

ORDINANCE NO. 2014 - 01

**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 R-2 ZONE TO M-1 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 14-04** 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 R-2 (Single-Family Residential District) classification to M-1 (Light Manufacturing District) zoning classification:

Part of the Southwest Quarter of the Northeast Quarter of Section 32, Township 36 North, Range 7 West of the Second Principal Meridian, in the City of Hobart, Indiana, being more particularly described as follows: Commencing at the intersection of the West line of said Northeast Quarter and the North right of way line of the New York, Chicago and St. Louis Railroad; thence South 86 Degrees 39 Minutes 06 Seconds East along said North right of way line, a distance of 30.05 feet to a point 30.00 feet East of the West line of said Northeast Quarter, said point also being the Point of Beginning of this description; thence North 00 Degrees 00 Minutes 00 Seconds East parallel with and 30.00 feet East of the West line of said Northeast Quarter, a distance of 117.28 feet; thence North 46 Degrees 55 Minutes 02 Seconds East parallel with said Northwesterly right of way line, a distance of 197.06 feet; thence North 04 Degrees 57 Minutes 45 Seconds West, a distance of 203.82 feet; thence North 34 Degrees 50 Minutes 15 Seconds West, a distance of 221.09 feet to a 30.00 feet East of the West line of said Northeast Quarter; thence North 00 Degrees 00 Minutes 00 Seconds East parallel with and 30.00 feet East of the West line of said Northeast Quarter, a distance of 117.41 feet to the South right of way line of the Elgin, Joliet and Eastern Spur Track; thence South 88 Degrees 40 Minutes 14 Seconds East along said South right of way line, a distance of 409.53 feet; thence South 02 Degrees 09 Minutes 34 Seconds West, a distance of 537.28 feet to said Northwesterly right of way line; thence South 46 Degrees 55 Minutes 02 Seconds West along said Northwesterly right of way line, a distance of 317.15 feet to

said North right of way line; thence North 86 Degrees 39 Minutes 06 Seconds West along said North right of way line, a distance of 157.81 feet to the Point of Beginning, containing 226,239 square feet, 5.19 acres more or less, all 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:

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
5th day of March, 2014.

Brian K. Snedecor
Brian K. Snedecor, Presiding Officer

ATTEST:

Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this
5 day of March, 2014 at 6:30 o'clock PM.

Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 5 day of
March, 2014.

Brian K. Snedecor
Brian K. Snedecor, Mayor

ATTEST:

Deborah A. Longer
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: Sergio Mendoza, City Planner

RE: Change to be made on the zone map.

DATE: February 10, 2014

PETITIONER: School City of Hobart (Attorney Wm. Longer)
32 E. 7th Street
Hobart, IN 46342

REQUEST: Change zone from a R-2 (Single-Family Residential District) to M-1 (Light Manufacturing District)

PROPOSED USE: For the proposed expansion of existing business

GENERAL LOCATION: Approx. 200' NW of the Indiana & 5th Street intersection & west of Midwest Products (Dust Bowl)

LEGAL DESCRIPTION: Part of the Southwest Quarter of the Northeast Quarter of Section 32, Township 36 North, Range 7 West of the Second Principal Meridian, in the City of Hobart, Indiana, being more particularly described as follows: Commencing at the intersection of the West line of said Northeast Quarter and the North right of way line of the New York, Chicago and St. Louis Railroad; thence South 86 Degrees 39 Minutes 06 Seconds East along said North right of way line, a distance of 30.05 feet to a point 30.00 feet East of the West line of said Northeast Quarter, said point also being the Point of Beginning of this description; thence North 00 Degrees 00 Minutes 00 Seconds East parallel with and 30.00 feet East of the West line of said Northeast Quarter, a distance of 117.28 feet; thence North 46 Degrees 55 Minutes 02 Seconds East parallel with said Northwesterly right of way line, a distance of 197.06 feet; thence North 04 Degrees 57 Minutes 45 Seconds West, a distance of 203.82 feet; thence North 34 Degrees 50 Minutes 15 Seconds West, a distance of 221.09 feet to a 30.00 feet East of the West line of said Northeast Quarter; thence North 00 Degrees 00 Minutes 00 Seconds East parallel with and 30.00 feet East of the West line of said Northeast Quarter, a distance of 117.41 feet to the South right of way line of the Elgin, Joliet and Eastern Spur Track; thence South 88 Degrees 40 Minutes 14 Seconds East along said South right of way line, a distance of 409.53 feet; thence South 02 Degrees 09 Minutes 34 Seconds West, a distance of 537.28 feet to said Northwesterly right of way line; thence South 46 Degrees 55 Minutes 02 Seconds West along said Northwesterly right of way line, a distance of 317.15 feet to said North right of way line; thence North 86 Degrees 39 Minutes 06 Seconds West along said North right of way line, a distance of 157.81 feet to the Point of Beginning, containing 226,239 square feet, 5.19 acres more or less, all in Lake County, Indiana.

PLAN COMMISSION PETITION NO.: 14-04

DATE OF PLAN COMMISSION ACTION: February 6, 2014

DEADLINE FOR CITY COUNCIL ACTION: May 7, 2014

CERTIFICATION:

ACTION TAKEN BY PLAN COMMISSION:

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

CONDITIONS: None

VOTE: 7-0

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

Sergio Mendoza, City Planner
City of Hobart

MEMORANDUM

DATE: FEBRUARY 11, 2014

TO: HOBART COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY ANTHONY DEBONIS

FROM: SERGIO MENDOZA, CITY PLANNER

RE: PETITION TO REZONE PROPERTY
PLAN COMMISSION PETITION 14-04

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 14-04, a petition to rezone from R-2 to M-1 located approx. 200' NW of the Indiana & 5th Street intersection & to the rear of Midwest Projects, (Dust Bowl), zoned R-2, 5.19 acres.

DRAFT PUBLIC HEARING MINUTES FOR THE FEBRUARY 6., 2014 MEETING OF THE PLAN COMMISSION FOR PETITION 14-04:

Mr. Allen abstained.

Attorney William Longer, representing the School City of Hobart, requested to rezone commonly known property as the Dust Bowl, from residential to manufacturing. Also present were Terry Butler, President of the School Board and Jon Zaloum, President of Midwest Products. He stated the property is currently for sale and that the School City received an offer from Midwest Product for a possible future expansion for their business, contingent upon the rezone to manufacturing. This proposed rezone will conform to the zoning of the existing Midwest Product property.

Mr. Brezik opened the Public Hearing for Petition 14-04.

Mayor Brian Snedecor: Mayor Snedecor stated the rezone was adequate with the existing Midwest Products business and strongly supported the rezone.

Hearing no further comments from the public, Mr. Brezik closed the Public Hearing for Petition 14-04.

Mr. Mendoza noted the proposed rezone was consistence with the Comprehensive Plan with regards to economic development and expansion.

Mr. Waldrop made a motion for a Favorable Recommendation to the Common Council for Petition 14-04 including all discussion and findings of fact, seconded by Mr. Rodriguez. All ayes, motion carried. (7-0)