

**ORDINANCE NO. 2024-12**

**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 B-2 ZONE TO R-2 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 24-09** 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 B-2 (Central Business District) classification to R-2 (Single-Family Residential District) zoning classification:

Lot 17 in Block 14, George and William Earle's 2nd Subdivision to Hobart recorded in Plat Book 6, Page 45, in the Office of the Recorder of Lake County, Indiana and that part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 36 North, Range 07 West of the Second Principal Meridian, in the City of Hobart, Lake County, Indiana described as follows: beginning at the Northwest corner of said Lot 17; thence North 89 degrees 36 minutes 08 seconds West along the North line of said Lot 17, a distance of 123.84 feet; thence North 45 degrees 59 minutes 25 seconds East, a distance of 23.11 feet to the Southerly most corner of Lot 1 in said Block 14; thence South 00 degrees 48 minutes 26 seconds East, a distance of 113.86 feet; thence South 45 degrees 59 minutes 25 seconds West, a distance of 192.98 feet to a point on the Easterly Right of Way line of Lake Street as shown on the recorded plat of George and William Earle's 2nd Subdivision to Hobart recorded in Plat Book 6, Page 45, in the Office of the Recorder of Lake County, Indiana; thence North 00 degrees 48 minutes 26 seconds West along the said Easterly Right of Way line, a distance of 232.75 feet to the Point of Beginning, containing 23,377 square feet, 0.537 acres more or less.

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.

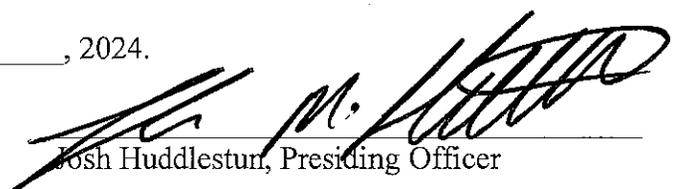
SECTION 3. The Common Council of the City of Hobart finds the zone change will take effect upon the following conditions being fulfilled by the owner:

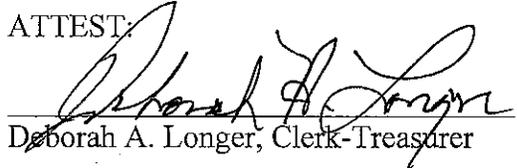
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

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.

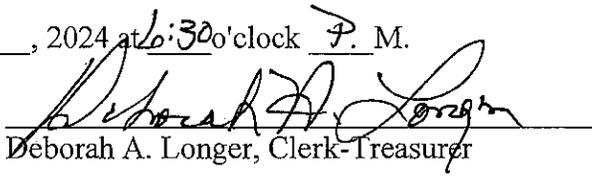
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise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

PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 1<sup>st</sup> day of May, 2024.

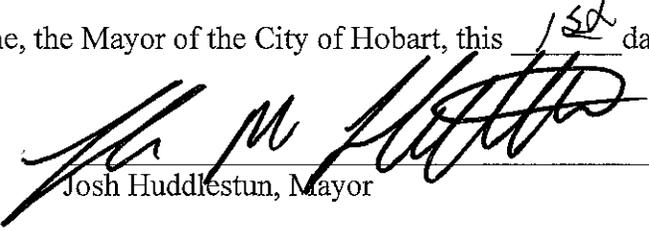
  
Josh Huddleston, Presiding Officer

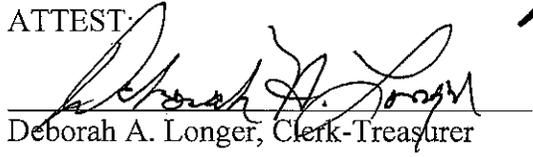
ATTEST:  
  
Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this 1<sup>st</sup> day of May, 2024 at 6:30 o'clock P. M.

  
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 1<sup>st</sup> day of May, 2024.

  
Josh Huddleston, 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: Connor Miller, Zoning Administrator

RE: Change to be made on the zoning map.

DATE: April 10, 2024

PETITIONER: Hobart Lumber Co., Inc.  
Mark Haller  
630 Main Street  
Hobart, IN 46342

REQUEST: Change zone from B-2 (Central Business District) classification to R-2 (Single-Family Residence District)

PROPOSED USE: The construction of 2 new homes

GENERAL LOCATION: Located east of Lake Street & south of 7<sup>th</sup> Street,

LEGAL DESCRIPTION Lot 17 in Block 14, George and William Earle's 2nd Subdivision to Hobart recorded in Plat Book 6, Page 45, in the Office of the Recorder of Lake County, Indiana and that part of the Northeast Quarter of the Southwest Quarter of Section 32, Township 36 North, Range 07 West of the Second Principal Meridian, in the City of Hobart, Lake County, Indiana described as follows: beginning at the Northwest corner of said Lot 17; thence North 89 degrees 36 minutes 08 seconds West along the North line of said Lot 17, a distance of 123.84 feet; thence North 45 degrees 59 minutes 25 seconds East, a distance of 23.11 feet to the Southerly most corner of Lot 1 in said Block 14; thence South 00 degrees 48 minutes 26 seconds East, a distance of 113.86 feet; thence South 45 degrees 59 minutes 25 seconds West, a distance of 192.98 feet to a point on the Easterly Right of Way line of Lake Street as shown on the recorded plat of George and William Earle's 2nd Subdivision to Hobart recorded in Plat Book 6, Page 45, in the Office of the Recorder of Lake County, Indiana; thence North 00 degrees 48 minutes 26 seconds West along the said Easterly Right of Way line, a distance of 232.75 feet to the Point of Beginning, containing 23,377 square feet, 0.537 acres more or less.

PLAN COMMISSION PETITION NO.: 24-09

DATE OF PLAN COMMISSION ACTION: April 4, 2024

DEADLINE FOR CITY COUNCIL ACTION: July 9, 2024

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.



\_\_\_\_\_  
Connor Miller, Zoning Administrator  
City of Hobart

Amended  
R-2 to R-2

PC 2409

**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.

Existing commercial use along 7th street and existing residential area along Lake St.  
Improvements necessary of residential use are currently existing. The lots  
meet or exceed the R-2 requirements. CuThe existing utilities are in place.

The rezoned should should not be granted because; (Must meet all the following requirements.)

X(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.

X(b) the comprehensive plan will not be disrupted or destroyed because:  
Current residential use along Lake Street

X(c) the land involved is suitable for the proposed land change because:  
Current residential use exists along Lake Street

X(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: the area along Lake Street is currently used as residential

X(e) the property value of adjacent property would not be decreased because:  
There is existing commercial use along 7th Street and existing residential along Lake

Mark Balle

3/1/2024

Signature of Petitioner/Agent

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

All of which this 4 day of April, 2024 by a majority vote of the Hobart Advisory Plan Commission.

Maureen Galbraith

Plan Commission President

Attest:

Maureen Galbraith

Plan Commission Secretary/Zoning Official

**MEMORANDUM**

**DATE:** APRIL 10, 2024

**TO:** HOBART COMMON COUNCIL MEMBERS  
MAYOR JOSH HUDDLESTUN  
CITY ATTORNEY HEATHER McCARTHY

**FROM:** CONNOR MILLER, ZONING ADMINISTRATOR

**RE:** PETITION TO REZONE PROPERTY  
PLAN COMMISSION PETITION 24-09

Attached please find a Certification and Proposed Ordinance for your consideration regarding a request for a Rezone from B-2 (Central Business District) to R-2 (Single-Family Residential) for property located east of Lake Street & south of 7<sup>th</sup> Street, zoned B-2, 0.54 acre

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF APRIL 4, 2024: Mr. Allen recused himself. Present was Mark Haller, 1891 E. 10<sup>th</sup> St. Mr. Allen requested to create a 3-lot subdivision and to rezone the 2 lots facing Lake Street to 80' frontage residential lots. Mr. Haller stated he proposes to partner with a contractor to construct 2 homes. Ms. Galka opened the public hearing for Petition 24-09. *Josh Huddlestun, 102 Pembroke Dr. was in favor of additional new residential construction within the Hobart school system. Richard Ehrenfeld, 708 Lake St. was not opposed to residential but was interested in purchasing one of the lots to construct a pole barn for his business.* Hearing no further public comments Ms. Galka closed the public hearing. Mr. Kara motioned for a Favorable Recommendation to the Common Council for Petition 24-09 including all discussion and Findings of Fact, seconded by Mr. Emig. All ayes, motion carried. (8-0)

