

ORDINANCE NO. 2016- 39

AN ORDINANCE REZONING CERTAIN REAL ESTATE WITHIN THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA, AS R1 SINGLE FAMILY RESIDENTIAL FOR ZONING PURPOSES AND AMENDING THE TOWN OF GRIFFITH ZONING ORDINANCES AND ZONING MAP.

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, Charles Gregory filed a petition with the Plan Commission of the Town of Griffith, Indiana (hereinafter the "Commission"), to cause 1029 and 1500 Reder Road, Griffith, Indiana to be rezoned to R1 Single Family Residential, which real estate (hereinafter the "Real Estate") is more particularly described as follows:

PARCEL I:

Part of the Northeast 1/4 of the Southeast 1/4 of Section 2, Township 35 North, Range 9 West of the 2nd Principal Meridian, lying South of the Chesapeake and Ohio Railroad right of way and Southeasterly of a line drawn from the Southwest corner of said Northeast 1/4 of the Southeast 1/4 to the Northeast corner of said tract, more particularly described as commencing at the intersection of the North line of the public highway and the West line of the East 420.70 feet of said Northeast 1/4 of the Southeast 1/4, thence North 2 degrees 16 minutes 29 seconds West 354.80 feet to a point 50 feet South, by perpendicular measurement, from the South right of way line of the Chesapeake and Ohio Railroad; thence Northwesterly 50 feet from and parallel to said right of way line, 216.38 feet, more or less, to the line drawn from the Southwest corner to the Northeast corner of said Northeast 1/4 of the Southeast 1/4; thence Southwesterly on said line 75.30 feet, to a point, thence South 2 degrees 01 minutes 08.5 seconds East to a point in the North line of the public highway which is 254.79 feet West of the point of beginning, thence East along the North line of the public highway 254.79 feet to the point of beginning, in the Town of Griffith, Lake County, Indiana;

EXCEPTING therefrom that part lying within the following described tract: A part of the Northeast one-quarter (NE 1/4) of the Southeast one-quarter (SE 1/4) of Section 2, Township 35 North, Range 9 West of the 2nd Principal Meridian, commencing at a point 664.88 feet East and 225.10 feet North of the Southwest corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 2, in the center of the public highway known as Austgen Road, said point being the Southeast corner of (Mat Theis or Frank Schafer property) 2 acre tract; thence North 210 feet along a line parallel to the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 2, also the East line of Frank Schafer property; thence Northeasterly along a line parallel to the public highway known as Austgen Road a distance of 210 feet; thence South along a line parallel to the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 2, a distance of 210 feet to the center line of Austgen Road; thence Southwesterly 210 feet to the place of beginning, all in the Town of Griffith, in Lake County, Indiana.

PARCEL II:

A part of the Northeast one-quarter (NE 1/4) of the Southeast one-quarter (SE 1/4) of Section 2, Township 35 North, Range 9 West of the 2nd Principal Meridian, commencing at a point 664.88 feet East and 225.10 feet North of the Southwest corner of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 2, in the center of the public highway known as Austgen Road, said point being the Southeast corner of (Mat Theis or Frank Schafer property) 2 acre tract; thence North 210 feet along a line parallel to the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 2, also the East line of Frank Schafer property; thence Northeasterly along a line parallel to the public highway known as Austgen Road a distance of 210 feet; thence South along a line parallel to the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 2, a distance of 210 feet to the center line of Austgen Road; thence Southwesterly 210 feet to the place of beginning, all in the Town of Griffith, in Lake County, Indiana.

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WHEREAS, the Plan Commission, after public hearing, 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 fact that there are existing residences in the area.
- 3) Land surrounding the Real Estate will be compatible in use, since the rezoning only furthers to continue the status quo, i.e., residential uses.
- 4) The proposed change to a residential 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.

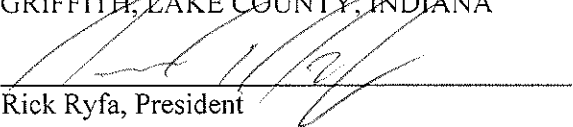
NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Griffith, Lake County, Indiana, that its Zoning Ordinance is hereby amended and modified and that the Real Estate, all lying within the municipal corporate limits of the Town of Griffith, Lake County, Indiana, be re-zoned as a R1 Single Family 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.

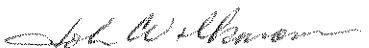
NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect after its passage and posting in accordance with IC 36-5-2-10.

PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 4th day of October, 2016.

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


Rick Ryfa, President

Attest:


John C. Volkmann
Clerk-Treasurer