

2009-01  
~~ORDINANCE 2008~~ \_\_\_\_\_

**ORDINANCE TO AMEND CHAPTER 8  
OF THE LAPORTE COUNTY ZONING & SUBDIVISION CONTROL ORDINANCE**

WHEREAS, LaPorte County Advisory Plan Commission held a public hearing on the 25<sup>th</sup> of November, 2008 regarding amendments to the zoning and subdivision control ordinance; and

WHEREAS, after such public hearing various comments were made concerning such ordinance; and

WHEREAS, the LaPorte County Advisory Plan Commission has recommended changes to such zoning and subdivision control ordinance.

NOW THEREFORE, be it ordained by the Board of Commissioners of LaPorte County that Chapter 8, Zoning and Subdivision Control Ordinance be amended as follows:

1. Exhibit "A".
2. That this Ordinance shall take effect upon its passage.
3. That all Ordinances or parts of Ordinances not in conflict herewith shall remain in full force and effect.

ADOPTED on this 20th day of January 2009.

Barbara Huston  
President

MBE  
Vice President

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Member

ATTEST

Craig Hinchman  
Auditor

## EXHIBIT "A"

The following Sections shall now be read as follows:

### SECTION 8-7 RESIDENTIAL USE DEVELOPMENT.

- B. Parent parcel tract. A parent parcel or tract is a combination of parcels that are contiguous and are of the same common ownership. A parent parcel may divide into additional residential parcels under the following conditions:
1. One residential parcel for each 30 acres up to 150 acres. An additional residential parcel for each 50 acres about 150 acres.
  2. All residential splits may be done individually or as a combination of residential parcels and a minor subdivision.
  3. A parent parcel may not be further split or divided for residential purposes for seven (7) years after the original purchase.


### Amend SECTION 8-74 LOCATION OF SUBDIVISIONS.

- B. MINOR SUBDIVISIONS.

A minor subdivision may be developed on a County road for which such development will not have an adverse impact on additional traffic with the placement of additional driveways.

### Amend SECTION 8-98 PUBLIC HEARING OF PLAT VACATION

- A. The Petitioner shall be required to notify all owners of a plat by certified mail or personal notice.
- B. The Plan Commission shall hold a public hearing on the proposed vacation of the plat or part of the plat after ensuring due notice has been given to all interested parties and publication of the public hearing.
- C. Such notice shall be ten (10) days prior to the public hearing.
- D. The Plan Commission may vacate all or part of the plat under the following findings:
1. Conditions in the plat have changed to defeat the original purpose of the plat.
  2. It is in the public interest to vacate all or part of the plat.
  3. The value of the remaining portion of the land in the plat not owned by the Petitioner will not be diminished by the vacation.

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- E. The Petitioner of such plat vacation, if approved, must have such order regarding the amendment of the plat based on the decision of the Plan Commission recorded with the Recorder.
- E. The order may further provide for limitations on any covenants regarding such vacated portion of the plat to include the deletion of all such covenants on the vacated portion or what amended covenants would apply to such vacated portions.
- G. The remonstrators of such vacation proceedings must show one of the following:
1. The vacation would hinder the growth or orderly development of the neighborhood in which it is located or to which it is contiguous.
  2. The vacation would make access to the lands of the agreed person by means of a public way difficult and inconvenient.
  3. The vacation would hinder the public's access to a church, school or other public building or place.
  4. The vacation would hinder use of a public way by the neighborhood for which it is located or which it is contiguous.