

ORDINANCE NO. 2013-13-CM

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE

COUNTY, INDIANA, TO REZONE CERTAIN REAL ESTATE

FROM R1 TO GB

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

Legal Description: PT NW SEC 11 TWP 23 1.054A

See attached legal

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

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 off Tippecanoe County, Indiana, this 1st day of April, 2013.

VOTE:

R. S. B. President

John Knoedel Vice President

SP M. ... Member

ATTEST:

Jennifer Weston Auditor

EXHIBIT A

A part of the Northwest Quarter of Section 11, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, described as follows: Commencing at a Berntsen Monument marking the northeast corner of the Northwest Quarter of said Section 11; thence South 87 degrees 51' 58" West 150.00 feet along the north line of said quarter section and the approximate centerline of County Road 300 North to a Mag nail; thence South 2 degrees 08' 03" East 35.0 feet to a 5/8 inch rebar with a yellow plastic cap marked "C.N. Starr/RLS#0159" (hereinafter referred to as a capped rebar set); thence South 87 degrees 51' 58" West 134.25 feet to a capped rebar set and the point of beginning of this description; thence South 2 degrees 05' 17" East 199.73 feet to a capped rebar set; thence South 88 degrees 58' 05" West 245.33 feet to a capped rebar set; thence North 1 degrees 06' 38" East 127.58 feet to a capped rebar set; thence North 34 degrees 34' 30" East 99.63 feet to a capped rebar set; thence South 48 degrees 41' 47" East 17.79 feet to a capped rebar set; thence North 87 degrees 51' 58" East 165.75 feet to the point of beginning and containing 1.054 acres.

Together with an easement for ingress, egress, utility placement and CATV being a part of the North half of Section 11, Township 23 North, Range 4 West, Fairfield Township, Tippecanoe County, Indiana, described as follows: Beginning at a Berntsen monument marking the northwest corner of the Northeast Quarter of said Section 11; thence North 89° 02' 24" East 25.00 feet along the north line of said quarter section and the approximate center line of County Road 300 North; thence South 00° 29' 04" East 40.00 feet; thence South 89° 02' 24" West 10 00 feet; thence South 00° 29' 04" East 835.81 feet; thence South 89° 02' 24" West 15.00 feet to the west line of the Northeast Quarter of said Section; thence, South 88° 17' 14" West 15.00 feet crossing into the Northwest Quarter of said Section; thence North 00° 29' 04" West 835.68 feet; thence South 87° 51' 58" West 25.00 feet; thence North 00° 29' 04" West 40.02 feet to the north line of said Section and the approximate centerline of County Road 300 North; thence North 87° 51' 58" East 40.00 feet along said north line and center line to the point of beginning. (Said easement as set forth in that certain Grant of Easement for Ingress and Egress, Drainage, Utilities and C.A.T.V., dated September 19, 1998, recorded December 7, 1998 as Document Number 9833165, from Ruth M. Aretz, Mary Carolyn Aretz Thieme, Rosemary Aretz Lennertz, Anthony Joseph Aretz and Tonya Marie Aretz, as Declarants.)

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 21, 2013
Ref. No.: 13-071

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

CERTIFICATION

RE: **Z-2522--ARETZ, LLC/STEVE WITHERS (R1 to GB):**

Petitioner is requesting rezoning of 1.054 acres located at the southeast corner of CR 300 N and Old SR 25, more specifically 180 Aretz Lane, Fairfield 11 (NW) 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 March 20, 2013 the Area Plan Commission of Tippecanoe County voted 9 yes - 3 no on the motion to rezone the subject real estate from R1 to GB. 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 April 1, 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: Steve Withers, Aretz LLC
Ken Brown, Tippecanoe County Building Commissioner