

2019 207 74 A 10:45

CINDY MURRAY

ORDINANCE NO. 2019-25

AN ORDINANCE TO AMEND TH ZONING ORDINANCE OF TIPPECANOE COUNTY,  
INDIANA, TO CERTAIN REAL ESTATE FROM \_NB\_ TO \_R1U\_

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA:**

Section I: The Unified Zoning Ordinance of Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana is hereby amended to rezone the following described real estate situated in Fairfield Township, Tippecanoe County, Indiana, to-wit:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned from \_NB\_ to \_R1U\_.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSE AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, THIS DAY OF \_\_\_\_\_, 2019.**

\_\_\_\_\_  
Ron Campbell, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Tony Roswarski, Mayor

Attest:

\_\_\_\_\_  
Cindy Murray, City Clerk

Parts of the East half of the West half of Lots numbered 70 and 71 in H.L. Ellsworth's Addition of Out Lots to the City of Lafayette, Indiana, described as follows:

Beginning at the northeast corner of the east half of the west half of Lot 71, running thence South 96.1 feet along the West line of South 21st Street; thence West 72.35 feet; thence North 96.1 feet to the South line of Kossuth Street; thence East along said South line of Kossuth Street 72.35 feet to the place of beginning.

Subject to all taxes, easements, restrictions and rights of way of record.

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Ruth Shedd, Tippecanoe County Recorder

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER.

*Betty L. Michael*

AUDITOR OF TIPPECANOE CO.

5-23-94      *TM*

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](http://www.tippecanoe.in.gov/apc)

SALLIE DELL FAHEY  
EXECUTIVE DIRECTOR

August 22, 2019  
Ref. No.: 2019-223

Lafayette Common Council  
20 North Sixth Street  
Lafayette, Indiana 47901

## CERTIFICATION

RE: **Z-2774 ALEC WILLIAMS (NB to R1U):**

Petitioner is requesting rezoning of a lot located at the southwest corner of Kossuth and S. 21st Street, specifically 2049 Kossuth Street, Lafayette, Fairfield 28 (SE) 23-4.

Dear Council Members:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on August 21, 2019 the Area Plan Commission of Tippecanoe County voted 12 yes - 0 no on the motion to rezone the subject real estate from NB to R1U. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common Council 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 Lafayette Common Council at their September 3, 2019 regular meeting. Petitioner or his representative must appear to present his case.

Sincerely,



Sallie Dell Fahey  
Executive Director

SDF/crl

Enclosures: Staff Report & Ordinances

cc: Alec Williams, petitioner  
Kirk Murray and Jennifer Singh, owners  
Dave Griffee, Lafayette City Engineer's Office

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**Z-2774**  
**ALEC WILLIAMS**  
**(NB to R1U)**

**STAFF REPORT**  
**August 15, 2019**

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

Petitioner, with consent from the owners Kirk Murray & Jennifer Singh, is requesting rezoning of a lot at the southwest corner of Kossuth and South 21<sup>st</sup> Street. He would like to make an existing single-family home conforming, specifically, 2049 Kossuth Street, Lafayette, Fairfield 28 (SE)23-4

**ZONING HISTORY AND AREA ZONING PATTERNS:**

This property is in the middle of a small NB, Neighborhood Business node that extends along Kossuth. R1B zoning is to the south of this lot and NB zoning is to the east, north, and west. Two rezones of a similar nature to this request were approved by city council in 2015. Three homes were included in the two rezones from NB to R1U, (Z-2604) and R2U, (Z-2624) on the north side of Kossuth, a block to the west of this request.

**AREA LAND USE PATTERNS:**

The subject property is a single-family home with detached garage that has been in place for decades according to County records. Many of the businesses located on Kossuth in this area are operating in converted single-family homes. Some of the surrounding businesses include a drycleaner, a dentist, an auto body supply company and an insurance office.

**TRAFFIC AND TRANSPORTATION:**

The site is located on Kossuth Street, an urban primary arterial. Traffic counts taken in 2006 indicate that 9,274 vehicles pass the property daily. Access to the site is from a driveway on 21<sup>st</sup> Street leading to the detached garage located behind the house.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

The site is served by city utilities. If rezoned, no bufferyard would be required.

**STAFF COMMENTS:**

The Kossuth Street corridor is largely residential with neighborhood commercial nodes spaced along the way. One of these nodes, encompassing the subject property, stretches about three blocks. Uses here includes a drycleaner, a draftsman, a dentist, an auto body supply company and many single and two-family homes. Historically, these areas were zoned LB (Local Business), which became NB (Neighborhood Business) with the passage of the new zoning ordinance in 1998. The LB zone, in addition to small business uses, also permitted single-family homes by right; the NB zone in comparison, does not permit residential use.

In 2011 the "Urbanized, Sewered Area" map of Lafayette (See UZO Appendix A-1) was expanded to include the subject area east to Earl Avenue. This urban designation best fits the built environment. Rezoning this single lot to an urban residential zone is consistent with past recommendations from this office. In addition, this lot has been historically used residentially and rezoning it would make the single-family home a conforming use of the property.

**STAFF RECOMMENDATION:**

Approval