

ORDINANCE NO. 1209

BEING AN ORDINANCE AMENDING ORDINANCE NO. 845 AS AMENDED, THE SAME BEING AN ORDINANCE CLASSIFYING, REGULATING AND RESTRICTING THE LOCATION, HEIGHTS, AREA, BULK AND USE OF BUILDINGS AND STRUCTURES AND THE USE OF LAND IN THE TOWN OF ST. JOHN, AND FOR SAID PURPOSE DIVIDING THE TOWN INTO DISTRICTS, AND APPROVING A P.U.D. DEVELOPMENT PLAN IN ACCORDANCE THEREWITH

WHEREAS, St. John Westview, LLC, an Indiana Limited Liability Company of St. John, Indiana and Peoples Bank Trust No. 10314 Under Trust Agreement dated December 12, 2001, previously petitioned the Town of St. John to annex certain contiguous territories of the Town of St. John, pursuant to the provisions of I.C. 36-4-3 et.seq. and executed a zoning commitment and a proposed plan of subdivision for said territories, which was approved and made part of Ordinance No. 845; and

WHEREAS, the owners of the parcel of land hereinafter described did petition the Plan Commission of the Town of St. John, Lake County, Indiana, for the development and rezoning of such parcel from R-4, multi-family to P.U.D., Planned Unit Development; and

WHEREAS, the said Plan Commission of the Town of St. John, Lake County, Indiana, has heretofore on the 5th day of March, 2003, held a public hearing pursuant to notice as prescribed by law on such petition and other matters pertaining thereto; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, has favorably recommended that Ordinance No. 845 as amended, be amended and modified in order that the use of the real property hereinafter specifically described shall be made more

2003 APR 25 AM 11:53  
CLERK OF SUPERIOR COURT  
LAKE COUNTY, INDIANA  
RECORDED

consistent with the comprehensive plan, the surrounding zoning districts, and the current prospective uses of the real property within the area and that said real property be reclassified to P.U.D., Planned Unit Development District and that the Development Plan be likewise approved.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of St. John, Lake County, Indiana, as follows:

1. That the zoning ordinance of the Town of St. John, the same being Ordinance No. 845, as amended, and the zoning map of the Town of St. John, be and the same are hereby amended to reclassify the following described parcel of real estate from R-4, Multi-Family to P.U.D., Planned Unit Development, to-wit:

WESTON RIDGE COTTAGE HOMES

That part of Section 5, Township 34 North, Range 9 West of the Second Principal Meridian, described as follows: Commencing at the northwest corner of the southwest quarter of said Section 5; thence south 89 degrees 25 minutes 55 seconds east, along the north line of the south half of said Section 5, 3481.49 feet; thence south 0 degrees 34 minutes 5 seconds west 180.00 feet to a point of beginning on the south line of the north 180.00 feet of said south half; thence north 89 degrees 25 minutes 55 seconds west, along said south line, 330.00 feet; thence south 0 degrees 34 minutes 5 seconds west 630.00 feet; thence south 39 degrees 49 minutes 55 seconds east 308.59 feet to a point that is 1045.00 feet south of said north line and 706.68 feet east of the west line of the southeast quarter of said Section 5; thence south 89 degrees 25 minutes 55 seconds east, along a line that is parallel with the north line of the south half of said Section 5, 349.12 feet to a point lying on a straight line drawn from the northeast corner of the west half of the southeast quarter of said Section 5 to a point on the south line of said southeast quarter, 646.83 feet (as measured along said south line) east of the southwest corner of said southeast quarter, said point lying 1077.55 feet (as measured along said straight line) south west of the northeast corner of the west half of the southeast quarter of said Section 5; thence north 14

degrees 41 minutes 13 seconds east, along said straight line, 1077.55 feet to said northeast corner; thence north 89 degrees 25 minutes 55 seconds west, along the north line of the south half of said Section 5, 79.52 feet; thence south 15 degrees 48 minutes 32 seconds west 33.76 feet to a point of curvature; thence southwesterly, along a curve convex to the southeast and having a radius of 200.00 feet and a 242.84 foot chord bearing south 53 degrees 11 minutes 18 seconds west, an arc distance of 260.96 feet to a point of tangency that lies on the aforesaid south line of the north 180.00 feet of the south half of said Section 5, 200.61 feet east (as measured along said south line) of the point of beginning; thence north 89 degrees 25 minutes 55 seconds west, along said south line, 200.61 feet to the point of beginning; all in Lake County, Indiana.

2. The Development Plan submitted to the St. John Plan Commission is approved subject to the terms recited in this Ordinance, and consisting of the following plans:

- A. Site plans and development plans prepared by Landmark Engineering dated February 13, 2003, with revisions dated February 24, 2003 and March 3, 2003 consisting of eleven sheets;
- B. Architectural drawings prepared by Leon Fisher & Associates dated January 31, 2003 consisting of two separate sheets each identified as A-1 for two cottage homes of 1,388 square feet and 1,540 square feet.
- C. Landscaping plans and sprinkler plans prepared by John Schilling.

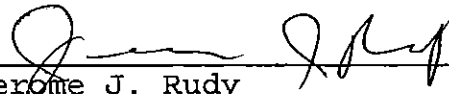
3. The project and its final approval shall be contingent upon the compliance by the developer with the letter(s) from the Town Engineer, Haas & Associates, dated February 20, 2003 and February 28, 2003.


4. The project is approved further contingent upon the final approval in one phase which must be completed within five (5) years unless otherwise extended.

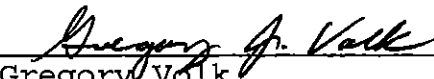
This ordinance shall take effect immediately upon its passage

and adoption by the Town Council and the affixing of their signatures thereto.

Passed and adopted by the Town Council of the Town of St. John, Lake County, Indiana, this 27 day of March, 2003.

  
\_\_\_\_\_  
Jerome J. Rudy

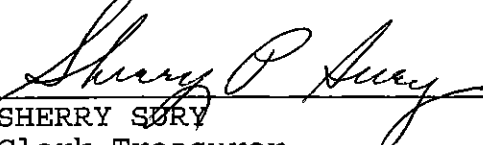
  
\_\_\_\_\_  
Kristie L. Aldridge

  
\_\_\_\_\_  
Gregory Volk

  
\_\_\_\_\_  
Michael S. Forbes

  
\_\_\_\_\_  
William M. Winterhaler

ATTEST:

  
\_\_\_\_\_  
SHERRY SORY  
Clerk-Treasurer

westview\rezoning\_ordinance\_R4PUD

FINDINGS OF FACT FOR PLANNED UNIT DEVELOPMENT PLAT

(RE-ZONING)

Upon review of the preliminary (primary) or final (secondary) PUD Plat and Development Plan of WESTON RIDGE (COTTAGE HOMES), the St. John Plan Commission does now make the following findings of fact pursuant to I.C. 36-7-4-100, et. seq., and the Town of St. John, Lake County, Indiana, Zoning Ordinance:

1. That the uses proposed (will/will not) be detrimental to present and potential surrounding uses, but (will/will not) have a beneficial effect which (could/could not) be achieved under any other zoning district;
2. That any amendment to the requirements of this Zoning District (is/is not) warranted by the design and amenities incorporated in the Development Plan;
3. That land surrounding the proposed development either (can/cannot) be planned in coordination with the proposed development, or (will/will not) be compatible in use.
4. That the proposed change to a Planned Unit Development Zone District (is/is not) in conformance with the general intent of the comprehensive master plan;
5. That existing and proposed streets (are/are not) suitable and adequate to carry anticipated traffic within the proposed district and within the vicinity of the proposed district;
6. That existing and proposed utility services (are/are not) adequate for the proposed development;
7. That each phase of the proposed development, as it is proposed to be completed (contains/does not contain) the required parking spaces, landscape and utility areas necessary for creating and sustaining a desirable and stable environment;
8. That the proposed Planned Unit Development District and all proposed buildings, parking spaces, landscape, and utility areas (can/can not) be completely developed within five (5) years of the establishment of the Zoning District.
9. That the Proposal (will/will not) promote the public health, safety, comfort, morals, convenience, and general welfare of the Town of St. John; and
10. That the Proposal (will/will not) conserve property values throughout the jurisdiction of the Town of St. John, Indiana.

Accordingly, the (preliminary and/or final) Plat and Development Plan of WESTON RIDGE (COTTAGE HOMES) together with the request for PUD District designation and re-zoning is for the reasons stated aforesaid (HOMES) as follows to the Town Council of the Town of St. John:

FAVORABLE RECOMMENDATION / UNFAVORABLE RECOMMENDATION

DATE: March 5, 2003

Don O'Neil  
ST. JOHN PLAN COMMISSION, PRESIDENT

ATTEST:  
Shirley Wilson  
ST. JOHN PLAN COMMISSION, SECRETARY