

ORDINANCE NO. 1335

**AN ORDINANCE AMENDING ORDINANCE NO. 1054 AND ORDINANCE NO. 1275
AND APPROVING AN AMENDMENT TO THE HARTSFIELD VILLAGE PLANNED
UNIT DEVELOPMENT AND AMENDING THE TOWN OF MUNSTER ZONING
ORDINANCE**

WHEREAS, the Town Council of the Town of Munster, Indiana (herein the "Council") did previously adopt an Ordinance known as the Munster Municipal Code Chapter 29 and also known as the Town of Munster, Indiana, Zoning Ordinance of 1961 (the "Zoning Ordinance"); and

WHEREAS, the Council did adopt and approve Ordinance No. 1054 on May 6, 1996, thereby establishing and creating the Hartsfield Village Planned Unit Development with the use restrictions and other provisions as set forth in said Ordinance No. 1054 (the "Hartsfield Village PUD"); and

WHEREAS, the Council on February 14, 2005 did adopt and approve Ordinance No. 1275 which modified the property and legal description of Hartsfield Village PUD removing certain real estate therefrom and increasing the permitted density of assisted living units; and

WHEREAS, Community Village, Inc., d/b/a Hartsfield Village (the "Petitioner") filed a petition with the Plan Commission of the Town of Munster, Indiana (the "Plan Commission") seeking to amend Hartsfield Village PUD to add certain building improvements and modify the plan for utilities within the planned unit development in accordance with plans and specifications submitted to the Plan Commission; and

WHEREAS, Notice of publication, notice to interested parties and the posting of notice as required by Indiana code and ordinances of the Town of Munster. A public hearing was held by the Plan Commission on June 27, 2006; and

WHEREAS, the Plan Commission after said public hearing approved and issued a favorable recommendation to the Town Council to amend Hartsfield Village PUD in accordance with the petitioner's request and made findings that the proposed amendment to the planned unit development is in accordance with Munster zoning ordinance and state statutes pertaining to zoning; and

WHEREAS, on August 14, 2006 the council in its general orders approved the proposed amendment to Hartsfield Village PUD.

NOW, THEREFORE, BE IT ORDAINED by the Council that the zoning ordinance and the Hartsfield Village PUD are hereby amended and modified in the following respects:

1. The building plan and site plan of Hartsfield Village is amended for the addition of the memory care facility, housing units and related facilities all in accordance with the plans and specifications submitted by the applicant and approved by the Plan Commission which are incorporated herein.

2. The modifications to the location of sewer, water and other utilities proposed by the applicant are approved in accordance with the plans and specifications submitted by the applicant which are incorporated herein.

3. This Amendment to the planned unit development does not alter the amount of property or the legal description of Hartsfield Village planned unit development previously existing pursuant to Munster ordinance number 1054 and Munster ordinance number 1275 and in all other respects the planned unit development shall remain in force and effect as previously approved by the council.

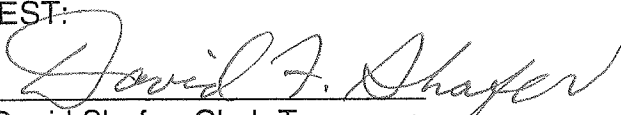
PASSED AND ADOPTED by the Town Council of the Town of Munster, Lake County, Indiana, this 18TH day of SEPTEMBER, 2006.

Adopted by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF
MUNSTER, INDIANA

By: 
Michael Mellon, President

ATTEST:

By: 
David Shafer, Clerk-Treasurer