

TOWN OF ST. JOHN, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1436

AN ORDINANCE AMENDING TOWN ORDINANCE NO.: 839, BEING: "AN ORDINANCE REPLACING ZONING ORDINANCE NUMBER 433, BEING: 'AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF ST. JOHN AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE INDIANA STATE STATUTES AND ALL AMENDMENTS THERETO, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, ESTABLISHING NEW COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF ST. JOHN, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF THE INDIANA STATE STATUTES."

WHEREAS, the Town Council of the Town of St. John, Lake County, Indiana, has reviewed the present text provisions of Town Zoning Ordinance No.: 839, as amended from time to time, regarding Business and Industrial Use 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.: 839, as amended from time to time, regarding Business and Industrial Use regulations and related; and

WHEREAS, the Plan Commission of the Town of St. John, Lake County, Indiana, held a Public Hearing on the 6<sup>th</sup> day of December, 2006, pursuant to published notice as required by applicable law, to consider the advisability and necessity of amending certain text provisions of the Town Zoning Ordinance No.: 839, 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.: 839, as amended from time to time, requires modification and amendment of certain text provisions contained therein pertaining to Business and Industrial Use regulations and related; 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.: 839, as amended from time to time, pertaining to Business and Industrial Use regulations and related, 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. 839, as amended from time to time, be amended and modified pertaining to Business and Industrial Use regulations and related.

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

**SECTION ONE:** That subsection 2 of Section B, entitled Use Regulations, of TITLE XII, entitled **CONVENIENCE COMMERCIAL (B-1) DISTRICT**, of Town Zoning Ordinance No. 839, as amended from time to time, be, and the same is hereby replaced to read and provide as follows, namely:

TITLE XII – CONVENIENCE COMMERCIAL (B-1) DISTRICT  
Section B: Use Regulations

- “2. The following permitted uses are allowed:
- a. Barber shops
  - b. Beauty parlors
  - c. Candy and ice cream stores
  - d. Drug stores
  - e. Libraries
  - f. Offices, professional and otherwise, and office buildings
  - g. Shoe stores
  - h. Shoe and hat repair stores
  - i. Other business uses similar to the permitted uses listed above as determined by the Town Zoning Administrator and staff and such committee designated by the Plan Commission to hear such matters.”

**SECTION TWO:** That subsection 2 of Section B, entitled Use Regulations, of TITLE XIV, entitled **HIGHWAY COMMERCIAL (B-3) DISTRICT**, of Town Zoning Ordinance No. 839, as amended from time to time, be, and the same is hereby replaced to read and provide as follows, namely:

TITLE XIV – HIGHWAY COMMERCIAL (B-3) DISTRICT  
Section B: Use Regulation

- “2. The following uses may be allowed by special exception:
- a. Those special exception uses allowed for the B-2 Zoning District, except those which are permitted in the B-3 Zoning District
  - b. Bottling works
  - c. Food stores, including grocery stores, meat markets, bakeries, and delicatessens – retail sales only
  - d. Hospitals
  - e. Ice cream manufacture, including storage of frozen food products
  - f. Microwave relay towers
  - g. Nursing homes
  - h. Outdoor amusement establishments, golf driving range, miniature golf courses, par three golf courses, kiddie parks, and other similar amusement centers and places of amusement

- i. Second-hand stores (re-sale shops), rummage shops, auction houses, and flea markets
- j. Theaters
- k. Used car lots, except when in conjunction with a new car dealership, and mobile home sales"

**SECTION THREE:** That subsection 1 of Section B, entitled Use Regulations, of **TITLE XVI**, entitled **LIGHT INDUSTRIAL (I) DISTRICT**, of Town Zoning Ordinance No. 839, as amended from time to time, be, and the same is hereby replaced to read and provide as follows, namely:

**TITLE XVI – LIGHT INDUSTRIAL (I) DISTRICT**

**Section B: Use Regulation**

- "1. The following permitted uses are allowed in I. Light Industrial District:
  - A. The uses permitted in the B-1, B-2, and B-3 Commercial Districts;
  - B. The following uses, provided they are within 250 feet of a residential zoning district boundary line, shall be conducted wholly within a building or within an area enclosed on all sides with a solid wall, compact evergreen screen or uniformly painted board or screen fence, not less than six (6) feet in height:
    - 1. Apparel
    - 2. Beverages, non-alcoholic, alcoholic and brewerics
    - 3. Boats
    - 4. Bottling works
    - 5. Brushes and brooms
    - 6. Business machines
    - 7. Canvas or like products
    - 8. Carpets
    - 9. Electrical Appliances, excluding machinery
    - 10. Food product
    - 11. Glass products
    - 12. Machine tools
    - 13. Musical instruments
    - 14. Optical equipment, clocks, instruments
    - 15. Orthopedic and medical appliances
    - 16. Publishing and printing (other than "quick print" type establishments)
    - 17. Radio station
    - 18. Satellite dishes
    - 19. Sporting and athletic equipment
    - 20. Toys and novelty products
    - 21. Upholstering
    - 22. Venetian blinds and similar products
    - 23. Wholesale establishments
    - 24. Wood products
    - 25. Any uses of similar nature and character to the uses described herein."

**SECTION FOUR:** 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 FIVE:** 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.

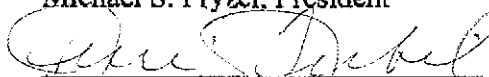
**SECTION SIX:** That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of St. John, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED THIS 21<sup>st</sup> DAY OF DECEMBER, 2006, BY THE TOWN COUNCIL OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

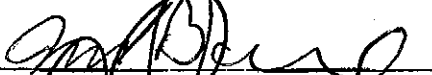
TOWN OF ST. JOHN, LAKE COUNTY,  
INDIANA, TOWN COUNCIL



Michael S. Fryzel, President



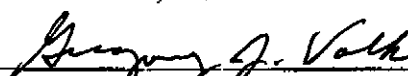
Jerri A. Teibel, Vice-President



Mark Barenie, Member



Charles Pearson, Member



Gregory J. Volk, Member

ATTEST:

  
Sherry P. Suty, Clerk-Treasurer