

ORDINANCE NO. 2022- 30

**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 LAKE COUNTY'S SPECIAL EXCEPTION TO M-1 ZONE
CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 22-33** 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 Lake County's Special Exception (Sports Facility) classification to M-1 (Light Manufacturing District) zoning classification:

PARCEL 1:

LOTS 2 AND 3, STANDARD INDUSTRIAL PARK UNIT 1 TO LAKE COUNTY, INDIANA, AS SHOWN IN PLAT BOOK 39, PAGE 33, IN LAKE COUNTY, INDIANA.

PARCEL 2:

THE FOLLOWING DESCRIBED PARCEL OF LAND LYING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 532.06 FEET SOUTH 0 DEGREES 42 MINUTES 07 SECONDS EAST OF THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE SOUTH 89 DEGREES 07 MINUTES 52.5 SECONDS WEST ALONG THE SOUTH LINE OF THE AFORESAID LOT 2 A DISTANCE OF 305.0 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE SOUTH 0 DEGREES 42 MINUTES 07.5 SECONDS ALONG THE EAST LINE OF THE AFORESAID LOT 3 A DISTANCE OF 123.22 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE EAST FOR A DISTANCE OF 305.0 FEET TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 0 DEGREES 42 MINUTES 07.5 SECONDS WEST FOR A DISTANCE OF 127.85 FEET TO A POINT, THAT POINT BEING THE POINT OF BEGINNING, 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 October, 2022.

Matthew Claussed
~~Brian K. Smedecor~~, Presiding Officer
MATTHEW CLAUSSED

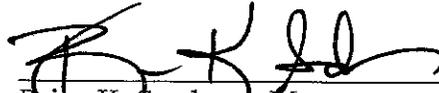
ATTEST:
Deborah A. Longer
Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 5th day of October, 2022 at 5:30 o'clock P.M.

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

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 5th day of

October, 2022.



Brian K. Snedecor, 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: Ross Pietrzak, City Planner

RE: Change to be made on the zone map.

DATE: September 7, 2022

PETITIONER: Patriot Truss & Components
1313 Whitehawk Drive
Crown Point, IN 46307

REQUEST: Rezone from Lake County's Special Exception (Sports facility) to M-1 (Light Manufacturing District)

PROPOSED USE: Manufacturing

GENERAL LOCATION: Located on the SW corner of Colorado Street & 83rd Place

LEGAL DESCRIPTION: PARCEL 1:
LOTS 2 AND 3, STANDARD INDUSTRIAL PARK UNIT 1 TO LAKE COUNTY, INDIANA, AS SHOWN IN PLAT BOOK 39, PAGE 33, IN LAKE COUNTY, INDIANA.

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BEING THE POINT OF BEGINNING, ALL IN LAKE
COUNTY, INDIANA.

PLAN COMMISSION PETITION NO.: 22-33

DATE OF PLAN COMMISSION ACTION: September 1, 2022

DEADLINE FOR CITY COUNCIL ACTION: December 6, 2022

CERTIFICATION:

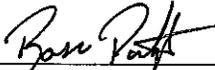
ACTION TAKEN BY PLAN COMMISSION:

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

CONDITIONS: None

VOTE: 8-0

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



Ross Pietrzak, City Planner
City of Hobart

Rezone
Coto 4 8300 PL

PC 22-33

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.

M1 is consistent with the surrounding land.

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:

We are zoning to match adjacent property

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

industrial park

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: incorporated into drainage requirements

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

improving the existing parcel and reactivating the space

[Signature]

8/9/2022
Date

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 **Does or Does Not** comply with the standards in the zoning ordinance.

All of which this 1st day of September, 2022 by a majority vote of the Hobart Advisory Plan Commission.

[Signature]
Plan Commission President

Attest:

[Signature]
Plan Commission Secretary/Zoning Official

MEMORANDUM

DATE: **SEPTEMBER 7, 2022**

TO: **HOBART COMMON COUNCIL MEMBERS
MAYOR BRIAN K. SNEDECOR
CITY ATTORNEY HEATHER McCARTHY**

FROM: **ROSS PIETRZAK, CITY PLANNER**

RE: **PETITION TO REZONE PROPERTY
PLAN COMMISSION PETITION 22-33**

Attached please find a Certification and Proposed Ordinance for your consideration regarding Plan Commission Petition 22-33, a petition request to rezone from Lake County's Special Exception (Sports Facility) to M-1 (Light Manufacturing District) zoned Special Exception, 3.82 acres

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF SEPTEMBER 1, 2022: Present were Russ Posen, DVG and Nick Kopischke, Patriot Truss & Construction. Mr. Kopischke stated he proposes to operate his truss and wall panel construction company from this facility and requested the zone change to M-1. Mr. Pietrzak noted that by rezoning this parcel would basically be housekeeping since the City does not have a Special Exception zone and that Lake County had granted a Special Exception for this property prior to the City's annexation. He felt it should have been zoned M-1 with a note for Special Exception. Ms. Galka opened and closed the public hearing for Petition 22-33 without public comments. Mr. Spain motioned for a Favorable Recommendation to the Common Council for Petition 22-33 including all discussion and Findings of Fact, seconded by Mr. Allen. All ayes, motion carried. (8-0)

