

LA PORTE COUNTY BOARD OF COMMISSIONERS

ORDINANCE NO. 2022- 4

AMENDING THE ZONING MAP OF LA PORTE COUNTY, INDIANA
TO REZONE PROPERTY OWNED BY MEADOW CREEK
DEVELOPMENT LLC FROM B2 TO R1A

WHEREAS, Petitioner, Meadow Creek Development LLC ("Petitioner"), filed a petition with the La Porte County Plan Commission requesting that certain vacant real estate situated in New Durham Township, County of La Porte, Indiana be rezoned from B2 to R1A, which is described as follows:

A tract of land in the South ½ of Section 8, Township 36 12 of Section 8, Township 36 North, Range 4 West, New Durham Township, La Porte County, Indiana, more particularly described as follows:

Commencing at a brass pin marking the East quarter corner of Section 8; thence North 89 degrees 46 minutes 17 seconds West (N 89°46'17" W), a distance of two thousand seven hundred forty eight and 28/100 feet (2,748.28') along the East West centerline of Section 8; thence South 8 degrees 0 minutes 26 seconds East (S 08°00'26" E), a distance of five hundred fifty four and 2/100 feet (554.02') to the POINT OF BEGINNING; thence North 81 degrees 59 minutes 34 seconds East (N 81°59'34" E), a distance of two hundred eighty nine and 21/100 feet (289.21'); thence South 8 degrees 0 minutes 26 seconds East (S 08°00'26" E), a distance of three hundred twenty eight and 61/100 feet (328.61'); thence South 89 degrees 59 minutes 54 seconds East (S 89°59'54" E), a distance of one hundred fifty five and 31/100 feet (155.31'); thence South 0 degrees 28 minutes 32 seconds West (S 00°28'32" W), a distance of five hundred ten and 00/100 feet (510.00'); thence North 89 degrees 31 minutes 27 seconds West (N 89°31'27" W), a distance of two hundred and 48/100 feet (200.48'); thence North 89 degrees 35 minutes 17 seconds West (N 89°35'17" W), a distance of one hundred seventy one and 33/100 feet (171.33'); thence North 8 degrees 0 minutes 26 seconds West (N 08°00'26" W), a distance of eight hundred feet (800.00') to the POINT OF BEGINNING containing 6.83 acres.

WHEREAS, following the filing of the Petition, the Plan Commission scheduled a public hearing on the Petition for May 24, 2022; 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 Ind. Code § 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 La Porte County codes; and

WHEREAS, the Plan Commission conducted the public hearing on the petition May 24, 2022, and following said hearing determined that the above-described real estate should be rezoned from B2 to R1A as permitted by the Joint Zoning Ordinance and Indiana law, and certified its findings and determinations, including those required by Ind. Code § 36-7-4-603 with a favorable recommendation for passage of this Ordinance; 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 Commissioners' decision, including the requirements set forth in Ind. Code § 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 La Porte County Board of Commissioners, pursuant to applicable laws, including Ind. Code § 36-7-4-608 and Article 30 of the Joint Zoning Code, as follows:

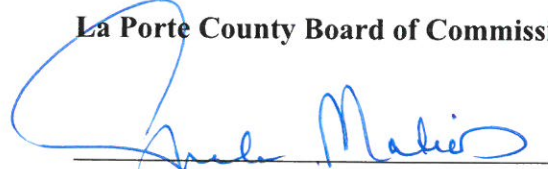
1. The Board of Commissioners finds, based on all the evidence before it, that:
 - a. The requested change in zoning for the property described above from B2 to R1A is compatible with the County's Comprehensive Plan, the current conditions and the character of the current structures and uses in each 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 nor destroy any neighborhood plan.
2. The Board of Commissioners finds it is in the best interests of the County of La Porte, 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 New Durham Township, County of La Porte, State of Indiana, should be and is changed from B2 to R1A; the Zoning Map of La Porte 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 La Porte County Recorder in order that the same may be placed of record with that Office.

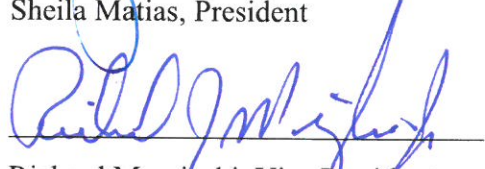
ADOPTED by the La Porte County Board of Commissioners this 15th day of June, 2022.

1st Read 6-1-2022
 2nd Read 6-15-2022

La Porte County Board of Commissioners



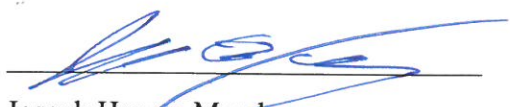
Sheila Matias, President



Richard Mrozinski, Vice President



Attest: Timothy Stabosz, Auditor



Joseph Haney, Member

ORIGINAL