

ORDINANCE NO. 2024-20

**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 PUD ZONE TO M-1 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 24-21** 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 PUD (Planned Unit Development) classification to M-1 (Light Manufacturing District) zoning classification:

Parcel 1: Part of the Southwest quarter of Section 24, Township 35 North, Range 8 West of the 2nd P.M., Lake County, Indiana, more particularly described as commencing at a point on the South line of U.S. Highway No. 30, said point being 1103.42 feet East of the West line of said Section 24 as measured along said South line; thence continuing along said South line, South 89 degrees 45 minutes 45 seconds, 182.67 feet; thence South 00 degrees 01 minutes 19 seconds East, 469.00 feet to the point of beginning; thence South 89 degrees 45 minutes 45 seconds East 157.32 feet; thence South 00 degrees 01 minutes 19 seconds East, 754.72 feet to the North line of Stri-Kil Acres Unit No. 2 as recorded in the Office of the Recorder of Lake County, Indiana, in Book 41, Page 142; thence North 89 degrees 48 minutes 11 seconds West along said North line, 122.56 feet to the Northwest corner of said Stri-Kil Acres Unit No. 2 (a distance of) 541.78 feet to the Northerly line of the C & O Railroad; thence North 59 degrees 53 minutes 49 seconds West along said Northerly line, 251.38 feet; thence North 00 degrees 01 minutes 19 seconds West, 1171.48 feet to a point lying 469.00 feet South of the South Line of U.S. Highway No. 30; thence South 89 degrees 45 minutes 45 seconds East, 182.67 feet to the point of beginning.

Parcel 2: Non-exclusive right of way easement made by Ulrich E. Meyer to Gary National Bank as Trustee under Trust No. P-5920 dated September 26, 1979 and recorded October 18, 1979, as Document No. 555386, over and upon the following described property: A 35 foot strip of land described as the West 35.00 feet, except the North 40.00 feet of the following described parcel:

Part of the Southwest quarter of Section 24, Township 35 North, Range 8 West of the 2nd P.M., in Lake County, Indiana, more particularly described as beginning at a point on the South line of U.S. Highway No. 30, said point being 1103.42 feet East of the West line of said Section 24 as measured along said South line; thence continuing along said South line, South 89 degrees 45 minutes 45 seconds East, 182.67 feet; thence South 00 degrees 01 minutes 19 seconds East, 469.00 feet; thence North 89 degrees 45 minutes 45 seconds West 182.67 feet; thence North 00 degrees 01 minutes 19 seconds West, 469.00 feet to the point of begin

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:

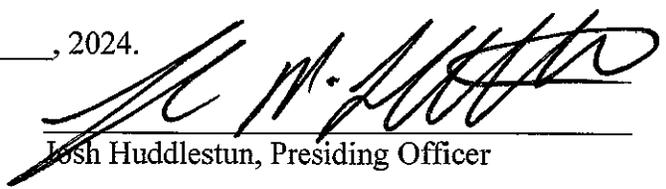
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

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.

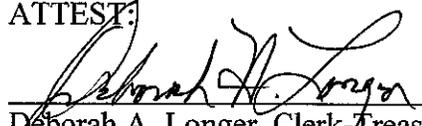
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise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

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

4th day of September, 2024.

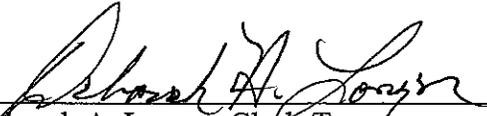

Josh Huddleston, Presiding Officer

ATTEST:

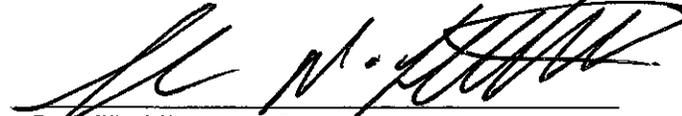

Deborah A. Longer, Clerk-Treasurer

Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

4th day of September, 2024 at 7:15 o'clock P.M.


Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 4th day of
September, 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: Steve McDermott, City Planner

RE: Change to be made on the zoning map.

DATE: August 6, 2024

PETITIONER: SR Real Estate LLC
Rani Saxena
3803 E. Lincoln Highway
Merrillville, IN 46410

REQUEST: Change zone from PUD (Planned Unit Development) classification to M-1 (Light Manufacturing District)

PROPOSED USE: A bionic prosthetics & orthotics facility

GENERAL LOCATION: Located west of Utah Street & 82nd Court

LEGAL DESCRIPTION Parcel 1: Part of the Southwest quarter of Section 24, Township 35 North, Range 8 West of the 2nd P.M., Lake County, Indiana, more particularly described as commencing at a point on the South line of U.S. Highway No. 30, said point being 1103.42 feet East of the West line of said Section 24 as measured along said South line; thence continuing along said South line, South 89 degrees 45 minutes 45 seconds, 182.67 feet; thence South 00 degrees 01 minutes 19 seconds East, 469.00 feet to the point of beginning; thence South 89 degrees 45 minutes 45 seconds East 157.32 feet; thence South 00 degrees 01 minutes 19 seconds East, 754.72 feet to the North line of Stri-Kil Acres Unit No. 2 as recorded in the Office of the Recorder of Lake County, Indiana, in Book 41, Page 142; thence North 89 degrees 48 minutes 11 seconds West along said North line, 122.56 feet to the Northwest corner of said Stri-Kil Acres Unit No. 2 (a distance of) 541.78 feet to the Northerly line of the C & O Railroad; thence North 59 degrees 53 minutes 49 seconds West along said Northerly line, 251.38 feet; thence North 00 degrees 01 minutes 19 seconds West, 1171.48 feet to a point lying 469.00 feet South of the South Line of U.S. Highway No. 30; thence South 89 degrees 45 minutes 45 seconds East, 182.67 feet to the point of beginning.

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PLAN COMMISSION PETITION NO.: 24-21

DATE OF PLAN COMMISSION ACTION: August 1, 2024

DEADLINE FOR CITY COUNCIL ACTION: November 4, 2024

CERTIFICATION:

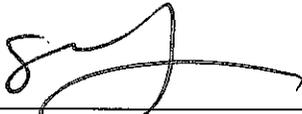
ACTION TAKEN BY PLAN COMMISSION:

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.



Steve McDermott, City Planner
City of Hobart

3803 E Lincoln Hwy

PC 24-21

Rezone

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.

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:
part of comprehensive plan which is already established

(c) the land involved is suitable for the proposed land change because:
surrounding buildings are already designated for similar use

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land because: Area is already marked/zoned for commercial use and light manufacturing

(e) the property value of adjacent property would not be decreased because:
similar properties around the building.

Lawrence
Signature of Petitioner/Agent

06.10.2024
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 1st day of August, 2024 by a majority vote of the Hobart Advisory Plan Commission.

Maria Gade
Plan Commission President

Attest:
Michelle
Plan Commission Secretary/Zoning Official

MEMORANDUM

DATE: AUGUST 6, 2024

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

FROM: STEVE McDERMOTT, CITY PLANNER

RE: PETITION TO REZONE PROPERTY
PLAN COMMISSION PETITION 24-21

Attached please find a Certification and Proposed Ordinance for your consideration regarding a request for a Rezone from PUD (Planned Unit Development) to M-1 (Light Manufacturing District) for property located west of Utah St. & 82nd Ct., zoned PUD, 8.28 acre

DRAFT PUBLIC HEARING MINUTES OF THE PLAN COMMISSION MEETING OF AUGUST 1, 2024: Present was Steve Richter, Director of Finance for Bionic Prosthetics Orthotics. Mr. Richter stated they have been operating from the facility and are proposing to expand fabricating facility use and requested to rezone to correspond with the surrounding M-1 zoned properties. The PUD was created in 1993 after the City annexed portions of unincorporated Lake County to match their previous zoning classification. Ms. Galka opened and closed the public hearing for Petition 24-21 without public comments. Mr. Allen motioned for a Favorable Recommendation to the Common Council for Petition 24-21 including all discussion and Findings of Fact, seconded by Mr. Schultz. All ayes, motion carried. (8-0)

Regular meetings are held on the 1st and 3rd Wednesdays of each month in the Council Chambers, 2nd floor, Hobart City Hall

CITY OF HOBART

AGENDA ITEM REQUEST FORM

ORD 2024-20

(PLEASE PRINT)

MEETING DATE: AUGUST 21, 2024

BOARD OF PUBLIC WORKS (3:30 p.m.)

COMMON COUNCIL (6:00 p.m.)

ITEM TO BE ADDED TO AGENDA PC 24-21 REZONE FROM PUD TO M-1
3803 E LINCOLN HIGHWAY
BIONIC PROSTHETICS & ORTHOTICS FACILITY

SUPPORTING DOCUMENTATION ATTACHED MEMO/MINUTES, ORDINANCE,
CERTIFICATION & REPORT & FINDINGS OF FACT

REQUEST SUBMITTED BY JOY
ADDRESS (DEPARTMENT) PLANNING/ZONING
PHONE NUMBER (EXT) _____

DATE SUBMITTED AUGUST 6, 2024