

ORDINANCE NO. 2013-34-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 THE COUNTY OF TIPPECANOE, INDIANA;

Section 1. The Unified Zoning Ordinance of Tippecanoe County, Indiana, being a separate ordinance not a part of the unified county code, is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

See Exhibit attached

Section 2. The real estate described above 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 passage.

(Adopted and Passed) (Denied) by the Board of Commissioners of Tippecanoe County, Indiana, this

7<sup>th</sup> day of October, 2013.

VOTE:

Yes

Yes

Yes

David S. Byers  
President, DAVID S. BYERS

John Knochel  
Vice President, JOHN L. KNOCHEL

Thomas P. Murtaugh  
Member, THOMAS P. MURTAUGH

ATTEST:

Jennifer Weston  
JENNIFER WESTON, AUDITOR

# Exhibit A

A part of the real estate conveyed to Providence Foundation, Inc. as recorded in the Tippecanoe County Recorder's office under Document Number 99-32981 Dated December 10, 1999 and a name change to Lafayette Christian School Foundation, Inc., recorded in Deed Record 201010023091 and being a part of the Northeast Quarter of Section 11, Township 23, North Range 4 West, Fairfield Township, Tippecanoe County Indiana, more completely described as follows:

Commencing at a Bernsten Monument marking the Northeast corner of Section 11. Thence South  $00^{\circ}55'49''$  East, along the East line of Section 11, a distance of 50.19 feet to a Mag Nail and the Point of Beginning of this description; Thence continuing South  $00^{\circ}55'49''$  East along the East line of Section 11, a distance of 444.68 feet to a Mag Nail; Thence South  $61^{\circ}06'21''$  West, a distance of 45.29 feet to the West right of way of County Road 400 East being marked by a RW Gross capped rebar found; Thence South  $00^{\circ}55'49''$  East, along said West right of way, a distance of 25.01 feet to a RW Gross capped rebar found marking the Northeast corner of the tract conveyed to the City of Lafayette in Deed Record 201111007697; Thence South  $88^{\circ}45'30''$  West along the North line of the City of Lafayette, a distance of 1,766.16 feet to a RW Gross capped rebar found marking the Northwest corner of the City of Lafayette; Thence North  $00^{\circ}29'04''$  West, along the East line of a tract conveyed to Richard E. Linson, Sr. Trust & Susan H. Linson, Trust recorded in Deed Record 05027141, a distance of 549.80 feet to a Mag Nail found on the North Line of the Northeast Quarter of Section 11; Thence North  $89^{\circ}02'24''$  East along the North line of the Northeast Quarter of Section 11, a distance of 508.05 feet to a Mag Nail Set; Thence South  $00^{\circ}57'51''$  East, a distance of 20.06 feet to a 5/8 inch diameter rebar with a plastic cap stamped "RWG 8800043" and hereafter referred to as a standard monument; Thence South  $74^{\circ}15'54''$  East, a distance of 104.40 feet to a standard monument; Thence North  $88^{\circ}18'36''$  East, a distance of 404.83 feet to a standard monument; Thence North  $83^{\circ}43'36''$  East, a distance of 268.82 feet to a standard monument; Thence North  $00^{\circ}57'51''$  West, a distance of 20.00 feet to a standard monument; Thence North  $89^{\circ}02'24''$  East, along the North line of the Northeast Quarter of Section 11, a distance of 370.19 feet to a standard monument; Thence South  $00^{\circ}57'46''$  East, a distance of 19.97 feet to a standard monument; Thence South  $62^{\circ}54'01''$  East a distance 60.81 feet to a standard monument; Thence North  $89^{\circ}58'03''$  East, a distance of 97.43 feet to the Point of Beginning, containing 21.677 Acres, more or less.

The bearings in this description are based on a Starr & Associates survey recorded in the Tippecanoe County Recorder's Office under Document Number 98-1877 dated April 21, 1998.

Subject to all easements, restrictions and rights of way 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

September 19, 2013  
Ref. No.: 13-304

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

## CERTIFICATION

RE: **Z-2550--LAFAYETTE CHRISTIAN SCHOOL FOUNDATION, INC.  
(R1 to GB):**

Petitioner is requesting rezoning of 21.677 acres located at the old Aretz Airport, on the south side of CR 300 N, west of Old CR 400 E, Fairfield 11 (NE) 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 September 18, 2013 the Area Plan Commission of Tippecanoe County voted 10 yes - 0 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 Monday, October 7, 2013 regular meeting. Petitioner or its representative must appear to present the case.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/lmu

Enclosures: Staff Report & Ordinances

cc: Erik Spykman, Lafayette Christian School  
Joseph Bumbleburg  
Ken Brown, Tippecanoe County Building Commissioner

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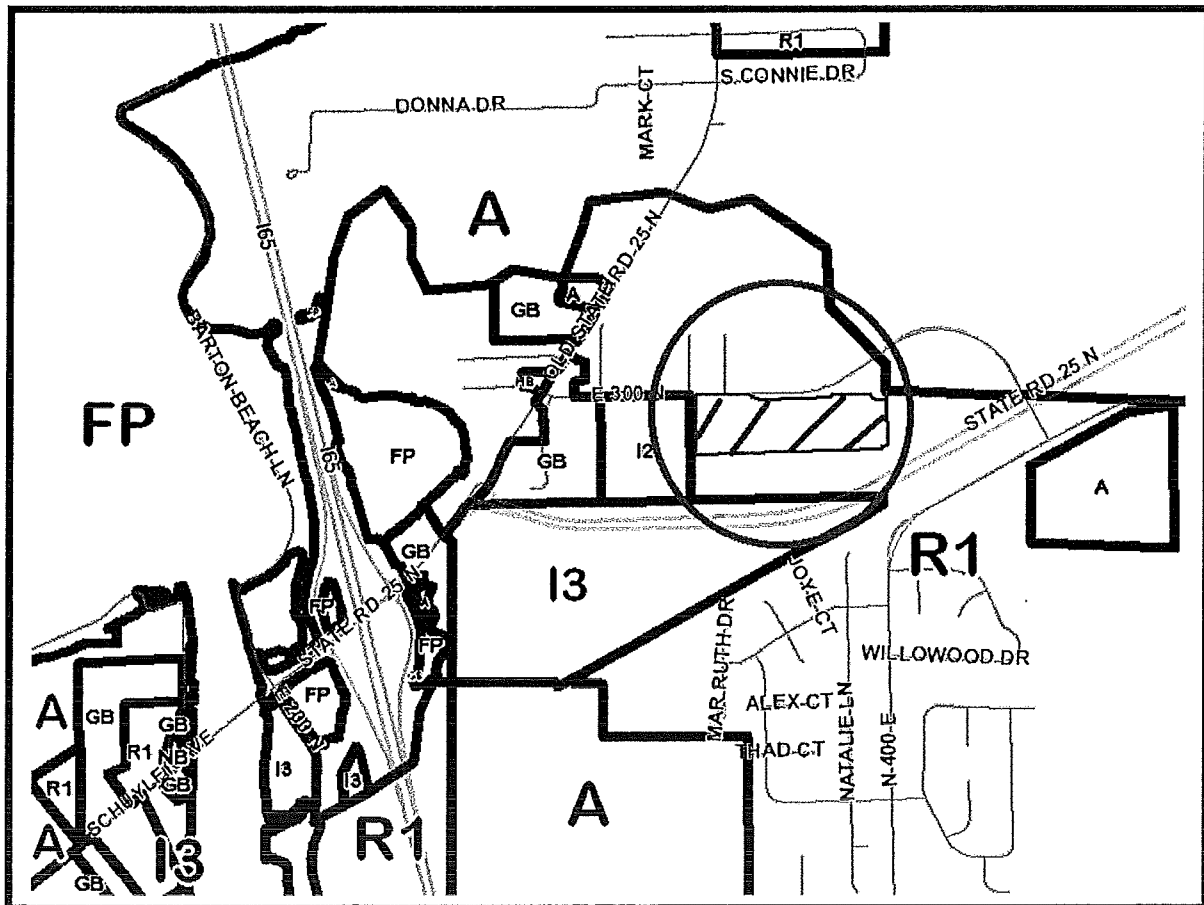
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**Z-2550**  
**LAFAYETTE CHRISTIAN SCHOOL FOUNDATION, INC**  
**(R1 to GB)**

**STAFF REPORT**  
**September 18, 2013**

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Z-2550  
**LAFAYETTE CHRISTIAN SCHOOL FOUNDATION**  
R1 to GB

**Staff Report**  
**September 12, 2013**

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

Petitioner, represented by Joseph Bumbleburg, is requesting rezoning of 21.677 acres located at the old Aretz Airport, on the south side of CR 300 N, west of Old CR 400 E, Fairfield 11 (NE) 23-4.

Petitioner's representative has indicated there are no immediate plans for development of the site.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The property has been zoned R1, single-family residential, since zoning took effect in the County in 1965. Property surrounding to the north and east is also zoned R1. Agricultural zoning dominates farther north.

Land directly south of the site is R1. Further south is a part of the existing gravel pit operation located adjacent to and including the Hoosier Heartland is zoned I3. This property took on its industrial zoning in 1966 (Z-209). The I2 zoning found directly west of the site was rezoned in 2005 for the Roadwerks operation (Z-2257).

Further to the west, abutting Old SR 25 is 12+ acres of GB-zoned property, successfully rezoned from R1 and A in 2013 (Z-2522, -2524, and -2534). That property was the location of a special exception (and later expansion) granted in 1998 and 2011 for a motor freight transportation and warehousing operation; that use is permitted by right in the GB zone.

**AREA LAND USE PATTERNS:**

These 21.67 acres are undeveloped and in row crop production. The City of Lafayette's property intended for future well fields is located directly south; abutting that property is the Hoosier Heartland corridor.

A lone single family home is located to the east where the old CR 300 N ends in a cul-de-sac. A three-lot subdivision, Heartland Acres, was approved (but has yet to be final-platted) just northeast of the site.

A church is across CR 300 to the north and west of that is the Piney Grove Subdivision with about two dozen single-family homes. Directly west of the site is a large parcel housing Roadwerks, a semi-truck accessory manufacturer.