

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1391

AN ORDINANCE AMENDING TOWN ORDINANCE NO.: 841, BEING: "AN ORDINANCE AMENDING ORDINANCE NO. 433, AND ALL AMENDMENTS THERETO, A PORTION OF WHICH CONTAINS THE ZONING REGULATIONS, SUBDIVISION REGULATIONS, AND COMPREHENSIVE PLAN OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.", AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the present text provisions of Town Zoning Ordinance No.: 841, as amended from time to time, regarding supplemental construction regulations and related; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, as a result of its review, has advised the Plan Commission that it is necessary to revise or amend Town Zoning Ordinance No.: 841, as amended from time to time, regarding supplemental construction regulations; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, has held a Public Hearing on the 1st day of June, 2005, pursuant to published notice as required by applicable law, to consider the advisability and necessity of amending certain text provisions of Town Zoning Ordinance No.: 841, as amended from time to time; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, has, at the conclusion of the public hearing held, certified a Favorable Recommendation to the Town Council of the Town of St. John, Lake County, Indiana, that Town Zoning Ordinance No.: 841, as amended from time to time, requires modification and amendment of certain text provisions contained therein pertaining to supplemental construction regulations; and

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, having reviewed said certain recommended text amendments to Town Zoning Ordinance No.: 841, as amended from time to time, pertaining to supplemental construction regulations, now concurs that it is advisable, appropriate and in the best interests of the residents and property owners of the Town of St. John that certain text provisions of Town Zoning Ordinance No. 841, as amended from time to time, be amended and modified pertaining to supplemental construction regulations.



NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That **Section K**, entitled **Building Construction on U.S. Route 41**, of **TITLE XVII**, entitled **SPECIAL REGULATIONS**, of Town Zoning Ordinance No. 841, as amended from time to time, be, and the same is hereby replaced to read and provide as follows, namely:

"Section K: Additional Construction Requirements

A. **Building Construction on U.S. Route 41.** Notwithstanding anything in the foregoing provisions to the contrary, all sides of any buildings on any subdivided lot within one thousand two hundred (1,200) feet of U.S. Route 41 (Wicker Avenue) shall be completely faced on all sides with uniform face brick and the roof shall be composed of standing rib (standing seam) or asphalt shingle. Anyone proposing the construction of a building on any subdivided lot within one thousand two hundred (1,200) feet of U.S. Route 41 (Wicker Avenue) shall be required to complete the Site Plan Review process for such building. Any person seeking to use another material not specified herein shall request a waiver from this section during the Site Plan Review process. For purposes of this section, "face brick" is defined as a substance, with a minimum of a three and one-half inch (3 ½") depth, made from natural cut stone or clay molded into oblong rectangle shapes and fired in a kiln."

B. **Trash and Recycling Enclosures.** All commercially zoned property (B-1, B-2, B-3, & B-4) and any commercial, institutional, or special exception uses in any residential zoning district shall provide an opaque enclosure for all refuse and recycling containers that is of sufficient height to completely conceal the refuse and/or recycling container(s). All such enclosures shall be made of similar material to the primary building located on the lot. Otherwise, such enclosures shall be faced with a masonry material or brick. Further, the gate on such enclosure shall be faced with a solid opaque plastic or vinyl type material."

C. That all parcels of commercially zoned property (B-1, B-2, B-3 and B-4) and all parcels for any commercial, institutional, or special exception uses in any residential zoning district shall have a period of six (6) months from date of adoption hereof to comply with these Trash and Recycling Enclosure Regulations.

SECTION TWO: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

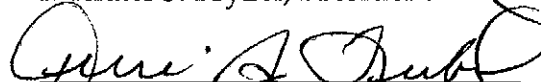
SECTION THREE: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

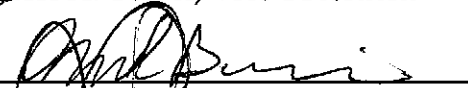
SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

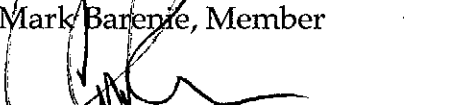
ALL OF WHICH IS PASSED AND ADOPTED THIS 16th DAY OF June,
2005, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY,
INDIANA.

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


Michael S. Fryzel, President

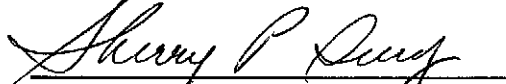

Terri A. Teibel, Vice-President


Mark Baranie, Member


Charles Pearson, Member


Gregory J. Volk, Member

ATTEST:


Sherry P. Sury, Clerk-Treasurer