

ORDINANCE NO. 2013-11

**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 OS-1 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 13-05** 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 OS-1 (Office Service District) zoning classification:

The South 3 acres of the East half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter, in Section 29, Township 36 North, Range 7 West of the 2nd P.M. in Lake County, Indiana,

EXCEPTING:

The West 100 feet of the following described tract: Part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 29, Township 36 North, Range 7 West of the 2nd P.M., more particularly described as follows: Commencing at the Southeast corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 29; thence North along the East line of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$ a distance of 267.50 feet; thence West a distance of 330.53 feet to a point 267.33 feet North of the South line of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$; thence South 267.33 feet to the South line of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$; thence East along the South line of said Northeast $\frac{1}{4}$ of Northeast $\frac{1}{4}$, a distance of 330.55 feet to the point of beginning, containing 0.614 acre.

ALSO EXCEPTING:

The North 1 acre of the South 3 acres of the West Half of the Southeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 29, Township 36 North, Range 7 West of the 2nd P.M. 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:

§ 154.112 PERMITTED USES.

The following listed uses and no others are permitted uses in an OS-1 district:

- ~~(A) Banks, credit unions, savings and loan institution and other similar uses. Drive-up teller windows, cash stations and the like are permitted only as an accessory use;~~
- (B) Churches, rectories and parish houses;
- (C) Medical and dental offices, including clinics;
- (D) Office buildings for business and professional offices;
- (E) Off-street parking lots;
- (F) Other uses as determined by the Plan Commission to be similar in design and intent to the above listed uses;
- ~~(G) Personal services including barber shops, beauty shops, health and fitness centers and other similar uses; and~~
- ~~(H) Accessory structures and uses customarily incidental to the above listed uses.~~

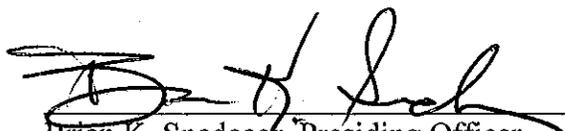
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

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.

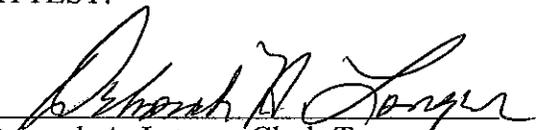
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise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

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

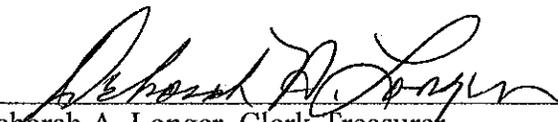
20th day of MARCH, 2013.


Brian K. Snedecor, Presiding Officer

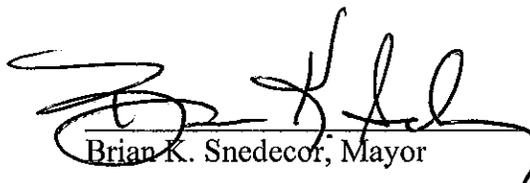
ATTEST:


Deborah A. Longer, Clerk-Treasurer

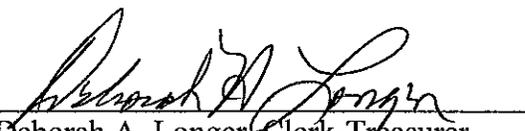
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this
20th day of MARCH, 2013 at 7:00 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 20th day of
MARCH, 2013.


Brian K. Snedecor, Mayor

ATTEST:


Deborah A. Longer, Clerk-Treasurer