

ORDINANCE NO. 2094

**AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF MUNSTER
REZONING CERTAIN REAL ESTATE TO CD-3.R2 NEIGHBORHOOD – 60' LOT
ONE FAMILY RESIDENCE DISTRICT**

WHEREAS, the Town of Munster Plan Commission initiated a rezoning of the property located generally at 1503 Fairway Avenue, consisting of 0.419 acres, located, and legally described as follows: S. 130FT. OF N. 200FT. OF E2 NE S.19 T.36 R.9 .419AC; PIN: 45-07-19-227-011.000-027;

WHEREAS, this matter was considered under PC Docket 22-002 by the Munster Plan Commission at a public hearing following proper notice by publication and notice to interested parties as required by Indiana Code Section 36-7-4-604(b) and Indiana Code Section 5-3-1-2b, said public hearing being held on April 12, 2022;

WHEREAS, the Plan Commission after hearing adopted Findings of Fact justifying said amendment to the Town's zoning map, which Findings are attached hereto as Exhibit A;

WHEREAS, the Munster Plan Commission voted to make a Favorable Recommendation of the requested zoning to the Munster Town Council and said recommendations has been certified to the Town Council, and;

WHEREAS, the Plan Commission considered the factors for rezoning set out in the Munster Zoning Ordinance and Indiana Code section 36-7-4-603 before making its favorable recommendation.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Munster, Lake County, Indiana that the property described, located at 1503 Fairway Avenue, Munster, Indiana and legally described as the S. 130FT. OF N. 200FT. OF E2 NE S.19 T.36 R.9 .419AC; PIN: 45-07-19-227-011.000-027, shall be rezoned to the CD-3.R2 Neighborhood – 60' Lot One Family Residence District and the Munster zoning map shall be amended to reflect the new zoning classification.

ORDAINED and ADOPTED this _____ day of _____, 2022 by a vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF
MUNSTER, LAKE COUNTY, INDIANA**

**Charles Gardiner
Council President**

ATTEST:

Wendy Mis
Clerk-Treasurer

EXHIBIT A

TOWN OF MUNSTER PLAN COMMISSION

Munster Plan Commission
1005 Ridge Road
Munster, IN 46321

Petition PC 22-002

**FINDINGS OF FACT FOR A FAVORABLE
RECOMMENDATION TO THE TOWN COUNCIL TO AMEND
THE ZONING MAP OF THE TOWN OF MUNSTER**

1. Petitioner, the Town of Munster Plan Commission, requests the adoption of a zoning map amendment, changing the zoning from CZ-Civic Zone District to CD-3.R2 Neighborhood - 60' Lot One Family Residence District for the property located at 1503 Fairway Avenue, Munster, Indiana, and which parcels are legally known as: S. 130FT. OF N. 200FT. OF E2 NE S.19 T.36 R.9 .419AC, PIN: 45-07-19-227-011.000-027. The current owners of the above-captioned property are Cesar Tovalin and Fatima Tovalin, and they have requested the Town amend the Zone Map for the subject parcel from CZ-Civic Zone District to CD-3.R2.
2. This matter came before the Town of Munster Plan Commission for public hearing on April 12, 2022. The Petitioner presented proof of notification and publication as required by Indiana law. The public hearing was opened and closed.
3. Based upon the testimony and evidence presented by Petitioner, the Town of Munster Plan Commission, having given due consideration and having paid reasonable regard to the requirements of Indiana law, now upon motion duly made, seconded, and carried, makes a favorable recommendation to the Town Council that the Town Council adopt the Zone Map change for the subject property from CZ-Civic Zone District to CD-3.R2.
4. In making such recommendation, the Town of Munster Plan Commission has paid reasonable regard to the comprehensive plan, current conditions and the character of current structures and uses in each district in town, the most desirable use for which the land in each district is adopted, the conservation of property values throughout the jurisdiction; and responsible development and growth in accordance with Indiana Law. The Town of Munster Plan Commission now makes the following FINDINGS OF FACT:
 - A. The proposed Zone Map change is in the best interest of the Town of Munster and will serve to:
 - i. secure adequate light, air, convenience of access, safety from fire, flood or other damage;
 - ii. lessen or avoid congestion in public ways;
 - iii. promote the public health, safety, comfort, morals, convenience, and general welfare; and
 - iv. accomplish the purposes of the Indiana statute regarding zoning.
 - B. The proposed Zone Map change is consistent with Indiana Code 36-7-4-601, *et seq.*

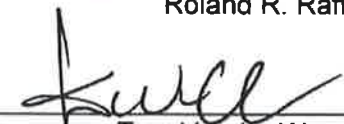
- C. The proposed Zone Map change is consistent with the general purposes and goals of the Town of Munster Plan Commission and will promote the orderly development of the Town of Munster and be beneficial to the general welfare of the community.

WHEREFORE, based upon the above evidence and Findings, the Town of Munster Plan Commission voted 4 in favor, 0 opposed and 0 abstained to grant and forward a favorable recommendation for the proposed Zone Map change as stated above to the Town of Munster Town Council.

Action taken on April 12, 2022. Findings of Fact approved the 12th day of April, 2022.

TOWN OF MUNSTER PLAN COMMISSION

By: 
Roland R. Raffin, President

By: 
Tom Vander Woude, Secretary