

ORDINANCE NO. 2024-8

**AMENDING THE ZONING MAP OF LA PORTE COUNTY, INDIANA
TO REZONE CERTAIN PROPERTY LOCATED IN
COOLSPRING TOWNSHIP FROM R1A TO A**

WHEREAS, Andrew E. Skwiat (the “Petitioner”) filed a Petition (the “Petition”) with the La Porte County Plan Commission (the “Plan Commission”) on November 26, 2024 asking that certain property in Coolspring Township in La Porte County be rezoned from R1A to A, namely, property with a common address of 1655 North Shebel Road, Michigan City, IN 46360, and Parcel ID of 46-05-27-300-002.000-046 (the “Property”), which Property is located largely between W 200 N to the north, Wozniak Road to the east, W Division Rd to the south, and W Shebel Road to the west, and which Property is legally described on **Exhibit 1** attached hereto and incorporated herein; and

WHEREAS, following the filing of the Petition the Plan Commission scheduled a public hearing on the Petition for November 26, 2024; and

WHEREAS, at that public hearing 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 thereon by publication in the manner prescribed by Ind. Code § 5-3-1-1 *et. seq.*; and

WHEREAS, the Plan Commission conducted the public hearing on the Petition and following said hearing, determined that the portions of the Property currently zoned R1A should be rezoned to Agricultural, all as permitted by the Joint Zoning Ordinance and Indiana law, and provided a favorable recommendation to the Board of Commissioners to rezone the portions of the Property currently zoned R1A to Agricultural.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of La Porte County, Indiana, pursuant to applicable laws, including Ind. Code § 36-7-4-608, that:

1. The Board of Commissioners find, based on all the evidence before it, that:
 - A. The requested change in zoning for the portions of the Property currently zoned R1A to Agricultural is compatible with the County’s

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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;

B. The requested change in zoning will provide for the most reasonable use for which the Property is adapted and the proposed land use will not have an adverse effect on surrounding land;

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;

D. The requested change in zoning will promote orderly and responsible community growth and development and will not adversely affect the community;

E. The topography, soil condition, and other physical features of the land involved are suitable for the proposed use and zoning change;

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 find that it is in the best interests of La Porte County and its residents that the Board of Commissioners accept and approve the recommendation of the Commission that the requested change in the County's zoning map be approved by the Board of Commissioners.

3. The zoning for the entirety of the Property, situated at 1655 North Shebel Road, Michigan City, IN 46360 in La Porte County, Parcel ID 46-05-27-300-002.000-046, legally described on Exhibit 1, shall be Agricultural and, as a result, the portions of the Property currently zoned R1A shall be changed to Agricultural; and the zoning map of La Porte County, Indiana shall be amended to reflect this change; and the amended zoning map shall hereafter be available in the County's Building Department for review and copying by the public.

4. The Clerk shall furnish a certified copy of this Ordinance to the County Recorder for recording and to the County Auditor.

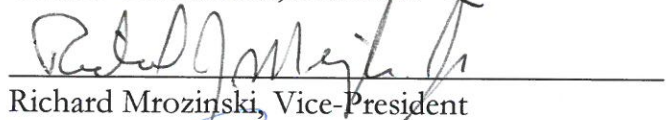
5. This Ordinance shall be in effect from and after its passage according to law.

PASSED AND ADOPTED this 9th day of December, 2024.

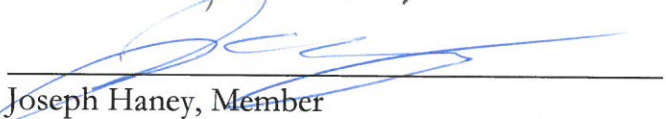
COMMISSIONERS OF LA PORTE
COUNTY, INDIANA



Connie Gramarossa, President




Richard Mrozinski, Vice-President



Joseph Haney, Member

ATTEST:


Timothy Stabosz, Auditor, La Porte County

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EXHIBIT 1

Legal Description

Parcel I: (46-05-27-300-002.000-046)

The Northeast 1/4 of the Southwest 1/4 AND part of the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 37 North, Range 4 West, La Porte County, Indiana, containing Forty-eight and Ten Thousandths (48.010) acres, more particularly described as follows: Commencing at the center of said Section 27; thence South 0 degrees 40 minutes East, along the East line of the Southwest 1/4 of said Section 27, a distance of 1320.91 feet; thence South 89 degrees 22 minutes West, a distance of 1314.20 feet; thence North 0 degrees 41 minutes West, a distance of 1321.30 feet; thence North 0 degrees 43 minutes West, a distance of 584.86 feet to the centerline of Shebel Road; thence North 83 degrees 27 minutes East, along the centerline of said Shebel Road, a distance of 576.45 feet; thence South 1 degree 24 minutes East, a distance of 644.74 feet; thence North 89 degrees 22 minutes East, a distance of 733.43 feet to the place of beginning.

Part of the West 1/2 of the Northeast 1/4 AND Part of the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 37 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the center of said section 27 for the true place of beginning; thence South 89 degrees 22 minutes West along the South line of the Northwest 1/4 of said Section 27, a distance of 733.43 feet; thence North 1 degree 24 minutes West, a distance of 644.74 feet to the center line of Shebel Road; thence North 83 degrees 27 minutes East along said center line, a distance of 155.27 feet; thence North 4 degrees 14 minutes East along the center line of said Shebel Road, a distance of 643.88 feet; thence North 35 degrees 44 minutes East along the center line of Shebel Road, a distance of 22.95 feet; thence North 88 degrees 49 minutes East, a distance of 521.34 feet; thence North 00 degrees 31 minutes West, a distance of 664.26 feet; thence South 88 degrees 30 minutes East, a distance of 574.14 feet; thence South 00 degrees 38 minutes East, a distance of 1969.45 feet; thence South 89 degrees 27 minutes West, a distance of 577.39 feet to the place of beginning, EXCEPT THEREFROM THE FOLLOWING DESCRIBED TRACT: Part of the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 37 North, Range 4 West of the 2nd Principal Meridian, LaPorte County, Indiana, being more particularly described as follows: Commencing at the center of said Section 27; thence South 89 degrees 22 minutes West along the East-West center, line of said Section 27, a distance of 733.43 feet; thence North 01 degree 24 minutes West a distance of 404.62 feet, to the true place of beginning of the following exception; thence continue North 01 degree 24 minutes West, a distance of 240.12 feet to a point on the center line of Shebel Road; thence North 83 degrees 27 minutes East along the center line of said Shebel Road, a distance of 155.27 feet; thence North 04 degrees 14 minutes East along the center line of said Shebel Road, a distance of 644.44 feet; thence North 35 degrees 44 minutes East along the center line of said Shebel Road, a distance of 22.95 feet; thence North 88 degrees 49 minutes East, a distance of 218.28 feet; thence South 04 degrees 14 minutes West, a distance of 256.14 feet; thence South 29 degrees 33 minutes 21 seconds East, a distance of 63.94 feet; thence South 16 degrees 00 minutes West, a distance of 220.00 feet; thence South 04 degrees 14 minutes West, a distance of 290.00 feet; thence South 86 degrees 25 minutes 54 seconds West, a distance of 167.22 feet; thence South 83 degrees 27 minutes West, a distance of 50.0 feet; thence South 06 degrees 33 minutes East, a distance of 78.89 feet; thence South 83 degrees 27 minutes West, a distance of 151.82 feet to the place of beginning, said exception being also known as Novak's Third Century Farms, which is recorded in Plat Book 15 page 13, and as amended by Instrument recorded April 13, 1977 as Instrument No, 77-3621, in the Office of the Recorder of LaPorte County, Indiana.

ALSO EXCEPT THE FOLLOWING DESCRIBED TRACT:

A parcel of land situated in the Northeast Quarter of Section 27, Township 37 North, Range 4 West of the Second Principal Meridian, LaPorte County, Indiana and being a part of a parcel of land as described and recorded in Instrument No. 2012R-14217, in the Office of the Recorder of La Porte County, Indiana and being more particularly described as follows:

Commencing at a found cast iron monument marking the North Quarter corner of said Section 27; thence South 00°30'23" East, along the West line of the Northeast Quarter of said Section 27, a distance of 656.54 feet to the Northwest corner of a parcel of land as described and recorded in Instrument No. 2012R-14217 for the point of beginning, said point being also the Northeast corner of a parcel of land as described in Instrument No. 2012R-06076 in the Office of the Recorder of La Porte County, Indiana; thence South 88°33'53" East, along the North line of said parcel recorded in Instrument No. 2012R-14217, a distance of 573.60 feet to the Northeast corner of said parcel; thence South 00°37'34" East, along the East line of said parcel, a distance of 639.35 feet to an iron rod; thence South 88°55'38" West, a distance of 574.64 feet to a corner of said parcel, said point being also the Southeast corner of the parcel of land as described in Instrument No. 2012R-06076; thence North 00°30'23" West, along the West line of the Northeast Quarter of said Section 27, being also the West line of said parcel recorded in Instrument No. 2012R-14217 and the East line of said parcel recorded in Instrument No. 2012R-06076, a distance of 664.46 feet to the point of beginning, containing 8.589 acres.

Lot 3 in Novak's Third Century Farms, which is recorded in Plat Book 15 page 13, and as amended by Instrument recorded April 13, 1977 as Instrument No. 77-3621, in the Office of the Recorder of LaPorte County, Indiana.

Lot 1 in Novak's Third Century Farms, which is recorded in Plat Book 15 page 13, and as amended by Instrument recorded April 13, 1977 as Instrument No. 77-3621, in the Office of the Recorder of LaPorte County, Indiana.

A parcel of land situated in the Northeast Quarter of Section 34, Township 37 North, Range 4 West, lying South of the Indian Boundary Line and parcel #2, being the East 32.82 acres off the East side of that part of the Northeast Quarter of Section 34, Township 37 North, Range 4 West, that lies North of the Indian Boundary Line, all in LaPorte County, Indiana, and being a part of a parcel of land as described and recorded in microfilm record 94-15800 in the Office of the Recorder of LaPorte County, Indiana, and being more particularly described as follows:

Parcel #1

Commencing at a found cast iron monument marking the Northwest corner of the Northeast Quarter of Section 34, Township 37 North, Range 4 West, lying South of the Indian Boundary Line; thence N 88°45'49" E, along the Indian Boundary Line, a distance of 1621.18' to an iron rod marking the Northwest corner of a parcel of land as described and recorded in microfilm record 2005R-20797 in the Office of the Recorder of LaPorte County, Indiana; thence S 21°47'30" E, along the Westerly line of said parcel and along the centerline of Shebel Road, a distance of 300.00' to a survey nail marking the Southwesterly corner of said parcel for the point of beginning; thence N 88°45'49" E, along the South line of said parcel, a distance of 273.19' to an iron rod marking the Southeast corner of said parcel; thence N 01°14' 11" W, along the East line of said parcel, a distance of 280.90' to an iron rod marking the Northeast corner of said parcel, being on the Indian Boundary Line; thence N 88°45'49" E, along the Indian Boundary Line, a distance of 793.64' to a found cast iron monument marking the Northeast corner of the Northeast Quarter of said Section 34 South of the Indian Boundary Line; thence S 00°38'49" E, along the East line of said Northeast Quarter South of the Indian Boundary Line, a distance of 933.36' to a found cast iron monument marking the East Quarter corner of said Section 34; thence S 87°42'20" W, along the South line of the Northeast Quarter of said Section 34 South of the Indian Boundary line, a distance of 807.29' to a survey nail on the centerline of Shebel Road; thence N 21°46'45"W, along said centerline of Shebel Road, distance of 712.65' to the point of beginning; Containing 19.302 acres.

ALSO

Parcel #2

A parcel of land being 32.8200 acres off the East side of that part of the Northeast Quarter of Section 34, Township 37 North, Range 4 West, LaPorte County, Indiana, and being more particularly described as follows:

Commencing at an iron pipe over a found stone marking the Southeast corner of the Northeast Quarter of Section 34; Township 37 North, Range 4 West, North of the Indian Boundary Line, for the point of beginning; thence S 88°43'33"W, along the Indian Boundary Line, a distance of 171.24' to a found cast iron monument marking the Northeast corner of the Northeast Quarter of said Section 34 South of the Indian Boundary Line; thence S 88°45'49" W, along the Indian Boundary Line, a distance of 631.17' to an iron rod; thence N 01°05'16" W, along the West line of the East 32.8200 acres off the East side of the Northeast Quarter of said Section 34 North of the Indian Boundary Line, a distance of 1780.97' to an iron rod on the North line of said Section 34; thence N 88°39'34" E, along the North line of said Section 34, a distance of 802.41' to a found iron pipe marking the Northeast corner of said Section 34; thence S 01°05'16" E, along the East line of the Northeast Quarter of said Section 34 North of the Indian Boundary Line, a distance of 1782.32' to the point of beginning; Containing 32.8200 acres.

A parcel of land situated in the Northeast Quarter of Section 34, Township 37 North, Range 4 West, North of the Indian Boundary Line, LaPorte County, Indiana, and being a part of a parcel of land as described as recorded in microfilm 2016R-00929 in the Office of the Recorder of LaPorte County, Indiana and being more particularly described as follows:

Commencing at a found cast iron monument over a stone marking the Northwest corner of the Northeast Quarter of Section 34, Township 37 North, Range 4 West, South of the Indian Boundary line, LaPorte County, Indiana; thence North 88°45'49" East, along the Indian Boundary Line, a distance of 1202.78 feet to a survey nail for the point of beginning; thence North 01°05'16" West, a distance of 1778.23 feet to an iron rod on the North line of said Section 34; thence North 88°39'34" East, along said North line, a distance of 959.39 feet to an iron rod marking the Northeast corner of said parcel recorded in microfilm record 2016R-00929; thence South 01°05'16" East, along the East line of said parcel, a distance of 1780.97 feet to an iron rod on the Indiana Boundary Line; thence South 88°45'49" West, along the Indian Boundary Line, a distance of 959.39 feet to the point of beginning; containing 39.208 acres.

EXAMINED AND APPROVED BY THE
BOARD OF COMMISSIONERS OF THE
COUNTY OF LA PORTE, INDIANA
DATE

12-9-2024
George Spanarosa
Robert M. [unclear]

ATTEST:

Auditor
LA PORTE COUNTY, INDIANA

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