel with the West line of said Southwest Quarter, South 00 degrees 08 minutes 10 seconds West, 100.00 feet to a  $\frac{3}{4}$  inch rebar with an aluminum cap stamped "VESTER & ASSOC. INC.", hereinafter referred to as a Vester capped rebar; thence parallel with the North line of said Southwest Quarter, South 88 degrees 53 minutes 14 seconds West, 200.00 feet to a railroad spike on the West line of said Section 9; thence along the West line of said Southwest Quarter, North 00 degrees 08 minutes 10 seconds East, 100.0 feet to the point of beginning, said in survey to contain 0.46 acres, more or less.

ALSO

A part of the vacated portion of Suburban Street (vacated per Ordinance #87-40 CM recorded in Deed Record 88-03294), as platted in the Second Addition to the Town of Stockwell, recorded in Deed Record 42, page 228, being a part of the Saber Management – Lafayette, LLC property as described in Document No. 9901927, being depicted on a boundary survey by Vester & Associates, Inc. Job No. E-03107, and being more completely described as follows:  
Commencing at the Southwest corner of the Northwest Quarter of Section 9, Township 21 North, Range 3 West, said point being marked by an A1NB monument; thence along the South line of said Northwest Quarter and the South line of Suburban Street as platted in said addition, North 88 degrees 53 minutes 14 seconds East, 30.01 feet to a  $\frac{3}{4}$  inch rebar with an aluminum cap stamped "VESTER & ASSOC., INC.", hereinafter referred to as a Vester capped rebar at the point of beginning of the herein described tract; thence parallel with and 30 feet East from the West line of said Northwest Quarter, North 00 degrees 07 minutes 24 seconds East, 20.00 feet to the centerline of said street; thence along the centerline of said street and parallel with and 20 feet North from the South line of said Northwest Quarter, North 88 degrees 53 minutes 14 seconds East, 169.99 feet to a Vester Capped rebar; thence parallel with the West line of said Northwest Quarter, South 00 degrees 07 minutes 24 seconds West, 20.00 feet to a Vester capped rebar on the South line of said Northwest Quarter and the South line of said street; thence along said South line, South 88 degrees 53 minutes 14 seconds West, 169.99 feet to the point of beginning, said in survey to contain 0.08 acres, more or less.