

**ORDINANCE NO. 2019-03**

**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 B-3 ZONE CLASSIFICATION**

WHEREAS, THE HOBART CITY PLAN COMMISSION by a majority vote recommended that its **Petition No. 19-07** 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 District) classification to B-3 (Highway Oriented Business District) zoning classification:

Hobart Mini Storage Depot, Lot 2

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:

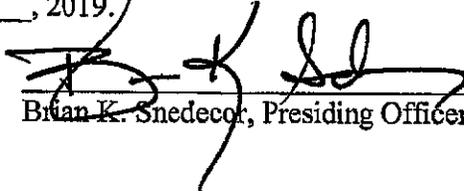
All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Hobart, Indiana and shall have obtained the proper permits.

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.

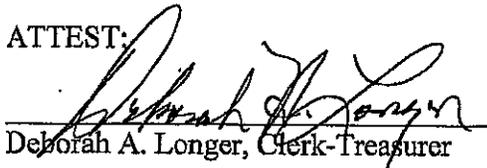
SECTION 5. Since an emergency exists for the immediate taking effect of this Ordinance, the same shall be in fully force and effect from and after its passage by the Common Council of the City of Hobart; upon the approval of the Mayor of the City of Hobart Indiana; and as soon thereafter as otherwise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

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

3<sup>rd</sup> day of April, 2019.

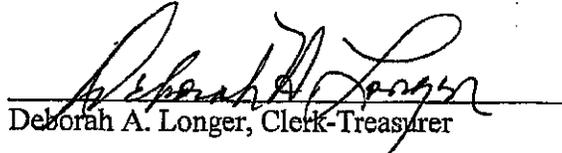
  
Brian K. Snedecor, Presiding Officer

ATTEST:

  
Deborah A. Longer, Clerk-Treasurer

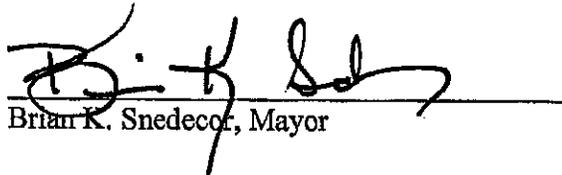
Presented by me to the Mayor of the City of Hobart, Indiana, for his approval and signature this

3<sup>rd</sup> day of April, 2019 at 7:30 o'clock P. M.

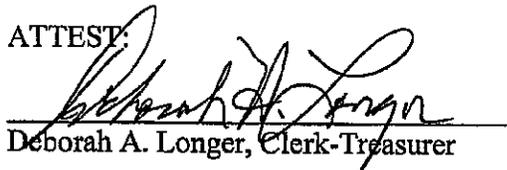
  
Deborah A. Longer, Clerk-Treasurer

APPROVED and SIGNED by me, the Mayor of the City of Hobart, this 3<sup>rd</sup> day of

April, 2019.

  
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: Sergio Mendoza, City Planner

RE: Change to be made on the zone map.

DATE: March 8, 2019

PETITIONER: Andy Ademi  
4280 E. Highway 30  
Merrillville, IN 46410

REQUEST: Change zone from PUD (Planned Unit Development District)  
classification to B-3 (Highway Oriented Business District)

PROPOSED USE: Proposed auto sales, services, detailing & rental

GENERAL LOCATION: Approximately 0.04 miles west from the NW corner of Highway  
30 & Clay Street.

LEGAL DESCRIPTION Hobart Mini Storage Depot, Lot 2

PLAN COMMISSION PETITION NO.: 19-07

DATE OF PLAN COMMISSION ACTION: March 7, 2019

DEADLINE FOR CITY COUNCIL ACTION: June 5, 2019

**CERTIFICATION:**

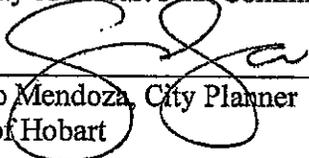
**ACTION TAKEN BY PLAN COMMISSION:**

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.

  
\_\_\_\_\_  
Sergio Mendoza, City Planner  
City of Hobart

REZONE  
Pub to B-3  
4280 E. Hwy 30  
PC 19-07

**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.

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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:

future appropriate general business & industrial use

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

B-3 will open up multiple business use for Route 30 as one already

(d) the topography is suitable for the proposed land use without adverse effect upon the surrounding land Business

because: sit along thru

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

only change use sit along thru

[Signature]

Signature of Petitioner/Agent

01/05/19

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 7<sup>th</sup> day of March, 2019 by a majority vote of the Hobart Advisory

Plan Commission.

[Signature]

Plan Commission President

Attest:

[Signature]  
Plan Commission Secretary/Zoning Official