

2009 059992

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2009 AUG 31 AM 11:22

ORDINANCE NO. 2009-17

MICHAEL A. BROWN
RECORDER

**AN ORDINANCE OF THE CITY OF LAKE STATION GRANTING A SPECIAL USE
FOR 3170 LAWRENCE STREET, LAKE STATION, INDIANA**

WHEREAS, pursuant to I.C. 36-7-4-918.6, the Common Council of the City of Lake Station, Indiana has authority to grant petitions for a special use; and

WHEREAS, on July 22, 2009, the Board of Zoning Appeals for the City of Lake Station approved the Petition for Special Use, Child Care Home/I.C. 12-13-5-3, for the real estate at 3170 Lawrence Street zoned R-2, with a favorable recommendation and findings that pursuant to I.C. 36-7-4-918.4,

- (1) the approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
- (3) the need for the variance arises from some condition peculiar to the property involved;
- (4) the strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
- (5) approval does not interfere substantially with the comprehensive plan adopted under the 400 series of this chapter; and

WHEREAS, the Petitioner Veronica Martinez, agreed to commitments as part of the approval the Petitioner attached hereto as Exhibit "A".

NOW, THEREFORE, LET IT BE ORDAINED AS FOLLOWS:

- 1. That Lake Station Common Council adopts the findings of the Board of Zoning Appeals approving the Petition with a favorable recommendation; and
- 2. That the Lake Station Common Council adopts the commitments made by the Petitioner, Veronica Martinez, attached as Exhibit "A" hereto; and
- 3. That the Special Use, Child Care Home pursuant to I.C. 12-13-5-3, for the residence located at 3170 Lawrence Street, Lake Station, Indiana is adopted and approved subject to the following conditions:
 - (a) That the Special Use shall terminate in the event the Petitioner, Veronica Martinez, transfers ownership of the residence at 3170 Lawrence Street, Lake Station, Indiana, or leases the premises to another person or entity to operate a Child Care Home.
 - (b) That this Ordinance, Ordinance No. 2009-17 will be recorded with the Lake County Recorder.

PASSED AND ADOPTED THIS 20th DAY OF August, 2009.

YEA 6
NAY 0

Mayor Keith Soderquist
Mayor Keith Soderquist, Presiding Officer

ATTEST:

Brenda Samuels
Brenda Samuels, Clerk Treasurer

Presented by me to Keith Soderquist, Mayor of the City of Lake Station, Indiana,
This 20th day of Aug., 2009.

Brenda Samuels
Brenda Samuels, Clerk Treasurer

Approved, signed and returned by me to the Common Council of the City of Lake Station,
Indiana, this 20th day of Aug., 2009.

Mayor Keith Soderquist
Mayor Keith Soderquist

AUG 31 2009

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

015224

1400
CS
BR

EXHIBIT "A"

COMMITMENTS TO ORDINANCE NO. 2009-
AN ORDINANCE OF THE CITY OF LAKE STATION, INDIANA
GRANTING A SPECIAL USE FOR
3170 LAWRENCE STREET, LAKE STATION, INDIANA

1. On July 22, 2009 the Petitioner, Veronica Martinez, presented her Petition for a Special Use, Child Care Home, at the residence located at 3170 Lawrence Street, Lake Station, Indiana, zoned [R-2] Residential Zoning District.
2. That the Petitioner agrees to the following commitments as a condition of the approval of her Petition:
 - (a) The Special Use shall terminate in the event the Petitioner, Veronica Martinez, transfers ownership of the residence at 3170 Lawrence Street, Lake Station, Indiana, or leases the premises to another person or entity to operate a Child Care Home.
 - (b) That this Ordinance, Ordinance No. 2009-17 will be recorded with the Lake County Recorder.

Date: 7-28-09

Signature: *Veronica Martinez*

ATTEST:

Brenda Samuels
Brenda Samuels, Clerk Treasurer

