

**ORDINANCE NO. 2024-13**

**AN ORDINANCE OF THE CITY OF HOBART, INDIANA  
PROVIDING THAT THE ZONING ORDINANCE OF THE CITY OF HOBART,  
LAKE COUNTY, INDIANA BE AMENDED BY CHANGING AN  
ESTABLISHED B-3 ZONE TO PBP ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 24-07** be adopted and that the Council rezone this property.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart, Indiana:

SECTION 1. That, the City Zoning Ordinance No. 93-59 as amended and readopted as amended under Ordinance No. 2001-41 and entitled "Zoning Ordinance of the City of Hobart, Indiana", and particularly the zone maps which are made a part of said Ordinance No. 93-59, be and the same is hereby amended by making certain changes as follows:

By changing the following described real estate on the zone maps from its established zoning B-3 (Highway Oriented Business District) classification to PBP (Planned Business Park District) zoning classification:

THE NORTH ½ OF THE NORTHEAST ¼ (EXCEPTING THE NORTH 160 FEET OF THE  
EAST 250 FEET THEREOF) OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST  
OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA

SECTION 2. The City Council now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood. The Council further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

SECTION 3. The Common Council of the City of Hobart finds the zone change will take effect upon the following conditions being fulfilled by the owner:

Construction of the Iowa Street extension, to dedicate right of way for the construction of 78<sup>th</sup> Avenue and possible improvements to Colorado Street, depending on the use.

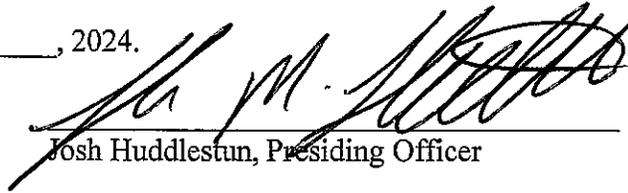
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

SECTION 4. That the City Engineer and/or Zoning Administrator is hereby authorized and directed upon the enactment and approval of this Ordinance, to cause a change to be made on the zone maps, to make certain notations in ink thereof and to record the date of passage of this Ordinance.

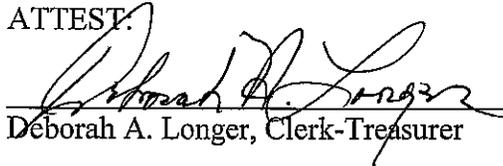
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise provided for by law.

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this

15<sup>th</sup> day of May, 2024.

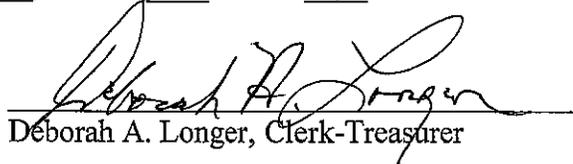
  
Josh Huddlestun, Presiding Officer

ATTEST:

  
Deborah A. Longer, Clerk-Treasurer

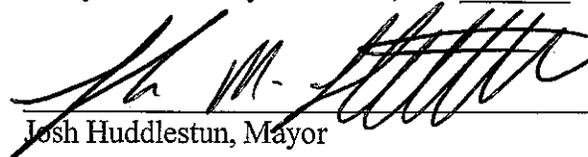
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

15<sup>th</sup> day of May, 2024 at 7:00 o'clock P. M.

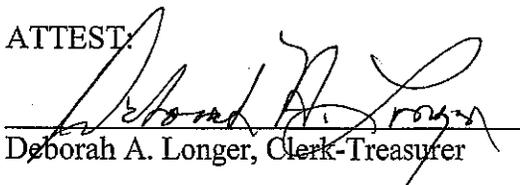
  
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 15<sup>th</sup> day of

May, 2024.

  
Josh Huddlestun, Mayor

ATTEST:

  
Deborah A. Longer, Clerk-Treasurer

**CERTIFICATION AND REPORT TO  
COMMON COUNCIL OF THE CITY OF HOBART ON  
ZONE MAP CHANGE**

CERTIFICATION TO: Common Council of the City of Hobart

FROM: Connor Miller, Zoning Administrator

RE: Change to be made on the zoning map.

DATE: April 12, 2024

PETITIONER: Schottenstein Property Group  
Dirk Greene  
4300 E. 5<sup>th</sup> Avenue  
Columbus, OH 43219

REQUEST: Change zone from B-3 (Highway Oriented Business District) classification to PBP (Planned Business Park District)

PROPOSED USE: To correlate with the City's 2040 Comprehensive Plan designating the area as an employment center. Proposed use to be determined at a later date.

GENERAL LOCATION: Located approx. ¼ mile north from the NW corner of Colorado St. & US 30

LEGAL DESCRIPTION THE NORTH ½ OF THE NORTHEAST ¼ (EXCEPTING THE NORTH 160 FEET OF THE EAST 250 FEET THEREOF) OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA

PLAN COMMISSION PETITION NO.: 24-07

DATE OF PLAN COMMISSION ACTION: April 4, 2024

DEADLINE FOR CITY COUNCIL ACTION: July 11, 2024

**CERTIFICATION:**

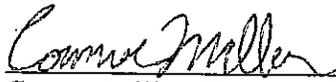
**ACTION TAKEN BY PLAN COMMISSION:**

Recommendation to the Common Council to **Approve** the change of zone requested  
**(Favorable recommendation)**

CONDITIONS: Construction of the Iowa Street extension, to dedicate right of way for the construction of 78<sup>th</sup> Avenue and possible improvements to Colorado Street, depending on the use.

VOTE: 9-0

I certify that the foregoing information accurately represents the action taken on this matter by the City of Hobart Plan Commission.



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Connor Miller, Zoning Administrator  
City of Hobart

*REZONE*  
*COLONADO ST*  
*DETACHMENT*

PC 2407

**Findings of Fact**

In the following space please provide the reason and concept of why you propose to amend the zoning map and provide justification. Consider the following in your response;

- (1) the comprehensive plan;
- (2) current conditions and the character of current structures and uses in each district;
- (3) the most desirable use for which the land in each district is adapted;
- (4) the conservation of property values throughout the jurisdiction; and
- (5) responsible development and growth.

The request to amend this property to Planned Business Park (PBP) zoning is in correlation with the City's updated 2040 comprehensive plan that designates this site as Employment Center. The current site is zoned B3. The site is vacant with no structure and is used as farmland. Changing the zoning to PBP will allow the development of the site to an appropriate use that will bring new job opportunities and ultimately increase the value of the adjacent properties.

The rezone should/should not be granted because; (Must meet all the following requirements.)

\_\_\_(a) the petition is not "spot zoning" which will confer a special benefit to the petitioner on a small tract of land with no commensurate benefit to the community.

\_\_\_(b) the comprehensive plan will not be disrupted or destroyed because:

The zoning request is in correlation with the comprehensive plan

\_\_\_(c) the land involved is suitable for the proposed land change because:

The zoning request is in correlation with the comprehensive plan

\_\_\_(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: The topography of the site is suitable for development into the requested use.

\_\_\_(e) the property value of adjacent property would not be decreased because:

The property value of adjacent properties will likely be increased with the development of this parcel as it would revitalize the area.

Signature of Petitioner/Agent [Signature]

Date 2/29/24

**Decision:**

After public hearing and review by the Hobart Advisory Plan Commission for the recommendation to rezone, the Plan Commission now finds that the Petition to Rezone **Does or Does Not** comply with the standards in the zoning ordinance.

All of which this 4<sup>th</sup> day of April, 2024 by a majority vote of the Hobart Advisory Plan Commission.

[Signature]

Plan Commission President

**Attest:**

[Signature]

Plan Commission Secretary/Zoning Official

## MEMORANDUM

**DATE:** APRIL 12, 2024

**TO:** HOBART COMMON COUNCIL MEMBERS  
MAYOR JOSH HUDDLESTUN  
CITY ATTORNEY HEATHER McCARTHY

**FROM:** CONNOR MILLER, ZONING ADMINISTRATOR

**RE:** PETITION TO REZONE PROPERTY  
PLAN COMMISSION PETITION 24-07

Attached please find a Certification and Proposed Ordinance for your consideration regarding a request for a Rezone from B-3 (Highway Oriented Business District) to PBP (Planned Business Park District) for vacant property located approx. ¼ mile north from the NW corner of Colorado St. & US 30

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF APRIL 4, 2024:

Present were Dirk Greene/Schottenstein Property Group, Joe Hallat and Attorney Scott Yahne. Mr. Greene felt the request is in line with the overlay designation of Employment Center as indicated in the 2040 Comprehensive Plan. If approved, they will move forward with marketing the property. Mr. Gralik noted a bufferyard will be required along Colorado Street to shield the residential property on the east side of the street. Mr. Greene acknowledged a bufferyard, detention pond and a 3 ½ acre site that will sit between the use, to the west and along Colorado Street. The anticipated uses will lean to offices, distribution warehouses or mixed uses; no manufacturing or industrial uses. They will return for site plan once there is a proposed use. Ms. Galka opened the public hearing for Petition 24-07. *Michael Finley, 7725 Colorado St. 219-689-0604 lives across the street and inquired to what they are requesting to build and where the property is located.* Mr. Allen mentioned the property was zoned B-3 when it was unincorporated Lake Co. and the rezone will permit more restrictive uses. Mr. Gralik stated the property consists of 80 acres and is located west of the tree line from Colorado Street. *Patricia Cory presented a letter from a neighbor: City of Hobart Plan Commission: Let it be known that I, Arlene Karrle, 7761 Colorado Street, Merrillville, am adamantly opposed to the rezoning of the ¼ mile north from the NW corner of Colorado Street & US 30. Please count my opposition to this rezoning proposal. Charles Creech, 2101 E. 73<sup>rd</sup> Avenue, Merrillville had a concern with government changing zoning just to build something and did not trust the government. His concern was to allow property to be rezoned for an unknown proposed use and was opposed. Patricia Cory, 7203 Colorado Street was opposed.* Hearing no further public comments Ms. Galka closed the public hearing. Mr. Allen reiterated by informing the public the rezone request is not to allow an industrial park but to provide more restrictive uses. Attorney Yahne stated currently there is no proposed use and in order to be able to market the property, requesting the rezone which will allow the more restrictive uses. He also stated as part of this plan it will required for Iowa Street to be extended, diverting traffic away from Colorado Street. Mr. Allen motioned for a Favorable Recommendation to the Common Council for Petition 24-07 including all discussion and Findings of Fact, seconded by Mr. Homoky. Mr.

Gralik stated it was mentioned as part of the plan, construction of the Iowa Street extension and for the right of way dedication for the construction of 78<sup>th</sup> Avenue and possible improvements to Colorado Street, depending on the use, should be part of the motion and the condition of the rezone. Mr. Allen amended his motion for a Favorable Recommendation to the Common Council including all discussion and Findings of Fact to include the construction of the Iowa Street extension, to dedicate right of way for the construction of 78<sup>th</sup> Avenue and possible improvements to Colorado Street, depending on the use, seconded by Mr. Homoky. All ayes, motion carried. (9-0)

