

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO. 1009

BEING AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AND ALL AMENDMENTS THERETO, AND REPEALING ALL ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH, AND MORE PARTICULARLY, THE SPECIAL REGULATIONS, TITLE XVII OF THE SAME, MORE SPECIFICALLY, SECTION M OF THE SAME.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, did on the 9th day of July, 1990, pass and adopt an entire revision of the zoning ordinance provisions of the previous zoning ordinance of the Town of St. John, Lake County, Indiana, and denominated the same Ordinance No. 841; and

WHEREAS, on April 13, 1992, the Town Council of the Town of St. John, Lake County, Indiana, passed Ordinance No. 885, repealing said SECTION M OF THE SPECIAL REGULATIONS TITLE XVII of the same and eliminating the same from the St. John Zoning Ordinance; and

WHEREAS, it has again become necessary to amend the foregoing ordinances, and more particularly, the SPECIAL REGULATIONS section of the same, namely, Title XVII, Section M, Zoning Administrator-Minor Variations and Exceptions, pertaining to zoning administrators; and

WHEREAS, it is the purpose by this ordinance that the provisions contained in the original zoning Ordinance No. 841 with regard to Section M be reinstated and to again be in full force and effect.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana that the zoning ordinance of the Town of St. John, Lake County, Indiana, and to the extent that it is in any way in conflict herewith, including but not necessarily limited to, Ordinance No. 885, shall be amended to read as follows, more particularly, Title XVII-SPECIAL REGULATIONS, Section M: 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.

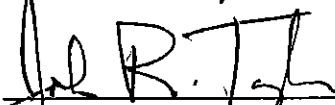
BE IT FURTHER ORDAINED that all other provisions of the zoning ordinance shall remain in full force and effect when not in conflict herewith.

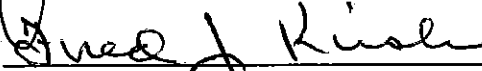
BE IT FURTHER ORDAINED that this ordinance is adopted pursuant to Indiana law, and the Town Council does now find that the Plan Commission complied substantially with the Indiana code.

BE IT FURTHER ORDAINED that this ordinance shall be in full force and effect from and after its passage by the Town Council and in accordance with applicable law.

PASSED AND ADOPTED by the Town Council of the Town of St. John, Lake County, Indiana, this 27<sup>th</sup> day of June, 1996.

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

  
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JOHN R. TAYLOR

  
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FRED J. KISH

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DOUGLAS E. PATTERSON

ATTEST:

  
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JUDITH L. COMPANIK  
Clerk-Treasurer