

ORDINANCE NO. 2016-24

AN ORDINANCE REZONING CERTAIN REAL ESTATE WITHIN THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA, AS PLANNED UNIT DEVELOPMENT FOR ZONING PURPOSES AND AMENDING THE TOWN OF GRIFFITH ZONING ORDINANCES AND ZONING MAP.

TURNBERRY AT TRAIL CREEK

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, the Town Council of the Town of Griffith, Lake County, Indiana, sees fit to update and revise its Zoning Ordinance and Zoning Map pursuant to recommendation by its Planning Commission;

WHEREAS, Westpark Development, Inc., doing business as Turnberry at Trail Creek, filed a petition with the Plan Commission of the Town of Griffith, Indiana (hereinafter the "Commission"), to re-subdivide certain real estate within the Town of Griffith and to cause it to be rezoned to Planned Unit Development - Residential, which real estate (hereinafter the "Real Estate") is described as follows:

A part of the Northeast Quarter and the Northwest Quarter of Section 11, Township 35 North, Range 9 West of the Second Principal Meridian in Lake County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of said Section 11; thence South 00°33'53" East, along the East line of Section 11, a distance of 1,189.55 feet; thence South 61°52'15" West, a distance of 649.94 feet to the easterly line of a 99 foot wide right of way for Northern Indiana Public Service Company (previously known as the Chicago and Erie Railroad right of way) as recorded in Deed Record #034038 in the Office of the Recorder of Lake County, Indiana, thence North 29° 03' 08" West, along said Easterly line, a distance of 1,720.68 feet, to the North line of said Section 11; thence South 89° 39' 39" East, along said North line, a distance of 1,397.05 feet, North line, a distance of 1,397.05 feet, to the point of beginning containing 31.91 acres more or less, all in the Town of Griffith, Lake County, Indiana.

WHEREAS, the Plan Commission, after public hearing, has approved the Petitioner's re-subdivision and the development plan which was submitted under Chapter 86 the Zoning Ordinance of the Town of Griffith (hereafter the "Development plan"), and has recommended that the Zoning Ordinance be amended, and, has certified said recommendation to the Council pursuant to Indiana Code Section 36-7-4-605, as required by Indiana Code 36-7-4-608(b), so as to provide that the Real Estate be classified as a Planned Unit Development - Residential, and has made the following findings as required by said Chapter 86 of the Zoning Ordinance

- 1) The uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under any other district
- 2) An amendment to the requirements of this Chapter 86 of the Zoning Ordinance is warranted by the design and amenities incorporated in the Development Plan
- 3) Land surrounding the proposed development either can be planned in coordination with the proposed development or will be compatible in use.

ORDINANCE NO. 2016-24

- 4) The proposed change to a planned unit development district is in conformance with the general intent of the comprehensive master plan.
- 5) Existing and proposed streets are suitable and adequate to carry anticipated traffic within the proposed district and in the vicinity of the proposed district.
- 6) Existing and proposed utility services are adequate for the proposed development.

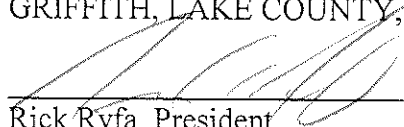
NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Griffith, Lake County, Indiana, that its Zoning Ordinance is hereby amended and modified and that the Real Estate, all lying within the municipal corporate limits of the Town of Griffith, Lake County, Indiana, be re-zoned as a Planned Unit Development – Residential, and the Zoning Map of the Town of Griffith should be amended accordingly.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect after its passage and posting in accordance with IC 36-5-2-10.


PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 5th day of July, 2016.

COUNCIL MEMBERS OF THE TOWN OF
GRIFFITH, LAKE COUNTY, INDIANA


Rick Ryfa, President


James Marker


Larry Ballah


Patricia Schaadt

Anthony Hobson

Attest:


George N. Jerome
Clerk-Treasurer