

ORDINANCE NO. 1349

AN ORDINANCE RECLASSIFYING CERTAIN REAL ESTATE IN THE TOWN OF MUNSTER, INDIANA FOR ZONING PURPOSES AND AMENDING THE TOWN OF MUNSTER ZONING ORDINANCE. (TWIN OAKS CONDOMINIUMS)

WHEREAS, the Town Council of the Town of Munster, Indiana (hereinafter the "Council"), did previously adopt an Ordinance known as the Munster Municipal Code, Chapter 26 and also known as the Town of Munster, Indiana, Zoning Ordinance of 1961 (hereinafter the "Zoning Ordinance"); and

WHEREAS, the Town Council of the Town of Munster has adopted a Zoning map establishing zoning districts within the Town pursuant to Munster Town Code Chapter 26; and

WHEREAS, Ronald W. McFarland, filed a petition with the Plan Commission of the Town of Munster, Indiana seeking to amend Chapter 26 of the Town Code and the Town Zoning Map to rezone and establish a Planned Unit Development known as Twin Oaks Condominiums; and

WHEREAS, Ronald W. McFarland (hereinafter the "Petitioner") filed a petition with the Plan Commission of the Town of Munster, Indiana (hereinafter the: Plan Commission;), in order to cause the above-referenced real estate within the Town of Munster to be separately zoned a residential planned unit development for the construction of 16 condominium living units which real estate (hereinafter the "real estate") is more particularly described as follows:

Being a parcel of land in the West half of the Southeast quarter of Section 30, Township 36 North, Range 9 West of the Second Principal Meridian more particularly described as follows: Beginning at the Northeast corner of Lot 1, Twin Creek, Block Five as shown in Plat Book 50, Page 29 in the Office of the Recorder of Lake County, Indiana; thence South 0 degrees 34 minutes 33 seconds West, a distance of 165.52 feet to the Southeast corner of Lot 2; thence North 70 degrees 45 minutes 05 seconds East, a distance of 16.70 feet; thence South 45 degrees 00 minutes 30 seconds East, a distance of 125.54 feet; thence Easterly along the North boundary of said Twin Creek, Block Five, being a curve concave to the South and having a radius of 740.00 feet (the chord of which curve bears North 85 degrees 43 minutes 44 seconds East, a distance of 576.00 feet), an arc distance of 593.90 feet; thence North 70 degrees 16 minutes 45 seconds West, along the Southwesterly right of way line of the Grand Trunk Railroad, a distance of

NOW, THEREFORE, BE IT ORDAINED by the Town Council that the Zoning Ordinance is hereby amended and modified and that the real estate described above, all lying within the municipal corporate limits of the Town of Munster, Lake County, Indiana, be zoned as a residential Planned Unit Development as follows;

SECTION 1, ZONING. The real estate is hereby zoned as a residential Planned Unit Development District (hereinafter the "District") subject to the use restrictions herein provided.

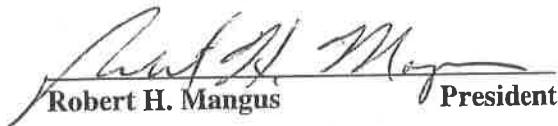
SECTION 2, USE RESTRICTION. Use of the District shall be limited to the development of and construction of a multi-family residential project consisting of 16 units. The 16 (16) units shall consist of two (2) eight (8) unit buildings all in accordance with the plans for the same submitted to and approved by the Plan Commission.

SECTION 3, STREETS, GUTTER, CURBS AND MUNICIPAL SERVICES. The owner of the real estate shall be responsible for all maintenance (including snow removal), repair and replacement of the street, gutters, and curbs within the District, that are not dedicated to and accepted by the Town, and to cost thereof. The Town of Munster shall provide to the District all municipal services to which its residents would otherwise be entitled, except as specifically set forth in this Section 3.

SECTION 4, INGRESS, EGRESS, UTILITIES, STORMWATER AND SANITARY SEWERS. Ingress, Egress, Utilities, Stormwater and Sanitary Sewers shall be provided as set out in the plan and specifications submitted by the Petitioner and approved by the Munster Plan Commission subject to final engineering approval by the Town Engineer.

ORDAINED and ADOPTED this 15TH day of JANUARY, 2007, by a vote of 5 in favor and 0 opposed.

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


Robert H. Mangus President

ATTEST:


David F. Shafer Clerk-Treasurer