

NOTE: MUST BE ACTED UPON WITHIN 30 DAYS

91027647

PENDING ORDINANCE NO. 90-36
ORDINANCE NO. 6455
As Amended _____
Certification Date _____
Certified By _____
Favorably _____
Unfavorably _____

AN ORDINANCE AMENDING TITLE 15 ENTITLED
"LAND USAGE" CHAPTER 163 ENTITLED
"ZONING CODE" OF THE CODE OF ORDINANCES OF
THE CITY OF GARY, INDIANA

BE IT ORDAINED by the Common Council of the City of Gary, Indiana, as follows:

Section 1. Chapter 163 entitled "Zoning Ordinance" of the Code of Ordinance of the City of Gary, Indiana, 1982, and particularly the Zoning Maps which are made a part thereof, be, and the same are hereby, amended as follows:

By establishing a special use permit for the property described as to-wit:

2700 West 5th Avenue, Gary, Indiana

The petition was favorably recommended by the City Board of Zoning Appeals on April 17, 1990 subject to the following conditions:

1. There shall not be a curb cut along 5th Avenue or Marshall Street.
2. A 2' to 3' landscaped area shall be employed along 5th Avenue (grass and small shrubs).
3. There shall be no more than 25 cars on the property for sale at anytime.
4. There shall be no repairs of any vehicles.
5. All vehicles for sale must be in operable condition at all times.
6. The special use permit is pending upon existing litigation, rezoning, and elimination of code violations.
7. All conditions must be completed within 180 days after Councilmatic approval.
8. Professionally done signage (show invoice).

Section 2. That the Director of the Department of Planning and Development is hereby authorized and directed, upon enactment and approval of this ordinance, to cause a change to be made on the Zoning Map Sheets by making certain notations in ink thereon and to record the date of this Amendatory Ordinance.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and publication according to law.

FILED

MAY 31 1991

Anna N. Antone
AUDITOR LAKE COUNTY

Katie Hall
401 B'way E
Gary 46402

22.00
01760



STATE OF INDIANA/S.S.A.N.D.
LAKE COUNTY
FILED FOR RECORD
MAY 6 9 59 AM '91
ROBERT B. BENTLEY
RECORDER

Passed by the Common Council of the City of Gary, Indiana
this 15th day of May, 1990.

Gardner Bellamy
PRESIDING OFFICER

ATTEST:

Katie Hall
CITY CLERK

Presented by me to the Mayor for his approval and
signature this 16th day of May, 1990.

Katie Hall
CITY CLERK

1990 APPROVED and SIGNED by me this 21 day of May,

Document is
NOT OFFICIAL!
Arnold Barnes
MAYOR, CITY OF GARY, INDIANA

This Document is the property of
Favorably Recommended by Gary Board of Zoning Appeals

Petitioner: Al Williams, d/b/a Al's Auto Sales
2700 West 5th Avenue
Gary, Indiana
c/o Jonathan Alpert, Attorney

Prepared by: Law Department (GK)

Sponsored by: Gary Board of Zoning Appeals

COMMITTEE ASSIGNMENT
1st Reading/Date 5-1-90 Reported-Out/Date 5-1-90
2nd Reading/Date 5-1-90 Committee Hearing/Date
3rd Reading/Date 5-15-90 Public Hearing/Date 5-15-90
Passed/Date 5-15-90 Final Reading/Date
Tabled/Date _____ Defeated/Date _____ Deferred/Date
Override/Date _____ Adopted/Date 5-15-90

NOTICE TO BE SUBMITTED IN 25 COPIES (PLEASE TYPE OF PRINT) AND ACCOMPANIED BY A \$ 7500 CHECK OR MONEY ORDER PAYABLE TO THE "CITY OF GARY". ATTACH A SCALE DRAWING SHOWING THE SITE FOR THE SPECIAL USE AND OTHER PERTINENT INFORMATION.

BZA NO. 90-13 DATE 3/13 19 90 QUIETUS NO. 31496

TO: Gary Board of Zoning Appeals

PETITION FOR SPECIAL USE PERMIT

(1) I (We) Al Williams, d/b/a Al's Auto Sales Agent: Attorney Jonathan Alpert
(2) Of 9105 Indianapolis Blvd., Highland, IN 46322 (219) 838-7300
Address City/State Telephone

(3) Hereby petitions you for a Special Use as permitted under Section 163.08(e) of the Zoning Ordinance for the City of Gary. The present zoning is B3-1.
Petition to Rezone is being filed at the same time as this Petition.

(4) 2700 W. 5th Avenue 148' 10" x 133' 9" 19,824.75 sq. feet or
Common Address of Property Size of Parcel Total Area .46 acre

Resubdivision of Gary Land Company's Sixth Subdivision all of Lot 12 in Block 9

(5) Legal Description of property: Lot(s) 12; Block(s) 9

Subdivision 6

(6) Proposed Use: sale of used automobiles

Document is NOT OFFICIAL!
This Document is the property of the Lake County Recorder!

(7) Special Use Requested: Same as No. 6 herein

(8) Ordinance Requirement: B-5-1 and to obtain a Special Use Permit

(9) Name and address of owners of record: Joseph Buley
c/o Attorney Donald Stepanovich
9717 Prairie Avenue
Highland, IN 46322

(10) Reasons for requested Special Use: Al's Auto Sales has been doing business at this same location, without any problem, since 1955. Petitioner wishes to remain in business at that location for the foreseeable future. All vehicles are kept within the fence that surrounds the business. We wish to correct the oversight of the City of Gary concerning the present zoning of this property.

(11) Describe the potential economic impact if petition is approved Petitioner wants to continue to operate his business at it is. Petitioner employs Gary residents. Petitioner does business with a very high percentage of customers who are Gary residents. If Petitioner is forced to move from this location, the property will be vacant and, most likely, will stay vacant. No taxes would, therefore, be paid for this location.

(12) Signature of: _____ Owner _____

Petitioner Al Williams

March 7, 1990

FILED
IN CLERK'S OFFICE

MAR 14 1990

AL'S AUTO SALES
3700 W. 5th AVE.
GARY, IND. 46404

SITE PLAN REQUIREMENTS

A site plan must be submitted with all requests before the Gary City Plan Commission and Board of Zoning Appeals. Failure to include all information will delay your request.

DATA TO BE SHOWN ON SITE/PLOT PLAN

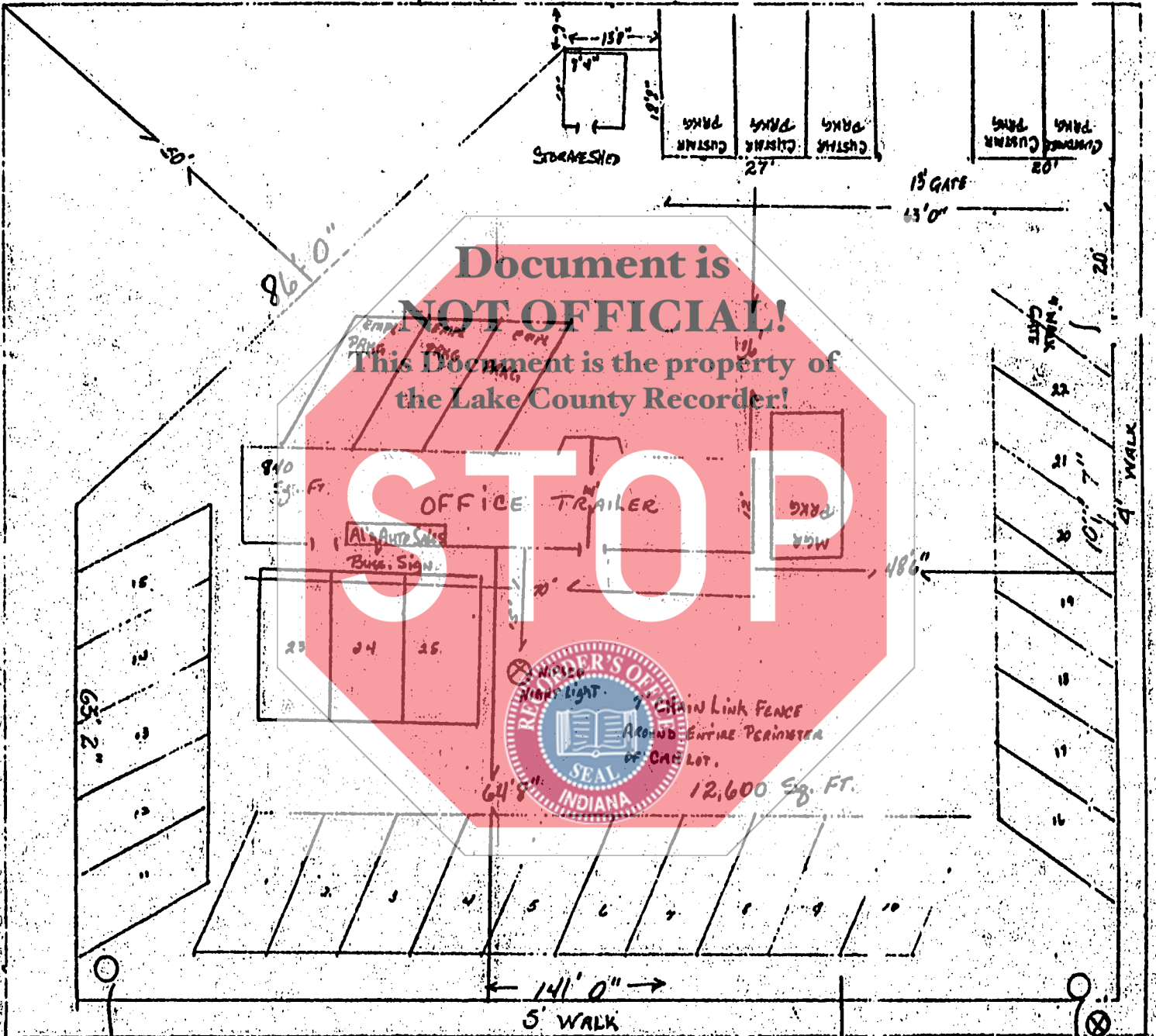
- Scale (Between 1"=60' and 1"=20')
- Directional Arrow *NORTH & SOUTH*
- Lot Dimension (141' Length 107' Width 12600' Area)
- Existing Street(s) and Alley(s) *5th AVENUE, MARSHALL STREET, ALLEY 5 NORTH*
- Dimension of Street(s) and Alley(s) *ALLEY 1 WEST OF MARSHALL STREET 18', ALLEY 5 NORTH 18', ALLEY 1 EAST 14', MARSHALL ST. 30'*
- Existing Curb Cuts *ONE (1) 13' ALLEY 5 NORTH*
- Dimension of all proposed structures
Length _____ Width _____ Area *NONE*
- Dimension of existing structures
70' Length 12' Width 840 Area *STORAGE SHED 12' x 7'4" = 88.8'*
- Show all setbacks
64'8" Front 48'6" Side 54'8" Rear
- Distance between buildings *38'*
- Existing lighting *ONE NIPSCO SENTINAL LIGHT*
- Proposed lighting *NONE*
- Existing Off-Street Parking 5 Number of Stalls
- Proposed Off-Street Parking *NONE* Number of Stalls
- Existing Signs and Locations
ONE SOUTH WEST CORNER - ONE SOUTH EAST CORNER - ONE SOUTH WALL OF BUILDING
- Proposed Signs and Locations *- NONE*
- Landscaping *WEST ALLEY - GRASS TO BE MAINTAINED*
- Existing Trees and Shrubby *NONE*
- Proposed Trees and Shrubby *NONE*
- Removal Trees and Shrubby *NONE*
- As Part of Landscape in Setback *NONE*

SCALE 1" = 20'

NORTH

18'

ALLEY 5 North



MARSHALL ST. 30' WIDE

ADVERTISEMENT SIGN

STREET LIGHT ADVERTISEMENT SIGN

SOUTH

36'

5th AVE

STREET LIGHT

"AL's Auto Sales" 2700 W. 5th Ave.

BOARD OF ZONING APPEALS
PLANNING STAFF TECHNICAL REPORT

BZA 90-13

Petition of Al Williams, d/b/a Al's Auto Sales, c/o
Jonathan Alpert, Attorney, 9105 Indianapolis
Boulevard, Highland, Indiana. Petition for a special
use permit at 2700 West 5th Avenue, Gary, Indiana to
establish used automobile sales.

PHYSICAL DESCRIPTION OF PROPERTY

FRONTAGE: 149'
DEPTH: 134'
AREA: 19,824 sq. ft.
PRESENT USE: Used Car Sales lot

RELATION OF PROPERTY TO ADJOINING PROPERTIES

NORTH: Gasoline Service Station
SOUTH: Single Family Dwellings
EAST: Gasoline Service Station
WEST: Liquor Store

ADJOINING ZONING

NORTH R5 EAST B3-1
SOUTH B3-1 WEST B3-1

RECOMMENDATIONS

(See Attached Sheet)

LETTERS

| | | |
|----------------------|---------------------|------------------|
| Council Members | 444 Marshall Street | 447 Marshall St. |
| Indiana Hghway Dept. | 441 Marshall Street | 449 Marshall St. |
| 456 Marshall Street | 443 Marshall Street | 442 Marshall St. |
| 448 Marshall Street | 440 Marshall Street | 439 Marshall St. |
| 453 Marshall Street | 446 Marshall Street | 428 Marshall St. |

OVER--

422 Marshall Street
415 Marshall Street
416 Marshall Street
408 Marshall Street
409 Marshall Street
411 Marshall Street
410 Marshall Street
400 Marshall Street
405 Marshall Street
521 Marshall Street
525 Marshall Street
531 Marshall Street
405 Bridge Street
411 Bridge Street
413 Bridge Street
414 Bridge Street
433 Bridge Street
437 Bridge Street
439 Bridge Street
441 Bridge Street
443 Bridge Street
459 Bridge Street
456 Bridge Street
2649 Wabash Avenue
2705 Wabash Avenue
2717 Wabash Avenue
2801 W. 5th Avenue
2725 W. 5th Avenue
2744 W. 5th Avenue
2642 W. 5th Avenue
2720 W. 5th Avenue
2600 W. 5th Avenue
2532 W. 5th Avenue
2533 W. 5th Avenue
Gary Fire Department

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the Lake County Recorder!**

STOP



Gary City Clerk (Governmental Unit) To Info, Inc., Dr. Lake County, Indiana P.O. Box 1507

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) number of equivalent lines

Head—number of lines

Body—number of lines

Tail—number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

31 lines, 1 column wide equals 31 equivalent lines at 251 cents per line

\$ 7.78

Additional charge for notices containing rule or tabular work (50 percent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 7.78

DATA FOR COMPUTING COST

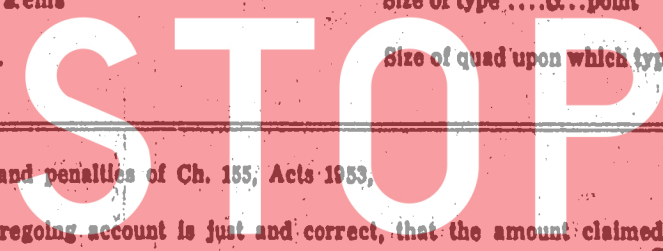
Width of single column 9 1/2 ems

Size of type 6 point

Number of insertions 1

Size of quad upon which type is cast

Document is NOT OFFICIAL! This Document is the property of the Lake County Recorder!



Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: May 21, 1990

Title: PUBLISHER



PUBLISHER'S AFFIDAVIT

State of Indiana Lake County

Personally appeared before me, a notary public in and for said county and state, the undersigned IMogene Harris who,

being duly sworn, says that she is Publisher of the Info weekly

newspaper of general circulation printed and published in the English language in the (city) (town) of Gary in state and county

aforsaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

May 3, 1990

Subscribed and sworn to before me this 21 day of May 1990

Jeanne E. Bliss

Notary Public

My commission expires Aug 2, 1993

NOTICE OF PUBLIC HEARING Notice is hereby given to citizens of Gary, Lake County, Indiana, that a Public Hearing shall be held in the Council Chambers, at City Hall at 7:00 o'clock p.m. on the 18th day of May, 1990. Ordinance No. 98-34 An Ordinance amending Title 15 entitled "Land Use" Chapter 163 entitled "Zoning Code" of the Code of Ordinances of the City of Gary, Indiana. Petitioner: Al Williams, Al's Auto Sales 2700 West 8th Avenue Gary, Indiana Sponsored by: Gary Board of Zoning Appeals Citizens appearing at such meeting shall have a right to be heard thereon and citizens objecting may be heard. Kattie Hall Gary City Clerk 401 Broadway Gary, Indiana 8:3.1990-Gary Info

Claim No. _____ Warrant No. _____

IN FAVOR OF

Walter P. R.
1953 Broadway

\$ *778*

On Account Of Appropriation For

DL-43320-151-1000-90

Appropriation No. _____

Allowed *May 28*, 19*50*

In the sum of \$ *778*

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

This is correct incorrect

Walter P. R.

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

Walter P. R.
May 28 1950



6

Passed by the Common Council of the City of Gary, Indiana
this 15th day of May, 1990.

Gardner Gillespie
PRESIDING OFFICER

ATTEST:
Katie Hall
CITY CLERK

Presented by me to the Mayor for his approval and
signature this 16th day of May, 1990.

Katie Hall
CITY CLERK

APPROVED and SIGNED by me this 21 day of May,
1990.

Document is
NOT OFFICIAL
Marion Barnes
MAYOR, CITY OF GARY, INDIANA

This Document is the property of
Favorably Recommended By Gary Board of Zoning Appeals
the Lake County Recorder.

Petitioner: Al Williams, d/b/a Al's Auto Sales
2700 West 5th Avenue
Gary, Indiana
c/o Jonathan Alpert, Attorney

Prepared by: Law Department (GK)

Sponsored by: Gary Board of Zoning Appeals

COMMITTEE ASSIGNMENT: Reported-Out/Date 5-1-90
1st Reading/Date 5-1-90 Committee Hearing/Date _____
2nd Reading/Date 5-1-90 Public Hearing/Date 5-15-90
3rd Reading/Date 5-15-90 Final Reading/Date _____
Passed/Date 5-15-90 Defeated/Date _____ Deferred/Date _____
Tabled/Date _____ Override/Date _____ Adopted/Date 5-15-90

NOTES TO BE SUBMITTED IN 25 COPIES (PLEASE TYPE OF PRINT) AND ACCOMPANIED BY A \$ 7500 CHECK OR MONEY ORDER PAYABLE TO THE "CITY OF GARY". ATTACH A SCALE DRAWING SHOWING THE SITE FOR THE SPECIAL USE AND OTHER PERTINENT INFORMATION.

BZA NO. 90-13 DATE 2/13 1990 QUIETUS NO. 31496

TO: Gary Board of Zoning Appeals

PETITION FOR SPECIAL USE PERMIT

(1) I (We) Al Williams, d/h/a Al's Auto Sales Agent: Attorney Jonathan Alpert
(2) Of 9105 Indianapolis Blvd., Highland, IN 46322 (219) 838-7300
Address City/State Telephone

(3) Hereby petitions you for a Special Use as permitted under Section 163.08(c) of the Zoning Ordinance for the City of Gary. The present zoning is B3-1.
Petition to Rezone is being filed at the same time as this Petition.

(4) 2700 W. 5th Avenue 148' 10" x 133' 9" 19,824.75 sq. feet or
Common Address of Property Size of Parcel Total Area .46 acr

Resubdivision of Gary Land Company's Sixth Subdivision all of Lot 12 in Block 9

(5) Legal Description of property: Lot(s) 12; Block(s) 9
Subdivision 6

(6) Proposed Use: sale of used automobiles

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(7) Special Use Requested: Same as No. 6 herein

(8) Ordinance Requirement: B-5-1 and to obtain a Special Use Permit

(9) Name and address of owner of record: Joseph Buley
c/o Attorney Donald Stepanovich
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(10) Reasons for requested Special Use: Al's Auto Sales has been doing business at this same location, without any problem, since 1955. Petitioner wishes to remain in business at that location for the foreseeable future. All vehicles are kept within the fence that surrounds the business. We wish to correct the oversight of the City of Gary concerning the present zoning of this property.

(11) Describe the potential economic impact if petition is approved Petitioner wants to continue to operate his business at it is. Petitioner employs Gary residents. Petitioner does business with a very high percentage of customers who are Gary residents. If Petitioner is forced to move from this location, the property will be vacant and, most likely, will stay vacant. No taxes would, therefore, be paid for this location.

(12) Signature of: Owner [Signature]
Joseph Buley
Petitioner [Signature]
Al Williams

March 7, 1990

FILED IN CLERK'S OFFICE

MAR 14 1990

CLERK'S OFFICE

AL'S AUTO SALES
3700 W. 5th AVE.
GARY, IND. 46404

SITE PLAN REQUIREMENTS

A site plan must be submitted with all requests before the Gary City Plan Commission and Board of Zoning Appeals. Failure to include all information will delay your request.

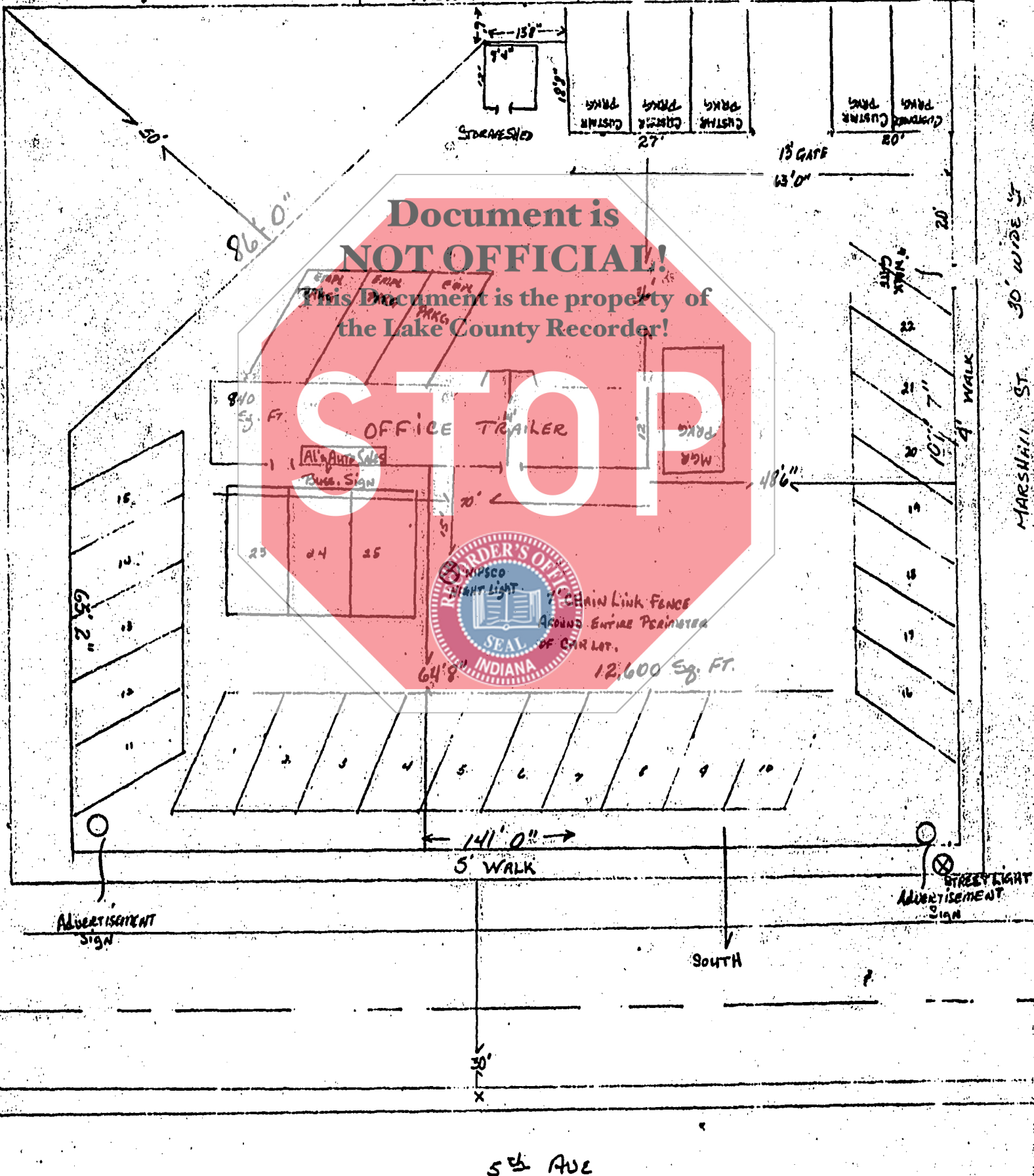
DATA TO BE SHOWN ON SITE/PLOT PLAN

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- Directional Arrow NORTH & SOUTH
- Lot Dimension (141' Length 107'7" Width 12600' Area)
- Existing Street(s) and Alley(s) 5th AVENUE, MARSHALL STREET, ALLEY 5 NORTH
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- Dimension of Street(s) and Alley(s) ALLEY 5 NORTH 18', ALLEY 1 EAST 14', MARSHALL ST. 30'
- Existing Curb Cuts ONE (1) 13' ALLEY 5 NORTH
- Dimension of all proposed structures
Length _____ Width _____ Area NONE
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70' Length 12' Width 840 Area STORAGE SHED 12' x 7'4" = 88.8'
- Show all setbacks
64'8" Front 48'6" Side 54'8" Rear
- Distance between buildings 38'
- Existing lighting ONE VASCOS SENTINAL LIGHT
- Proposed lighting NONE
- Existing Off-Street Parking SEAS Number of Stalls
- Proposed Off-Street Parking NONE Number of Stalls
- Existing Signs and Locations
ONE SOUTH WEST CORNER - ONE SOUTH EAST CORNER - ONE SOUTH WALL OF BUILDING
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- Landscaping WEST ALLEY - GRASS TO BE MAINTAINED
 - Existing Trees and Shrubbery NONE
 - Proposed Trees and Shrubbery NONE
 - Removal Trees and Shrubbery NONE
 - As Part of Landscape in Setback NONE

SCALE 1" = 20'

NORTH

ALLEY 5 North



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STOP



"Al's Auto Sales" 23100 W. 5th Ave.

STREET LIGHT

BOARD OF ZONING APPEALS

PLANNING STAFF TECHNICAL REPORT

BZA 90-13

Petition of Al Williams, d/b/a Al's Auto Sales, c/o Jonathan Alpert, Attorney, 9105 Indianapolis Boulevard, Highland, Indiana. Petition for a special use permit at 2700 West 5th Avenue, Gary, Indiana to establish used automobile sales.

PHYSICAL DESCRIPTION OF PROPERTY

FRONTAGE: 149'
DEPTH: 134'
AREA: 19,824 sq. ft.
PRESENT USE: Used Car Sales Lot

RELATION OF PROPERTY TO ADJOINING PROPERTIES

NORTH: Gasoline Service Station
SOUTH: Single Family Dwellings
EAST: Gasoline Service Station
WEST: Liquor Store

ADJOINING ZONING

NORTH R5
SOUTH B3-1
EAST B3-1
WEST B3-1

RECOMMENDATIONS

(See Attached Sheet)

LETTERS

| | | |
|----------------------|---------------------|------------------|
| Council Members | 444 Marshall Street | 447 Marshall St. |
| Indiana Hghway Dept. | 441 Marshall Street | 449 Marshall St. |
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| 448 Marshall Street | 440 Marshall Street | 439 Marshall St. |
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2705 Wabash Avenue
2717 Wabash Avenue
2801 W. 5th Avenue
2725 W. 5th Avenue
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2720 W. 5th Avenue
2600 W. 5th Avenue
2532 W. 5th Avenue
2533 W. 5th Avenue
Gary Fire Department

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STOP



Gary City Clerk (Governmental Unit) To Info, Inc., Dr. Lake County, Indiana P.O. Box 1587

PUBLISHER'S CLAIM

LINE COUNT

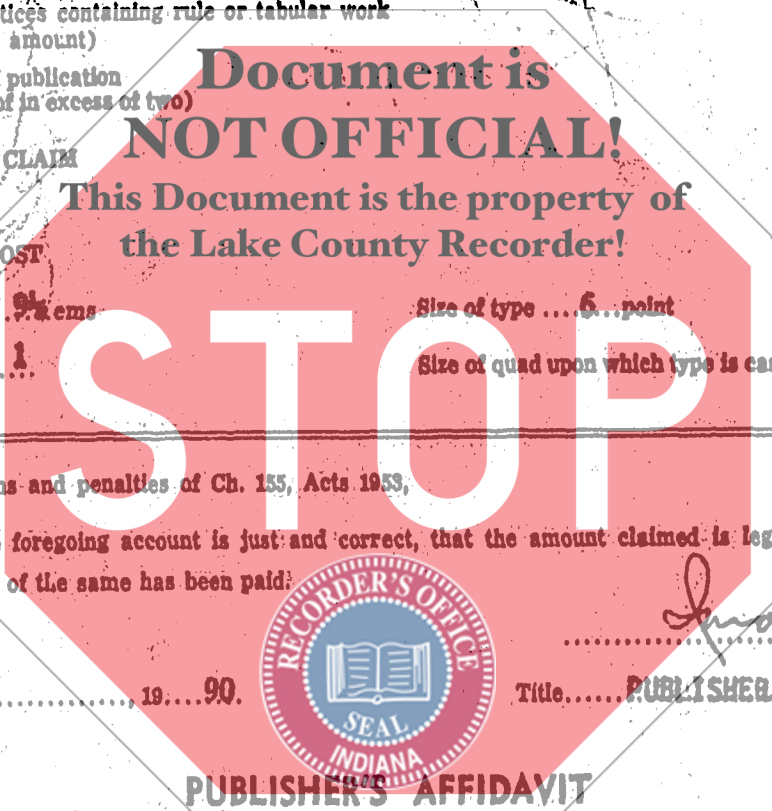
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Body—number of lines
Tail—number of lines
Total number of lines in notice

COMPUTATION OF CHARGES

31 lines, 1 column wide equals 31 equivalent lines at 251 cents per line \$7.78
Additional charge for notices containing rule or tabular work (50 percent of above amount)
Charge for extra proofs of publication (50 cents for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$7.78

DATA FOR COMPUTING COST

Width of single column 9.2 cms Size of type 6 point
Number of insertions 1 Size of quad upon which type is cast



Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid:

Date: May 21, 1990 Title: PUBLISHER

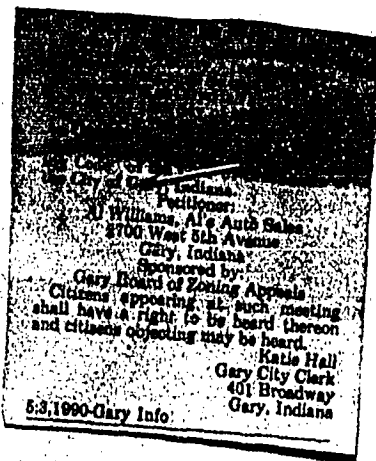


PUBLISHER'S AFFIDAVIT

State of Indiana)
Lake County) ss

Personally appeared before me, a notary public in and for said county and state, the undersigned IMogene Harris who, being duly sworn, says that she is Publisher of the Info a weekly newspaper of general circulation printed and published in the English language in the (city) (town) of Gary in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows: May 3, 1990

Subscribed and sworn to before me this 21 day of May 1990
Jeanne E. Bliss Notary Public
My commission expires Aug. 2, 1993



Claim No. _____ Warrant No. _____

IN FAVOR OF

W. H. P. P. P.
1953 Bonding

\$ *278*

On Account Of Appropriation For

101-43320151-600-90

Appropriation No. _____

Allowed *May 28*, 19*50*

In the sum of \$ *278*

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is approved by (insert name)

W. H. P. P. P.
W. H. P. P. P.

May 28

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