

**LAPORTE COUNTY BOARD OF COMMISSIONERS**

**ORDINANCE NO. 2021-3**

**AMENDING THE ZONING MAP OF LAPORTE COUNTY, INDIANA  
TO REZONE PROPERTY OWNED BY  
BRIAR RIDGE PARTNERSHIP FROM R1B TO R2A**

**WHEREAS**, Petitioner, Briar Ridge Partnership, filed a Petition with the LaPorte County Plan Commission requesting that certain vacant real estate situated in Center Township, County of LaPorte, Indiana be rezoned from R1B to R2A, which is described as follows:

A PARCEL OF LAND SITUATED IN THE NW ¼ OF THE SW ¼ OF SECTION 14, TOWNSHIP 37 N, RANGE 3 W, LAPORTE COUNTY, INDIANA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE MARKING THE W ¼ CORNER OF SECTION 14, TOWNSHIP 37 N, RANGE 3 W LAPORTE COUNTY, INDIANA, FOR THE POINT BEGINNING: THENCE N 88° 28' 02" E, ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 14, A DISTANCE OF 979 FEET TO AN IRON PIPE; THENCE S 1° 33' 00" E, A DISTANCE OF 484 FEET TO AN IRON PIPE; THENCE S 88° 28' 02" W, A DISTANCE OF 979 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 14; THENCE N 1° 33' 00" W, ALONG SAID WEST LINE, A DISTANCE OF 484 FEET TO THE POINT OF BEGINNING, CONTAINING 10.877 ACRES, MORE OR LESS.

PARCEL ID of: 46-06-14-300-045.000-042.

**WHEREAS**, following the filing of the Petition the Plan Commission scheduled a public hearing on the Petition for April 27, 2021; and

**WHEREAS**, the Plan Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition and of the date and time of the public hearing on the subject Petition by publication in the manner prescribed by IC § 5-3-1-1 *et seq.*; and

**WHEREAS**, the Plan Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition as well as the date and time of the hearing on the subject Petition to the persons entitled to notice under the Indiana and LaPorte County Codes; and

**WHEREAS**, the Plan Commission conducted the public hearing on the Petition April 27,

passed on 1st Reading  
passed on 2nd Reading } 5-5-2021

**ORIGINAL**

2021, and following said hearing determined that the above-described real estate should be rezoned from R1B to R2A all as permitted by the Joint Zoning Ordinance and Indiana law, and certified its findings and determinations, including those required by IC § 36-7-4-603, with a favorable recommendation for passage of this Ordinance; and

**WHEREAS**, the Board of Commissioners has caused the necessary notice of its intention to consider the proposed change in the zoning map as required by IC § 5-14-1.5-5; and

**WHEREAS**, the Board of Commissioners has paid reasonable regard, consideration, and attention to the recommendation of the Plan Commission, to the documentation and other evidence presented to the Board of Commissioners regarding the proposed zoning change, and to the legal requirements applicable to the Board of Commissioner's decision, including, the requirements set forth in IC § 36-7-4-603; Article 30 of the Joint Zoning Ordinance; the County's Comprehensive Plan; the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the County; and responsible development and growth.

**NOW, THEREFORE, BE IT ORDAINED** by the LaPorte County Board of Commissioners, pursuant to applicable laws, including IC § 36-7-4-608 and Article 30 of the Joint Zoning Code, as follows:

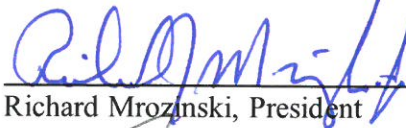
1. The Board of Commissioners finds, based on all the evidence before it, that:
  - A. The requested change in zoning for the property described above from R1B to R2A is compatible with the County's Comprehensive Plan, the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the County; and responsible development and growth; and
  - B. The requested change in zoning will provide for the most reasonable use for which the affected property is adapted and the proposed land use will not have an adverse effect on surrounding land; and
  - C. The requested change in zoning will not be injurious or detrimental to the surrounding property values and will further the conservation of property values throughout the County; and
  - D. The requested change in zoning will promote orderly and responsible community growth and development and will not adversely affect the community; and
  - E. The topography, soil condition, and other physical features of the land involved are suitable for the proposed use and zoning change; and
  - F. The change in zoning is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and
  - G. The change in zoning will not disrupt or destroy any neighborhood plan.
2. The Board of Commissioners finds it is in the best interests of the County of LaPorte, Indiana and its citizens to accept and approve the favorable recommendation of the Plan Commission that the requested change in the County's zoning map be approved by the

Board of Commissioners.

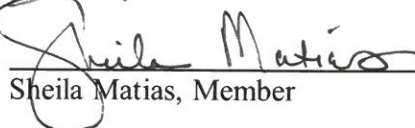
3. The zoning for the above-described real estate located in Center Township, County of LaPorte, State of Indiana, should be and is changed from R1B to R2A; the zoning map of LaPorte County, Indiana shall be amended to reflect this change; and the amended zoning map shall be available in the office of the Plan Commission for review and copying by the public.
4. A certified copy of this Ordinance shall be recorded with the LaPorte County Recorder in order that the same may be placed of record with that Office.


**ADOPTED** by the LaPorte County Board of Commissioners this 5<sup>th</sup> day of May, 2021.

**LaPorte County Board of Commissioners**

  
Richard Mrozinski, President

  
Joe Haney, Vice-President

  
Sheila Matias, Member

  
Attest