2016 002986

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2016 JAN 19 PM 3:53

MICHAEL B. BROWN RECORDER

STATE OF INDIANA

) SS:

COUNTY OF LAKE

Document is

TO: MARY TANIS PRESIDENT OFFICIAL!
TOWN COUNCIL, TOWN OF BYER,

LAKE COUNTY INDIANAment is the property of

Pursuant to the requirements of Indiana Code 36-7-4-605 and upon giving proper notice and holding a public hearing on the 21st day of September, the Plan Commission of the Town of Dyer certifies to the Town Council its FAVORABLE RECOMMENDATION on the rezoning petition of Kennan Liquors for 2004, 2014 Lake St. and 2013 Sunnyside Avenue. The property is currently zoned R2 Single Family. The rezoning request would change the zoning to B2 with the restriction that the rezoned real estate may not be utilized for any required parking for the expansion of any existing building on adjoining real estate in excess of 50% of the current existing size of that building and henceforth those regulations and rules governing the Commercial District, as defined by the Zoning Ordinance and its amendments, shall apply to the following described real estate. Said FAVORABLE RECOMMENDATION was made upon a motion duly made and seconded by a vote of FOUR 4) in favor and ONE (1) opposed, this 21st day of September, 2015.

Pursuant to Indiana Code 36-7-4-605, the Dyer Town Council must take action upon this proposal within ninety (90) days of the date of this certification.

CERTIFIED this 22nd day of September, 2015.

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TOWN OF DYER, LAKE COUNTY, INDIANA PLAN COMMISSION

FILED

JAN 1 9 2016

JOHN E. PETALAS LAKE COUNTY AUDITOR

\$17.00 MASN

TOWN OF DYER, LAKE COUNTY, INDIANA

ORDINANCE NO. 2015-21

AN ORDINANCE RECLASSIFYING CERTAIN REAL ESTATE IN THE TOWN OF DYER, LAKE COUNTY, INDIANA, FOR ZONING PURPOSES AND AMENDING THE TOWN OF DYER ZONING ORDINANCE AND ALL MATTERS RELATED THERETO.

WHEREAS, the then Board of Trustees of the Town of Dyer, Lake County, Indiana, did, in 1983, pass and adopt a Zoning Ordinance for the Town of Dyer designated as Ordinance No. 83-46, together with all amendments thereof and supplements thereto; and

WHEREAS, pursuant to IC. 36.74.602(c) (1) (B), the Plan Commission of the Town of Dyer ("Plan Commission") has been petitioned by the Owner of certain real property located in the Town of Dyer, Lake County, Indiana, commonly known as 2004 and 2014 Lake Street and 2013 Sunnyside Avenue Dyer, Indiana, to reclassify said real property for zoning purposes from Residential (R-2) to Commercial (B-2); and the Lake County Recorder!

WHEREAS, the Plan Commission, pursuant to notice to interested persons as required by IC 36-7-4-604 and the Rules of the Plan Commission, held a public hearing on the 15th day of June, 2015, to consider the advisability and necessity of rezoning said Real Estate; and

WHEREAS, the Plan Commission, in considering said petition to rezone did pay reasonable regard to: the Comprehensive Plan; current conditions and the character of current structures and uses in each district; the most desirable use for which the land in each district is adapted; the conservation of property values throughout the jurisdiction; and responsible development and growth, as required by 18:36-7-4-603; and

WHEREAS, after consideration of the petition and IC 36-7-4-603, the Plan Commission has recommended and certified to the Town Council that the Real Estate be rezoned from Residential (R-2) to Commercial (B-2) and that the Zoning Ordinance of the Town of Dyer, Indiana and Zoning Map be attended to provide for such rezoning.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DYER, LAKE COUNTY, INDIANA:

1. Upon review of the petition and the standards set forth in IC 36-7-4-603, the Zoning Ordinance, all amendments to the Dyer Zoning Ordinance and the Town of Dyer Zoning Map are hereby all amended and modified by changing the zoning district classification of the following described Real Estate from Residential (R-2) to Commercial (B-2) with the restriction that the rezoned real estate may not be utilized for any required parking for the expansion of any existing building on adjoining real estate in excess of 50% of the current existing size of that building and henceforth those regulations and rules governing the Commercial District, as defined by the Zoning Ordinance and its amendments, shall apply to the following described Real Estate, with the attached legal description as follows:

(SEE ATTACHED EXHIBIT "A")

2. That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Dyer, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED THIS Sth DAY OF OCHOOSE, 2015, BY THE TOWN COUNCIL OF THE TOWN OF DYER, LAKE COUNTY, INDIANA.

AYES	<u>NAYS</u>
Mary Taney Doct	lment is Mary Tanis, President
Mary Tanis, President	Mary Tanis, President
CALL COTO	FFICIAL!
Joseph Cinko, Vide Rusi Documen	t is the prospectnko fice Rresident
	ounty Recorder!
Jeffrey Dekker, Member	Jeffrey Dekker, Member
Connee Trepton, Member	Connee Trepton, Member
Well Co	
Debbie Astor, Member	Debbie Astor, Member
ATTESP: Auto Company Patricia Hawrot, IAMC/Militor Clerk Preasurer	

EXHIBIT "A"

Seberger's Sunnyside Add. To Dyer BL1 Lot 6 Ex. N.10ft. & E. 150.53ft. of N. ½ of Vac. Adj. Alley

Seberger's Sunnyside Add. To Dyer S. 65 Ft. L.7 BL.1 N. 10ft. of L.6 BL.1

Seberger's Sunnyside Add. To Dyer BL.1 Lot 26 & W. 128.85ft. of Adj. Vac. Alley

