

June 11, 2024

Council Chambers  
Vigo County Government Center  
Terre Haute, Indiana

**Present:** Chris Switzer, Mike Morris and Mark Clinkenbeard

9:15 a.m. the Board held a rezoning hearing.

Jared Bayler presented the following for consideration:


**UZO #6-24:** Parcel Nos. 84-02-14-226-001.000-013. This is property located at 9198 North US Highway 41, Rosedale, Indiana. The property is located on the west side of North US Highway 41 approximately 1,975 feet north of East Evans Avenue. Currently zoned A-1 Agricultural District, with the proposed zoning to be C-2, Community Commercial District. Surrounding uses are A-1 to the north, A-1 to the south, C-2 and A-1 to the east, and A-1 to the west. Property owner and petitioner is New BBC Indiana LLC. The petitioner has requested the rezoning to allow for a gas station/restaurant. There are limited public amenities available at this location. The property is a former site of a gas station/convenience mart. The original use would be legal non-conforming if still in use. The property has been vacant for several years now. Since use has been discontinued for more than 18 months, it has lost the legal non-conforming status and must be brought into compliance. Little should be needed to make the property compliant. The rear portion of the property is a former homestead containing a modular home and two barns. All three have been removed. The new property owner wishes to rezone the former homestead property, which also contains a portion of the former gas station, to C-2 for use with the gas station. Staff offered a favorable recommendation on the rezoning request. Area Plan also offered a favorable opinion. There were no remonstrators present. Mike Morris said he had a report from adjacent property owners that this is going to be a nice improvement to property that has been vacant for ten years and are happy with the proposed improvements. Mark Clinkenbeard made a motion to approve this rezoning. Mike Morris seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.


**UZO #7-24:** Parcel Nos. 84-02-29-100-004.000-025 and 84-02-29-300-003.000-025. This is property located at the northwest corner of North State Road 63 and West Sandford Avenue and is approximately 23.07 acres. Currently zoned M-2 Heavy Industrial District, with the proposed use to be a single-family home with a farm with zoning to be A-1, Agricultural District. Development priority in this area is rural agricultural. Surrounding is kind of a mix with mostly heavy industrial. The request is to rezone to A-1 to allow for homestead rights on the property. Currently it is zoned M-2 (which is the original zoning) and residential structures are not permitted. Property owner will have to agree to the agricultural nuisance disclaimer and also waive any future buffering requirements of the surrounding M-2 zoning. The waiver will have to be in writing and attached to the deed or title. Barnyard animals will be permitted but are not anticipated, as well as any other use identified under I.C. 36-7-4-616(6)(1). Staff offered a favorable recommendation. Area Plan also offered a favorable recommendation and there were no remonstrators present. Mike Morris made a motion to approve this rezoning. Mark Clinkenbeard seconded the motion. Upon a voice vote of 3-0, the motion unanimously passed.


**UZO #8-24:** Parcel No. 8-02-34-300-013.000-013/031/019/032. This property has two commonly known addresses: 4720 and 4600 North 13<sup>th</sup> Street and there are two other locations without addresses. The properties are located in and around North 13<sup>th</sup> Street and Park Avenue, Terre Haute, Indiana. Currently zoned R-1 Single Family Residential and A-1, Agricultural District, with the proposed zoning to be M-2, Heavy Industrial District. Surrounding uses are M-2, A-1 and R-1 to the north, M-2 to the south, M-2, R-1 and C-1 to

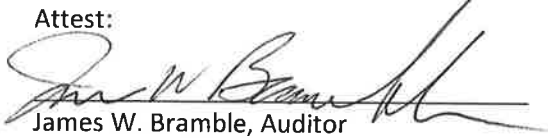
the east, and M-2 to the west. Property owner and petitioner is Menard, Inc. The petitioner has requested the rezoning for distribution/manufacturing expansion. This area is high priority for capital investment and high intensity employment area. Surrounding uses are almost all heavy industrial. There is residential to the north and east with the east also having some commercial, or C-1, and north has agricultural, or A-1. Petitioner will be required to maintain the 40' minimum rear buffer where residential adjoins. All minimum yards and minimum buffer yards shall be landscaped with grass, trees, shrubbery, or hedges, or in combination with other suitable ground cover materials and shall remain free from structures except where expressly permitted. All operations, servicing and processing located within 500 feet of a residential district boundary (except storage, off street parking, and off street loading) shall be conducted within completely enclosed buildings. R-1 does adjoin two of the petitioned properties. Petitioner will be demolishing the existing home and outbuildings at 4720 North 13<sup>th</sup> Street and intends to buy the old railroad tracks and have it rezoned to M-2. Staff offers a favorable recommendation with the approval of the landscape and buffer plan. There were a couple of people at the Area Plan meeting with concerns about what this might do to traffic as well as noise and dust. Area Plan gave a favorable recommendation. There were no remonstrators at today's meeting. Mark Clinkenbeard made a motion to approve this rezoning. Mike Morris seconded the motion. Upon a 3-0 voice vote, the motion unanimously passed.

The meeting was adjourned at 9:30 a.m.

  
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Chris Switzer

  
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Mike Morris

  
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Mark Clinkenbeard

Attest:  
  
James W. Bramble, Auditor