

ORDINANCE NO. 815

AN ORDINANCE AMENDING ORDINANCE NO. 433, AND ALL AMENDMENTS THERETO, A PORTION OF WHICH CONTAINS THE ZONING REGULATIONS AND SUBDIVISION REGULATIONS OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND MORE PARTICULARLY, THE SPECIAL REGULATIONS PROVISIONS OF THE SAME

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did on the 9th day of February, 1976 adopt Ordinance No. 433, being the Master Plan of the Town of St. John, and containing its zoning and subdivision regulations; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has amended said ordinance on many occasions to meet the needs of the community; and

WHEREAS, it has become necessary to again amend the zoning regulations of said ordinance, and more particularly, creating a new section, the same being "SECTION VII SPECIAL REGULATIONS, Subsection K. Zoning Administrator - Minor Variations and Exceptions"; and

WHEREAS, it is in the best interests of the Town of St. John to amend Ordinance No. 433, and all amendments thereto, to reflect the foregoing.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, that the zoning regulations of said ordinance, and more particularly, "SECTION VII SPECIAL REGULATIONS, Subsection K. Zoning Administrator - Minor Variations and Exceptions", shall read as follows:

K. Zoning Administrator - Minor Variations and Exceptions

Where the zoning administrator finds that unnecessary hardships or particular difficulties may result from strict compliance with the zoning regulations, he may allow minor variations or exceptions to the regulations so that substantial justice may be done and the public interest secured, provided that such minor variation or minor exception shall not have the affect of nullifying the intent and purpose of this ordinance. The zoning administrator, in granting a minor variation or exception, shall find that the granting of the minor variation or exception will not be detrimental to the public health, safety, or welfare or injurious to other property or improvements in the neighborhood in which the property is located; and that the conditions upon which the request for a minor variation is based are unique to the property for which the variation is sought and are not applicable to other property generally. Before rendering a decision granting a

minor variation or minor exception, the zoning administrator shall submit the matter to a committee of the plan commission appointed for said purpose for their review and opinion. Upon rendering a decision granting a minor variation or exception under this ordinance, the zoning administrator shall report the same to the full plan commission at its next regularly scheduled meeting, and such exception or variance shall be noted in the minutes of said meeting. Nothing in this paragraph is to be construed to give the zoning administrator the power to grant variances as defined in I.C. 36-7-4-900, et. seq., which is exclusively given to the Board of Zoning Appeals.

BE IT FURTHER ORDAINED that all other provisions of the zoning ordinance and subdivision regulations shall remain in full force and effect when not in conflict herewith as shall ordinance No. 433, as amended.

BE IT FURTHER ORDAINED that this Ordinance is adopted pursuant to I.C. 36-7-4-607, and the Town Council does now find that the Plan Commission complied substantially with I.C. 36-7-4-604 of the Indiana Code;


Passed and adopted by the Town Council of the Town of St. John, Lake County, Indiana, this 11 day of December, 1989.



DAVID M. BIELSKI




RANDALL S. HARMON



DOUGLAS PATTERSON
TOWN COUNCIL, TOWN OF ST. JOHN,
LAKE COUNTY, INDIANA

ATTEST:



JUDITH COMPANIK
CLERK/TREASURER