LAKE COUNTY, INDIANA

CODE OF ORDINANCES

VOLUME II

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GENERAL PROVISIONS

§ 150.01 PURPOSE.

The County Council and the Board of County Commissioners declare and find that the clearance, replanning, and redevelopment of blighted areas will be beneficial to the health, safety, morals, and welfare of the county, and same will serve to protect and increase property values in respect to the cities and towns in the county in which the blighted areas exist.
(Prior Code, § 150.01) (Ord. 974B, passed 9-27-1982)

DEPARTMENT OF DEVELOPMENT

§ 150.15 CREATION.

Pursuant to the authority of I.C. 36-2-3.5-5(b)(6) and I.C. 36-7-14-3, there is created the Department of Redevelopment of the county, which shall be entitled to exercise all of the rights, powers, privileges, and immunities accorded to the Department by I.C. 36-7-14-1 through 36-7-14-40. The Department of Redevelopment shall also be entitled to exercise any rights, powers, privileges, and immunities which may be added to I.C. 36-7-14-1 *et seq.* by amendment or revision.
(Prior Code, § 150.15) (Ord. 974B, passed 9-27-1982)

REDEVELOPMENT COMMISSION

§ 150.25 CREATION.

The Department of Redevelopment of the county shall be under the control of a board of five members to be known as the County Redevelopment Commission.
(Prior Code, § 150.25) (Ord. 974B, passed 9-27-1982)

§ 150.26 APPOINTMENT OF COMMISSIONERS; TERM.

Each of the five Commissioners shall be appointed by a majority vote of the Board of Commissioners of the county and shall serve for one year from January 1 to the next year following his or her appointment and until his or her successor is appointed and qualified. If a vacancy occurs, the Board shall appoint a successor in like manner, who shall serve for the remainder of the vacated term. The Commissioners first appointed shall serve from the date of their appointment until January 1 of the second year following their appointment. The Board may summarily remove a County Redevelopment Commissioner from office at any time.
(Prior Code, § 150.26) (Ord. 974B, passed 9-27-1982)

§ 150.27 QUALIFICATIONS; POWERS OF COMMISSIONERS.

The Commissioners shall have the qualifications prescribed by I.C. 36-7-14-1 *et seq.*, and shall exercise and enjoy the rights and powers and assume the duties and obligations conferred and imposed by I.C. 36-7-14-1 *et seq.* The Commissioners shall receive no salaries, but shall be entitled to reimbursement for any expenses necessarily incurred in the performance of their duties.
(Prior Code, § 150.27) (Ord. 974B, passed 9-27-1982)

§ 150.28 DESIGNATION OF MEMBERS.

The five members appointed to the County Redevelopment Commission by the Board of County Commissioners, shall be designated as follows:

(A) One member shall be appointed from the Board of County Commissioners;

(B) One member shall be appointed from the County Council; and

(C) Three members shall be citizens and residents of that portion of the county outside the boundaries of the three entitlement cities.
(Prior Code, § 150.28) (Ord. 974B, passed 9-27-1982)

§ 150.29 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; APPROVAL OF APPLICATIONS.

All applications submitted pursuant to the Community Development Block Grant Program, which must be approved by the Redevelopment Commission, shall be submitted to the County Council for approval prior to final approval by the County Redevelopment Commission.
(Prior Code, § 150.29) (Ord. 974B, passed 9-27-1982)

§ 150.30 REVIEW, APPROVAL OF ANNUAL BUDGETS AND APPROPRIATIONS OF COMMISSION BY COUNTY COUNCIL.

The County Council shall review and approve the annual budgets and any additional appropriations of the Redevelopment Commission in the same manner and to the same extent as provided by law for all county budgets.
(Prior Code, § 150.30) (Ord. 974B, passed 9-27-1982)

REDEVELOPMENT AUTHORITY

§ 150.40 CREATION.

The county hereby creates a Redevelopment Authority under the Act to be known as the Lake County Redevelopment Authority (Authority) as a separate body corporate and politic and as an instrumentality of the county.
(Prior Code, § 150.40) (Ord. 1129A, passed 4-12-1994)

§ 150.41 PURPOSE.

The Authority is organized for the following purposes:

(A) Financing, constructing, and leasing local public improvements to the Commission;

(B) Financing and constructing additional improvements to local public improvements owned by the Authority and leasing them to the Commission;

(C) Acquiring all or a portion of one or more local public improvements from the Commission by purchase or lease and leasing these local public improvements back to the Commission, with any additional improvements that may be made to them;

(D) Acquiring all or a portion of one or more local public improvements from the Commission by purchase or lease to fund or refund indebtedness incurred on account of those local public improvements to enable the Commission to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the Commission considers to be unduly burdensome; and

(E) Any other purposes permitted by the Act, including the issuance of bonds to finance local public improvements.

(Prior Code, § 150.41) (Ord. 1129A, passed 4-12-1994)

§ 150.42 MEMBERSHIP.

The Board of Directors of the Authority shall be composed of three members who are residents of the county and shall be appointed by the County Commissioners for three-year terms.

(Prior Code, § 150.42) (Ord. 1129A, passed 4-12-1994)

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GENERAL PROVISIONS

§ 151.001 SHORT TITLE.

(A) This chapter shall be known as the County Building Code, and may be cited as such.

(B) It will be referred to in this chapter as this code or chapter.
(Prior Code, § 151.001) (Ord. passed 11-2-1970)

§ 151.002 PURPOSE.

The purpose of this code is to ensure that minimum standards are provided for the protection of life, limb, health, environment, public safety, and welfare, and for the conservation of energy in the design and construction of buildings and structures.
(Prior Code, § 151.002) (Ord. passed 11-2-1970)

§ 151.003 SCOPE OF CODE.

The provisions of this code apply to the construction, alterations, repair, use, occupancy, maintenance, and additions to all buildings and structures, in the unincorporated areas of the county.
(Prior Code, § 151.003) (Ord. passed 11-2-1970)

§ 151.004 ADOPTION OF STATE BUILDING CODES BY REFERENCE.

(A) The following rules, regulations, and codes are hereby adopted by reference as the rules and regulations governing the construction and alterations of buildings and structures in the unincorporated areas of the county, and shall include late amendments to these articles as the same are published in the Indiana Register or in the Indiana Administrative Code with effective dates as fixed therein:

(1) Indiana Building Code 1985 (IBC, 3-1-1986);

(2) Indiana Building Code Standards 1985 (3-1-1986);

(3) Indiana Handicapped Accessibility Code (HAC, 3-1-1986);

(4) Indiana Electrical Code 1987 (IEC, 3-1-1987);

(5) Indiana Safety Code for Health Care Facilities 1985 (9-25-1985);

(6) Indiana Mechanical Code 1985 (IMC, 5-1-1986);

(7) Indian Plumbing Code 1985 (IPC, 5-2-1986);

(8) Indiana Swimming Pool Code 1985 (3-1-1986);

(9) Indiana Energy Conservation Code 1984 (IEE, 10-1-1984);

(10) Industrialized Building Systems (6-15-1986); and

(11) Indiana One and Two Family Dwelling Code 1987 (3-1-1987).

(B) Copies of this code and rules, regulations, and codes adopted herein are on file as required by law in the Office of the Director of the County Planning and Building Department.
(Prior Code, § 151.004) (Ord. passed 11-2-1970)

§ 151.005 CONFLICTING PROVISIONS.

Where any work, clause, phrase, sentence, section, or part of this chapter conflicts with any other adopted ordinance of the county, the most applicable shall apply, as determined by the Director of the County Planning and Building Department.
(Prior Code, § 151.005) (Ord. passed 11-2-1970)

§ 151.006 CERTIFICATE OF OCCUPANCY.

No certificate of occupancy for any building or structure erected, altered, or repaired after the adoption of this code, shall be issued unless the building or structure was erected, altered, or repaired in compliance with the provisions of this code.
(Prior Code, § 151.006) (Ord. passed 11-2-1970)

§ 151.007 STANDARDS.

All work on the construction, alteration, and repair of buildings and other structures shall be performed in a good and workmanlike manner according to accepted standards and practices in the trade.
(Prior Code, § 151.007) (Ord. passed 11-2-1970)

§ 151.008 VIOLATIONS.

It shall be unlawful for any person or entity, whether as owner, lessee, sub-lessee, or occupants, to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy, or maintain any building or structure, in the unincorporated areas of the county or cause or permit the same to be done, contrary to the provisions of this code.
(Prior Code, § 151.008) (Ord. passed 11-2-1970)

PERMITS

§ 151.020 PERMIT REQUIRED.

(A) A permit shall be obtained before beginning construction, alteration, repair, or maintenance of any building or structure in the unincorporated areas of the county or cause the same to be done without first obtaining a separate permit for each such building or structure from the County Planning and Building Department.

(B) All permits shall be numbered consecutively each year starting with the last two numbers of the year, e.g. 88-1, 88-2, 88-3, and the like.

(C) All plans for building construction under the authority of the State Department of Fire and Building Services must be filed with same. No local permits shall be issued hereunder until a copy of a release from construction from the Department of Fire and Building Services is received by the Building Administrator.
(Prior Code, § 151.015) (Ord. passed 11-2-1970)

§ 151.021 APPLICATIONS FOR PERMITS.

(A) No permits shall be issued for the foregoing purposes, unless the application for the permit is accompanied by a plat or sketch of the proposed location showing lot boundaries, legal description of the property, plans and specifications showing the work to be done, and all of the information that may be required by the Department pertaining to the project.

(B) If additional work is required or changes made that are not covered in the original application, the applicant will submit additional applications to conform to the requirements of the department before any actual work is begun or continued.

(C) Any errors or omissions in the plans and specifications that do not comply with the intent of this code shall be corrected on site.

(D) The application for a local building permit shall be a sworn affidavit provided by the Building Department.
(Prior Code, § 151.016) (Ord. passed 11-2-1970)

§ 151.022 REVIEW OF APPLICATION.

Prior to the issuance of any building permit hereunder, the Building Administrator shall:

(A) Review all construction plans and specifications to ensure full compliance with the provisions of this code;

(B) Make necessary changes in plans and specifications to ensure full compliance with this code; and

(C) Assume that the proposed construction utilizes construction methods, standards, and practices that will minimize the threat to life, limb, health, environment, public safety and welfare.
(Prior Code, § 151.017) (Ord. passed 11-2-1970)

§ 151.023 PERMIT VALIDITY.

(A) (1) Any permit issued in accordance with this chapter shall be valid for a period of two years from the date of issuance. Any permit requiring a foundation inspection shall be commenced and have a foundation inspection completed and approved within three months of permit issuance.

(2) All other permits shall be revoked and rendered null and void if construction, alteration, modification, remodel or repair defined under said permit is not commenced within six months of issuance. If any question arises, it shall be the responsibility of the developer, builder, agent or owner to prove work on any permit under this paragraph was commenced with the required six-month period.

(B) A permit is valid for a period of two years from date of issuance subject to provisions of § 151.040. All work must be completed within the two-year period or the permit must be renewed.
(Prior Code, § 151.018) (Ord. passed 11-2-1970; Ord. 2158, passed 9-12-2006)

§ 151.024 EXTENSIONS; RENEWALS.

(A) The permit expiration date may be extended for up to 30 days for good cause, without additional fee, if the extension is requested prior to the normal expiration date.

(B) (1) The permit may be renewed once if the renewal is requested and the fee is paid prior to the initial expiration date of the permit.

(2) The fee for permit renewal is as follows:

Permit Renewal	***Fee***
Full two-year	80% of original fee
One- renewal	40% of original fee
Minimum renewal fee shall be $10	

(C) Permits that have expired may be renewed once if the renewal is requested within 30 days after its initial expiration and if the fee is paid as follows:

Permit Renewal	***Fee***
Full two-year renewal	Same as original fee
One- renewal	75% of original fee

(D) Any permit which has been expired for over 30 days shall be considered null and void and a new permit is required and cannot be issued until approved by the Director or his or her duly authorized representative.

(E) Permits obtained under this code cannot be assigned, transferred, or sublet without the express approval of the Director. Any permit assigned, transferred, or sublet without this approval shall be considered null and void.

(F) Any person or entity starting construction prior to applying for and receiving a permit shall be charged a fee equal to three times the original building fee which is provided in this code.
(Prior Code, § 151.018) (Ord. passed 11-2-1970)

§ 151.025 INSPECTIONS.

After the issuance of any building permit hereunder, the owner or contractor shall cause to be made the inspections of the work being done under the permit as are necessary to ensure full compliance with the intent of this code and the terms of the permit.

(A) *Number of inspections*. There shall not be less than nine inspections for every building permit, unless not deemed necessary by the Building Administrator, which shall be made in the following scheduled order:

(1) Footing pre-pour inspection (exceptions: new residences and residential additions);

(2) Footing inspection;

(3) Foundation inspection;

(4) Electric service inspection;

(5) Rough framing inspection;

(6) Rough plumbing inspection;

(7) Rough H.V.A.C. inspection;

(8) Rough electric inspection; and

(9) Final occupancy inspection.

(B) *Work not in compliance with code or not ready for inspection*. There shall be an additional fee of $50 if an inspection is made and the work is not in compliance with the intent of this code.

(C) *Reinspection*. Upon payment of $50, a re-inspection shall be required before any further construction, other than the correction of the defect, is carried out.
(Prior Code, § 151.019) (Ord. passed 11-2-1970; Ord. 1458A, passed 4-11-2000; Ord. 2165, passed 9-12-2006)

§ 151.026 RIGHT OF APPEAL.

All persons or entities shall have the right to appeal the Building Department's decision first through the County Board of Zoning Appeals and then to the Indiana Fire Prevention and Building Safety Commission in accordance with the provisions of I.C. 22-12-7-11 or 22-12-7-12 as applicable.
(Prior Code, § 151.020) (Ord. passed 11-2-1970)

§ 151.027 COMPLIANCE WITH OTHER ORDINANCES.

All work done under any permit issued under any permit issued in this code shall be in full compliance with all other ordinances pertaining thereto.
(Prior Code, § 151.021) (Ord. passed 11-2-1970)

SCHEDULE OF FEES

§ 151.040 RESIDENTIAL FEE SCHEDULE.

(A) The following is the residential fee schedule.

Type	*Building Fee*	*Minimum Fee*	*Zoning Fee*
New residences	$10 for first $1,000 valuation plus	$300	$100
One- or two-family	$5 for each additional $1,000 valuation		
Additions	Same	$100	$50
Remodeling/repair	Same	$100	$20
Garages	Same	$100	$50
Accessory buildings	Same	$100	$50
Sheds up to 120 sq. ft.		$25 flat fee	$25
Mobile home in mobile home park		$100 flat fee	$50
Manufactured homes not in mobile home park	Same as new residence	$300	$100
Decks, patios 8 in. or more above ground		$25 flat fee	$25
Ingrown pools		$100 flat fee	$25
Demolition		$25 flat fee	$25
Moving residence	Same as new residence	$300	$100
Free standing towers 35 ft. high and over	$3 per lineal foot	$150	$100
Satellite dishes			$20
Fences	$1 per 8-ft. section or fraction thereof		$20
Plus fees for plumbing, electrical, mechanical (See § 151.043)			

(B) The following is the residential inspection fee schedule.

Residential Inspection Fees	
Footing: pre-pour inspection	$35
Footing inspection	$35
Foundation inspection	$35
*Underlay mechanicals inspections *HAC, electric, plumbing	$35 each
Electric service inspections	
First 200 amps	$40
Each additional 100 amps	$20
Rough HAC inspection	$35
Rough plumbing inspection	$35
Rough electric inspection	$35
Rough building inspection	$35
Final HAC	$35
Final plumbing inspection	$35
Final electric inspection	$35
Final building inspection	$35
* Each additional inspection	$35

(Prior Code, § 151.035) (Ord. passed 11-2-1970; Ord. 18A-1, passed 6-12-2001)

§ 151.041 COMMERCIAL BUILDING PERMIT FEE SCHEDULE.

The following are commercial building permit fees.

Type	*Building Fee*	*Minimum Fee*	*Zoning Fee*
Multi-family (no occupancy until finagled)	$20 first $1,000 valuation plus $5 each additional $1,000	$300	$50
Condominiums: multi-family (partial occupancy) Each unit requires a separate permit	$20 first $1,000 valuation plus $5 each additional $1,000	$300 plus number units times $50	$50
Additions to multi-family condominium	$10 first $1,000 valuation plus $5 each additional $1,000	$60	$50

Type	*Building Fee*	*Minimum Fee*	*Zoning Fee*
Remodeling multi-family/condominiums	Same as above	$60	$50
New commercial buildings (Those with public access, i.e. stores, churches, schools, restaurants) (No occupancy until finagled)	$30 first $1,000 valuation plus $10 each additional $1,000	$300	$50
New commercial buildings (Partial occupancy on units finished units)	Same as new commercial building	$300 plus number of units times $50	$50
Additions	$30 first $1,000 valuation plus $10 each additional $1,000	$100	$50
Remodeling	Half rate of new construction: $15 first $1,000 valuation plus $5 each additional $10	$100	$50
Accessory structure under 500 sq. ft.	$50 flat fee		$50
Accessory structure over 500 ft.	$30 first $1,000 valuation plus $10 each additional $1,000	$300	$50
Signs	$40 plus $10 per sq. ft. of display area	$50	$50
Towers, aerials	$50 first 50 ft. plus $5 each additional lin. ft.	$100	$50
Light standards (light poles)	$20 per pole		
Swimming pools (public)	$100 flat fee		
Moving	$30 first $1,000 valuation plus $6 each additional $1,000	$300	$50
Fireworks stands			$50
Demolition			$50
Under 8,000 gallons: storage bins, tanks, underground storage tanks	$100 flat fee		$50
Over $8,000 gallons: high volume, low area structures	$150 flat fee		$50
Open recreational shelters	$2.50 per 100 sq. ft.	$50	$50
Fences			$50
Plus fees for plumbing, electrical, HAC			

(Prior Code, § 151.036) (Ord. passed 11-2-1970)

§ 151.042 AGRICULTURAL FEE SCHEDULE.

The following is the agricultural fee schedule.

Type	*Building Fee*	*Minimum Fee*	*Zoning Fee*
New buildings: barns, sheds, storage buildings and the like	$.025 per sq. ft. of gross floor area each floor	$45	$20
Additions	$.025 per sq. ft. of gross floor area each floor	$45	$20
Remodeling	$.015 per sq. ft. of gross floor area each floor	$30	$20
Accessory structures: grain elevators, silos, bins, storage tanks and the like	$.40 per 100 cubic ft.	$20	$20
Signs	$40 plus $5 per 100 sq. ft.	$45	$20
Moving	$.025 per sq. ft. of gross floor area plus $20 demolition	$45	$20
Demolition	$20 flat fee		$20
All other structures not mentioned	Most applicable fee shall apply		$20

(Prior Code, § 151.037) (Ord. passed 11-2-1970)

§ 151.043 OTHER FEE SCHEDULES.

The following are other fee schedules.

Type	*Building Fee*	*Minimum Fee*	*Zoning Fee*
Electrical			
Per meter	$.20 per amp	$20	
New branch circuits	$15 flat fee		
Plumbing fees	$2 per fixture	$15	
Mechanical	$20 flat fee		
Exceptions: All fees shall be waived for all units of Lake County Government.			

(Prior Code, § 151.038) (Ord. passed 11-2-1970)

ADMINISTRATION AND ENFORCEMENT

§ 151.055 ORGANIZATION AND ENFORCEMENT.

(A) There is hereby established for the unincorporated areas of the county, a Planning and Building Department, as a division of the County Plan Commission, which shall be administered by the Director of the County Plan Commission or his or her duly appointed representative.

(B) The Director shall submit a report to the County Board of Commissioners not less than once a year covering the work of the Department during the preceding period. The Director shall keep a permanent, accurate accounting of all fees and other monies collected and received under this code, the names of the persons upon whose account the same were paid, and the date and amount thereof, together with the location of the building or premises to which they relate.
(Prior Code, § 151.050) (Ord. passed 11-2-1970)

§ 151.056 ENTRY.

Upon presentation of proper credentials, the Director, Building Administrator, or any duly appointed representative of the Director may enter at reasonable times any building, structure, or premises in the unincorporated areas of the county, to perform any duty imposed upon them by this code.
(Prior Code, § 151.051) (Ord. passed 11-2-1970)

§ 151.057 STOP ORDER.

Whenever any work is being done contrary to the provisions of this code, the Director, Building Administrator, or any duly appointed representative of the Director may order the work stopped by notice in writing served on any persons engaged in the doing, or causing the work to be done, and any such persons shall forthwith stop such work until authorized by the Director, Building Administrator, or a duly appointed representative of the Director to proceed with the work.
(Prior Code, § 151.052) (Ord. passed 11-2-1970)

§ 151.058 BUILDING ADMINISTRATOR.

The Building Administrator is hereby authorized and directed by the Director of the County Planning and Building Department to administer and enforce all of the provisions of this code. Wherever in the building regulations it is provided that anything must be done to the approval of or subject to the direction of the Building Administrator, this shall be construed to give the officer only the discretion of determining whether the rules or standards established by ordinance have been complied with; and as such provision shall be construed as giving any officer discretionary powers as to what such regulations, codes or standards shall be, or power to enforce ordinance provisions in an arbitrary or discriminating manner.
(Prior Code, § 151.053) (Ord. passed 11-2-1970)

§ 151.059 REMEDIES.

The Director, Building Administrator, or duly appointed representative of the Director shall in the name of the County Planning and Building Department bring actions in the County Circuit or Superior Courts for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders made by the Building Administrator, and any such action for mandatory injunctive relief may be jointed with an action to recover the penalties provided for in this chapter.
(Prior Code, § 151.054) (Ord. passed 11-2-1970)

LICENSING OF CONTRACTORS

§ 151.075 PURPOSE.

The purpose of this subchapter is to regulate contractors to ensure compliance with ordinances and rules and regulations governing business in Lake County, Indiana, to improve the health, safety, convenience, and welfare of the citizens.
(Prior Code, § 151.075) (Ord. 1628, passed 6-13-1995)

§ 151.076 DEFINITIONS.

(A) This subchapter is intended to be gender neutral and equally applicable to all persons so that if the masculine or feminine gender of a word is used it should be interpreted to mean both sexes.

(B) For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BOARD. The ***BOARD*** as herein referred shall mean The Unincorporated Lake County Contractors Board of Licensing.

BUSINESS ENTITY. An individual, sole proprietorship, firm, partnership, limited partnership, corporation, or any other form of unincorporated enterprise.

CONTRACTOR. Any person, except a licensed architect or registered professional engineer, who in any capacity, other than as the employee of another for wages as the sole compensation, undertakes to construct, repair, move, wreck, or demolish any structure. The term includes a subcontractor or specialty contractor, but does not include a person who only furnishes materials or supplies.

DIRECTOR. Director of the Lake County Plan Commission.

LICENSE. A certificate issued by the Board established pursuant to this subchapter which confers upon the holder the privilege to perform as a contractor or specialty contractor in the unincorporated areas of Lake County, Indiana.

MAINTENANCE PERSON. An individual who is employed on a permanent basis to keep the premises of a business establishment in good repair.

SPECIALTY CONTRACTOR. A contractor who specializes in a particular branch of the building construction industry and who shall be licensed in his or her specialty pursuant to the terms of this subchapter in order to work in the specific field in which he or she is licensed.
(Prior Code, § 151.076) (Ord. 1628, passed 6-13-1995)

§ 151.077 BOARD.

The Unincorporated Lake County Contractors Board of Licensing is hereby created. This Board shall have general charge and responsibility of administering this subchapter. The title of this Board is as follows: Unincorporated Lake County Contractors Board of Licensing.
(Prior Code, § 151.077) (Ord. 1628, passed 6-13-1995)

§ 151.078 DUTIES AND POLICIES.

(A) It shall be the duty and policy of the Board to:

(1) Prescribe the form of licenses and issue same, and to investigate and supervise all licenses it issues; and

(2) Issue contractor and specialty contractor licenses to any business entity who meets the requirements and complies with the provisions of this subchapter.

(B) It shall be the responsibility of this Board to adopt and promulgate rules and regulations for conduct of its business consistent with the guidelines and provisions of this subchapter and do all things necessary to carry out and enforce the provisions of this subchapter.

(C) The Secretary shall call all meetings of the Board as directed by the Board Chairperson. Sufficient notice shall be given to permit each Board member to attend all meetings. Four members in attendance at Board meetings shall constitute a quorum sufficient for the transaction of the Board's business. A majority vote of all members in attendance shall be required to bind the Board.
(Prior Code, § 151.078) (Ord. 1628, passed 6-13-1995)

§ 151.079 BOARD COMPOSITION.

This Board shall consist of seven members to be appointed as follows.

(A) Lake County Commissioners shall appoint one member from the Board of Commissioners of Lake County to serve on this Board;

(B) Lake County Council shall appoint one member from the Lake County Council to serve on this Board, the member may have a proxy from the Council;

(C) The Director of the Lake County Plan Commission, or his or her designated agent, by virtue of his or her office, shall serve as a voting member on the Board as long as he or she serves in his or her capacity as Director of the Lake County Plan Commission.

(D) Four citizen members shall be appointed as follows.

(1) Three citizen members of this Board shall be appointed by the Lake County Council and one citizen member shall be appointed by the Lake County Board of Commissioners.

(2) These four citizen members shall be residents of Lake County, Indiana, and they shall be actively engaged in the building construction industry for not less than two years immediately prior to appointment.

(3) In addition, the citizen members shall be representatives of the building construction industry as follows:

(a) One shall be representative of the building construction industry;

(b) One shall be representative of the electrical construction industry;

(c) One shall be representative of the plumbing construction industry;

(d) One shall be representative of the heating, air-conditioning and sheet metal workers industry.

(E) All seven members of this Board shall be entitled to vote on all issues pertaining to the functions of this Board;

(F) Upon initial passage of this subchapter, the four citizen members appointed to this Board by the Lake County Council and the Lake County Commissioners shall serve the following terms:

(1) The one citizen member appointed by the Lake County Commissioners shall serve a term of one year;

(2) One citizen member appointed by the Lake County Council shall serve a term of one year; and

(3) Two citizen members appointed by the Lake County Council shall serve a term of two years.

(G) Appointments thereafter shall be staggered and shall be for a term of two years. Each term of two years shall begin January 1 and end (or expire) on

December 31 of each respective member's term. Members whose term ends or expires shall continue to serve until an appointment is made to replace them.

(H) One of the seven Board members shall be elected to serve as Chairperson at the first meeting of each calendar year to serve as Chairperson until the next election. A member can serve as Chairperson for as many terms as he or she is elected. The Board may elect such other officers when and how it deems necessary.
(Prior Code, § 151.079) (Ord. 1628, passed 6-13-1995; Ord. 1628A-1, passed 5-14-2007)

§ 151.080 LICENSE APPLICATION.

(A) Except as otherwise provided in this subchapter, any business entity which conducts business in unincorporated Lake County, Indiana as a contractor or specialty contractor is required to be licensed by the Board. Any business entity which satisfies all the requirements of this subchapter shall be issued a license by the Board.

(B) A business entity attempting to obtain a license as a contractor or specialty contractor shall file a written application on forms supplied by the Board and shall include exhibits, material, and information required and specified on the forms. All forms are approved at the discretion of the Board and may be updated from time-to-time with the approval of the Board.

(C) The application shall be filed on behalf of the business entity and shall also contain the name of, and be signed by, the individual who manages said business. Where a license is issued, authority to transact business thereunder as a contractor or specialty contractor shall be limited to one individual named in the application and the license as the license holder. In the event the license holder leaves the business entity, the license becomes null and void.

(D) All applications shall also be signed by the individual designated as the license holder and shall be accompanied by a recommendation as to the character and honesty of the applicant from two residents of this county who are not related to the applicant, or in the case of a corporation, to its officers.

(E) Every application shall be accompanied by two recent photographs of the license holder (size one and one-half inch by two inches).

(F) Upon the filing of an application, the Board shall investigate the information contained therein and, if any such information is found to be untrue, may refuse to examine or license the applicant.

(G) Except as hereinafter provided, all applicants for a license shall submit to and pass an oral interview and written examination. The contents of the examination herein required shall be developed and adopted by the Board or other independent testing agency and shall test the level of skill of the potential license holder in the field in which the license is sought. Plumbers who possess a valid Indiana Plumbing Contractor's License are not required to take a written test, but must be licensed by the Board to perform work in the unincorporated areas of Lake County, Indiana. In addition to plumbing contractors, this also applies to other professions that are required to pass examinations and be licensed by the Indiana Professional Licensing Agency.

(H) Upon receipt of application and proof of fee payment as prescribed in this subchapter, it shall be the duty of the Board to set a date for examination and to notify the applicant(s) in writing at least five days before the examination.

(I) Any applicant who fails to qualify for a license as a contractor or specialty contractor may be re-examined at the next succeeding date for examinations. But, in any event, any applicant who fails to pass the written examination on two successive attempts shall be ineligible for re-examination for one year subsequent to the date of the last examination he or she failed to pass.

(J) Before a license is issued by the Board to any applicant, I.C. 22-11-3.1 *et seq.* requires the applicant to file a unified license bond with the Lake

County Recorder's Office in the amount of $5,000. The bond shall be issued by a surety authorized to do business in Indiana and be conditional upon the observance of the ordinances, regulations, and laws of the County of Lake and the State of Indiana relative to contracting, building, zoning, and construction.

(K) (1) All applicants and licensees shall provide to the Board proof of liability insurance for property damage and personal injury in the amount of not less than $500,000 for each occurrence, or an annual umbrella policy of $1,000,000 before a license can be issued or renewed.

(2) Such a certificate of insurance or insurance policy shall be filed with the Lake County Plan Commission after the certificate of insurance or insurance policy is filed with the Lake County Recorder in the same manner as the county unified bond.

(3) If, during the term of a license, the insurance certificate or policy expires, is revoked, rescinded, canceled, or coverage is otherwise terminated or if the insurance company ceases doing business, goes bankrupt, is placed in receivership or there is other reason to believe it will not be able to meet its obligations the license for which it has been obtained shall be deemed immediately suspended until such time as a new certificate or policy is recorded and filed with the Plan Commission. Any applicant, licensee or license holder who fails to notify the Board of any such problems with his or her insurance policy, certificate, or company of which he or she is aware shall be subject to punishment by the Board including, but not limited to, suspension, revocation of the license, fine, permanent ineligibility for obtaining any license from the Board.

(L) If an applicant fails to appear for their oral interview (after proper notification) at two successive regularly scheduled Board meetings, his or her application will become void. If his or her license becomes void, in order to receive a license the applicant must apply as if he or she were making an initial application. Under this provision, voiding an applicants license forfeits the original application and testing fees and any passing grade received on an examination.

(M) A license issued by the Board is valid until the contractor to whom the license was issued fails to perform any work under that license for a period of five years, in which case the license expires. If a contractor allows his or her license to expire, he or she shall be required to apply for a new license (as if he or she were making an initial application). Prior to the five year period (after which a license expires), a contractor may validate his or her license by paying all required periodic renewal fees to bring his or her license up to date. For example, a contractor receives a license for the 1990 calendar year and does not renew his or her license after 1990. In July of 1995 the same contractor is awarded a bid for a job under the jurisdiction of this subchapter. He or she may then renew his or her license by paying required license fees for 1991, 1992, 1993, 1994 and 1995, in addition to other provisions and requirements of this subchapter (e.g. current liability insurance).

(N) If a contractor who is issued a license by the Board allows his or her license to expire, he or she is required to apply for a new license.

(O) Upon receipt of an application for a license from an applicant, the Board shall make such investigation as it deems necessary to determine the fitness of the applicant for his or her license. In the event the Board determines after the investigation that a question exists as to whether the application for a license under consideration should be approved, it shall so advise the applicant and he or she shall, thereafter, within 30 days show cause to the Board why his or her license should be approved. The Board shall issue a written decision after reviewing the evidence submitted by the applicant and, if the decision is to deny the renewal, the Board shall state in the written decision the reason(s) for denial.

(P) The fee for licenses shall be as follows:

(1) An application and processing fee of $50 and initial examination fee of $250 shall accompany an application for any contractor or specialty contractor license.

(2) If a subsequent (or second) exam is necessary because of failure of the initial exam, an examination fee of $50 shall be required prior to scheduling of the second examination.

(3) An additional fee of $100 shall be required for the initial issuance of a license.

(Q) All fees assessed and collected pursuant to this subchapter shall be paid into the Treasury of Lake County, Indiana, and shall be credited to the County General Fund.

(R) All construction work in progress on the effective date of the original passage of this subchapter shall be allowed to be completed without the issuance of a license.

(S) In the event a licensee or license holder shall have been convicted of a felony for extortion, forgery, embezzlement, or criminal conspiracy to defraud, or other like offense indicative of dishonesty, and a duly certified or exemplified copy of the record in the proceeding is filed with the Board, the Board shall revoke the license.
(Prior Code, § 151.080) (Ord. 1628, passed 6-13-1995; Ord. 2312, passed 8-10-2010)

§ 151.081 ANNUAL LICENSE RENEWAL.

(A) All licenses expire at midnight, December 31 of each year unless the licensee or license holder renews the license prior to expiration and pursuant to the terms of this subchapter.

(B) Upon receipt of an application for renewal of a license from an applicant and upon satisfactory evidence of compliance with divisions (D) and (E) of this section, the Director or his or her designated agent shall make such investigation as deemed necessary to determine the fitness of the applicant for renewal of his or her license. In the event the Director or his or her designated agent determines, after said investigation, that the application under consideration should be approved, the Director or his or her designated agent shall issue a license renewal and so inform the Board. However, in the event the Director or his or her designated agent determines, after said investigation, that a question exists as to whether the application for renewal should be approved, he or she shall so advise the applicant and Board. The applicant shall, within 30 days, show cause to the Board the reason(s) his or her license should be renewed. The Board shall issue a written decision after reviewing the evidence submitted by the applicant and Director or his or her designated agent and, if the decision is to deny the renewal, the Board shall state in the written decision, the reason(s) for the denial.

(C) Upon receipt of an application for renewal of a license from an applicant who, during the preceding licensed period, has been found by the Board to have violated any of the provisions of this subchapter or any rules or regulations promulgated by the Board, the Board shall make or direct to have made such investigation as it deems necessary to determine the fitness of the applicant for renewal of his or her license. In the event the Board determines after the investigation that a question exists as to whether the application for renewal under consideration should be approved, it shall so advise the applicant and he or she shall, thereafter, within 30 days show cause to the Board why his or her license should be renewed. The Board shall issue a written decision after reviewing the evidence submitted by the applicant and, if the decision is to deny the renewal, the Board shall state in the written decision the reason(s) for the denial.

(D) Annual continuation certificates or other document(s) necessary to maintain insurance required by this subchapter shall be filed with the Lake County Plan Commission after the insurance is filed with the Lake County Recorder. The continuation certificates or other documents shall be filed with the Lake County Plan Commission in such timely manner to provide evidence necessary for license renewals under this section of the subchapter.

(E) There shall be a license renewal fee of $50 and processing fee of $25 accompanying every annual license renewal application.

(F) No license shall be renewed during any period a licensee or license holder is under citation by the Board for violation of any of the provisions of this subchapter or any rules or regulations promulgated by the Board; however, the Board, at its discretion, may temporarily extend the applicant's current license for a period, or periods of time, not to exceed 30 days, or until the violation is heard by the Board.
(Prior Code, § 151.081) (Ord. 1628, passed 6-13-1995; Ord. 2312, passed 8-10-2010)

§ 151.082 VIOLATIONS AND ENFORCEMENT PROCEDURES.

All licensees and holders shall abide by all applicable codes, ordinances, and laws of Lake County and the State of Indiana, or any rules or regulations promulgated pursuant thereto. The Board may, upon its own motion, and shall, upon the verified written complaint setting forth specifically the wrongful action or acts complained of, investigate any action, acts or business transaction of a license holder or licensee and shall have the power to suspend a licensee, or revoke a license, if after due proceedings as herein provided, it shall find the license holder or licensee to be guilty of any of the following prohibited acts or conduct:

(A) Willful and deliberate disregard of the applicable Building and Zoning Construction Codes, ordinances and laws of Lake County and the State of Indiana, or any regulations promulgated pursuant thereto;

(B) Knowingly aiding or abetting any person or entity to evade the provisions of this subchapter or regulations promulgated pursuant thereto;

(C) Knowingly combining or conspiring with a person or entity with the intent to evade the provisions of this subchapter or rules and regulations thereto;

(D) Acting in the capacity of a licensed contractor or specialty contractor by falsely using a license issued in the name of another licensee or license holder;

(E) Diversion of funds or property received for a specified construction project or operation where, as a result of the diversion, the contractor is or will be unable to complete or fulfill the terms of his or her obligation or contract;

(F) Conviction of a felony for obtaining money under false pretenses, extortion, forgery, embezzlement, criminal conspiracy to defraud, or other like offense, and if a duly certified or exemplified copy of the record of conviction in the proceeding is filed with the Board, the Board shall revoke the license;

(G) Paying compensation in money or other valuable consideration to any person or entity other than a licensed contractor for rendering services or doing any act required by this subchapter to be performed by a licensed contractor;

(H) A violation of any provision of this subchapter by an agent or employee of any licensed contractor approved by the contractor. For the purpose of the preceding sentence, a course of conduct shown to have been consistently followed by an agent or employee shall constitute prima facie evidence of approval by the contractor;

(I) Any business entity or its designated agent or representative aggrieved by any action by the Board in suspending, revoking, or failing to issue or renew a license may seek judicial review by the Circuit Court of Lake County;

(J) Where the issues involved in judicial proceedings are pertinent to an inquiry before the Board, the verdict or judgement of the court in the proceeding shall be prima facie evidence of the existence of all facts at issue in the proceedings and necessarily adjudicated therein;

(K) The verdict, in any criminal prosecution in any court of record of which the applicant, licensee, or license holder was the defendant, shall be conclusive as to the facts charged and at issue in the prosecution;

(L) After the revocation of any license, no new license shall be issued to the same licensee or license holder within a period of at least one year subsequent to the date of revocation;

(M) Whenever any contractor's license issued under the provisions of this subchapter is revoked by the Board, the Board shall deliver the bond of the offending licensee to the County Attorney who shall institute proceedings to forfeit the bond;

(N) Whenever someone whose license has been revoked applies for a license, it shall be treated and handled as an initial application except as to the requirement of division (L) above; and

(O) (1) When any business entity, or a duly authorized agent or representative of such, acts as a contractor without first obtaining a license, or any individual or entity continues to act as a contractor after his or her license has been suspended or revoked, the entity shall be guilty of violating this section and be subject to an immediate fine or penalty in the amount of $500. This fine or penalty is in addition to any fine or penalty imposed as a judgement from any litigation initiated to bring the violator into compliance. Also, the business entity, or a duly authorized agent or representative of such shall immediately initiate an application to become a contractor or subcontractor under the provisions of this section and cease all work until such time as their license is issued.

(2) If the business entity, or a duly authorized agent or representative of such refuses to comply with the procedure stated above or allows more than 30 days to pass without paying the immediate fine of $500 and making application to become a duly licensed contractor under these provisions, the Director of his or her duly appointed representative shall, in the name of the Lake County Plan Commission, bring an action in the Circuit or Superior Courts of Lake County, Indiana for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders issued by the Board, Director, or a duly appointed representative of the Director, and any action may be joined with an action to recover the penalties provided for in this section.

(P) Any person or entity violating any provision of this section or refusing a lawful order issued by the Board or Director, or a duly appointed representative of the Director, shall be fined an additional penalty (over and above the $500 identified as the immediate fine or penalty provided in division (O) above) in any sum not less than $100 nor more than $3,000 in addition to any court costs or other fees incurred. Each day of the unlawful activity shall constitute a separate offense.
(Prior Code, § 151.082) (Ord. 1628, passed 6-13-1995; Ord. 2312, passed 8-10-2010)

§ 151.083 EXCEPTIONS; EXCLUSIONS.

This subchapter does not apply to the following:

(A) An authorized employee of the United States, the State of Indiana, County of Lake, or any political subdivisions thereof, so long as the employee does not hold himself or herself out for hire and is acting within the scope of his or her employment;

(B) Public utilities, where construction, maintenance, and development work performed by their own employees and incidental to their business;

(C) The owner and occupant (in the case of a new single-family dwelling unit) when the owner-occupant is himself or herself alone constructing, installing, altering, remodeling, repairing or building the residential unit he or she occupies or will occupy. The term owner and occupant is intended to mean that the individual or individuals who enter into this endeavor will reside in the single-family dwelling unit they construct, install, alter, remodel, repair or build. This exclusion shall only be available after the owner and occupant files an

application under § 151.080(A) through (S), the same as any business entity, except that the required written examination under this exclusion is not required. This exclusion shall not be available more than one time every seven years when applied to construction of a new residence. No license may be issued to an owner-occupant under this exclusion, but all other requirements under § 151.080, including a unified license bond, proper insurance and oral interview are required. If any owner-occupant determines they cannot alone themselves complete their construction, installation, alteration, remodel or repair, any additional business entity hired to complete any portion of the construction, installation, alteration, remodel or repair must hold a valid contractor's license as described under this chapter.

(D) Any construction, alteration, improvement, or repair of improvements located on any site and project where state and federal law supersedes this subchapter; and

(E) Any individual who is employed or acts as a maintenance person as that term is defined in this subchapter at his or her place of employment.
(Prior Code, § 151.083) (Ord. 1628, passed 6-13-1995; Ord. 2155, passed 9-12-2006)

§ 151.084 ENFORCEMENT.

(A) Nothing in this subchapter shall limit the power of a political subdivision to regulate the quality and the character of work performed by contractors through the enforcement of building codes and inspections within its boundaries.

(B) State licensed plumbers and well diggers shall pay a fee as prescribed by this subchapter for a license authorizing them to perform work in the unincorporated areas of Lake County, Indiana.
(Prior Code, § 151.084) (Ord. 1628, passed 6-13-1995)

§ 151.085 IDENTIFICATION.

Every original license shall be openly displayed at the licensee's principal business office and a copy of every contractor's or specialty contractor's license(s) shall be visibly posted and easily accessible for inspection on each and every job site where they work.
(Prior Code, § 151.085) (Ord. 1628, passed 6-13-1995)

§ 151.086 COMPLIANCE WITH REQUESTS AND DIRECTIVES; PUNISHMENT.

If an applicant, licensee, or license holder willfully and voluntarily fails to comply with any reasonable request or directive of the Board, Director, or his or her appointed representative, the failure may, at the reasonable discretion of the Board, be sufficient ground for denial, suspension, or revocation of a license.
(Prior Code, § 151.086) (Ord. 1628, passed 6-13-1995)

§ 151.087 AUTHORIZATION TO ENACT RULES AND REGULATIONS.

The Contractors Board of Licensing in Lake County, Indiana is hereby authorized and empowered to adopt, fix, and establish all rules and regulations necessary for the proper administration of the provisions of this subchapter.
(Prior Code, § 151.087) (Ord. 1628, passed 6-13-1995)

PROJECT LABOR AGREEMENTS

§ 151.110 PROJECT LABOR AGREEMENT REQUIRED.

All general contractors and sub-contractors involved in construction projects where Lake County is the owner of the property upon which the

construction takes place, shall enter into a project labor agreement prior to hiring construction employees.
(Prior Code, § 151.110) (Ord. 1135F, passed 10-11-1994)

§ 151.111 LABOR AGREEMENTS MUST BE INCLUDED IN SPECIFICATIONS.

All project labor agreements must be included in the specifications given to all bidders for a construction project. Bidders shall be given notice that entering into the agreement will be required in order to participate in the construction project.
(Prior Code, § 151.111) (Ord. 1135F, passed 10-11-1994)

§ 151.112 NEGOTIATION MEDIATOR.

All project labor agreements covered by this subchapter shall be negotiated by and through the Northwestern Indiana Building and Construction Trades Council, Inc.
(Prior Code, § 151.112) (Ord. 1135F, passed 10-11-1994)

§ 151.113 REVIEW OF AGREEMENTS.

All project labor agreements covered by this subchapter shall be reviewed by the Lake County Attorney to assure compliance with federal and state law.
(Prior Code, § 151.113) (Ord. 1135F, passed 10-11-1994)

§ 151.999 PENALTY.

(A) When any business entity or a duly authorized agent or representative of such acts as a contractor without first obtaining a license or certificate of registration from the Board as provided herein, or any individual who continues to act as a contractor after his or her license or certificate of registration has been suspended or revoked, the Director or duly appointed representative of the Director shall in the name of the County Planning and Building Department bring actions in the County Circuit or Superior Courts, for mandatory and injunctive relief in the enforcement of and to secure compliance with any order or orders made by the Director, and any such action for mandatory injunctive relief may be joined with an action to recover the penalties provided for in this chapter.

(B) Any business entity or duly authorized agent or representative which fails to renew its license or certificate of registration and continues to act as a contractor after the same has expired, shall be fined in accordance with the provisions set forth in this section.

(C) The Lake County Council establishes the following schedule of fines for violations of the Lake County building code:

(1) Building code violations (general): $500 - $2,500.

(2) Permit violations: $500 - $2,500.

(3) Stop work order violations: $750 - $2,500.

(4) Electric permit and swimming pool violations: $500 - $2,500.

(5) Plumbing permit violations: $500 - $2,500.

(6) Contractor license violations: $500 - $2,500.

(7) Unsafe building violations: $750 - $2,500.
(Prior Code, § 151.999) (Ord. 966D, passed 1-4-1982; Ord. 966-D, passed 3-13-1990; Ord. 1628, passed 6-13-1995; Ord. 1343F, passed 1-10-2012)
Cross-reference:
Ordinance violation deferral program, see Ch. 40

CHAPTER 152: MOBILE HOMES; MOBILE HOME PARKS

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Cross-reference:

See Chapter 154, Zoning Code, §§ 154.135 through 154.139 for further provisions regarding manufactured homes

GENERAL PROVISIONS

§ 152.001 PURPOSE.

To promote the public health, safety, morals, convenience, and general welfare; to set forth regulations and standard procedures for the control and regulation of manufactured home parks, to govern the design, arrangement, location, grading, and

construction of manufactured home parks; to provide for the construction and installation of curbing, streets, sanitary and storm sewers, water facilities, sidewalks, and other appurtenances, or to provide for the guarantee of such installation; to complement and supplement all state laws applicable to manufactured home parks; to provide for penalties for the violation of this chapter.
(Prior Code, § 152.001) (Ord. 1626, passed 6-13-1995)

§ 152.002 SHORT TITLE.

This chapter shall be known and may be cited as Manufactured Home Park Ordinance No. 1626 of Lake County, Indiana.
(Prior Code, § 152.002) (Ord. 1626, passed 6-13-1995)

§ 152.003 APPLICATION AND AUTHORITY.

These regulations shall apply to all manufactured home parks within Lake County. The manufactured home parks shall, in all respects, be in full compliance with the applicable regulations hereinafter set forth in this chapter.
(Prior Code, § 152.003) (Ord. 1626, passed 6-13-1995)

§ 152.004 INTERPRETATION.

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion and effectuation of the purposes set forth in § 152.001 above. Nothing herein shall repeal, abrogate, annul, or in any way interfere with any provision of law or any rules or regulations other than manufactured home park regulations. Where this chapter imposes greater restrictions or requirements than one imposed or required by other provisions of law, rules, regulations, covenants, or agreements, the provisions of this chapter shall control, but nothing herein shall interfere with, abrogate, or annul any easements, covenants, or deed restrictions greater than those imposed by this chapter.
(Prior Code, § 152.004) (Ord. 1626, passed 6-13-1995)

§ 152.005 ESTABLISHMENT.

(A) It shall be unlawful for any person to place or use any single-wide mobile home or manufactured home within the unincorporated areas of Lake County, Indiana, except as follows:

(1) For agricultural purposes in accordance with § 154.120 of the Lake County Zoning Code; and

(2) When located within approved licensed manufactured home park.

(B) It shall be unlawful for any person to construct, alter, or enlarge a manufactured home park unless:

(1) The use complies with the terms of this chapter;

(2) The person holds a letter of approval from the Indiana State Board of Health; and

(3) The person has received preliminary approval from the County Council in accordance with the County Zoning Code, as amended, and this chapter.

(C) It shall be unlawful to:

(1) Rent or occupy any manufactured home stand for periods of less than one calendar month;

(2) Deed off or transfer ownership of individual manufactured home sites;

(3) Occupy, or allow to be occupied, any manufactured home stand prior to having received a certificate of occupancy for the stand;

(4) Occupy, or allow to be occupied, any manufactured home stand if the dimensions of the manufactured home exceed the maximum dimensions approved on the certificate of occupancy for that stand.

(D) (1) No occupancy permit for any manufactured home stand shall be issued until:

(a) All basic elements (utilities, parking, access, streets, curbs, walkways, storm drainage systems, and other required improvements) indicated on the approved plan have been inspected and approved by the County Inspecting Officials; and

(b) All appurtenances (landscaping, recreation areas, swimming pools, community buildings) indicated in the approved plan have been inspected and approved by the County Inspecting Officials or a performance bond equal to the estimated cost of these items has been posted with the Board of Lake County Commissioners.

(2) Divisions (D)(1)(a) and (b) above shall not be construed to mean a manufactured home park must be completed in its entirety prior to obtaining occupancy permits, but rather a total approved plan may be constructed, inspected, and approved in phases of not less than ten units per phase, as authorized by the Plan Commission staff.

(E) Every manufactured home park operator shall keep an up-to-date register of all manufactured home park tenants including names, ages of children under 21 years, date manufactured home was moved into the park, and date of removal. The information shall be made available to the Lake County Plan Commission at its request.
(Prior Code, § 152.005) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.006 RULES.

(A) In the interpretation of this chapter, the rules and definitions contained in this section and § 152.007 shall be observed and applied, except when the context clearly indicates otherwise.

(B) (1) Words used in the present tense shall include the future; words in the singular number shall include the plural number, and the plural the singular.

(2) The word shall is mandatory and not discretionary.

(3) The word may is permissive.

(4) The word lot shall include the words plat, piece, and parcel.

(5) The phrases used for shall include the phrases arranged for, designed for, intended for, maintained for, and occupied for.
(Prior Code, § 152.006) (Ord. 1626, passed 6-13-1995)

§ 152.007 DEFINITIONS.

Except as defined in this division, all terms in this chapter shall be interpreted as defined in the Lake County Zoning Code, as amended, and the Lake County Subdivision Regulations, as amended.

COUNTY INSPECTION OFFICIALS. The County Surveyor, the County Highway Supervisor, the County Health Officer, and the County Plat Officer (the Director), or their assigned agents.

DENSITY. The number of dwelling units per gross acre computed by dividing the acreage of the park site into the total number of dwelling units.

LICENSE. A written license issued by the Indiana State Health Department to a person or corporation to operate and maintain a mobile/manufactured home park under the provisions of the Mobile Home Parks Act of 1955, as amended, and the Indiana State Board of Health Regulations as amended.

MANUFACTURED HOME. A dwelling which is fabricated in one or more modules at a location other than the home site, by assembly-line type production techniques, or by other construction

methods unique to an off-site manufacturing process. Every module shall bear a label certifying it is built in compliance with the Federal Manufactured Home Construction and Safety Standards. For mobile homes built prior to 6-15-1976, a label certifying compliance to the *Standard for Mobile Homes*, NFPA 501 ANSI 119.1, in effect at the time of manufacture is required. A manufactured home is designed to be towed on its own chassis or be site delivered by alternative means.

MANUFACTURED HOME (BACK). The longest side intended by design to be the back of the home.

MANUFACTURED HOME (END). The two sides having the narrowest dimension.

MANUFACTURED HOME (FRONT). The longest side intended by design to be the front of the home.

MANUFACTURED HOME PARK. Any lot, parcel, or tract of land approved by Lake County and licensed by the State of Indiana for the placement of two or more manufactured homes.

MANUFACTURED HOME SITE. The area of land in a manufactured home park designed and approved for the construction of one manufactured home.

MANUFACTURED HOME STAND. A foundation in conformance with this chapter for the support of one mobile/manufactured home.

MOBILE HOME. Any housing unit defined or titled by the State of Indiana as a mobile home and built in a factory prior to 1-1-1981, and not less than 12 feet in width and 60 feet in length, also designed primarily for year-around single-family residency and generally transported on its own frame and running gear. This includes double-wide units and sectionals.
(Prior Code, § 152.007) (Ord. 1626, passed 6-13-1995)

PROCEDURE FOR SUBMISSION OF PLANS FOR MANUFACTURED HOME PARKS

§ 152.020 STAGES FOR PROCESSING PLANS.

All manufactured home park plans shall be processed in four stages leading to final approval as follows:

(A) The pre-application conference;

(B) The preliminary plan;

(C) Zoning approval; and

(D) Final development plan.

(Prior Code, § 152.020) (Ord. 1626, passed 6-13-1995)

§ 152.021 PRE-APPLICATION CONFERENCE.

Any developer proposing a manufactured home park in the unincorporated area of Lake County shall submit to the Plan Commission staff, at an informal conference, a legal description of the property, and a sketch plan of the proposed park. The pre-application conference is to permit the applicant the opportunity of consultation with the staff prior to submission of the preliminary plan.
(Prior Code, § 152.021) (Ord. 1626, passed 6-13-1995)

§ 152.022 PRELIMINARY PLAN.

Submission of the preliminary plan is to provide the petitioner, the Plan Commission, and the County Council grounds on which to reach general agreement

on the basic planning and engineering proposals and to provide basis for a public hearing prior to the preparation of more detailed final plans as required by this chapter.

(A) Application for approval of the preliminary plan shall include the following items:

(1) An application for rezoning to a Planned Unit Development District, Class I, in accordance with the Lake County Zoning Code, as amended.

(2) Preliminary plans of the proposed project, including:

(a) Legal description and, if land is unplatted, a plat of survey certified by a registered land surveyor showing all dimensions of the property in question. The plat of survey shall show exact length and bearing of all exterior boundaries in degrees of the project with reference to a U.S. Land Survey corner.

(b) General location map at a scale of not less than 200 feet to the inch showing:

1. The section or government subdivision of the section in which the project lies with the location of the project located thereon; and

2. Location and name of adjacent subdivisions and landowners including all existing or platted streets, alleys, public easements, railroad and utility easements, water courses, drainage ditches, and other pertinent data on the land to be developed and within 300 feet of the proposed project.

(c) Certified list of the names and addresses (as determined from the most current property tax rolls) of all owners of land immediately adjacent to, or across any street or alley, from the property in question. The certified list shall be certified by a title company, Township Tax Assessor, or County Auditor.

(d) Physical characteristics map showing:

1. Elevation of water table, percolation data, and description of soil type to a depth of five feet as obtainable from the Lake County Soils Survey Book as published by the U.S. Department of Agriculture; contour information at vertical intervals of not more than two feet with reference to U.S.G.S. datum;

2. The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low elevations of the lakes or streams. All elevations shall be referred to U.S.G.S. datum; and

3. If the manufactured home park borders a lake or stream, the distances and bearings of a meander-line established not less than 20 feet back from the ordinary high-water mark of the lake or stream.

(e) Proposed development plan including:

1. Identification block:

a. Proposed name;

b. Date, scale, “North” arrow; and

c. Name and addresses of owners, developer, planner, engineer, or surveyor preparing the plan.

2. Identification of gross land area of the project and the proposed density;

3. Proposed layout and width of all streets, sites for placement of manufactured homes, buffers, utility buildings, and other required improvements and appurtenances; and

4. Approximate location and area of property proposed to be dedicated for public use, or to be reserved for the common use of all tenants within the proposed park, including recreational area, laundry and sanitary facilities, and storage areas.

(f) Preliminary engineering plans showing:

1. Profiles and layout of the sanitary sewer system;

2. Profiles and layout of water supply and distribution; and

3. Profiles and layout of storm drainage system.

(g) Such other information as may be required by the Plan Commission staff as deemed necessary toward proper preliminary plan review.

(B) The Plan Director, upon receipt of ten copies of the preliminary plan, shall identify with the Plan Commission seal all copies of the submitted plan and shall authorize the developer or his or her agent to deliver two copies of the submitted plan. He or she shall also authorize the developer or his or her agent to deliver two copies of the plan to the County Surveyor, two copies of the plan to the County Health Officer, two copies of the plan to the Soils Conservation Service and two copies of the plan to the County Highway Department. Upon official notification that all agencies have received the plans, the Plan Director may authorize the developer to advertise for a public hearing.

(C) It shall be the responsibility of the developer or his or her agent to ascertain that all county agency reports and recommendations have been filed with the Plan Director by the tenth day of the month preceding the month of the Plan Commission meeting. Failure to have all reports submitted by the stipulated deadlines will delay Plan Commission consideration.

(D) The Plan Commission shall hold a public hearing to consider the planned unit development. At least ten days prior to the date set for hearing by the Commission, the petitioner shall publish (at his or her own cost) a notice of the time and place of the hearing in a Lake County newspaper of general circulation.

(E) Upon completion of the public hearing, the Plan Commission shall take one of the following actions:

(1) Defer action if additional study is needed; or

(2) Recommend approval or denial of the rezoning to the County Council.

(F) No permits for construction shall be granted until after final plan approval.

(G) If the planned unit development zoning is approved by the County Council, the developer may proceed to submit a final development plan to the Plan Commission.
(Prior Code, § 152.022) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.023 FINAL PLAN.

(A) Submission of the final plan is to provide the Plan Commission, County Health Department, County Surveyor, and the County Highway Department the opportunity to review the final detailed drawings and utility plans for the proposed project prior to approval of the final development plan.

(B) Submission of the final plan shall be in reasonable conformance with the approved preliminary plan and in accordance with any changes requested on the preliminary plan by any of the reviewing agencies.

(C) The final plan shall contain the following information.

(1) *General requirements*. All final plans shall bear signature and seal of an Indiana Registered Land Surveyor and/or Engineer and shall be legibly prepared in the following manner:

(a) With waterproof, non-fading, black ink on tracing cloth or equal material, 24 inches by 36 inches in size. When more than one sheet is used for any plan, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plan, and showing the relation of that sheet to the other sheets.

(b) At a scale of not smaller than 100 feet to the inch. Where more than one sheet is necessary, a small scale key drawing of the entire project, showing the portions of the project appearing on respective sheets, shall appear on the first sheet.

(2) *Final plan and engineering information*. The final plan shall clearly show:

(a) Identification block:

1. Proposed name;

2. Date, scale, "North" arrow; and

3. Name and address of owner, developer, planner, engineer, and surveyor preparing the plan.

(b) Engineering data:

1. *Streets and drives*.

a. The exact location by length and bearing of the centerline of all proposed streets and drives; and

b. Pavement width, estimated percent of gradient, and typical street cross-sections and profiles of all streets and drives.

2. *Sanitary sewers, water supply, storm drainage*. Final engineering plans and specifications for all sanitary sewers, water distribution system, and storm drainage, including typical details of all storm drainage and sanitary sewage appurtenances.

3. *Sidewalks*. The location and width of all common sidewalks.

4. *Monuments*.

a. All monuments erected, corners, and other points established in the field in their proper places. The material of which monuments, corners, or other points is made shall be noted at the representation thereof, or by legend.

b. The exact location of the project indicated by distances and bearings with reference to a corner or corners of a section or half-section. In case any project crosses any section, quarter section, or quarter-quarter section lines, or is adjacent to any of the lines, all section, quarter section, or quarter-quarter section corners in or adjacent to the project shall be marked and referenced with monuments.

c. General location of all manufactured home stands. The location of all manufactured home sites shall be identified and numbered in consecutive order.

d. Submission of final plan shall also include letters of recommendation from:

i. Lake County Highway Department;

ii. Lake County Health Department; and

iii. Lake County Surveyor's Office.

e. Submission of final plan shall include a letter of approval from the Indiana State Board of Health and Indiana Department of Environmental Management.

f. If the Plan Commission approves the final plan, the petitioner may request a building or zoning permit from the Plan Commission staff.

i. No construction or grading shall be permitted prior to approval of the preliminary plan by the County Council.

ii. After review of the final plan, the Plan Commission shall either approve or deny the final plan.
(Prior Code, § 152.023) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

STANDARDS FOR MANUFACTURED HOME PARKS

§ 152.035 GENERAL REGULATIONS.

(A) *Petitioner to conform.* In designing a manufactured home park, the petitioner shall conform to:

(1) All applicable ordinances of Lake County, Indiana;

(2) Applicable laws, rules, and regulations of the state and duly constituted agencies thereof; and

(3) All requirements contained within this chapter.

(B) *Location and size.* Any parcel of land proposed for use as a manufactured home park shall meet the following minimum location factors.

(1) *Vehicular access.*

(a) All manufactured home parks shall be provided with at least two points of direct vehicular access to a county road classified as a secondary or primary road as defined in the Lake County, Indiana Preliminary Thoroughfare Plan, as amended, or as a state highway.

1. No entrance or exit for a manufactured home park shall open upon a residential subdivision street or any county road classified less than a secondary road.

2. No entrance or exit for a manufactured home park shall be located closer than 125 feet from the intersection of the proposed rights-of-way lines of any two streets.

3. The minimum distance between the centerline of any two manufactured home park entrances or exits shall be 330 feet.

(b) No manufactured home shall have vehicular access to any public street or drive. All access shall be from an improved street or drive within the manufactured home park.

(2) *Screening and buffer strips.*

(a) In order to minimize the potential impact of manufactured home development on adjacent undeveloped or residential property, the developer of the manufactured home park shall provide a buffer strip in accordance with the following schedule.

1. All manufactured home park boundaries not contiguous to a public right-of-way shall provide a buffer strip not less than 20 feet in width.

2. All manufactured home park boundaries contiguous to adjoining property fronting on the same public right-of-way shall provide a buffer strip not less than 20 feet in width plus an open space equal in width and depth to the minimum lot design requirements of the zoning district of the adjoining parcel at the time of application. With the exception of the required 20-foot buffer, the additional open space required may be developed, deeded off, or transferred for development in accordance with the regulations of the zoning district in which it lies, but not for manufactured homes.

(b) The buffer strip shall include a chain link, split rail, wood, or other decorative fence approved by the Plan Commission. The fence shall not be less than four feet in height or greater than six feet in height, and shall be effectively landscaped.

(c) When all or part of the proposed manufactured home park is adjacent to land zoned for business or industry, and/or when the manufactured home park is adjacent to a primary or state highway as shown on the preliminary thoroughfare plan, or a railroad, or a natural condition which creates a physical barrier, the Plan Commission may waive the requirements for fencing that portion of the property abutting the physical barrier and require a dense screen planting of shrubs and trees which will provide an effective visual barrier when viewed at right angles. The barrier shall achieve, at maturity, a height of not less than six feet.

(d) The Plan Commission may require that plans for proposed buffer strips be submitted to the Lake County Cooperative Extension Service for review and recommendation to the Plan Commission.

(3) *Minimum size of manufactured home park*. The minimum area of any manufactured home park shall be 15 acres, with the first phase of development being not less than five acres in size.

(C) *Open space and recreational space*.

(1) All open and recreational space standards shall apply to any new manufactured home park, or in the case of an existing manufactured home park being enlarged or improved, to the area being enlarged, extended, or improved.

(2) Every manufactured home park shall provide a recreational area or areas equal in size to at least one acre for every 40 manufactured homes or fraction thereof.

(a) Streets, drives, parking areas, service facility areas, and open space on individual manufactured home sites shall not be included as part of the required recreational areas.

(b) Common open space for the use of all tenants in cluster design parks may be counted.

(D) *Utilities and facilities*.

(1) *Water supply*. All manufactured home parks shall be served by a common water supply system. For purposes of this chapter, individual water wells are not acceptable. Water supply systems shall be submitted to, and approved by the Indiana State Board of Health.

(2) *Sanitary sewers*. All manufactured home parks shall be served by central or public sewerage systems connected to a sewage treatment plant approved by the state. For purposes of this chapter, individual septic tanks shall not be accepted.

(3) *Electrical system*. Each manufactured home park shall contain an underground electrical system which shall be installed and maintained in accordance with applicable codes and regulations governing the system. The electrical distribution system shall be installed underground in a manner approved by the utility company.

(4) *T.V. antennas*. Individual television antennas on manufactured homes shall be prohibited. If required, each manufactured home park shall contain a central television antenna with underground service to each manufactured home stand.

(5) *Fuel*. Each manufactured home park shall be served by an approved central fuel system. Individual fuel storage tanks shall not be permitted.

(6) *Stormwater drainage*. All manufactured home parks shall be provided with stormwater sewers or a surface drainage system in accordance with the requirements of the County Superintendent of Highways and the County Surveyor.

(7) *Garbage and refuse*.

(a) Garbage and rubbish shall be disposed of in a manner approved by the County Health Officer and in a manner designed not to create a nuisance or a menace to health.

(b) All refuse and garbage shall be collected at least twice weekly. Where suitable collection service is not available from municipal or private agencies, the manufactured home park operator shall provide this service.

(c) Manufactured home parks shall be maintained free of accumulations of debris which may provide rodent harborage or breeding places for flies, mosquitos, and other pests.
(Prior Code, § 152.030) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.036 DESIGN SPECIFICATIONS FOR MANUFACTURED HOME PARKS.

(A) *Interior streets or drives*.

(1) All streets or drives, whether public or private, shall be designed in substantial relation to:

(a) Topographic conditions and drainage;

(b) Public convenience and safety; and

(c) The proposed uses of land to be served by the street or drive. A street or drive shall be provided for convenient access to each individual manufactured home site within the manufactured home park.

(2) All streets intended to be dedicated into the County Highway System shall be:

(a) Designed and constructed in accordance with the rules and specifications of the Lake County Highway Department and the Lake County Subdivision Regulations, as amended.

(b) Laid out in conformity to street or highway plans officially adopted by the county. Wherever a planned street or highway runs through a proposed manufactured home park, it shall be provided for in the place and with the width indicated on said plan.

(3) All streets or drives intended to be private and for the exclusive use of tenants and guests of the manufactured home park shall be constructed to meet the following minimum standards:

(a) All streets or drives within any manufactured home park shall have an approved cross-section with a paved surface of 27 feet measured from back to back of the curbs.

(b) All cul-de-sacs shall have a minimum radius of 70 feet to the outer edge of the pavement. The developer shall provide a landscaped island with a diameter not to exceed 66 feet.

(c) All private streets or drives shall be constructed in the manner prescribed in the edition of Standard Specifications of the State Highway Department of Indiana in effect at the time of application, and subsequent and applicable state and county ordinances. In any instance where conflicting requirements may appear between *Standard Specifications* and an applicable county ordinance, the county ordinance regulation shall rule.

(d) All streets or drives shall be provided with a smooth, graded, drained, sealed, and paved durable surface commencing from the public street to and throughout the manufactured home park. All street or drive surfaces shall be maintained free of holes and other hazards.

(e) Concrete curb and gutter shall be provided along the outside edge of all street, drive, and parking area pavements. Concrete curb, gutter, and sidewalk may be one and the same.

(4) Street names and addresses shall be assigned to all streets and manufactured home stands appearing on the final plan according to and in compliance with the Street Naming Directory passed by the Lake County Plan Commission.

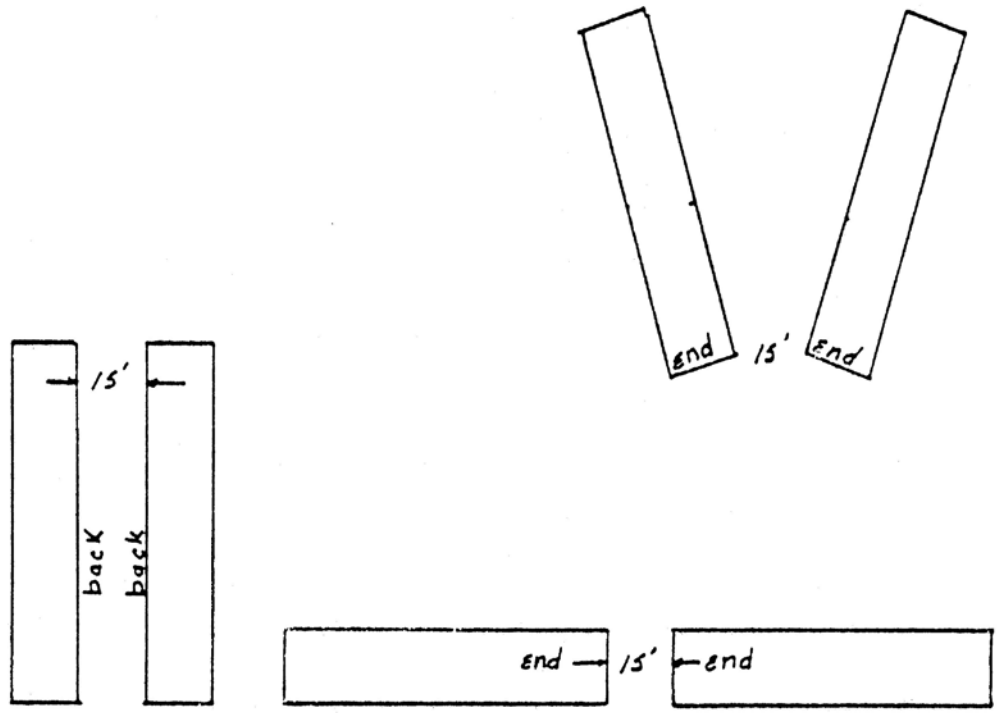
(B) *Building setback lines.*

(1) All manufactured homes, occupied or vacant, shall be set back at least 50 feet from any public right-of-way, or the distance required by the setback requirements of the Zoning Code, as amended, for the type of street on which it fronts or sides, whichever is the greater distance.

(2) No manufactured home shall be located closer than 15 feet to any manufactured home park vehicular drive or street, as measured to the nearest part of the manufactured home and/or its hitch, unless otherwise specified in division (D) hereof.

(3) All other possible arrangements must provide at least 15 feet between mobile homes. In no case shall the end of a mobile home be permitted to encroach by more than six feet into the front of another mobile home unless a distance of at least 28 feet is provided.

[The image of the arrangements in division (B)(3) above follows on the next page]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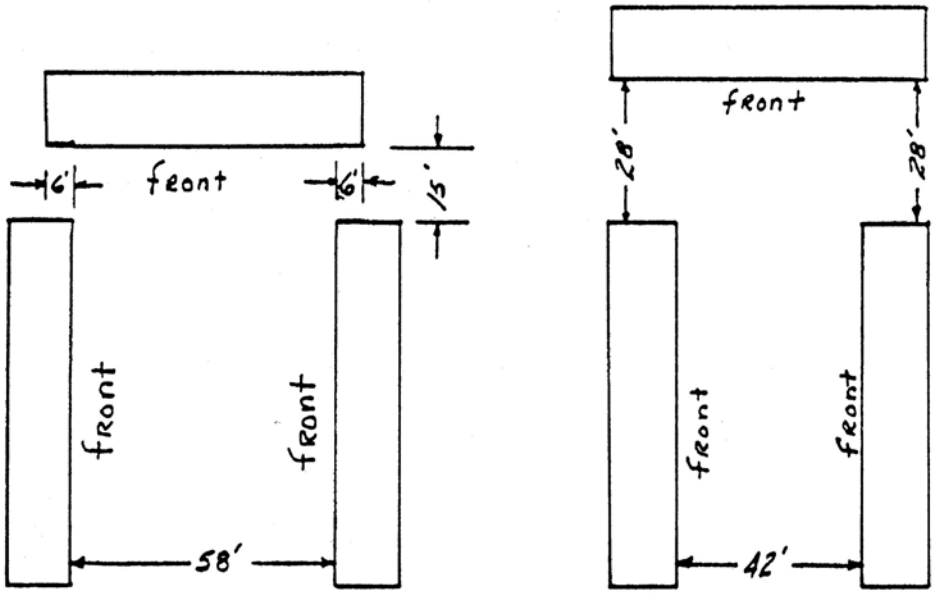
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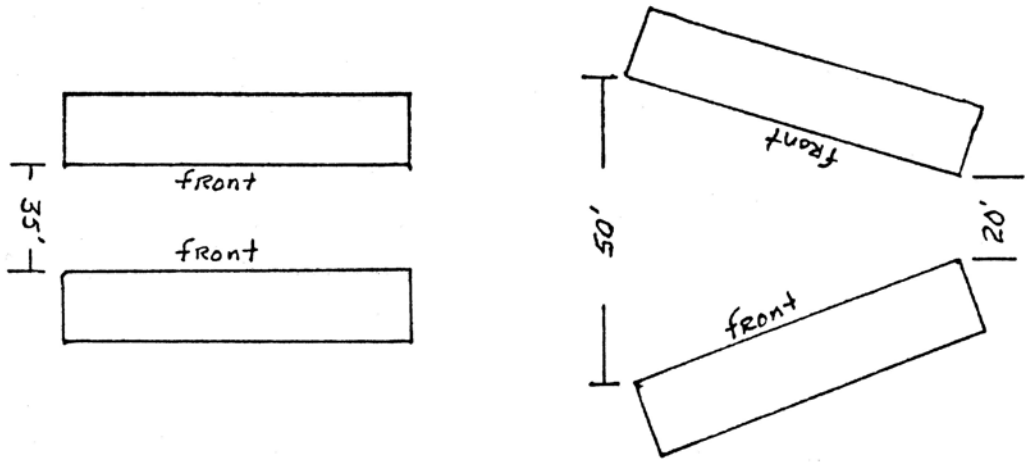
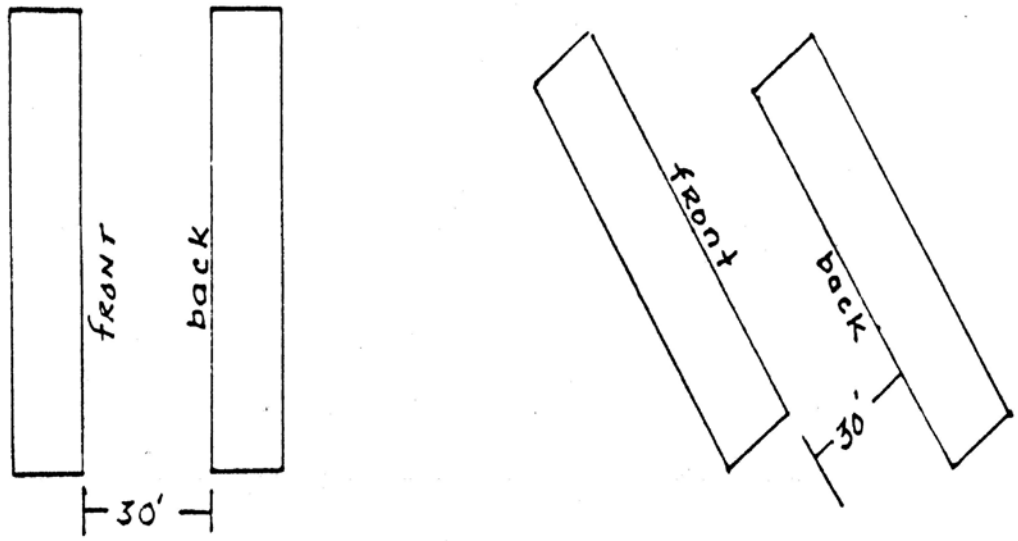
(C) *Minimum open space between homes.*

(1) Front to front - average of 35 feet.



(2) Front to back - average of 30 feet.



(D) *Minimum manufactured home site requirements*.

(1) In order to provide maximum flexibility in the planning and design of manufactured home parks, performance standards rather than rigid lot specifications shall provide the basic frame-work of this section.

(2) Any manufactured home park designed with performance standards must have the approval of the Lake County Plan Commission staff prior to submission for final approval provided, however, that in no case shall any manufactured home park exceed a density of seven and one-half units gross acre.

(3) In designing a manufactured home park, the following minimum performance standards shall apply: Site orientation. Each manufactured home site shall be provided with a clear, unobstructed access to drive, street, or other easement to permit the placement of a home on the site. The access shall be provided from within the manufactured home park and shall not be from any exterior state or county road or alley.

(4) Manufactured home stands.

(a) All manufactured home stands shall be constructed as:

1. A grade-beam floating slab as shown in Figure 1 at the end of this chapter;

2. As a series of double-row concrete piers as shown in Figure 2 at the end of this chapter;

3. As a solid concrete slab as shown in Figure 3 at the end of this chapter; or

4. Type of construction to be approved by the Building Division of the Lake County Plan Commission.

(b) The area of the manufactured home stand shall be improved in accordance with the Lee County Building Code to provide adequate support for the placement and tie-down of the manufactured home, thereby securing the super-structure against uplift, sliding, rotation, and overturning.

(E) *Minimum parking for manufactured home parks*.

(1) Paved, off-street parking shall be provided in all manufactured home parks for the use of occupants and guests. Parking spaces shall be at the ratio of at least two car spaces not less than ten feet by 20 feet in size for each manufactured home park site.

(2) No parking space, garage, or carport shall be located closer than six feet to the front of any manufactured home, unless otherwise approved by the Plan Commission staff.

(3) No motor vehicle shall be permitted to be parked or stored within any required open space between manufactured homes except when an approved parking area is provided between two manufactured homes oriented back to back with each other.

(4) Overnight parking on any drive or street within the manufactured home park shall be prohibited.

(5) The manufactured home park operator shall provide a separate area either fenced, screened, or otherwise enclosed for the storage of tenant camping trailers, boats, snowmobiles, and other similar recreational equipment, and such items shall not be stored in any area of the manufactured home park.

(F) *Projections into required yards and height regulations*.

(1) Any projection from a manufactured home shall not extend more than 12 feet into any required yard or open space. No covered or enclosed structure shall exceed one-third the length of the manufactured home.

(2) No building or manufactured home in the manufactured home park shall exceed one story in height unless otherwise approved by the Plan Commission.

(G) *Pedestrian ways.*

(1) *Pedestrian access.* All manufactured home parks shall be provided with safe, convenient all-season pedestrian access of adequate width for intended use. The access shall be durable and convenient to maintain.

(2) *Common walks.* A common concrete or paved walk system shall be provided and maintained between locations where pedestrian traffic is concentrated. The common walks shall have a minimum width of four feet. If constructed in conjunction with a curb, the common walk will be five feet.

(H) *Required illumination of manufactured home park street systems.* All manufactured home parks shall be furnished with lighting units so spaced and equipped with luminaries placed at the mounting heights as will provide the following average maintained levels of illumination for the safe movement of pedestrians and vehicles at night.

(1) All parts of the manufactured home park street systems: 0.6 footcandle with a minimum of 0.1 footcandle.

(2) Potentially hazardous locations such as major street intersections and steps or stepped ramps: individually illuminated with a minimum of 0.3 footcandle.

(3) All manufactured home park lights shall be so located and shielded as to prevent direct illumination of any property outside of the manufactured home park.

(I) *Miscellaneous regulations.*

(1) *Home longer or wider and not in compliance.* No manufactured home shall be permitted to occupy any manufactured home stand if the home is either longer or wider than would permit compliance with the regulations of this chapter.

(2) *Boundaries to be designated.* The boundaries of every manufactured home site shall be clearly and permanently designated according to the dimensions and locations shown on the approved plot plan.

(3) *Open space.* No trailers, recreational vehicles, or boats shall be parked or stored within the open space required between manufactured homes.

(4) *Use of area.* Use of manufactured home park areas for non-residential purposes:

(a) No part of any manufactured home park shall be used for non-residential purposes, except such areas that are required for the direct servicing and well-being of the manufactured home park residents and for the management and maintenance of the manufactured home park provided, however, that retail sales of new or used manufactured homes may be made from the manufactured home park by the owners of the manufactured home park, or the sole licensee or agent of the owners, but all the manufactured homes held for sale shall be displayed on regular manufactured home stands of the manufactured home park and the manufactured homes on display shall be limited to 15% of the total stands in the manufactured home park.

(b) Nothing contained in this section shall be deemed as prohibiting the sale of a manufactured home located on a manufactured home stand by the individual owner or his or her agent.

(5) *Construction materials storage areas.* Construction materials storage areas for the manufactured home park shall be so maintained as to prevent rodent harborage. Lumber, pipe, and other building material shall be stored within a structure or fenced-in storage area.

(6) *Weeds, brush and grass.* The growth of brush, weeds, and grass shall be controlled by the owner or operator of the manufactured home park.

(7) *Skirting*. All manufactured homes shall have a removable skirting around the entire perimeter of the manufactured home.

(a) Skirting shall be a durable material such as decorative block, concrete block, fiber-glass, metal, or other material approved by the Plan Commission staff. Junk doors or other scrap material shall be prohibited.

(b) Skirting shall be maintained at all times by the tenant.

(8) *Storage facilities*.

(a) Individual or group waterproof storage structures may be provided for the use of manufactured home tenants, if approved by Plan Commission staff and located on a concrete slab.

(b) Storage shall not be permitted unless within a completely enclosed structure approved by the manufactured home park manager and the Plan Commission staff.

(9) *Additions or alterations*. No manufactured home may be extended, enlarged, or otherwise added to unless approval in writing from the manufactured home park owner or designated agent is presented to the Plan Commission staff and a permit has been issued by the Plan Commission staff. A concrete pad or foundation shall be placed under any structure or addition thereto within the manufactured home park.
(Prior Code, § 152.031) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

DURATION OF VALIDITY OF PERMITS

§ 152.050 DURATION OF VALIDITY OF PERMITS.

(A) The Lake County Plan Commission's approval of a final development plan is valid regardless of change of ownership, provided that all terms and conditions are complied with by the new owner. The final plan shall be placed on file with the Plan Commission staff.

(B) In cases where the manufactured home park has not been commenced within one year of the final plan, the approval shall automatically become null and void and all rights thereunder shall terminate. Upon written application filed prior to the expiration of the one year period, the Plan Commission staff may authorize a single extension of the time limit for a further period of not more than one year without holding another public hearing thereon.
(Prior Code, § 152.040) (Ord. 1626, passed 6-13-1995)

EXISTING MANUFACTURED HOME PARKS

§ 152.060 CLASSIFICATION OF EXISTING MANUFACTURED HOME PARKS.

(A) Any lot, plot, or tract of land containing two or more manufactured homes within the unincorporated area of Lake County, Indiana and which does not hold a valid state license for a manufactured home park is hereby declared an illegal use of the land and is a violation of this chapter.

(B) All manufactured home parks existing prior to the effective date (4-15-1957) of the Lake County Zoning Code and which were subject to or enlarged under §§ 154.015 through 154.019 are declared a non-conforming use of the land.

(C) Any manufactured home park constructed or enlarged with Plan Commission approval after 4-15-1957, are considered conforming uses.
(Prior Code, § 152.050) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.061 PROCEDURE FOR APPROVAL OF CONTINUANCE OF MANUFACTURED HOME PARK.

(A) All manufactured home parks which have hereby been declared illegal or non-conforming shall, within 90 days of notification, request a pre-application conference with the Plan Commission staff.

(B) All manufactured home parks hereby declared illegal or non-conforming shall, within 90 days of the pre-application conference, file a complete application to the Lake County Plan Commission for a Planned Unit Development District, Class 1 rezoning in accordance with §§ 152.020 through 152.023 of this chapter and in accordance with the Lake County Zoning Code as amended.

(C) Within 90 days of the date the Lake County Plan Commission approved the planned unit development rezoning, the petitioner(s) shall submit a complete application for final approval.

(D) Within 60 days of the Lake County Plan Commission's approval of the final plan, the petitioner(s) shall apply for construction permits (building permits).
(Prior Code, § 152.051) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

AMORTIZATION OF ILLEGAL AND NON-CONFORMING MANUFACTURED HOME PARKS

§ 152.075 EXTENSIONS.

Final plan approval must be obtained within one year of notification unless granted an extension by the Plan Commission. The extensions shall only be granted when approvals have been delayed due to administrative procedures of the Plan Commission, Board of Zoning Appeals, or the County Council.
(Prior Code, § 152.060) (Ord. 1626, passed 6-13-1995)

§ 152.076 COMPLIANCE.

All existing manufactured home parks shall be brought into compliance with the Lake County Plan Commission's approved final plan within two years of the date of approval of the final plan.
(Prior Code, § 152.061) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.077 PERMITTED VARIANCES.

Where, in the opinion of the Plan Commission, an existing manufactured home park can be improved to an acceptable degree of conformity with this chapter, they may recommend to the County Council that certain and specific minor deviations from this chapter be granted without impairing the intent and purpose of this chapter. The Plan Commission recommendation for variance shall be based upon the nature, extent, and significance of the proposed deviation. All requests for variances to the Board of Zoning Appeals shall be acted upon prior to submission of the final plan.
(Prior Code, § 152.062) (Ord. 1626, passed 6-13-1995)

§ 152.078 COMPULSORY TERMINATION OF NON-CONFORMING USES IN EVENT OF DESTRUCTION OR CESSATION OF ACTIVITIES.

(A) In the event an illegal or non-conforming manufactured home park is destroyed by natural or accidental means (fire, flood, tornado and the like) prior to rezoning by the County Council, that land use shall be terminated and reconstruction shall be prohibited.

(B) In the event an existing, non-conforming manufactured home park ceases activities for six months, that land use shall be terminated and resumption of activities is prohibited.
(Prior Code, § 152.063) (Ord. 1626, passed 6-13-1995)

ADMINISTRATION AND ENFORCEMENT

§ 152.090 ENFORCEMENT.

All departments, officials, and public employees of the county which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this chapter and shall issue no permit or license for any use, building, or purpose if the same would be in conflict with the provisions of this chapter. Any permit or license issued in conflict with the provisions of this chapter shall be null and void. (Prior Code, § 152.070) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.091 INSPECTION.

The Lake County Health Officer or Director of the Lake County Plan Commission (or their assigned agents) may make an inspection of all construction at any reasonable time to determine whether the work is being done in conformance with the approved plans and specifications. The manufactured home park owner shall make available any records, test data, or other information essential to the determination. (Prior Code, § 152.071) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.092 VIOLATIONS.

(A) The erection, construction, enlargement, conversion, or alteration of any building, manufactured home, or structure and use of any land, building, or manufactured home which is continued, operated or maintained, contrary to any of the provisions of this chapter, is hereby declared to be a violation of this chapter and unlawful.

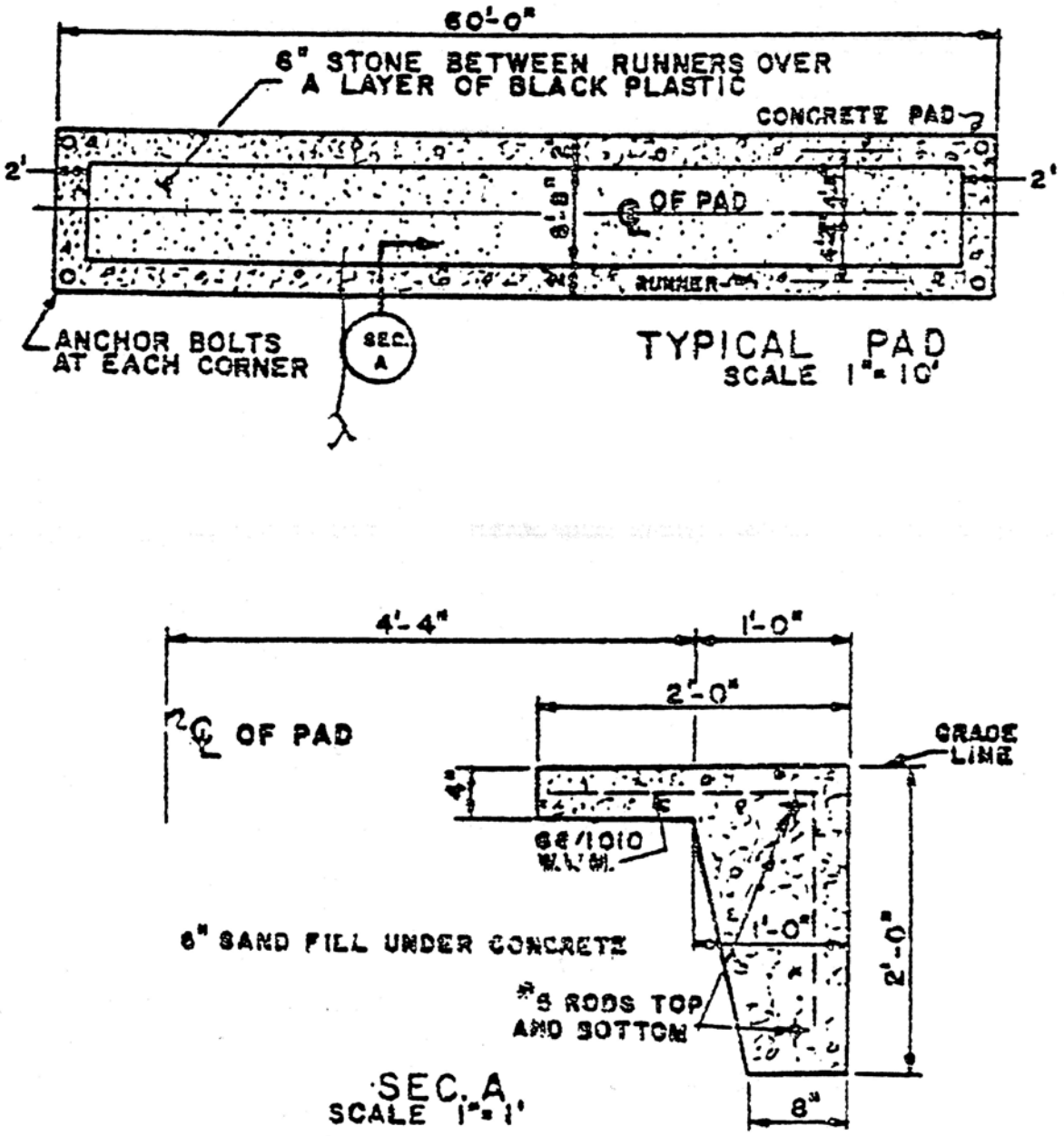
(B) The Director of the Lake County Plan Commission, or his or her assigned agent, shall notify the violator immediately upon becoming aware of the violation. If the violation is not removed within a reasonable period of time, as determined by the Director of the Lake County Plan Commission or his or her assigned agents the violation shall be submitted to the Lake County Attorney's staff for proper legal action.

(C) The Lake County Attorney's staff shall, immediately upon any such violation having been called to his or her attention, institute injunction, abatement, or any other appropriate action to prevent, enjoin, abate or remove the violation. Any violation of this chapter shall be the joint responsibility of the manufactured home park owner or his or her agent and the violator. It is the responsibility of the manufactured home park owner or his or her agent to maintain compliance with the regulations of this chapter within his or her manufactured home park. (Prior Code, § 152.072) (Ord. 1626, passed 6-13-1995) Penalty, see § 152.999

§ 152.999 PENALTY.

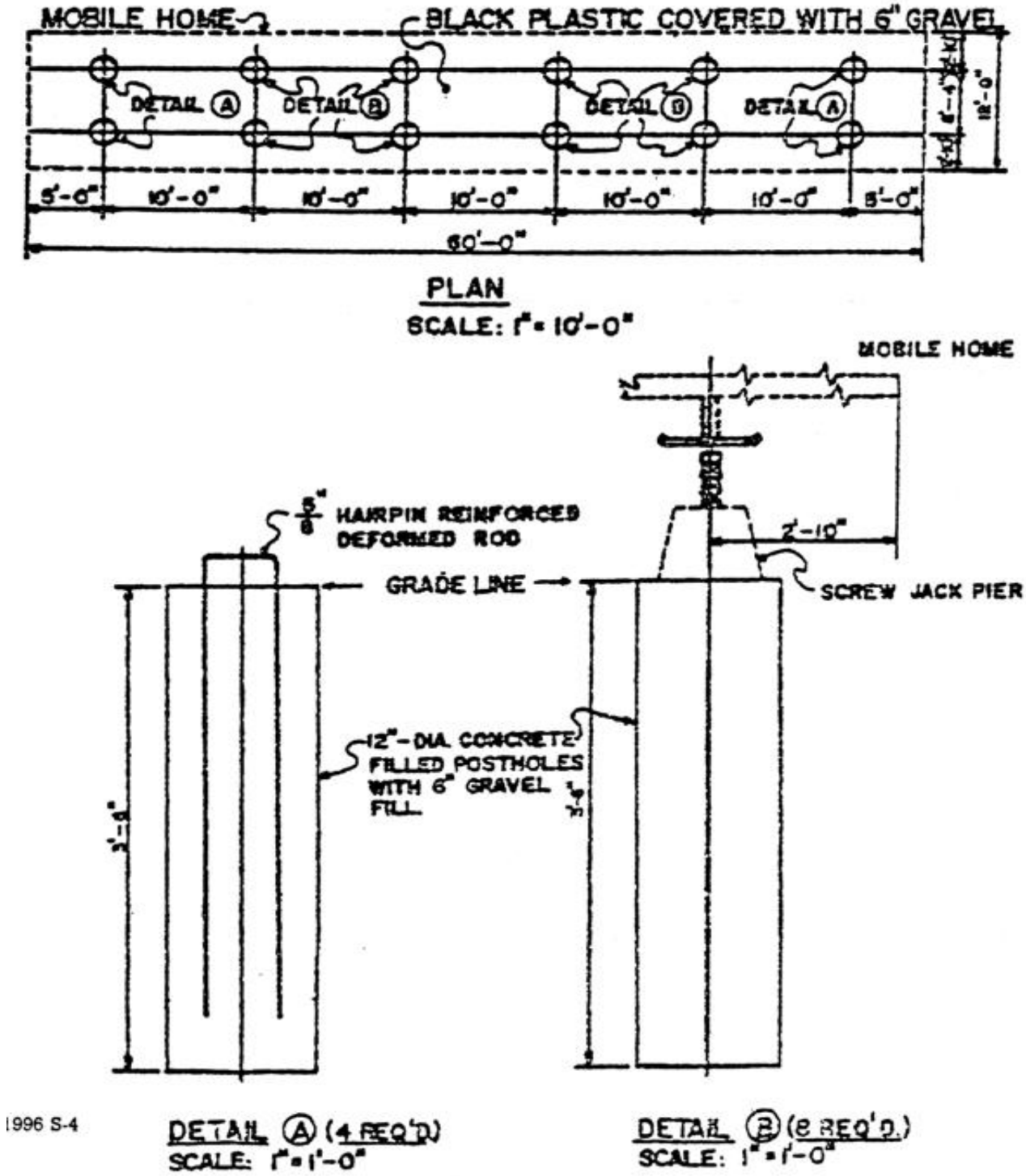
Any person or corporation, whether as principal, agent, or employee who violates any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $10 and not more than $300 for each offense, such fine to inure to the county. Each day of the existence of any violation shall be deemed a separate offense. (Prior Code, § 152.999) (Ord. 1626, passed 6-13-1995)

APPENDIX A: FIGURE 1: FLOATING GRADE BEAM



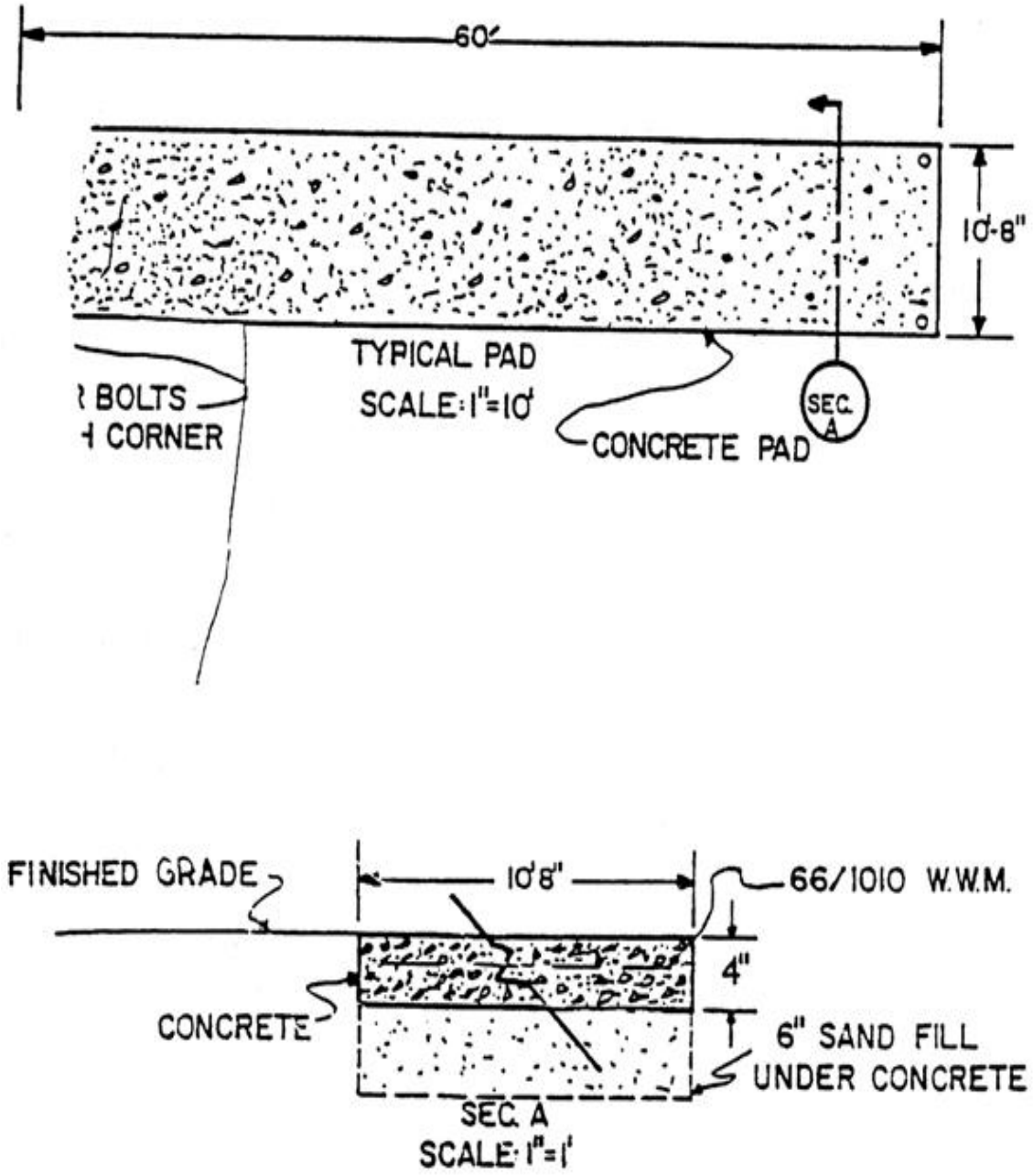
(Prior Code, Figure 1)

APPENDIX B: FIGURE 2: PIER CONSTRUCTION



(Prior Code, Figure 2)

APPENDIX C: FIGURE 3: SOLID CONCRETE SLAB



(Prior Code, Figure 3)

CHAPTER 153: SUBDIVISION REGULATIONS

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GENERAL PROVISIONS

§ 153.001 SHORT TITLE.

This chapter shall be known and may be cited as the Subdivision Regulations of Lake County, Indiana. (Prior Code, § 153.001) (Ord. 1670, passed 6-11-1996)

§ 153.002 POLICY.

(A) The policy of Lake County hereby is to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the official comprehensive plan and related policies (such as those embodied in the Zoning Ordinance of Unincorporated Lake County, Indiana) for the orderly, planned, efficient, and economical development of the unincorporated portions of Lake County, Indiana.

(B) Land to be subdivided shall be of such character that it can be developed without peril to health from flood, fire or other menace, and land shall not be subdivided unless adequate public facilities and improvements exist or until provisions have been made for all the necessary public improvements including drainage, water, sewerage, transportation, and any other improvements deemed necessary for the health and safety of the public.

(C) Both existing and proposed public facilities serving the subdivisions shall properly relate and conform to the comprehensive plan of Lake County and all related policies and implementation programs including, but not limited to, the Building Codes and Zoning Ordinance.
(Prior Code, § 153.002) (Ord. 1670, passed 6-11-1996)

§ 153.003 PURPOSE.

The purpose of this chapter shall be:

(A) To protect and provide for the public health, safety, and general welfare;

(B) To guide the future growth and development in accordance with the Comprehensive Plan and related policies;

(C) To provide for the safety, comfort, and soundness of the built environment and related open spaces;

(D) To guide public and private policy and action in order to provide for adequate and efficient transportation, water, sewerage, schools, parks, and other public facilities;

(E) To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards; and

(F) To conserve natural resources such as woodlands, farmlands, open spaces, and any other feature of extraordinary natural beauty both during and after development.
(Prior Code, § 153.003) (Ord. 1670, passed 6-11-1996)

§ 153.004 AUTHORITY AND JURISDICTION.

(A) This chapter was enacted pursuant to Indiana Home Rule and Planning Enabling Legislation (I.C. 36-1-3-4 and 36-7-4-700 *et seq.*, as amended) and authorizes the Lake County Plan Commission to review and approve or disapprove plats for subdivisions throughout the geographic bounds of unincorporated Lake County. This authority extends to the development or resubdivision of undeveloped portions of already recorded plats.

(B) No land shall be subdivided within legal boundaries until the subdivider or his or her subdivision agent have met the requirements and stipulations of this chapter.
(Prior Code, § 153.004) (Ord. 1670, passed 6-11-1996)

§ 153.005 ENACTMENT.

In order that land may be subdivided in accordance with these purposes and policies, these subdivision regulations are hereby adopted.
(Prior Code, § 153.005) (Ord. 1670, passed 6-11-1996)

§ 153.006 INTERPRETATION, CONFLICT, AND SEPARABILITY.

(A) *Minimum requirement*. In their interpretation and application, the provision of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

(B) *Conflict with public and private provisions*.

(1) *Public provisions*. The regulations of this chapter are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(2) *Private provisions*. These regulations are not intended to abrogate any easement, covenant, or other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than the easement, covenant, or other private agreement or restriction, the requirements of these regulations shall govern.

(C) *Separability*. If any part of these regulations or application thereof to any person or entity is held to be unconstitutional or invalid by any court of competent jurisdiction, the holding or decision shall not affect or impair the validity of this chapter as a whole or any part thereof, other than the part or provision so held to be unconstitutional or invalid.
(Prior Code, § 153.006) (Ord. 1670, passed 6-11-1996)

§ 153.007 SAVING PROVISION.

(A) These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person or entity, or as waiving any right of the county under any section or provision existing at the time of adoption of these regulations, or as vacating or annulling any rights obtained by any person or entity by lawful action of the county except as shall be expressly provided for in these regulations.

(B) Any division of land or any action done prior to the enactment of this chapter shall be subject to all remedies, penalties, procedures, defenses and time constraints under the previous, repealed chapter. The Lake County Plan Commission and all other relative agencies or entities shall follow the regulations of the repealed chapter in these cases where actions or divisions of land are still pending at the time of the enactment of this chapter.
(Prior Code, § 153.007) (Ord. 1670, passed 6-11-1996)

§ 153.008 PREVIOUS SUBDIVISION CHAPTER REPEALED.

Upon adoption of this chapter, according to law, the subdivision ordinance of Unincorporated Lake County, Indiana adopted 10-28-1963 and amended through 4-12-1994 is hereby repealed.
(Prior Code, § 153.008) (Ord. 1670, passed 6-11-1996)

§ 153.009 AMENDMENTS.

For the purpose of providing for the public health, safety, and general welfare, the county, on recommendation of the Commission, may from time to time amend the provisions imposed by these subdivision regulations. Public hearings on all proposed amendments shall be held by the Commission and/or county in the manner prescribed by law.
(Prior Code, § 153.009) (Ord. 1670, passed 6-11-1996)

§ 153.010 CONDITIONS.

Regulation of the subdivision of land and the attachment of reasonable conditions to land subdivision is an exercise of valid police power delegated by the State of Indiana to Lake County. The developer has the duty of compliance with reasonable conditions laid down by the Commission for design, dedication, improvement, and restrictive use of the land in order to conform to the physical and economical development of unincorporated Lake County and to the safety and general welfare of the future plot owners in the subdivision and of the County at large.
(Prior Code, § 153.010) (Ord. 1670, passed 6-11-1996)

§ 153.011 RESUBDIVISION OF LAND; PROCEDURE.

For any change in a plat of an approved or recorded subdivision, including, but not limited to, a change affecting any street layout, area reserved thereon for public use, or any lot line such plat may be considered by the Commission (under the same procedure, rules and regulations of a subdivision) only after a waiver under § 153.012 of this chapter is granted. The waiver shall be submitted to all participating jurisdictions under this chapter for their approval or rejection. Any waiver for resubdivision under these provisions shall be void without specific findings itemized under § 153.012 of this chapter.
(Prior Code, § 153.011) (Ord. 1670, passed 6-11-1996; Ord. 1858, passed 5-8-2001)

§ 153.012 WAIVER.

(A) *General*. Where the Commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, the Commission may approve waivers to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that the waivers shall not have the effect of nullifying the intent and purpose of these regulations; and further provided the Commission shall not approve waivers unless findings shall be made based upon the evidence presented to the Commission in each specific case that:

(1) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other nearby property;

(2) The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;

(3) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;

(4) The waiver will not in any manner conflict with the provisions of the Zoning Ordinance or comprehensive plan as interpreted by the Plan Commission; and

(5) Waiver modifications submitted in writing to the Commission shall be referred immediately to the appropriate participating

jurisdiction for its approval or rejection. If the participating jurisdiction approves of the modifications in writing or fails to either approve or disapprove by the stipulated deadline, the Commission may modify the requirement, standards and specifications so as to promote the public health, safety, and welfare, and prevent detriment to the use and value of the land, provided however, that nothing herein shall be construed as altering or conflicting with the duties of the Board of Zoning Appeals pursuant to I.C. 36-7-4-900 *et seq.*, as currently amended. No authority to modify shall exist in the Commission if the appropriate participating jurisdiction by writing disapproves the modification.

(B) *Conditions*. In approving waivers, the Commission may require such conditions as will, in the Commission's judgement, secure substantially the objectives of the standards or requirements of these regulations.

(C) *Procedures*. A petition for any such waiver shall be submitted in writing by the subdivider at the time when the primary plat is filed for the consideration of the Commission. The petition shall state fully the grounds for the application and all of the facts relied upon by the petitioner. The deadline for submitting waiver petition applications is the same as for primary plat applications.
(Prior Code, § 153.012) (Ord. 1670, passed 6-11-1996)

DEFINITIONS

§ 153.025 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABBREVIATED SUBDIVISION. (See ***MINOR SUBDIVISION***).

ACCESSORY BUILDING. A subordinate structure, the use of which is incidental to that of the dominant use of the primary building or land.

ALL SOIL TYPES. Location of the predominant soil types, which may be determined by the United States Department of Agriculture, Natural Resources Conservation Service, Lake County Soil Survey in the sketch plan and as determined by a certified professional soil scientist in the primary subdivision plat.

ALLEY. A public or private vehicular right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

APPLICANT. The owner of land proposed to be subdivided, or his or her agent, or his or her legal representative.

BLOCK. A tract of land bounded on all sides by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shorelines of water ways, or boundary lines of municipalities, or other types of definite boundaries.

BOARD OF COUNTY COMMISSIONERS. Referred to herein as the county.

BOND. Any form of security including a cash deposit, certificate of deposit, surety bond, letter of credit or instrument of credit.

BUFFER LANDSCAPING. Any trees, shrubs, walls, fences, berms, or related landscaping features required under this chapter or other applicable chapter on private lots and privately maintained for buffering lots from adjacent properties or public rights-of-way for the purpose of increasing privacy and/or otherwise minimizing detrimental environmental effects (i.e., noise, water runoff, etc.).

BUILDING. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattel. When any

portion thereof is completely separated from every other portion thereof by a division wall without openings, then each such portion shall be deemed to be a separate building.

CHECKPOINT AGENCY. A public agency or organization called upon by the Commission to provide expert counsel with regard to a specific aspect of community development; also known as ***PARTICIPATING JURISDICTION***.

COMMISSION. The County Plan Commission of the County of Lake, State of Indiana.

COMMISSION ATTORNEY. The Attorney representing the Lake County Plan Commission.

COMPREHENSIVE PLAN. An overall plan for the physical, social, and economic development of the county (and the constituent communities within its planning jurisdiction), prepared and adopted by the Commission pursuant to the state acts, and including any part of such plan and/or policies separately adopted and any amendment to such plan and/or policies, or parts thereof; ***MASTER PLAN***.

CORNER LOT. (See ***LOT, CORNER***).

COUNTY ENGINEER (COUNTY HIGHWAY ENGINEER). The duly appointed engineer of the Lake County Highway Department.

COUNTY GOVERNMENT. The governmental body of the county empowered to adopt planning and public policy ordinances; the Lake County Council, herein referred to only as the ***COUNTY***.

COUNTY INSPECTION OFFICIALS. The County Surveyor, the County Highway Superintendent, and the Plat Officer.

CUL-DE-SAC. A minor street having one open end and being permanently terminated by a vehicle turnaround.

DENSITY. The number of dwelling units per gross acre computed by dividing the gross acreage of the subdivision into the total number of dwelling units.

DIRECTOR. The Executive Director of the Lake County Plan Commission.

EASEMENT. A grant by a property owner for the use by another, for a specific purpose, of any designated part of his or her property.

EROSION CONTROL PLAN. A written description and site plan of pertinent information concerning erosion control measures to be installed under 327 I.A.C. 15-5-5.

ESCROW. A deposit of cash with the County Board of Commissioners in lieu of an amount required and still in force on a performance or maintenance bond. The escrow funds shall be held by the county.

EXEMPT DIVISION. (See ***SUBDIVISION***).

FRONTAGE. That side of a lot abutting on a street and ordinarily regarded as the front of the lot, except as provided for on a corner lot.

FRONTAGE STREET. Any street to be constructed by the developer or any existing street in which development shall take place on both sides.

GRADE. The slope of a road, street, or other public way.

GROSS LAND AREA (GROSS ACREAGE). The entire area of a subdivision including lots, streets, and alleys, measured to the center line of any bounding streets.

HOBBY FARMS. A farm for personal enjoyment and not for commercial gain; in subdivisions, according to the provisions of the Lake County Zoning Ordinance, the farms are permitted only when 80% or more of the platted lots are five acres or more in size (see § 154.038).

LOT. A parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat, fronting on a street. In determining lot area and boundary lines, no part thereof within the limits of the street shall be included.

LOT, CORNER. A lot situated at the intersection of two streets, the interior angle of the intersection not exceeding 135 degrees.

LOT, DOUBLE FRONTAGE (THROUGH LOT). A lot which has a pair of opposite lot lines along two substantially parallel streets, and which is not a corner lot.

LOT IMPROVEMENT. Any building, place, or other object, constituting a physical betterment of real property, or any part of such betterment, which required an improvement.

MAJOR SUBDIVISION. Any subdivision not classified as a minor subdivision, including but not limited to subdivisions of six, or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities or the creation of any public improvements.

MASTER PLAN. (See ***COMPREHENSIVE PLAN***).

MINOR SUBDIVISION. Any subdivision of not more than five lots, all with frontage on a perimeter street, or any farther subdivision or resubdivision of a non-residential development whose lots may or may not have frontage on a perimeter street which does not include any improvement to a public road, provided such subdivision activity involves neither the construction of any new street or road, nor the imposition of any adverse effect upon the use of the remainder of the land or adjoining property as determined by the Commission, and provided such activity conflicts with neither any provisions or portion of the comprehensive plan, the Zoning Ordinance, nor any of the regulations set forth herein.

MODEL HOME. A dwelling unit used initially for display purposes which exemplifies the type of dwelling units that will be constructed within the subdivision. The dwelling units may be utilized for the sole purpose of real estate offices as set forth in the provisions of this chapter.

PARCEL. A part or portion of land having a legal description formally set forth in a conveyance, together with the boundaries thereof, in order to make possible its easy identification.

PARENT PARCEL. The original lot, tract, or parcel of land as it existed upon the adoption of the Subdivision Regulations #2 on 10-28-1963. The parent parcel is ascertained by the tax key numbers on record in the Office of the Lake County Auditor.

PARKWAY. A route intended to be used primarily by passenger vehicles and whose right-of-way is, or is intended to be, developed in a park-like character.

PERIMETER STREET. Any existing street to which the parcel of land to be subdivided abuts on only one side.

PLAN COMMISSION. The words ***PLAN COMMISSION*** or ***COMMISSION***, as used in this chapter, refer to the Plan Commission of the County of Lake, Indiana.

PLAT. A plan, map, drawing, or chart on which the subdivider's plan for the subdivision of land is presented and which he or she submits for approval and intends to record in final form.

PLAT COMMITTEE. A duly appointed committee created by the Plan Commission pursuant to I.C. 36-7-4-701 for the sole purpose of minor subdivision review.

PLAT, FINAL (See ***SECONDARY PLAT***).

PLAT OF CORRECTION. A replat proposal which proposes to replat any reasonable number of lots and lot lines to increase lot size. Reasonable number of lots shall be determined by the Plat Officer.

PLAT, PRELIMINARY. (See ***PRIMARY PLAT***).

PLAT, PRIMARY. The drawings and documents presented for primary approval and as described in this chapter.

PLAT, TENTATIVE. (See ***SKETCH PLAN***).

PLAT, VACATION. The drawings and documents presented for a vacation of any existing subdivision plat.

PRIMARY APPROVAL. An approval (or approval with conditions imposed) granted to a subdivision by the Commission after having determined in a public hearing that the subdivision complies with the standards prescribed in this chapter (pursuant to I.C. 36-4-700 *et seq.*, subdivision control.)

PRINCIPAL USE BUILDING. A building in which the principal use of the lot or parcel is conducted. Standards recognized by the Indiana Administrative Building Council shall be used to determine whether a given structure constitutes one or more buildings in cases where ambiguities exist.

REAR YARD. A yard as defined herein, encompassing the horizontal space between the nearest foundation of a building to a rear lot line and that rear lot line, extending to the side lines of the lot and measure as the shortest distance from that foundation to the rear lot line. The rear yard of a corner lot shall be that yard at the opposite end of the lot from the front yard.

RESUBDIVISION. A change in a map of a plat having secondary approval or a recorded subdivision plat if the change affects any street layout on such map or area reserved thereon for public use, or any lot line, except as otherwise exempted in this chapter.

RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street, pedestrian-way, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, special landscaping, or for another special use. The usage of the term right-of-way for land platting purposes shall mean that every right-of-way hereafter established and shown on a secondary plat is to be separate and distinct from the lots or parcels adjoining the right-of-way and not included within the dimensions or areas of the lots or parcels.

RIGHTS-OF-WAY intended for streets, other use involving maintenance by a public agency shall be dedicated to public use by the subdivider on whose plat such right-of-way is established.

ROADWAY. The paved area within a street right-of-way intended for vehicular traffic, including all curb and gutter facilities.

SECONDARY APPROVAL. The stage of application for formal Plan Commission approval of a secondary plat of a subdivision, the construction of which has been completely or substantially completed, which if approved and signed by the designated officials may be submitted to the County Recorder for filing.

SECONDARY PLAT. The drawings and documents presented for secondary approval and described in this chapter.

SKETCH PLAN. The initially submitted graphic representation of a proposed major subdivision used for sketch plan review and drawn to the specifications of § 153.091.

STAFF. The staff of the Lake County Plan Commission.

STREET. A public way established by or maintained under public authority, a private way open for public uses, and a private way, plotted or laid out for ultimate public use, whether or not constructed.

STREET, APPROVED. Any street meeting standards and specifications of Lake County, Indiana.

STREET, COLLECTOR. A street which carries traffic from minor streets to a thoroughfare, including the principal entrance streets of residential development and the principal circulating streets within such a development.

STREET, IMPROVED. Any public street with a minimum right-of-way of 40 feet, with a minimum 18-foot blacktop roadway surface and drained properly.

STREET, MARGINAL ACCESS. A minor street which is parallel and adjacent to highways and primary thoroughfares and which provides access to abutting properties and protection to local traffic from fast, through-moving traffic on the highways and primary thoroughfares.

STREET, MINOR. A street intended primarily as access to properties.

STREET, OBLIQUE. A street that is not at a right angle to an intersecting street.

STREET, PRIMARY ARTERIAL. A street intended to move through traffic to and from such major attractors as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas, and similar traffic generators within the county; a major thoroughfare.

STREET, PRIVATE. Any street which is under the jurisdiction of an individual, corporation, or trustee, or any street which is privately owned or established.

STREET, SECONDARY ARTERIAL. A street intended to collect and distribute traffic in a manner similar to primary arterials, except that these streets service minor traffic generating areas such as community-commercial areas, primary and secondary educational plants hospitals, major recreational areas, churches, and offices, and/or designed to carry traffic from collector streets to the system of primary arterials.

SUBDIVIDER. Any person having a proprietary interest in land, who causes it to be divided into a subdivision.

SUBDIVISION.

(1) The division of a parcel of land into lots, parcels, sites, units, plats, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. ***SUBDIVISION*** includes the division of development of land zoned for residential and non-residential uses, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument.

(2) The following kinds of divisions are not subdivisions and are classified as exempt divisions and are exempt from the rules of this chapter unless indicated otherwise.

(a) Any division of land into 20-acre parcels or more; such a division must meet the three critical requirements of adequate lot frontage, approved soil type, and conformance with the subdivision ordinance as detailed in § 153.039.

(b) Parcels of land recorded prior to 10-28-1963; such a division must meet the three critical requirements of adequate lot frontage, approved soil type, and conformance with the subdivision ordinance as detailed in § 153.039.

(c) Parcels of land between ten and 20 acres that existed between 10-28-1963 and 1-31-1980; such a division must meet the three critical requirements of adequate lot frontage, approved soil type, and conformance with the subdivision ordinance as detailed in § 153.039.

(d) Any single division of land of any size with at least one of the two parcels to be dedicated for a use so as to serve and benefit the general public for the purpose defined within this paragraph. These ***PUBLIC USES*** as defined for this paragraph are strictly limited to either parks or parkway functions, memorials, or land to serve for bikeway or trail routes. The parcel dedicated must be deeded to a non-profit and or government entity for the above purposes, and must maintain a tax-exempt status. The parcel which will not be dedicated must meet the three critical requirements of adequate lot frontage, approved soil type, and conformance with this chapter, however, the dedicated parcel does not need to meet these requirements.

SUBDIVISION AGENT. Any person who represents, or acts for or on behalf of, a subdivider or developer, in selling, leasing, or developing, or offering to sell, lease, or develop any interest, lot, parcel, unit, site, or plat in a subdivision.

TEMPORARY IMPROVEMENT. Improvements built and maintained by a subdivider during construction of the subdivision and intended to be replaced by a permanent improvement prior to release of the performance bond or turnaround improvements at the ends of stub street intended to be replaced when the adjoining area is developed and the through street connection made.

URBANIZED AREA. The area so mapped and defined by the U.S. Bureau of the Census.

ZONING ORDINANCE. The County ordinance setting forth the regulations controlling the rise of land in the unincorporated areas. Also referred to as the Unincorporated Lake County, Indiana Zoning Ordinance.
(Prior Code, § 153.020) (Ord. 1670, passed 6-11-1996; Ord. 1758, passed 8-11-1998)

APPLICATION AND APPROVAL PROCEDURES

§ 153.035 GENERAL PROCEDURES.

(A) *Classification of land divisions.*

(1) All land to be divided shall be categorized into one of three main classes of land division as they are defined in § 153.025. These classes are:

(a) Major subdivisions:

(b) Minor subdivisions: and

(c) Exempt divisions.

(2) Exempt divisions are not subject to all requirements of this chapter. Before any permit shall be granted for a structure to be erected on land to be subdivided into a major or minor subdivision, the owner or his or her subdivider shall apply for and secure approval of the proposed subdivision in accordance with §§ 153.036 and 153.037 as appropriate. Before any permit shall be granted for a structure to be erected on a parcel of land to be created or altered by an exempt division, the land divider or his or her agent shall certify to the satisfaction of the Plan Commission that all requirements for exemption have been met, as detailed in § 153.039, in order to exempt the land division from all other requirements of this chapter.

(B) *Deadline for application submission, holiday extension.* Any date or deadline of submission for subdivision application materials or agency comments shall be extended to the end of the next regular working day where the date or deadline falls on a weekend or holiday.

(C) *Procedural path for major versus minor subdivisions.* Subdivisions classified as major subdivisions shall be directed to the Plan Commission for primary and secondary approval as stipulated in § 153.037. Subdivisions classified as minor subdivisions shall first be directed to the Plat Committee for Primary and secondary approval provided no waiver is being requested under the jurisdiction of the Plan Commission. If the Plat Committee fails to vote unanimously with at least four of its five members, the minor subdivision shall then be referred to the Plan Commission for primary and/or secondary approval as § 153.038 stipulates.
(Prior Code, § 153.035) (Ord. 1670, passed 6-11-1996)

§ 153.036 MAJOR SUBDIVISIONS: SKETCH PLAN APPLICATION PROCEDURE.

(A) *Application requirements*. In order to begin the subdivision process, the applicant shall file an application for review of sketch plan with the Commission's staff and be entitled to a signed receipt for same. This application shall:

(1) Be made on forms available at the Office of the Commission and signed by the owner;

(2) The application shall advise as to the legal owner of the property, the contract owner of the property, optionee of the property, and the date on which the contract of sale was executed;

(3) Be accompanied by a minimum of ten copies of the sketch plan;

(4) Be accompanied by a fee of $100; and

(5) Include an address and telephone number of the subdivider or his or her agent who shall be authorized to receive all notices required by this chapter.

(B) *Checkpoint submission*.

(1) In order to fulfill the last application requirement for sketch plan, two copies of the proposed plan shall be submitted to each of the following agencies so that their comment may be made to the staff:

(a) Lake County Surveyor;

(b) Lake County Highway Superintendent;

(c) Lake County Health Officer; and

(d) Lake County Soil and Water Conservation District.

(2) Two copies of the sketch plan shall remain with the Plat Officer. The Director shall request that all officials and agencies to whom a request for review has been made, submit comments to him or her by the fifteenth day of the month two months prior to the month of the public hearing at which the subdivider intends to have his or her primary plat submission heard. It shall be the responsibility of the subdivider or his or her agent to ascertain if all county agency reports and recommendations have been filed with the Plat Officer within the specified date requirements. Failure to have all comments submitted by the stipulated deadlines shall delay Plan Commission consideration.

(C) *Sketch plan review process*. On the third Wednesday of each month the planning staff shall hold a sketch plan review meeting. This meeting shall be for any subdividers which have met the necessary deadlines for sketch plan submittal and have not yet received approval of the sketch plan. At this meeting the staff shall discuss with the subdivider pertinent aspects of the possible modifications and/or changes that may be suggested or required by this chapter. The Director shall request that a representative of each checkpoint agency be present to participate in the sketch plan review meeting. Taking into consideration the requirements of this chapter, particular attention shall be given to the arrangement, location, and width of streets, their relation to the topography of the land, sewage disposal, drainage and wetlands, soil erosion control measures, lot size and arrangement, the further development of adjoining lands as yet unsubdivided, and the requirements of the Comprehensive Plan and any other applicable plans.

(D) *Official submission dates*. The deadline for submittal of a sketch plan and application shall be on the first of the month two months prior to the month of the public hearing at which the subdivider intends to have his or her primary plat submission heard and one month prior to the deadline for the submission of the Primary Plat.

(Prior Code, § 153.036) (Ord. 1670, passed 6-11-1996)

§ 153.037 MAJOR SUBDIVISIONS.

(A) *General procedures for primary and secondary approval.* In addition to a sketch plan which is reviewed by the staff and checkpoint agencies, the applicant seeking approval of a major subdivision shall submit a primary subdivision plat to be approved, conditionally approved, or rejected by the Plan Commission at a public hearing. Then a secondary subdivision plat shall be submitted which must be found in compliance with the primary plat as approved by the Plan Commission at a public hearing.

(B) *Procedures for primary plat approval.*

(1) *Submission requirements.* Following the submission, review and report on the sketch plan application, the subdivider may file for primary plat approval. This submission shall:

(a) Be made on forms available at the office of the Commission and be submitted with fee of $500;

(b) Include indication of all land which the applicant proposes to subdivide and all land immediately adjacent thereto;

(c) Be presented to the staff of the Commission no later than the first of the month prior to the month of the regular meeting of the Commission at which it is intended to be heard;

(d) Be accompanied by 18 copies of the primary plat as described in this chapter; and

(e) Generally comply with the sketch plan as reviewed.

(2) *Placement on the Commission agenda.* Subsequent to the submission for primary approval, the Commission shall place the matter on its next regular meeting agenda for formal action provided the application is received by the first day of the month prior to the month of the regular meeting and all necessary agency approvals are received by the fifteenth day of the month prior to the month of the regular meeting.

(3) *Checkpoint agencies.* Upon receipt of the 18 copies, the primary plat shall be held for five business days for review by the Plat Officer to determine conformity with this chapter. If plats are determined to be in conformity, the Plat Officer shall affix the plans with the appropriate Plan Commission stamps, authorizing the subdivider to deliver one copy to the post office, two copies each to the Lake County Surveyor, Lake County Highway Superintendent, Lake County Health Officer, Lake County Soil and Water Conservation District, and three copies each to the utility companies servicing the area, leaving two copies with the Plat Officer. Only after the plans are stamped, may the subdivider pay the filing fees and be issued a receipt. Primary Plat is not considered filed until filing fees have been paid.

(a) In addition, the subdivider shall obtain comment from any other groups or agencies deemed necessary by the Plat Officer including the State Board of Health and the Department of Natural Resources.

(b) The officials who are in receipt of copies of the primary plat shall review the plat and register in writing any comments they may have. These written comments shall be delivered to the Plan Commission office by the fifteenth day of the month prior to the month for which Plan Commission consideration is requested. It shall be the responsibility of the subdivider or his or her agent to deliver all required comments, reports, and/or recommendations within the specified date requirements. Failure to have all required comments submitted by the stipulated deadline shall delay Commission consideration.

(4) *Staff review.* Subsequent to placement on the agenda, and prior to the date of public hearing, the Commission's staff shall review the proposal and prepare a written report to the Commission and applicant indicating staff's recommendation with regard to the subdivision being proposed.

(5) *Public hearing notification.* The Commission shall hold a public hearing on the primary plat and notice of the hearing shall be in

accordance with I.C. 5-3-1 at the applicant's expense. Before the time of the public hearing, the applicant shall show proofs of publication that the Notices of Public Hearing were published at least ten days prior to the public hearing. Interested parties shall be notified by first class mail of the date, place, and purpose of the public hearing on the subdivision at least ten days in advance of the hearing.

(6) *Approval of the primary plat*. After the Commission has held a hearing on the primary plat, the staff's report, checkpoint recommendations, and testimony and exhibits submitted at the public hearing, the applicant shall be advised of any required changes and/or additions. The Commission shall, at a public meeting, grant primary approval, conditional approval, continuance, or disapprove the primary plat. Not later than ten days after the Plan Commission meeting, the Plat Officer shall notify the subdivider in writing of the Commission's action on the primary plat, giving reasons for any disapproval. Before the Commission grants primary approval of a plat showing park reservation or land for other local government unit, the Commission shall obtain approval of the park or land reservation from the participating jurisdiction. Primary approval by the Commission is subject to review by certiorari. Application for secondary approval of a subdivision cannot occur until primary approval has been granted by the Commission.

(7) *Field trip*. The Commission, at its discretion, upon hearing the request for primary approval, may elect to continue the matter until its next regularly scheduled public meeting, and may schedule a field trip to the site of the proposed subdivision, accompanied by the applicant or his or her representative.

(8) *Effective period of primary approval*. Unless extended or sectionalized according to § 153.037(D)(8), the approval of a primary plat shall be effective for a period of 12 months at the end of which the secondary approval on the entire subdivision must have been obtained and certified by the designated officials of the Commission. Any plats not receiving secondary approval within the time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for sketch plan review subject to all the zoning restrictions and subdivision regulations and procedures in effect at the time of resubmission. Upon request of the applicant the Commission, finding reasonable grounds, may extend the primary approval of a plat 12 months beyond an expiration date.

(C) *Approval of engineering plans*.

(1) *Submission procedure and requirements*. Before approval of the primary plat, the applicant, if he or she wishes to proceed with the subdivision, shall submit five copies of engineering plans prepared by a civil engineer or surveyor registered in the State of Indiana pursuant to § 153.092, and shall file with the Director of the Commission a request to start work on any improvements.

(2) *Review process*. One copy of these plans shall be referred to the Lake County Highway Department, the Lake County Health Department, the Lake County Surveyor, and the Lake County Soil and Water Conservation District, retaining one copy for the planning staff. Upon receipt of approved engineering plans the applicant may proceed with the installation of improvements provided there is an approved bond in place for the cost of the improvements. In no event shall secondary approval be given prior to approval of the construction (engineering) plans.

(3) *Installation of improvements*. The installation of improvements shall be inspected by the appropriate participating jurisdiction. The inspections are required in all instances regardless of whether the work is performed before or after secondary approval. Failure to request inspection of work performed after the date of this chapter and before secondary approval where applicable may be cause for denial of secondary approval.

(D) *Secondary subdivision plat procedure (secondary approval).*

(1) *Submission requirements.* Following primary approval and approval of engineering (construction) plans, the applicant, if he or she wishes to proceed with the subdivision, shall file with the staff a request for secondary approval of a subdivision plat. The application shall:

(a) Be submitted on forms available at the office of the Plan Commission and be submitted with a fee of $250;

(b) Include the entire subdivision, or section thereof which derives access from an existing state, county, or local government roadway;

(c) Be accompanied by 18 copies of the secondary subdivision plat as described in this chapter;

(d) Comply with the chapter and the terms and conditions of primary approval; and

(e) Be accompanied by the performance bond, if required, in a form satisfactory to the Commission Attorney and in an amount established by the Commission upon recommendation of the participating jurisdiction and shall guarantee the completion of all required subdivision and off-site public improvements.

(2) *Checkpoint agencies.*

(a) Upon receipt of the 18 copies, the Secondary Plat shall be held for five business days for review by the Plat Officer to determine conformity with this chapter. If plats are determined to be in conformity, the Plat Officer shall affix the plans with the appropriate Plan Commission stamps, authorizing the subdivider to deliver one copy to the post office, two copies each to the Lake County Surveyor, Lake County Highway Superintendent, Lake County Health Officer, Lake County Soil and Water Conservation District, and three copies each to the utility companies servicing the area, leaving two copies with the Plat Officer. Only after the plans are stamped, may the subdivider pay the filing fees and be issued a receipt. Secondary plat is not considered filed until filing fees have been paid.

(b) The officials who are in receipt of copies of the secondary plat shall review the plat and register in writing any comments they may have. These written comments shall be delivered to the Plan Commission Office by the fifteenth day of the month prior to the month for which Plan Commission consideration is requested. It shall be the responsibility of the subdivider or his or her agent to deliver all required comments, reports, and/or recommendations within the specified date requirements. Failure to have all required written comments submitted by the stipulated deadline shall delay Commission consideration.

(3) *Determination of conformance (secondary approval).* In order to be recorded, a secondary plat shall be found to be in conformance with the primary approval either by the staff, or by the Commission at a public meeting. If the secondary subdivision plat deviates from the primary plat that received primary approval, the subdivision shall be resubmitted to the Commission at a public meeting for a new primary approval. The subdivider submitting a secondary plat conforming to the primary approval shall have the secondary plat reviewed by the Commission at a public meeting. The subdivider shall request in writing Commission review no later than the first day of the month prior to the month of the public meeting at which he or she intends to have his or her secondary plat reviewed. The Commission shall place the matter on its next regular meeting agenda provided the application is submitted by the first of the month prior to the month of the regular Plan Commission meeting and all checkpoint agency approvals are received no later than the fifteenth day of the month prior to the month of the regular Plan Commission meeting. The staff shall review the proposal and submit a written report and recommendations to the Commission and the applicant, and the Commission, at the public meeting, shall grant secondary approval, continuance, or

disapproval of the secondary plat. If granted secondary approval, it shall be signed by the designated officials. If not granted secondary approval, then the subdivider shall be informed as to the insufficiency of his or her submittal. Not later than ten days after the Plan Commission meeting, the Plat Officer shall notify the subdivider in writing of the Commission's action on the secondary plat.

(4) *When petitioner not permitted to file an application for secondary approval.* In no case shall a petitioner be permitted to file an application for secondary approval prior to receiving primary approval and approved engineering plans.

(5) *Subdivider proposes to construct a common sewage facility.* In instances where the subdivider proposes to construct a common sewage treatment facility or a common water supply system, or both, the Plan Commission shall not give secondary approval until:

(a) The State Board of Health and the Indiana Department of Environmental Management give approval to the final engineering and construction plans for the facility.

(b) The state and/or county, in the instance where a common sewage treatment facility is to be constructed, has granted the subdivider or the appropriate corporation a certificate of territorial jurisdiction. Furthermore, where the subdivider proposes to construct a common sewage treatment facility and/or a common water supply system, the Plat Officer, upon receipt of the engineering plans, shall immediately deliver one copy of each of these plans to the County Health Officer.

(6) *On-lot sewage disposal systems proposed (septic systems).* In instances where on-lot sewage disposal systems are proposed (septic systems), the County Health Department requires that all secondary plats submitted for approval shall have a plat prepared which depicts all soil types (see § 153.025), contour lines, drainage easements, and utility easements on the secondary plat. Non-compliance of this provision shall delay secondary approval.

(7) *Sanitary treatment plant is to be installed by subdivider.* Where the sanitary treatment plant is to be installed by the subdivider, all secondary plat approvals shall be granted by the Commission subject to the condition that no building permits will be issued until either:

(a) The sewage treatment facility is operative, as attested to by the State Board of Health; or until

(b) The subdivider has an adequate temporary sewage treatment facility installed or an adequate proposal before the County Health Officer, who in turn will notify the Plat Officer by letter that a certain number of building permits may be authorized for issue based on temporary sewage treatment installations or proposals.

(8) *Sectionalizing plats.* Prior to granting secondary approval of a major subdivision plat, the Commission may permit the plat to be divided into two or more sections and may impose such conditions upon the filing of the sections as deemed necessary to assure the orderly development of the plat. The Commission may require that the performance bond be in such amount as will be commensurate with the section or sections of the plat to be filed and may defer the remaining required performance bond principal amount until the remaining sections of the plat are offered for filing. The sections must contain at least ten lots, or 10% of the total number of lots contained in the approved plat, whichever is less. The approval of all remaining sections not filed with the staff shall automatically expire after five years of the date of primary subdivision approval of the subdivision plat, unless the expiration date has been extended.

(E) *Signing and recording a plat.*

(1) *Signing of a plat.* When a bond is required, the designated officials shall endorse secondary approval on the plat by signing the Mylar after the bond has been approved, and all conditions of the primary approval have been satisfied.

(2) *Recording of plat.*

(a) After the Plan Commission meeting, the subdivider shall submit to the Plat Officer one tracing of the secondary plat of the subdivision on drawing medium deemed satisfactory by the Commission. After the approval of the secondary plat, the original tracing shall be delivered by the Plat Officer to the County Surveyor. When directed, the County Surveyor shall process plat for recording.

(b) The subdivider is responsible for the causation of the filing of the secondary plat with the County Recorder within 12 months of the date of signature by submitting the tracing said above to the Plat Officer.

(c) Costs for the above are to be borne by the subdivider, i.e., County Auditor, County Recorder, reproduction and the like. The secondary plat will remain in the County Surveyor's Office for the permanent public record. If the secondary plat is not recorded within a period of 12 months from the date of approval, the secondary plat is void and the plat must again be submitted with a new filing fee to the Commission for secondary approval.

(d) Building permits shall not be issued in any subdivision until the secondary plat is approved by the Commission and until the plat and any accompanying restrictive covenants are recorded in the Office of the County Recorder.

(F) *Disapproval.* Disapproval of secondary plat is warranted if:

(1) There are more than minor deviations from the primary plat;

(2) More than 12 months have elapsed since primary approval;

(3) Engineering or construction plans and details for the subdivision demonstrate that the subdivision improvements do not comply with the County standards and the requirements of this chapter;

(4) A new highway, pipeline or other major feature has directly affected the site; and

(5) There were certain conditions attached to the approval of the primary approval, and those conditions have not been fulfilled.

(Prior Code, § 153.037) (Ord. 1670, passed 6-11-1996; Ord. 2222, passed 6-10-2008)

§ 153.038 MINOR SUBDIVISIONS.

(A) *General procedures.* All divisions of land classified as minor subdivisions shall first be referred to the Plat Committee provided that no waiver within the jurisdiction of the Plan Commission is requested. The applicant seeking approval of a minor subdivision shall submit a primary plat and a secondary plat to be approved, conditionally approved, or rejected by the Plan Commission or its Plat Committee, as appropriate, at a public hearing.

(B) *Procedures for primary plat approval.*

(1) *Submission requirements.* This submission shall:

(a) Be made on forms available at the Office of the Commission and be submitted with a fee of $500;

(b) Include indication of all land which the applicant proposes to subdivide and all land immediately adjacent thereto;

(c) Be presented to the staff of the Commission no later than the first of the month prior to the month of the regular meeting of the Commission at which it is intended to be heard; and

(d) Be accompanied by 18 copies of the primary plat as described in this chapter.

(2) *Placement on the Commission agenda subsequent to the submission for primary approval.* The Commission or its Plat Committee, as appropriate, shall place the matter on its next regular

meeting agenda for formal action provided the application is received by the first day of the month prior to the month of the regular meeting and all necessary agency approvals are received by the fifteenth day of the month prior to the month of the regular meeting.

(3) *Checkpoint agencies*. Upon receipt of the 18 copies, the Primary Plat shall be held for five business days for review by the Plat Officer to determine conformity with this chapter. If plats are determined to be in conformity, the Plat Officer shall affix the plans with the appropriate Plan Commission stamps, authorizing the subdivider to deliver one copy to the post office, two copies each to the Lake County Surveyor, Lake County Highway Superintendent, Lake County Health Officer, Lake County Soil and Water Conservation District, and three copies each to the utility companies servicing the area, leaving two copies with the Plat Officer. Only after the plans are stamped, may the subdivider pay the filing fees and be issued a receipt. Primary Plat is not considered filed until filing fees have been paid.

(a) In addition, the subdivider shall obtain comment from any other groups or agencies deemed necessary by the Plat Officer including the State Board of Health and the Department of Natural Resources.

(b) The officials who are in receipt of copies of the primary plat shall review the plat and register in writing any comments they may have. These written comments shall be delivered to the Plan Commission Office by the fifteenth day of the month prior to the month for which Plan Commission consideration is requested. It shall be the responsibility of the subdivider or his or her agent to deliver all required comments, reports, and/or recommendations within the specified date requirements. Failure to have all required comments submitted by the stipulated deadline shall delay Commission consideration.

(4) *Staff review*. Subsequent to placement on the agenda, and prior to the date of public hearing, the Commission's staff shall review the proposal and prepare a written report to the Commission and applicant indicating staff's recommendation with regard to the subdivision being proposed.

(5) *Public hearing notification*. The Commission or its Plat Committee, as appropriate, shall hold a public hearing on the primary plat and notice of such hearing shall be in accordance with I.C. 5-3-1 at the applicant's expense. At the time of the public hearing, the applicant shall show proofs of publication that the notices of public hearing were published at least ten days prior to the public hearing. Interested parties shall be notified by first class mail of the time, date, place, and purpose of the public hearing on the subdivision at least ten days in advance of the hearing.

(6) *Approval of the primary plat and plat committee procedure*.

(a) *Approval of the primary plat*. After the Commission or its Plat Committee, as appropriate, at a regularly scheduled meeting has examined the primary plat, staff's report, checkpoint recommendations and testimony and exhibits submitted, the Commission or its Plat Committee shall grant primary approval, conditional approval, continuance, or disapprove the primary plat. Not later than ten days after the Commission or Plat Committee meeting, the Plat Officer shall notify the subdivider in writing of the action of the Commission or its Plat Committee on the primary plat giving any reasons for any approval, conditional approval, continuance, or disapproval. Primary approval by the Commission or its Plat Committee is subject to review by certiorari.

(b) *Plat committee procedure*. A division of land classified as a minor subdivision shall be referred to the Plat Committee provided that the applicant is not requesting a waiver under the jurisdiction of the Commission. Any minor subdivision with a waiver request attached shall be referred to the Plan Commission. Primary Approval of a minor subdivision by the Plat Committee must be unanimous with at least four of the five members of the Plat Committee present and voting. If a minor subdivision is not unanimously approved by the Plat

Committee as described herein then the primary approval, as yet undecided, shall be referred to the Plan Commission for consideration at their next regular monthly meeting. Thereafter, the minor subdivision shall stay with the Plan Commission for secondary approval if the applicant wishes to continue.

(C) *Approval of engineering plans.*

(1) *Submission procedure and requirements.* Before approval of the primary plat, the applicant, if he or she wishes to proceed with the subdivision, shall submit five copies of engineering plans prepared by a civil engineer or surveyor registered in the State of Indiana pursuant to § 153.093, and shall file with the Director of the Commission a request to start work on any improvements.

(2) *Review process.* One copy of these plans shall be referred to the Lake County Highway Department, the Lake County Health Department, the Lake County Surveyor, and the Lake County Soil and Water Conservation District, retaining one copy for the planning staff. Upon receipt of approved engineering plans the applicant may proceed with the installation of improvements provided there is an approved bond in place for the cost of the improvements. In no event shall secondary approval be given prior to approval of the construction (engineering) plans.

(3) *Installation of improvements.* The installation of improvements shall be inspected by the appropriate participating jurisdiction. Such inspections are required in all instances regardless of whether the work is performed before or after secondary approval. Failure to request inspection of work performed after the effective date of this chapter and before secondary approval where applicable may be cause for denial of secondary approval.

(D) *Secondary subdivision plat procedure (secondary approval).*

(1) *Application requirements.* The applicant shall file with the staff an application for secondary approval of a subdivision plat which must:

(a) Be submitted on forms available at the Office of the Commission;

(b) Include the entire subdivision;

(c) Be accompanied by 18 copies of the final subdivision plat as described in this chapter;

(d) Be in compliance with this chapter and the terms and conditions of primary approval; and

(e) Be accompanied by the performance bond if required, in a form satisfactory to the Attorney of the Commission and in an amount established by the Commission upon recommendation of the participating jurisdiction and shall guarantee the completion of all required subdivision and off-site public improvements.

(2) *Checkpoint agencies.*

(a) Upon receipt of the 18 copies, the Secondary Plat shall be held for five business days for review by the Plat Officer to determine conformity with this chapter. If plats are determined to be in conformity, the Plat Officer shall affix the plans with the appropriate Plan Commission stamps, authorizing the subdivider to deliver one copy to the post office, two copies each to the Lake County Surveyor, Lake County Highway Superintendent, Lake County Health Officer, Lake County Soil and Water Conservation District, and three copies each to the utility companies servicing the area, leaving two copies with the Plat Officer. Secondary Plat is not considered filed until plans are affixed with the appropriate plan commission stamps.

(b) The officials who are in receipt of copies of the secondary plat shall review the plat and register in writing any comments they may have. These written comments shall be delivered to the Plan Commission Office by the fifteenth day of the month prior to the month for which Plan Commission or Plat Committee consideration is requested. It shall be the responsibility of the subdivider or his or her agent to deliver all required comments, reports, and/or

recommendations within the specified date requirements. Failure to have all required comments submitted by the stipulated deadline shall delay Commission or Plat Committee consideration.

(3) *Determination of conformance (secondary approval)*. In order to be recorded, a secondary plat shall be found to be in conformance with the primary approval by the Commission or its Plat Committee, as appropriate, at a public hearing. If the secondary subdivision plat deviates from the primary plat that received primary approval, the subdivision shall be resubmitted to the Commission or its Plat Committee for a new primary approval.

(a) *Review at a public hearing*. The Commission or its Plat Committee, as appropriate, shall review the items submitted at a public hearing. The subdivider shall apply for secondary approval no later than the first day of the month prior to the month of the public meeting at which he or she intends to have his or her secondary plat reviewed. The Commission/Plat Committee shall place the matter on its next regular meeting agenda provided the application is submitted by the first day of the month prior to the month of regular meeting and all checkpoint agency approvals are received no later than the fifteenth day of the month prior to the month of the meeting. The staff shall review the proposal and submit a written report and recommendations to the Commission/Plat Committee, and the Commission/Plat Committee, at the public meeting, shall approve or disapprove the secondary plat. If granted secondary approval, the Mylar of the secondary plat shall be signed by the designated officials. If not granted secondary approval, then the subdivider shall be informed as to the insufficiency of his or her submittal. Not later than ten days after the public meeting, the Plat Officer shall notify the subdivider in writing of the action of the Plat Committee or Commission on the secondary plat.

(b) *Plat Committee procedure*. Secondary approval of a minor subdivision by the Plat Committee must be unanimous with at least four of the five members of the Plat Committee present and voting. If a minor subdivision is not unanimously approved by the Plat Committee as described herein, then the secondary approval, as yet undecided, shall be referred to the Plan Commission for consideration at their next regular monthly meeting. In no case shall a minor subdivision be referred back to the Plat Committee once it is properly referred to the Plan Commission.

(4) *Subdivider proposes to construct a common sewage treatment facility*. In instances where the subdivider proposes to construct a common sewage treatment facility or a common water supply system, or both, the Plan Commission or its Plat Committee, as appropriate, shall not give secondary approval until:

(a) The State Board of Health and the Indiana Department of Environmental Management give approval to the final engineering and construction plans for the facility.

(b) The state and/or county, in the instance where a common sewage treatment facility is to be constructed, has granted the subdivider or the appropriate corporation a certificate of territorial jurisdiction. Furthermore, where the subdivider proposes to construct a common sewage treatment facility and/or a common water supply system, the Plat Officer, upon receipt of the engineering plans, shall immediately deliver one copy of each of these plans to the County Health Officer.

(5) *Individual sewage systems proposed (septic systems)*. In instances where individual sewage disposal systems are proposed (septic systems), the County Health Department requires that all secondary plats submitted for approval shall have a plat prepared which depicts all soil types (see § 153.025), contour lines drainage easements, utility easements, on the secondary plat. Noncompliance of this provision shall delay secondary approval.

(6) *Sanitary treatment plant to be installed by subdivider*. Where the sanitary treatment plant is to be installed by the subdivider, all secondary plat

approvals shall be granted by the Commission or its Plat Committee, as appropriate, subject to the condition that no building permits will be issued until either:

(a) The sewage treatment facility is operative, as attested to by the State Board of Health; or until

(b) The subdivider has an adequate temporary sewage treatment facility installed or an adequate proposal before the County Health Officer, who in turn will notify the Plat Officer by letter that a certain number of building permits may be authorized for issue based on temporary sewage treatment installations or proposals.

(E) *Signing and recording a plat.*

(1) *Signing of a plat.* When a bond is required, the designated officials shall endorse secondary approval on the plat by signing the Mylar after the bond has been approved, and all conditions of the primary approval have been satisfied.

(2) *Recording of plat.*

(a) After the Plan Commission meeting, the subdivider shall submit to the Plat Officer one tracing of the final plat of the subdivision on drawing medium deemed satisfactory by the Commission. After the approval of the secondary plat, the original tracing shall be delivered by the Plat Officer to the County Surveyor. When directed, the County Surveyor shall process plat for recording.

(b) The subdivider is responsible for the causation of the filing of the secondary plat with the County Recorder within 12 months of the date of signature by submitting the tracing said above to the Plat Officer.

(c) Costs for the above are to be borne by the subdivider, i.e., the County Auditor, County Recorder, reproduction and the like. The secondary plat will remain in the County Surveyor's Office for the permanent public record. If the secondary plat is not recorded within a period of 12 months from the date of approval, the secondary plat is void and the plat must again be submitted with a new filing fee to the Commission for secondary approval.

(d) Building permits shall not be issued in any subdivision until the secondary plat is approved by the Commission and until the plat and any accompanying restrictive covenants are recorded in the Office of the County Recorder.

(F) *Disapproval.* Disapproval of secondary plat is warranted if:

(1) There are more than minor deviations from the primary plat;

(2) More than 12 months have elapsed since primary approval;

(3) Engineering or construction plans and details for the subdivision demonstrate that the subdivision improvements do not comply with the county standards and the requirements of this chapter;

(4) A new highway, pipeline, or other major feature has directly affected the site; and

(5) There were certain conditions attached to the approval of the primary approval and those conditions have not been fulfilled.

(Prior Code, § 153.038) (Ord. 1670, passed 6-11-1996; Ord. 2222, passed 6-10-2008)

§ 153.039 EXEMPT DIVISIONS.

In order for a land division to be considered as an exempt division, the applicant must show that it meets the definitional criteria (see the definition of "subdivision" in § 153.025) and the following three critical requirements:

(A) *Adequate lot frontage.* Adequate lot frontage as required for the zoning classification on a dedicated, improved, public road at least 18 feet wide and at least gravel (this does not include private roads, easements of access or unimproved roads).

(B) *Approved soil type*. Approved soil type for septic system installation.

(C) *Conformance with the Lake County subdivision ordinance regulations*. If the staff determines that the division of land meets the definitional criteria and the three critical requirements of exempt divisions, then they shall issue to the subdivider a statement of compliance which indicates adherence to the applicable provisions of this chapter. Both the subdivider and the staff shall hold copies of the statement of compliance. When the parcel so exempted by this statement is conveyed to another party, the copy of the instrument of the conveyance shall be recorded with the County Recorder bearing a stamp of approval signed by the Director indicating that the statement has been obtained as ascertained by the copies of the statement which have been held for this purpose.
(Prior Code, § 153.039) (Ord. 1670, passed 6-11-1996)

DESIGN REQUIREMENTS

§ 153.050 GENERAL IMPROVEMENTS.

(A) *Conformance to applicable rules and regulations*. In addition to the requirements established herein, all subdivision plats shall comply with the following laws, rules, and regulations:

(1) All applicable state and local statutory provisions;

(2) The unincorporated Lake County Zoning Ordinance, building codes, and all other applicable laws and ordinances of the appropriate jurisdictions;

(3) The comprehensive plan and all related plans of Lake County;

(4) The special requirements of these regulations and any rules of the Lake County Health Department and/or appropriate state agencies;

(5) The rules and regulations of the Indiana Department of Transportation if the subdivision or any lot contained therein abut a state highway or state frontage road;

(6) The highway and drainage standards and regulations adopted by the Lake County Engineer, the Lake County Surveyor, and all boards, commissions, agencies, and officials of the county; and

(7) All pertinent standards contained within written procedures and guidelines adopted by the Lake County Plan Commission.

(B) *Conformity*. Plat approval may be withheld if a subdivision is not in conformity with the above guides and requirements or with the policies and purposes of these regulations established in § 153.003.

(C) *Plats straddling municipal boundaries*. Whenever access to the subdivision is required across land in another jurisdiction, the Commission may request assurance from the County Attorney that the access is legally established, and from the County Engineer that the access road is adequately improved, or that a performance bond has been duly executed and is sufficient in the amount to assure the construction of the access road. Lot lines shall be laid out so as not to cross municipal boundary lines.

(D) *Surveying requirements*. See Appendix C.

(E) *Character of the land*. Land which the Commission finds to be unsuitable for subdivision or development because of flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements, or other features which might reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Commission, upon recommendation of the County Engineer and the Lake

County Surveyor, to solve the problems created by the unsuitable land conditions. The land shall be sat aside for the uses permitted by the Zoning Ordinance as shall not involve any such danger.

(F) *Subdivision name*. The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the area covered by these regulations. The Commission shall have final authority to reasonably designate the name of the subdivision which shall be determined at the time of primary approval.

(G) *Minimum design standards*. The design standards specified in this section are the minimum considered necessary for the general health, welfare, safety, and convenience of the public. Any improvements may be built to better standards of quality than those set forth in this chapter upon approval of the participating jurisdiction and the Commission.
(Prior Code, § 153.050) (Ord. 1670, passed 6-11-1996)

§ 153.051 LOT IMPROVEMENTS.

(A) *General*.

(1) All lots shall meet the minimum width, depth, and area requirements of the Lake County Zoning Ordinance.

(2) The size, shape, and orientation of lots shall be appropriate for the location of the subdivision, and for the type of development and use contemplated.

(3) Subdivisions shall contain no left-over pieces, corners, remnants of land except that which is designated as public or community parks, open space, or other designated uses pertaining to the development.

(B) *Lot arrangement*. The lot arrangement shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions in securing building permits to build on each of the created lots in compliance with the Zoning Ordinance and health regulations and in providing driveway access to buildings on such lots from the appropriate approved street.

(C) *Lot dimensions*. Lot dimensions shall comply with the minimum standards in the Zoning Ordinance. In general, side lot lines shall be at right angles to the street lines (or radial to curving street lines) unless a waiver from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets. Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for all of the off-street parking and loading facilities required for the type of use and development contemplated, as established in the Zoning Ordinance. Excessive depth in relation to width shall be avoided. A proportion of three and one-half to one (3.5:1) shall be considered a maximum.

(1) Lot widths shall be measured at the required building setback line except that in the case of lots fronting on a cul-de-sac, the building setback line may be 80 feet back from the property line, providing the Commission approves this waiver.

(2) All lot corners shall be designated with five-eighths-inch diameter rebar with cap designating the surveyor who performed the survey.

(D) *Double frontage lots and access to lots*.

(1) *Double frontage lots*. Double frontage and reversed frontage lots shall be avoided except where necessary to provide for the separation of residential development from the traffic on bordering arterials or to overcome specific disadvantages of topography and orientation or where a limited access highway, railroad right-of-way, major street or similar situation exists. In instances where double frontage lots are platted in this manner, the subdivider shall be required to provide and plat in some acceptable

manner a strip of non-access land no less than 15 feet wide on the highway side or rear yard of the lot. This strip of land is to be adequately landscaped with shrubs and trees so as to provide a sufficient screening or buffer area.

(2) *Access to public street*. Every lot shall front or abut on a public street. The number of feet of width of lots is specified in the Unincorporated Lake County Zoning Ordinance. Lots in a minor subdivision with an access only to existing private drives, streets, or easements may be permitted only with the permission of the Commission.

(3) *Access from primary and secondary arterials*. Lots shall not, in general, derive access from a primary or secondary arterial street. Where driveway access from a primary or secondary arterial street may be the only possible access for several adjoining lots, the Commission may require that the lots be served by a marginal access street in order to limit possible traffic hazards from multiple access to the streets. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on primary or secondary arterials.

(E) *Debris and waste*. No cut trees, debris, junk, rubbish, or other similar waste materials shall be buried by the developer on any lot or street in the subdivision.

(F) *Water bodies and watercourses*. If a tract being developed contains a water body other than a temporary detention facility or portion thereof, lot lines shall either be so drawn as to distribute the entire ownership of the water body among the fees of adjacent lots, or the Commission may approve an alternative plan whereby the ownership of and responsibility for safe maintenance of the water body is so placed that it will not become a local government responsibility. No part of the minimum area of a lot required under the Zoning Ordinance may be satisfied by land which is underwater other than a temporary detention facility or portion thereof.

(G) *Real estate sales offices*. Sales offices for real estate may be permitted in subdivisions provided that:

(1) Only sales of real estate concerning property within the subdivision in which the office is located are conducted;

(2) Only a model home can be used;

(3) There shall be a main office for the real estate firm and it shall remain in operation;

(4) No advertising device may be utilized other than a non-illuminated sign not to exceed 16 square feet with no printing other than sales office and the name of the real estate office;

(5) The residential character of the model home cannot change (no parking lots for sales offices);

(6) Sales offices are only permitted until 75% of lots have been sold by the original developer; and

(7) Storage of contractor's equipment and/or supplies is prohibited.

(Prior Code, § 153.051) (Ord. 1670, passed 6-11-1996)

§ 153.052 STREETS.

(A) *General requirements*.

(1) *Agency jurisdiction and recommendations*. At minimum, the following agencies or entities shall make recommendations to the Plan Commission pertaining to street design and street improvements in the subdivision:

(a) Plan Commission staff;

(b) County Superintendent of Highways;

(c) County Surveyor; and

(d) Any other applicable participating jurisdiction agency, or unit as deemed necessary by the Plat Officer.

(2) *Street design in relation to other matters*. All streets shall be designed in substantial relation to:

(a) Topographic conditions and drainage;

(b) Soil conditions;

(c) Public convenience and safety; and

(d) Existing and proposed land uses.

(3) *Frontage on improved roads*. No subdivision shall be approved unless the area to be subdivided shall have frontage on and two points of access from an existing street as follows:

(a) An existing state, county, or local highway; or

(b) A street shown upon a plat approved by the Commission and recorded by the County Recorder. The street or highway must be suitably improved as required by the highway rules, regulations, specifications or orders, or be secured by a performance bond required under this chapter. Whenever the area to be subdivided is to use an existing street frontage for access to any or all of the lots, the street shall be suitably improved as provided in Appendix D, Roadway Construction Specifications.

(4) *Street classification and integration*. The terms arterial and thoroughfare mean the same. Local street and minor street are the same.

(a) *Primary arterials*. Primary arterials shall be those having inter-city or regional importance, and shall be properly integrated with the existing and proposed system of major streets and highways.

(b) *Secondary arterials*. Secondary arterials shall be inter-neighborhood streets and shall be properly related to specific traffic generating facilities such as schools, churches, shopping and employment centers, to population densities, and to the major thoroughfares into which they feed.

(c) *Collector streets*. Collector streets shall be intra-neighborhood streets and shall be laid out to traffic circulation within the subdivision or the neighborhood and shall be properly related to the existing and proposed arterial system.

(d) *Minor streets*. Minor streets shall be laid out to conform as much as possible to topography; to discourage use of through traffic; to permit efficient drainage and sewer system; and to require the minimum amount of street to provide convenient, safe access to adjacent property.

(e) *Right-of-way dedication*. In instances where a proposed subdivision is to be platted such that it utilizes an existing (improved) county road for access to part of or all of the lots, the subdivider shall dedicate additional land for right-of-way wherein the existing right-of-way is not adequate according to the official plan for streets and thoroughfares and improve roadway to meet minimum blacktop standards. The right-of-way dedication shall at minimum be 40 feet or greater as determined by the Highway Superintendent.

(B) *Topography and alignment*.

(1) All streets shall be properly integrated and aligned with the existing and proposed system of thoroughfares and dedicated rights-of-way as established on the comprehensive plan, highway plan, or related plans.

(2) Rigid, rectangular gridiron street patterns are generally to be avoided, and the use of casually curvilinear streets, cul-de-sacs, or loop-streets shall be encouraged where the use will result in a more desirable lay-out and relate better to the existing topography. In general, innovative, varying geometrical street patterns shall be encouraged where they are likely to enhance visual interest and create a sense of place without undue risk to the health and safety of the public.

(3) Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Commission the extension is not necessary or desirable for the coordination of the layout or the most advantageous future development of adjacent tracts.

(C) *Publicly planned streets*. Streets shall be laid out in conformity to street or highway plans officially adopted by the County. Wherever such a planned street or highway runs through a proposed subdivision, it shall be provided for in the place and with the width indicated on the plan. However, no more than 100-foot width right-of-way dedication shall be required for any street. Additional right-of-way specified on the plan shall be reserved for public traffic and utility service purposes by easement provisions. This subdivider shall not be required to install a pavement of greater width than that required for secondary streets.

(D) *Blocks*.

(1) The length, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but the block length in residential areas shall not exceed 1,500 feet.

(2) Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in unusual cads (i.e., adjacency to an arterial, railroad and the like).

(3) Pedestrianways, bikeways, and/or crosswalks may be required by the Commission at some point in blocks more than 900 feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation, or other community facilities. The width and surface of the crosswalk and/or bikeway shall be of appropriate, standard engineering design. In the case of pedestrian crosswalks, the width shall be no less than six feet and no more than ten feet with a surface of bituminous topping (stone or concrete). Such paths for pedestrians and/or bicycles shall be inaccessible to all vehicular traffic excepting that required for maintenance purposes.

(E) *Half streets*. Half streets shall not be permitted except:

(1) To provide right-of-way for officially adopted planned streets or highways;

(2) Wherever an existing half street is adjacent to a tract to be subdivided, in which case the other half of the street shall be platted within the tract to be subdivided, or the existing platted half street shall be vacated prior to secondary approval; and

(3) Where the subdivider believes it is absolutely necessary to plat such, in which case, realizing that the Commission expects this half street to be improved, the subdivider shall submit engineering and construction plans concerning this half street to the Plat Officer. The Plat Officer, after consultation with the County Surveyor and the County Highway Superintendent, shall make a recommendation concerning the proposed platting of the half street to the Plan Commission, who shall decide whether to permit the platting and improvement of it.

(F) *Access to collector streets*. Where possible, lots in single-family residential subdivisions fronting on collector streets shall be avoided, and lots at the corners of intersections between local and collector streets shall front on the local street and have driveway access to it only, and not to the collector street. In multiple-family residential areas, entrances to group parking lots shall have access only to collector streets (where possible) and the entrances shall be widely spaced.

(G) *Access to primary arterials*. Where a subdivision borders on or contains an existing or proposed primary arterial, the Commission may require that access to it be limited by one of the following means:

(1) The subdivision of the lots so as to back onto the primary arterial and front onto a parallel local street; no access shall be provided from the primary arterial, and screening shall be provided within a strip of land along the rear property line of the lots;

(2) A series of cul-de-sacs, or loop streets entered from, and designed generally to be at right angles to an access street that is at some distance from and parallel to the arterial street, with the rear lines of their terminal lots backing onto the arterial; and

(3) A marginal access or service road (separated from the primary arterial by a landscaped and/or decoratively fenced grass strip and having access thereto at widely spaced suitable points). However, the marginal access or service roads shall generally be encouraged in residential subdivisions.

(H) *Street names and street signs*. The primary plat, as submitted, shall indicate names of proposed streets and be in compliance with the street naming resolution, Appendix E, of Lake County. Street signs of the type approved by the County Highway Superintendent shall be installed on the northeast corner of each intersection and shall indicate the street names as shown in the secondary plat and as specified in the street naming resolution (see Appendix E). Street signs shall be set in the ground according to the standard details obtainable from the County Highway Superintendent.

(I) *Street regulatory signs*. Traffic-control devices (i.e., stop signs, speed zone signs, or other such devices) shall be installed by the developer as required by the Lake County Board of County Commissioners, the Lake County Highway Department, and the Lake County Sheriff's Department.

(J) *Construction of streets*.

(1) *Construction of streets other than cul-de-sacs*. The arrangement of streets shall provide for the continuation of streets between adjacent subdivisions or other properties when the continuation is necessary for the convenient movement of traffic, for effective fire protection, for efficient provision of utilities, and where the continuation is in accordance with the comprehensive plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property lines unless prevented by topography or other physical conditions, or unless in the opinion of the Commission, the extension is not necessary or desirable for coordination of the layout or the most advantageous future development of adjacent tracts. A temporary T-shaped or L-shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to the abuttors whenever the street is continued. The Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

(2) *Cul-de-sacs (permanent dead-end streets)*. Dead-end streets shall not be permitted. Cul-de-sacs designed to be permanent may not be longer than 600 feet, measured along the centerline of the right-of-way from a point where the centerline of the right-of-way intersects the centerline of the right-of-way of the adjacent street to a point on the centerline or radial point of the turnaround. However, the Commission may approve a waiver for a longer length of cul-de-sac where justified. A right-of-way shall be provided, the diameter of which shall not be less than 156 feet for shoulder and ditch and not less than 140 feet where curb and gutter is used. The Plan Commission can authorize an equally safe and convenient turning space instead of the circular right-of-way mentioned above, providing the necessary engineering details and the other exhibits are satisfactory to the Plan Commission.

(K) *Design standards.*

(1) *General.* In order to provide for streets of suitable location, width, and improvement to accommodate prospective traffic and afford satisfactory access for police, fire fighting, snow removal, sanitation, and street maintenance equipment, and to coordinate street location in order to achieve a convenient system and avoid undue hardships to adjoining properties, the following design standards for streets are hereby required.

(2) *Minimum design standards.* See Figures 1 and 2 following division (K)(4).

(3) *Street surfacing and improvements.* The subdivider shall construct all required curb and gutters and shall surface or cause to be surfaced roadways to the widths pursuant to approved construction plans. All road pavement, shoulders, drainage improvements and structures, curbs, turnarounds, and sidewalks shall conform to all construction standards and specifications provided for in this chapter (see Appendix D), and shall be incorporated into the construction plans required to be submitted by the developer prior to secondary approval.

(4) *Excess right-of-way.* Right-of-way widths in excess of the standards designated in this chapter shall be required whenever, because of topography, additional width is necessary to provide adequate earth slopes. The slopes shall not be in excess of a ratio of two to one (2:1).

Figure 1: Minimum Roadway and Design Standards

Street	***Right-of-Way Width (ft.)***	***Roadway Width (c)***	***Radius/ Horizontal Curves Figures to Centerline (ft.)***	***Tangents Between Reverse Curves (ft.)***
Local expressway (b)	150	(a)		
Primary (b)	120	Two lanes, each lane 24 feet wide 8 ft. meridian		
Secondary (b)	100	48 ft.	500	200
Collector	80	36 ft.	300	150
Minor for row houses and apartments	80	36 ft.	300	150
Minor for single-family residences	80	27 ft.	200 (d)	100
Cul-de-sac	140 (156 for shoulder and ditch)	27 ft.	200	100
Marginal access	60	27 ft.	200	100

Figure 1: Minimum Roadway and Design Standards				
Street	***Right-of-Way Width (ft.)***	***Roadway Width (c)***	***Radius/ Horizontal Curves Figures to Centerline (ft.)***	***Tangents Between Reverse Curves (ft.)***
Business and industrial districts	100			

Notes to table:
(a) Specifications for roadway construction shall be as specified in this chapter and any other subsequent and applicable county ordinance.
(b) Minimum standards for these streets shall be as indicated or as determined by the Plan Commission and the County Highway Superintendent.
(c) Roadway width is as required for curbed streets and indicates distance back to back of curb.
(d) Where a turn of 90 degrees is planned, a lesser radius is acceptable; however, an enlargement of the right-of-way and pavement is required on the outside edge of the street.

Figure 2: Minimum Roadway Design Standards			
Street	***Maximum Gradient (%)***	***Minimum Gradient (%)***	***Clear Sight Distance (ft.)***
Local expressway (a)	5	0.50	500
Primary (a)	5	0.50	400
Secondary (a)	5	0.50	400
Collector	6	0.50	300
Minor for row houses and apartments	6	0.50	200
Minor for single-family residences	10; 12 for distance of 500 ft. or less	0.50	200
Cul-de-sac	10	0.50	200
Marginal access	6	0.50	200
Business and industrial districts	2	0.50	500

Note to table:
(a) Minimum standards for these streets shall be as indicated, or as determined by the Plan Commission and the County Highway Superintendent.

(5) *Railroads and limited access highways.* Railroad rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows.

(a) In residential districts, a buffer strip at least 25 feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to a railroad right-of-way or limited

access highway. This strip shall be part of the platted lots and shall be designated on the plat: "This strip is reserved for screening. The placement of structures hereon other than earth berms, walls, fences and other landscaping screening devices approved by the Commission is prohibited."

(b) Streets parallel to a railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way.

(6) *Intersections.*

(a) Streets shall be laid out so as to intersect as nearly as possible at right angles: A proposed intersection of two new streets at an angle of less than 75 degrees is prohibited. An oblique street should be approximately at right angles for at least 100 feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Commission.

(b) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with any existing intersection on the opposite side of the street. Street jogs with center-line offsets of less than 150 feet shall not be permitted except where the intersected street has separated, dual drives, without median breaks at either such intersection. Where local streets intersect with arterials, their alignment shall be continuous. Intersections of arterials shall be at least 800 feet apart.

(c) Minimum outside street turning radius at intersections shall be 28 feet.

(d) Intersections shall be designed with a flat grade wherever practical. At the approach to an intersection, a leveling area shall be provided having not greater than 3% grade at a distance of 60 feet, measured from the nearest right-of-way line of the intersecting street.

(e) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trimming trees) in connection with the grading of the public right-of-way to the extent deemed necessary by the County Engineer to provide an adequate sight distance and if necessary provide for excess right-of-way to allow for the above.

(7) *Bridges of primary benefit to the applicant.* Bridges of primary benefit to the applicant, as determined by the Commission, shall be constructed at the full expense of the applicant without reimbursement from the county. The sharing of expense for the construction of bridges not of primary benefit to the applicant, as determined by the Commission, will be fixed by special agreement between the county and the applicant. The cost shall be charged to the applicant pro-rata as the percentage of his or her land developed and so served. (This division (K)(7) applies only to newly proposed bridges submitted with the applicant's subdivision.)

(8) *Alleys.*

(a) Alleys shall be provided in all commercial and in all industrial districts, except that the Plan Commission may waive this requirement where other definite and assured provision is made for service access such as off-street loading and parking consistent with and adequate for the uses proposed.

(b) Alleys shall not be approved in residential areas unless necessary because of topography or other exceptional circumstances.

(c) The width of alleys shall not be less than 20 feet when permitted in residential subdivisions and not less than 30 feet in all other instances.

(d) Dead-end alleys are prohibited.

(L) *Street dedications and reservations; widening and realignment of existing streets.*

(1) *Generally.* Where a subdivision borders an existing street, or when the Comprehensive Plan or zoning setback regulations indicate plans for

realignment or widening of a street that would require use of some of the land in the subdivision, the applicant shall be required to improve and dedicate such streets at his or her own expense. Such frontage streets and other streets on which subdivision lots front shall be improved and dedicated by the applicant at his or her own expense to the full width required by these subdivision regulations. Land reserved for any street purposes may not be counted in satisfying the yard or area requirements of the Zoning Ordinance. Further, the subdivider shall:

(a) *Improvements*. Improve the ingress, egress, or access to the proposed subdivision (see Appendix D);

(b) *Grading improvements*. Make grading improvements in the right-of-way that adequate level area for shoulder and ditches is established as required in this chapter and the drainage channel for the existing roadway is moved to its proper location adjacent to the road shoulder. This grading improvement, once constructed, shall be stabilized and held by sodding or by an approved stoning process (see Appendix D); and

(c) *Engineering and construction drawings*. Submit engineering and construction drawings to the Plat Officer, in five copies, concerning these requirements.

(2) *Minor subdivisions*. The above requirements shall be applied to minor (abbreviated) subdivisions as deemed necessary by the County Highway Superintendent.
(Prior Code, § 153.052) (Ord. 1670, passed 6-11-1996)

§ 153.053 DRAINAGE AND STORM SEWERS.

(A) *General requirements*.

(1) *Agency jurisdictions and recommendations*. At minimum, the following agencies or entities shall make recommendations to the Plan Commission pertaining to the adequacy of drainage and storm sewers in the proposed subdivision:

(a) Plan Commission staff;

(b) Lake County Superintendent of Highways;

(c) Lake County Surveyor;

(d) Lake County Soil and Water Conservation District; and

(e) Any other applicable participating jurisdiction, agency, or unit as deemed necessary by the Plat Officer.

(2) *Plan submission*. As part of the approved construction plans, the subdivider shall submit plans for the approval of the Commission for an adequate stormwater drainage system, which may include sewers, channels, and basins. The stormwater drainage system shall be separate and independent of any sanitary sewer system. The subdivider shall use existing drainage channels whenever possible. Storm sewers where required shall be designed according to accepted engineering practice and consistent with any ordinance regulating storm drainage in Lake County, and a copy of design computations shall be submitted along with construction plans. Inlets shall be provided so that surface water is not carried across any intersection, nor for a distance in the gutter greater than indicated by the design computations submitted with the construction plans. When calculations indicate that curb capacities are exceeded at a point, no further allowance shall be made for flow beyond that point. Surface water drainage patterns shall be shown for each and every lot and block.

(B) *Nature of stormwater facilities*.

(1) *Location*. The subdivider may be required by the Commission to carry away, by pipe or open ditch, any spring or surface water that may exist either previously to, or as a result of the subdivision. The drainage facilities shall be located in the road

right-of-way where feasible, or in unobstructed easements of appropriate width, and shall be constructed in accordance with the approved construction plans.

(2) *Accessibility to public storm sewers.* Where a public storm sewer is accessible, the subdivider shall install storm sewer facilities, or if no outlets are within a reasonable distance, adequate provision shall be made for the disposal of stormwater as shown on the approved construction plans. Inspection of facilities shall be conducted by the participating jurisdiction.

(3) *Upstream and downstream drainage areas.* The County Surveyor shall determine the effect of each proposed subdivision on existing drainage facilities outside the area of the subdivision downstream. The impact on the subdivision from upstream drainage shall also be determined. County drainage studies, together with such other studies as may be available and appropriate, shall serve as a guide to needed improvements. Where it is anticipated that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the Commission may withhold secondary approval of the subdivision until provision (such as a storage facility) has been made for the improvement of the potential condition in such sum as the Commission shall determine. No subdivision shall be approved unless adequate drainage from it will be provided to an adequate drainage water course or facility.

(C) *Design standards.*

(1) The design of the drainage system shall be based on the following considerations:

(a) The drainage area as a whole: storm drainage upstream, downstream, and within the drainage area of which the subdivision is a part;

(b) Calculations as to volume and frequency of water to be accommodated;

(c) Design of culverts and storm sewer pipe sufficient in size to eliminate unreasonable flooding or pending of water;

(d) Establishment of finished land grades throughout the subdivision so that there is no pending of water on the land and that surface runoff will not be such as to cause serious erosion;

(e) Existing water courses; and

(f) Such other factors as are outlined in any duly adopted stormwater erosion control ordinance.

(2) Where ditches and sales are used to drain street construction, the following requirements shall be met.

(a) With grades to 4%, ditches shall have sod bottoms and banks.

(b) With grades from 4% to 8%, ditches shall have concrete ditch checks spaced not more than 100 feet apart.

(3) With greater than 8% grades, ditches shall be rip-rapped or paved.

(4) Culverts shall be provided at all street intersections sized to eliminate flooding or pending of water, and with a minimum cover of 12 inches. Culverts shall be constructed with flared end sections.

(5) All water inlet and outlet structures will provide for erosion control protection.
(Prior Code, § 153.055) (Ord. 1670, passed 6-11-1996)

§ 153.054 WATER FACILITIES.

(A) *General requirements.*

(1) *Agency jurisdiction and recommendations.* At minimum, the following agencies or entities shall make recommendations to the Plan Commission pertaining to the adequacy of water supply and distribution systems in the subdivision:

(a) Plan Commission staff;

(b) County Superintendent of Highways;

(c) County Surveyor;

(d) County Health Department;

(e) Any other applicable participating jurisdiction, agency, or unit as deemed necessary by the Plat Officer.

(2) *Water supply and distribution system for domestic use and fire protection.* The applicant shall take all actions necessary to extend or create a water supply and distribution system capable of providing for domestic use and fire protection.

(3) *Subdivider to install adequate water facilities.* Where a public water main is accessible, the subdivider shall install or cause the installation of adequate water facilities (including fire hydrants) approved by the local fire department and/or the appropriate utility. All water mains shall be at least eight inches in diameter.

(B) *Density based determination.* In any subdivision wherein the density of development as defined in § 153.025 is four or greater, the subdivider shall provide a complete public or private utility water supply and distribution system including all appurtenances for fire protection.

(C) *Individual wells and central water systems.* If a public water system is not available, individual wells may be used or a central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision and all requirements of the state and county regulations are met. Water samples shall be submitted to the County Health Department for its approval for both individual wells and central water systems. Orders of approval shall be submitted to the Commission.
(Prior Code, § 153.056) (Ord. 1670, passed 6-11-1996)

§ 153.055 SANITARY SEWERAGE FACILITIES.

(A) *Agency jurisdiction and recommendations.* At minimum, the following agencies or enmities shall make recommendations to the Plan Commission Board pertaining to the adequacy of sanitary sewage facilities in the subdivision:

(1) Plan Commission staff;

(2) County Health Department; and

(3) Any other applicable participating jurisdiction, agency, or unit as deemed necessary by the Plat Officer.

(B) *Complete sanitary sewer system.* There shall be provided a complete sanitary sewer system including a service connection for each lot and a sewage treatment plant and/or disposal facilities which service the subdivision for all subdivisions where density of development is one or greater; however, this requirement may be waived and other means of sewage disposal permitted in those instances where the Commission finds that the particular soil conditions or other factors are such as to lend themselves to other means of sewage disposal which demonstrably will cause no pollution of the land and will promote the general purpose of this chapter.

(C) *Individual sewage systems.* In any subdivision wherein the density of the development as defined by this chapter is less than one, individual sewage disposal systems may be installed, provided all the requirements of the state and county regulations with regard to soil type, percolation tests, and size of disposal system are met.

(D) *Modern sanitary engineering practice*. All community sewerage systems and all sanitary sewers shall be designed in accordance with accepted modern sanitary engineering practice and shall be designed and constructed in accordance with the requirements of the County Health Department and the State Board of Health.

(E) *Combined discharge; approval from Lake County Drainage Board*. Any discharge of any combined sewer system or other sewer system shall be required to first obtain approval from the Lake County Drainage Board pursuant to I.C. 36-9-27-1 *et seq*.
(Prior Code, § 153.057) (Ord. 1670, passed 6-11-1996)

§ 153.056 SIDEWALKS.

(A) *Required improvements*. Sidewalks shall be provided in the following areas:

(1) Industrial, commercial and business property shall be provided with concrete sidewalk five inches thick and a minimum of five feet wide; and

(2) All subdivisions wherein the density of the entire development as defined by this chapter is one and eight-tenths or greater shall be provided with concrete sidewalks four inches thick and four feet wide, located on the property line on both sides of all streets; however, this requirement may be waived in those cases where the Plan Commission finds that the construction of sidewalks, because of the location or size of the subdivision, the topography, or other factors creates a practical and demonstrable hardship on the subdivider.

(B) *Sidewalks may be required on collector, secondary and primary streets*. In all subdivisions, depending on the relation of the proposed subdivision to other community services such as schools, fire stations and the like, sidewalks may be required on collector, secondary and primary streets.
(Prior Code, § 153.058) (Ord. 1670, passed 6-11-1996)

§ 153.057 EASEMENTS FOR UTILITIES AND DRAINAGE.

(A) Utility easements shall be provided at the rear of all residential lots and along the side lot lines where required, and shall provide reasonable continuity from block to block. The utility easements shall be at least 15 feet wide, seven and one-half feet on each side of the lot line, except that in instances where only pole guys or single utility installations are involved, an easement of lesser width may be allowed. Evidence shall be furnished to the Plat Officer that easements and any easement provisions to be incorporated on the plate or in the deeds have been reviewed by the individual utility companies or the organizations responsible for furnishing the service involved as required and provided for herein.

(B) In instances where an easement is proposed to be designed for drainage and utility purposes, an easement width of 30 feet minimum may be required by the utility companies serving the project.

(C) In instances where a subdivision proposed density is one-half units per acre or greater, underground utilities shall be required unless there is verification from the utility company servicing the proposed subdivision that it cannot provide said service; also, except in the case of a subdivision of five lots or less, not involving any interior street.

(D) Where a subdivision is traversed by water course, drainage-way, channel or stream, or other body of water, appropriate dedications or easement provisions with adequate width or constructions to accommodate stormwater drainage through and from the subdivision shall be made. The width of the easement or dedication shall be dependent on the area of land drained by the water course except that in no case shall the required width be more than 300 feet.

(E) A screen planting easement may be required between residential and commercial or industrial lots, or along lot lines to discourage the undesirable development of residential lots fronting on traffic arteries.
(Prior Code, § 153.059) (Ord. 1670, passed 6-11-1996)

§ 153.058 PUBLIC USES.

In the case of a major subdivision, the developer may set aside land to be reserved for parks and playgrounds or other recreational purposes in locations where the reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography, and general character and shall have adequate road access for the particular purposes envisioned by the developer. The area shall be shown and marked on the plat: "Reserved for Park and/or Recreational Purposes." The developer shall dedicate all such recreation areas to the subdivision's homeowner's association. In any case, the assured improvement and continual maintenance of the recreation areas by the homeowner's association shall be required as a condition of secondary approval.
(Prior Code, § 153.060) (Ord. 1670, passed 6-11-1996)

§ 153.059 PRESERVATION OF NATURAL FEATURES AND AMENITIES.

(A) *General*. Existing features which would add value to the type of intended development or to the County as a whole such as trees, historic spots, watercourses, and similar irreplaceable assets, shall be preserved wherever possible in the design of the subdivision.

(B) *Street trees planted by developer*. As a requirement for subdivision secondary approval, the applicant shall plant trees on both sides of each proposed street except where there are sufficient existing trees present and preserved as determined by the Plat Officer. Street trees, namely planted, shall be no closer together than 30 feet, nor further apart than 60 feet. The type of trees shall be determined by the subdivider, except that it must not be on the list of "Prohibited Trees for Street Planting" (see Appendix F). Newly planted trees shall have at least a one and one-half-inch caliper, measured one foot from the ground. Street trees shall be located such that they will not cause destruction to street and sidewalk installations.
(Prior Code, § 153.061) (Ord. 1670, passed 6-11-1996)

§ 153.060 NON-RESIDENTIAL SUBDIVISIONS.

(A) *General*.

(1) If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to the land shall meet the special provisions as the Commission finds appropriate and requires.

(2) A non-residential subdivision shall also be subject to all the requirements set forth in the Zoning Ordinance.

(3) Site plan approval and non-residential subdivision plat approval may proceed simultaneously at the discretion of the Commission.

(4) A non-residential subdivision shall be subject to all the requirements of these regulations as well as such additional standards required by the Commission and shall conform to the proposed land use and standards established in the comprehensive plan, Zoning Ordinance, and related plans, except that where lot lines are to be established incrementally they need not be shown on the sketch plan or the plat for primary approval.

(5) All shopping centers and other non-residential subdivisions of buildings for leasehold shall be subject to the relevant provisions of this chapter.

(B) *Standards*. In addition to the principles and standards in these regulations which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that street, parcel, and block pattern proposed are appropriate for the uses anticipated and adequately take into account other uses in the vicinity. The following principles and standards shall be observed.

(1) Proposed commercial or industrial parcels shall be suitable in minimum area and dimensions to the types of development anticipated. Proposals for incremental lot by lot subdivision must be made clear in a statement on the primary plat which is satisfactory to the Commission.

(2) Street rights-of-way and pavement construction shall be adequate to accommodate the type and volume of traffic anticipated to be generated thereupon.

(3) Special requirements, where needed, may be imposed by the Commission upon recommendation of the Highway Department and/or Commission staff with respect to street, curb, gutter, and sidewalk design and construction.

(4) Special requirements, where needed, may be imposed by the Commission with respect to the installation of public utilities, including water, sewer, and stormwater drainage and preprocessing of sewage.

(5) Every effort shall be made to protect adjacent residential areas from potential nuisance from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing onto existing or potential residential development and provision of a permanently landscaped buffer strip where necessary.

(6) Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.
(Prior Code, § 153.062) (Ord. 1670, passed 6-11-1996)

§ 153.061 SOLID FILL.

(A) *Special exception required.* No person shall transfer, dump, or place upon lands, public or private, solid fill within unincorporated Lake County, Indiana without first obtaining a special exception under this section. Solid fill shall include, soil, gravel, sand, clay, or stone. Solid fill shall not include construction and demolition debris, concrete, asphalt, brick, block, tile, slag, ash, or fly ash. Solid fill shall be clean, inert material free from vegetative or other organic matter, yard waste, trees, branches, stumps, brush, garbage, and material subject to organize decomposition. Solid fill containing items such as hollow containers, appliances, and equipment subject to subsequent collapse or settlement is prohibited. Deposit of any solid fill of a non-native nature is prohibited. Also, solid fill does not include materials contaminated with hazardous, solid or infectious wastes.

(B) *Exemptions.* No special exception shall be required for the following:

(1) The transfer, excavation, dumping, or placement on any property outside of a subdivision (including contiguous property under the same ownership and within one 365-day period), of less than ten cumulative cubic yards of solid fill;

(2) The deposit of less than 50 cumulative cubic yards of topsoil (the upper layer of soil, usually darker and richer than the subsoil) outside of a subdivision for establishing lawns or planting beds, within one 365-day period;

(3) Excavation associated with the establishment of a foundation or foundations for any structure subject to an approved building permit;

(4) Filling pursuant to the requirements of an approved building or demolition permit;

(5) Customary top dressing or fertilizing of lawns and gardens;

(6) The deposit or application of solid fill on the site of a public project authorized by the appropriate public agency of the county. ***PUBLIC PROJECT***, as used in this subdivision, means any road, park, public building, or other public work. Compliance with the conditions listed under division (F) below is mandatory with respect to any authorized public project.

(7) The deposit or application of solid fill allowed or required under the Stormwater Management and Clean Water Regulations Ordinance for Lake County, Indiana. Compliance with the Conditions listed under division (F) below is mandatory with respect to any authorized public project.

(C) *Application*. Application for a special exception to transfer, place, or dump solid fill within unincorporated Lake County shall be made by the owner of the lands to be filled or his or her designated agent in writing and submitted to the Lake County Plan Commission on forms made available at the Lake County Plan Commission (Commission) Office and which forms have been approved by the Commission. The completed application shall be filed with the Commission by the tenth day of the month prior to the month that the Commission considers the application at their regularly scheduled meeting. A separate special exception shall be obtained for each act of filling. The applicant shall set forth in the application the following information and attachments, as well as any other information required by the special exception application form:

(1) Location of solid fill operation;

(2) Proposed route for hauling solid fill;

(3) Number, type, size and license number of trucks to be used;

(4) Proposed trucking schedule, number of days, and time of day;

(5) Equipment (other than trucks) involved in the solid fill operation;

(6) Quantity of solid fill to be moved, excavated, or deposited;

(7) Description (including maps) of work to be done;

(8) Proof of suitable access, including any licenses or permission necessary;

(9) A description of the purpose of the solid fill operations;

(10) A plan or drawing, signed and sealed by an Indiana registered land surveyor or Indiana licensed professional engineer containing;

(a) A legal description of the property;

(b) A drawing of the property containing the exterior boundaries of the property with referenced to a United States Land Survey Corner;

(c) Indication of any special flood hazard areas contained on the property;

(d) Date, scale, and “north” arrow;

(e) Name and address of the owner, petitioner, and surveyor or engineer preparing the site plan;

(f) A small scale drawing of the section or government subdivision where the property lies, with the property clearly identified therein;

(g) Location and names of owners of adjoining parcels of land, including owners of land across any right-of-ways, easements, waterway, ditch or tributary, or the like;

(h) Necessary plan views, profiles, cross-sections, and detailed drawings describing the area to be filled along with existing and proposed topography, contours (at minimum two-foot intervals), and drainage patterns before and after the completion of the project (two drawings will be necessary);

(i) The location and elevation to which the proposed filling will be made in relation to the elevation of adjoining streets or other public ways, easements, railroad or utility right-of-ways, parks cemeteries, water courses, drainage ditches, swamps, low areas subject to flooding, buildings, bridges, improved or unimproved properties, and any other pertinent data as determined by the Commission. If there are no adjoining improved streets within any reasonable distance, the County Highway Engineer and Lake County Surveyor shall determine the maximum allowable elevation of the filled area above which no further filling shall be made. In no case shall the proposed filling occur above the height limitation set down in the Unincorporated Lake County Zoning Ordinance by district, using the original undisturbed contours as the beginning elevation from which to measure the allowable height;

(j) The water elevation of adjoining lakes or streams at the date of the site plan and the approximate high and low elevations of the lake or stream. All elevations shall be referred to NAD 88 Vertical Datum;

(k) If the boundaries of the filled area border a lake or stream, the distances or bearings of a meander-line established not less than 20 feet back from the ordinary high water mark of the lake or stream;

(l) The location of any existing or proposed buildings or structures on the property or within 50 feet of any property line;

(m) Plans for all retaining walls or fencing, if proposed or necessary;

(n) Phase I Environmental Site Assessment (SEA) is required to be submitted with a solid fill permit application for placing 500 cubic yards or more of solid fill on a site in any residential zoning district classification or ,1000 cubic yards or more of solid fill in any zoning district.

(o) Indication of the gross land area of property to be filled;

(p) Dimensions of the filled area; and

(q) Any other information or items which may be required by the Planning Staff or Commission necessary for review.

(11) Identification of the soil type and source of solid fill to be utilized in any solid fill operation and method of compaction to be employed;

(12) Proof or evidence showing payment of all taxes and assessments to date against the property in question;

(13) Written approval of compliance with the Lake County Surveyor Storm Water Ordinance (as amended), erosion control, and any other related ordinances or codes as may be required (this shall include appropriate measures to prevent any adverse or negative effect to neighboring properties);

(14) Written comments from the Lake County Highway Department regarding the entrance to the property and proposed haul route along Lake County roadways or any other adverse affect a hauling operation may have on public ways or places;

(15) Any approvals or comments from any federal, state, or local agency that may be required.

(D) *Fee*. Commensurate with the approved fee schedule for special exceptions.

(E) *Financial assurance*. The applicant or petitioner shall provide financial assurance necessary to provide security for performance of the work, protection of public property, human health, the environment, and indemnification of unincorporated Lake County for its costs and fees. All persons, firms, or corporations requesting and receiving approval shall give surety to Lake County in the amount of 100% of the project cost to be approved by the Lake County Commissioner's Attorney as to form and by the Lake County Board of Commissioners as to sureties and to be conditioned that the person, firm, or corporation conducting the solid fill operation shall conform with this section and any specifications, rules, regulations, commitments or conditions prescribed by the Commission in their approval. Further, whereupon the legislative body acts to approve a special exception for a solid fill operation, it is understood and expressly implied that any person, firm, or corporation who conducts such a solid fill operation shall protect, save harmless, and pay Lake County for any and all liability, damages and expenses which Lake County may sustain by reason of granting the special exception.

(F) *Conditions*. The approval of any special exception for the placement of solid fill shall be subject to the following conditions:

(1) That the filling operation will not create noise, traffic or other problems detrimental to any residential community in the area of filling;

(2) There shall be no filling between the hours of 5:00 p.m. and 7:00 a.m. on weekdays or at any time on Saturday, Sunday, or a federal or state holiday;

(3) The Commission shall set the number of trucks involved based on the location of the solid fill operation and the traffic conditions in the area;

(4) Special Exceptions for solid fill operations shall be for a period not to exceed six consecutive months in a calendar year.

(5) Special exceptions for subsequent periods when total filling operations exceed six consecutive months will be subject to conditions and fees governing a new initial application;

(6) Special exceptions for solid fill operations shall be subject to all of the conditions set forth by the legislative body in their approval;

(7) Applicant or petitioner shall satisfy all of the requirements of the special exception;

(8) Special exceptions shall be subject to the complete, valid and accurate maintenance of all of the required conditions of approval;

(9) Solid fill shall not be left in a rough or unleavened condition for more than ten consecutive days;

(10) Erosion control shall be installed and maintained at least for 60 days after the completion of the solid fill operation;

(11) The solid fill site shall be seeded and mulched with 30 days after becoming an inactive site.

(12) A solid fill site that does not receive solid fill for 30 days is an inactive site. Any attempt to activate a site that does not receive fill for 30 days shall be treated as a new request for the placement of solid fill.

(G) *Hazardous waste prohibited*. No solid fill may be deposited in Unincorporated Lake County, whether pursuant to special exception or exempt from permitting under this section, which solid fill constitutes hazardous waste under state or federal law. The Commission, or designee, may order immediate removal of any solid fill which constitutes hazardous waste.

(H) *Licenses and drainage courses*. Solid fill operations shall also be subject to applicable county, state, or federal license or permit requirements. Solid fill operations shall not block or divert a natural drainage course without proper permits.

(I) *Permit*. The Commission is authorized to issue a solid fill permit to each applicant when satisfied that the applicant meets the conditions of this section and has received approval from the legislative body. The permit shall be in the form of a written letter signed by the Executive Director of the Commission briefly outlining the final approval and should contain the ordinance approved by the legislative body.

(J) *Appeal*. Any person who unduly aggrieved by a decision of the legislative body regarding a special exception granted under this section may file a timely appeal under I.C. 36-7-4-1003 with the circuit or superior court of Lake County, Indiana.

(K) *Penalty*. Any person who violates this section or who fails to comply with the terms and conditions of the special exception shall be subject to fines and penalties. Any person or corporation, whether as principal, agent, employee, or otherwise, who violates any provision or this section shall be guilty of a misdemeanor and upon conviction shall be fined an amount specified under division (E) above. Each day of the existence of any violation shall be deemed a separate offense.

(L) *Responsibility for violations*. Property owners shall be responsible for violations of this section on their property. In addition, any person performing any work or labor in unincorporated Lake County shall be responsible for any violation of this

section by such person or by any agent or employee. A subcontractor, and the agents or employees of a subcontractor, for the purposes of this section, shall be considered agents or employees of a property owner. Also, any and all contractors shall be licensed to conduct excavating or filling commensurate with the Unincorporated Lake County Licensing Ordinance.

(M) Prohibition on obstruction of drainage. In no event shall the deposit or transfer of solid fill, whether subject to a special exception under this section, obstruct the natural flow of drainage from one property to another, nor shall the deposit or transfer of solid fill negatively affect any neighboring property by changing drainage patterns to increase or channel the flow onto another property.

(N) *Final elevations*. Within 30 days after the termination of the excavation, final elevations certified by an Indiana registered land surveyor shall be presented to the Commission. Stated final elevations to the nearest one-tenth of a foot shall be in conjunction with elevations that were designated on the site plan approved by the Commission.

(O) *Legislation this section does not affect*. This section shall not be confused with or applicable to Section 2.10 of the Unincorporated Lake County Zoning Ordinance regarding Soil or Sand Excavation. Also, this section shall not be confused with or applicable to Section 8.3 of the Unincorporated Lake County Zoning Ordinance regarding quarries, borrow pits, landfills, sand mines, or peat mines which each require their own separate zoning district classification.
(Ord. 2289, passed 1-12-2010)

ASSURANCE FOR COMPLETION OF IMPROVEMENTS

§ 153.075 PERFORMANCE BOND REQUIREMENTS.

(A) The secondary plat shall not be submitted to the Plan Commission for approval until one of the following has been accomplished.

(1) The streets and other improvements required by this chapter, except sanitary sewage treatment facilities and appurtenances and common water supply systems, are accepted by the Board of County Commissioners and all stormwater systems and improvements, including but not limited to detention and retention ponds, have been installed.

(2) (a) A performance bond running to the Board of County Commissioners is executed by the subdivider and is approved by the Board of County Commissioners. The performance bond shall be 100% of the estimated cost of all streets and improvements, including all stormwater management systems and improvements (which include but are not limited to detention and retention ponds) plus a 10% inflation add-on figure per year of performance bond which this chapter requires and which are shown on the approved plans and specifications, except that the bond need not include the sanitary sewage treatment facilities and appurtenances, nor the common water supply system. The amount of the bond shall be fixed by the County Highway Engineer based on costs which are current in the trades for like items of construction and for installation. All bonds shall be with a company licensed to do business in the State of Indiana. Performance bonds shall specify that all improvements will be installed within a period of two years.

(b) Upon approval by the Plat Officer, three separate performance bonds may be posted one for road construction, one for sidewalks, street signs, landscaping, monuments and the like and one for stormwater management systems.

(3) Cash, or other acceptable negotiable securities, is posted with the County Treasurer in lieu of the performance bond.

(B) A combination of the above three alternatives may be employed, provided all improvements are covered in the guarantees.

(C) Furthermore, this performance bond shall assure all snow removal and other maintenance of roads and other improvements as stated in aforementioned paragraphs to be rendered and completed prior to release of the bond.

(D) This bond shall cover as-built plans on the improvements.

(E) A further provision is that one extension for a period of one year may be granted by the Plan Commission Board at current cost estimates. However, at no time will partial releases of performance bonds be permitted.

(F) No building permits shall be issued in a subdivision with delinquent bonds.
(Prior Code, § 151.070) (Ord. 1670, passed 6-11-1996)

§ 153.076 CONSTRUCTION AND INSPECTION.

(A) When the subdivider begins construction of his or her improvements before the Plan Commission has approved the secondary plat, written authorization shall be obtained from the Plat Officer, the Lake County Surveyor, the Lake County Highway Superintendent, and the Lake County Soil and Water Conservation District. In any event, no work shall begin before primary approval of the subdivision.

(B) When construction of improvements is started based upon primary approval, all improvements, including the stormwater management system and improvements, which includes but is not limited to detention or retention ponds, shall be completed within one year from the date of the approval. Should unusual circumstances develop, or if the scope of the work is extremely large, the Commission may grant an extension for a period of one year.

(C) During the course of construction of the improvements, the subdivider shall be required to notify the County Highway Superintendent at least 24 hours before each of the following operations in order that the Superintendent may make required inspections:

(1) Before stone base material is deposited in place for inspection of all street subgrades, especially areas where backfilling was placed over subterranean construction, and curb and gutter construction; and

(2) Before H.A.C. topping is placed on the stone base material for inspection of the base construction.

(D) These inspections must be made in order for the county to ascertain the quality of construction preliminary to accepting improvements for public maintenance. The subdivider shall pay a fee for the required inspections. The total fee for a subdivision shall be determined on an individual lot basis and shall be $15 per lot with a minimum fee of $75. This fee is to be paid to the Lake County Highway Department with a certified check made payable to the Lake County Motor Vehicle Highway Fund. No later than five days after the date of each inspection, the County Highway Superintendent shall notify the subdivider of the results of the inspection. Before the Board of County Commissioners accepts streets and improvements, all inspection fees as required above shall have been paid.
(Prior Code, § 151.071) (Ord. 1670, passed 6-11-1996)

§ 153.077 ACCEPTANCE OF SUBDIVISION IMPROVEMENTS.

(A) *Final acceptance*. Final acceptance of all streets and certain improvements is the responsibility of the Board of County Commissioners.

(B) *Improvements*. Improvements such as a stormwater management system and improvements, including but not limited to detention or retention ponds, a develop, or if sewerage disposal plant and all necessary appurtenances, a common water supply plant and appurtenances, and street lights are not accepted by the County Commissioners and, thus, never become the obligations of the county to maintain.

(C) *Notification of completion*. When the subdivider has completed construction of the improvements, he or she shall notify the Plat Officer by letter of this fact and formally request a final inspection by the county inspecting officials. In this letter, he or she shall briefly describe all of the improvements. No later than 21 days after the receipt of this letter by the Plat Officer, weather conditions permitting, the County Inspecting Officials shall make their inspection.

(D) *Inspection of improvements*. Before acceptance of subdivision improvements, the Plat Officer, the County Surveyor, and the County Highway Superintendent shall inspect said improvements as described above. After all agency comments are received, the Plan Commission shall submit a report to the Board of County Commissioners on the condition of such improvements and a recommendation for their action thereon.

(E) *Notification of inspection results*. No later than 21 days after the final inspection of the subdivision improvements, the subdivider shall be notified by the Plat Officer in writing of the results of the inspection.

(F) *Inspection of subdivision streets and all other improvements*. The County Inspection Officials shall, no later than eight weeks before the expiration date of the performance or maintenance bond, inspect the subdivision streets and all other improvements herein described to ascertain their condition. The subdivider shall be notified by letter, no later than six weeks before the expiration date, as to the results of the inspection. Should there be conditions concerning the improvements which the County Inspecting Officials find unsatisfactory, the subdivider has the opportunity to correct them. No later than 21 days prior to the expiration date of the subdivision maintenance bond, the Plat Officer shall relate by letter to the Board of Commissioners, the County Attorney, and the subdivider, the condition the County Inspecting Officials find the streets and all other improvements herein described in and, consequently, their recommendations regarding the release of the performance or maintenance bond.

(G) *Utility improvements*. Before the final inspection is requested the subdivider shall cause all utility improvements to be installed including, but not limited to, all water, sewer, telephone, gas and electric utilities.
(Prior Code, § 151.072) (Ord. 1670, passed 6-11-1996)

§ 153.078 AS-BUILT PLANS.

(A) After completion of all public improvements and prior to the release of the two-year performance bond on the improvements, the subdivider shall make, or cause to be made, a map showing the actual location of all street improvements, sanitary and/or storm sewer improvements, water mains, valves and stubs; subdivision boundary monuments; the stormwater management system and improvements, which includes but is not limited to detention and retention ponds; and such other permanent improvements that the subdivider installs. This map shall bear the signature and seal of a civil engineer and/or land surveyor registered in the State of Indiana and shall be submitted in four copies to the Plat Officer. The Plat Officer shall forward one copy to the Highway Superintendent, one copy to the County Surveyor, one copy to the Health Officer, and one copy to be kept by the Plat Officer.

(B) In addition to the as-built plans, the subdivider shall provide core tests performed by a certified testing laboratory of the H.A.C. pavement. One core (minimum) will be taken for every 660 lineal feet of new pavement and one core (minimum) for each deceleration lane and/or passing blister. The location of the core samples shall be designated by the

Superintendent of the Lake County Highway Department or his or her agent. The location of said cores shall be shown on the as-built plans and a report showing the results of the samples shall accompany the as-built plans.

(C) As-built plans of stormwater systems shall be in accordance with the duly adopted Lake County drainage ordinance or any such duly adopted drainage regulations of Lake County.
(Prior Code, § 151.073) (Ord. 1670, passed 6-11-1996)

§ 153.079 MAINTENANCE OF PUBLIC IMPROVEMENTS.

(A) The subdivider shall be required to maintain all public improvements on the individual subdivided lots and provide for snow removal on streets and sidewalks (where required) until acceptance of the public improvements by the county (or other participating jurisdiction).

(B) The subdivider shall be required to file a maintenance bond or other acceptable negotiable securities with the Commission, prior to acceptance, in an amount not to exceed 20% of the cost of all public improvements, and in a form satisfactory to the Commission Attorney. The maintenance bond is provided to assure the satisfactory condition of the required public improvements for a period of two years after the date of their acceptance by the county or other participating jurisdiction.
(Prior Code, § 151.074) (Ord. 1670, passed 6-11-1996)

SPECIFICATIONS FOR DOCUMENTS TO BE SUBMITTED

§ 153.090 PROCEDURE.

The procedural process followed shall be as described in §§ 153.035 through 153.039 and as follows: Subdivision plats shall be processed in three stages leading to approval for recording. These stages shall be sketch plan, primary plat, and secondary plat. A minor subdivision (as defined in § 153.025) shall be processed in two stages leading to approval for recording. These two stages are primary plat and secondary plat.

§ 153.091 SKETCH PLAN.

Sketch plans submitted to the Commission, prepared in pen or pencil, shall be drawn to a convenient scale of not more than 100 feet to an inch and shall show the following information:

(A) Legal description of the subdivision;

(B) Proposed name;

(C) Date, scale, and “North” arrow;

(D) Name and address of the owner, subdivider, planner, and engineer or surveyor preparing the plat;

(E) A small scale drawing of the section or government subdivision of the section in which the subdivision lies, with the location of the subdivision indicated thereon;

(F) Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;

(G) Present zoning and requested zoning;

(H) Location, widths, type of construction of all existing and platted streets, alleys, or other public ways and easements, railroad and utility right-of-ways, parks, cemeteries, watercourses, drainage ditches and wetlands, regulated drains, soil erosion control measures, swamps, low areas subject to flooding, permanent buildings, bridges, and other pertinent data as determined by the Plat Officer.

(I) Indication of the gross land area of the subdivision and computation of the density as defined in this chapter;

(J) Type of development anticipated on the lots;

(K) General statement as to how surface water drainage will be handled;

(L) General statement as to how sewage will be treated and how domestic water will be supplied;

(M) Topographic information, which may be of a very general nature, such as is obtainable from U.S.G.S. maps or elevations. The topographic information shall be referenced to U.S.G.S. datum;

(N) Proposed layout width of all new streets and proposed pavement widths;

(O) All soil types (see the definition of all soil types in § 153.025) according to the published soil survey;

(P) Approximate location and area of property proposed to be dedicated for public use, or to be reserved by deed covenant, for use of all property owners in the subdivision with the proposed conditions, if any, of such dedication or reservation;

(Q) Lot numbers and lot dimensions;

(R) If the individual lot sewage disposal systems are proposed in the subdivision, soil maps prepared from the published soil survey showing all soil types (see the definition of all soil types in § 153.025); and

(S) Such other information shall be supplied by the subdivider which may be deemed necessary by the Plan Commission or staff toward proper sketch plan review.
(Prior Code, § 153.080) (Ord. 1670, passed 6-11-1996)

§ 153.092 PRIMARY PLAT.

(A) *Submission*. The primary plat submission shall be legibly drawn on tracing cloth or equal material of good quality at a scale of not smaller than 100 feet to one inch, except that a subdivision of 200 acres or more may be drawn at a scale of 200 feet to one inch, and shall show all required information as the sketch plan, in addition to the following:

(1) The length and bearing of the exterior boundaries of the subdivision with reference to a United States Land Survey corner;

(2) Contours at vertical intervals of not more than two feet with reference to U.S.G.S. datum;

(3) The water elevations of adjoining lakes or streams at the date of the survey and the approximate high and low elevations of the lakes or streams. All elevations shall be referred to U.S.G.S. datum;

(4) Any subterranean drainage (this is to be shown as lines on the plat);

(5) If the subdivision borders a lake or stream, the distances and bearings of a meander line established not less than 20 feet back from the ordinary highwater mark of the lake or stream; or where regulated drains exist the drain and easement shall be delineated;

(6) A wetland boundaries delineation map from the U.S. Fish and Wildlife Service, National Wetland Inventory, the USDA, Natural Resources Conservation Service, Wetland Inventory or a US Army Corp of Engineers approved delineation;

(7) Layout of all new streets and right-of-ways such as alleys, highways, easements for sewers, water mains, drainageways and wetlands, soil erosion control measures, and other public utilities; existing streets, including entrances, on opposite side of streets of adjacent parcels shall also be shown;

(8) Direction, size of, and distance to nearest water, sanitary and storm sewer mains;

(9) Indication of the gross land area of the subdivision and a computation of the density as defined in this chapter;

(10) Dimensions of lots;

(11) Areas of lots where individual septic tank installations are proposed;

(12) All soil types (see the definition of all soil types in § 153.025) listed in the Soil Conservation Service (SCS) soil survey book of Lake County;

(13) Approximate radii of all curves;

(14) If deemed necessary by the Plat Officer or Plan Commission, on proposed subdivisions with individual lot sewage disposal systems, information on the following items shall be supplied and attested to by a civil engineer or soil scientist registered in the State of Indiana:

(a) Description of soil type to a depth of five feet and soil boring;

(b) Statement of topography; and

(c) Elevation of the water table.

(15) In instances where the subdivider plans to construct a common sewage treatment facility or a common water supply system (or both), the subdivider shall submit evidence to the Plan Commission that the preliminary system plans have been submitted to the Indiana State Board of Health for their action.

(B) *Ways to show division (A) information*. The above information can be shown as additional information on the sketch plan submission, or it can be shown on a new tracing cloth or paper medium, or it can be shown on the engineering plans.

(C) *Remapping of soil types*. Any remapping of soil types must be done by a certified professional soils scientist and must be shown on the plat as two soil lines: the first soil line which corresponds to the soil conservation service (SCS) book and a second soil line indicating the remapping and type of soil.

(D) *Lot additions or deletions*. Should any lots be added or deleted to the primary plat, the soils testing information book should also be revised (e.g., lot #1 on the plat should have corresponding soil boring information for lot #1). Should lot numbers be changed for any reason, the soil information book shall also be changed. This information must be completed and submitted accurately at the primary stage.

(E) *Soil testing requirements*. The Lake County Health Department requires at the primary approval stage all soil testing be completed by a professional soils scientist. The soil boring locations must be marked exactly on each lot of the plat and the soil boring information shall coincide with each lot.
(Prior Code, § 153.081) (Ord. 1670, passed 6-11-1996)

§ 153.093 ENGINEERING PLANS.

Before obtaining primary approval the subdivider, if he or she wishes to continue, shall submit four copies of engineering plans and specifications prepared by a civil engineer registered in the State of Indiana. Plans shall be drawn at a scale of no more than one inch equals 50 feet, and map sheets shall be of the same size as the primary plat. The following shall be shown:

(A) Street plans showing curb and gutter (if required), proposed rights-of-way, pavement widths, and the estimated percent of gradient. Final street grades are required at this point. Soil borings and C.B.R.s (California Bearing Ratio) shall be taken if required by the County Highway Superintendent;

(B) All driveways and entrance culverts are to be shown;

(C) Proposed layout of the sanitary sewer system. Final details need not be made on this submission;

(D) Proposed layout of water supply and distribution. Final details need not be made on this submission;

(E) Storm drainage proposals which shall include the location of all storm inlets, manholes, underground storm lines, and open channel flows; the

type and sizing of all storm lines and open channels; the invert elevations at all junctions; a delineation of watershed areas which specify their acreage and a calculation of all surface water entering from adjacent lands onto the proposed subdivision; a computation sheet with the above information recorded thereon as required by the Plat Officer;

(F) A water management plan to include both disposition of surface drainage and, where needed, provision for sub-surface drainage to drain high water table soils;

(G) An erosion and sediment control plan, the plan to include both temporary and permanent erosion control measures where needed to stabilize on-site soils and prevent off-site pollution of waters and/or damage to land. This plan shall comply with 327 I.A.C. Art. 5;

(H) Sidewalk plan showing the location of the walks;

(I) Public utility locations;

(J) Contours at vertical intervals of not more than two feet with reference to U.S.G.S. datum; and

(K) Any other special requirements which may be necessary for the Plat Officer and Commission to review.
(Prior Code, § 153.082) (Ord. 1670, passed 6-11-1996)

§ 153.094 SECONDARY PLAT.

(A) *Bear signature of land surveyor.* All secondary plats shall bear the signature of an Indiana Registered Land Surveyor and shall be legibly prepared in the following manner:

(1) With waterproof, non-fading India ink, on tracing cloth or equally acceptable material. Besides the lines and dimensions shown on the drawing, the legal description of the property should also be printed on the plat with India ink. Only the original drawing on cloth or equally acceptable material will be considered as secondary plat for recording purposes, provided it is deemed satisfactory for printing by the Plat Officer. Legends and certificates may be typewritten directly on the original. The use of adhesive transparent paper will not be accepted.

(2) When more than one sheet is used for any plat, each sheet shall be numbered consecutively and shall contain a notation giving the total number of sheets in the plat, and showing the relation of that sheet to the other sheets.

(3) A digital copy of the secondary plat shall be provided in such a format acceptable to the Lake County Surveyor. The digital copy may be provided by floppy disc, compact disc, or e-mail in a layer scheme as directed by the Lake County Surveyor in AutoCAD (DWG) or AutoCAD compatible (DXF) format.

(B) *Map and engineering information.* The secondary plat shall show clearly on its face the following:

(1) All monuments erected, corners, and other points established in the field in their proper places. The material of which monuments, corners, or other points is made shall be noted at the representation thereof, or by legend;

(2) The exact length and bearing to the first degree of accuracy of the exterior boundary lines of the lands surveyed and divided, and of all blocks, public grounds, streets and alleys, and lot lines except that when the lines in any tier of lots are parallel, it shall be sufficient to mark the bearings of the outer lines of one tier thereof. Easements shall be shown by centerline and width when lines are parallel to a boundary; otherwise, boundary beatings and distances shall be shown;

(3) All blocks and lots numbered, and the numbering (where possible) shall follow the numbering of the primary plat;

(4) The exact width of all easements, streets and alleys;

(5) The names of all streets pursuant to the street naming resolution, Appendix E, of Lake County;

(6) A small drawing of the section or government subdivision of the section in which the subdivision lines with the location of the subdivision indicated thereon. The drawing shall be oriented on the sheet in the same direction as the main drawing;

(7) Abutting state highway lines and streets of adjoining plats shown in their proper location. The width and names of these streets and highways shall also be given;

(8) Certificates to accompany plat to entitle a secondary plat to be recorded, such certificates as required by law shall be lettered or printed in the secondary plat. Appendix B lists certain certificates, some of which shall be placed on every plat; these are so indicated. Other certificates are optional and serve as a guide only;

(9) All lake or stream shore meander lines established by the surveyor in accordance with this section, the distance and bearings thereof, and the distance between the points of intersection of such meander lines with lot lines and the ordinary high water mark;

(10) A north point properly located thereon; and a scale shown graphically;

(11) The number of degrees and minutes (to the second) in all exterior boundary and block angles. When the angles are between a curve and its tangent, the angle shown shall be that between the tangent and the main chord of the curve. When between curves of different radii, the angle between the main chords shall be shown;

(12) Building setback lines accurately shown with dimensions; they shall be in compliance with the zoning regulations as set forth for the district in which the property is located;

(13) The total area of the plat computed in acres;

(14) House numbers, in accordance with the duly adopted house numbering system for Lake County, Indiana, shall be designated on each lot; and

(15) The name of the plat shall be shown thereon in prominent letters and shall not be a duplicate of the name of any plat previously recorded in Lake County. The following information relating to the position and location of the subdivision shall be shown on the plat:

(a) The location of the subdivision by government lot, section, township, range, and county;

(b) The exact location of the subdivision indicated by distances and bearings with reference to a corner or corners of a section or half-section, in case any subdivision crosses any section, quarter section, or quarter quarter section lines, or is adjacent to any said lines, all section, quarter section, or quarter quarter section corners in or adjacent to the subdivision shall be marked and referenced with monuments; and

(c) The area designated for septic field location.

(Prior Code, § 153.083) (Ord. 1670, passed 6-11-1996; Ord. 1670A, passed 7-8-2003; Ord. 1670A-1, passed 8-12-2003; Ord. 1670A-3, passed 12-9-2003)

ADMINISTRATION AND ENFORCEMENT

§ 153.105 ENFORCEMENT AND VIOLATION.

(A) *General.*

(1) The duty of the Director of the Commission shall be to enforce this chapter and to bring to the attention of the Commission Attorney any violations or lack of compliance herewith.

(2) The division of any land into a subdivision, as defined by this chapter, by the use of metes and bounds description for the purpose of sale,

or transfer, or lease resulting in the creation of one or more new building sites shall not be permitted. All such described divisions shall be subject to all of the appropriate requirements of this chapter.

(3) No building permit required under the Building Code, the Zoning Ordinance, or this chapter shall be issued on any property subject to this chapter until the provisions of this chapter have been complied with.

(B) *Limits of land transfers*. No owner, subdivider, or subdivision agent of the owner, of any land located in a proposed subdivision shall transfer or sell or lease any such land for purposes of subdivision as defined in this chapter before a secondary plat of the subdivision has been signed by the designated officials and recorded in accordance with the provisions of this chapter.

(C) *Restraining provisions*.

(1) Any land within the jurisdiction of Lake County subdivided in violation of the terms of this chapter after the effective date hereof, is hereby declared to be a common nuisance, which may be restrained, enjoined, or abated in any appropriated action or proceeding.

(2) The Commission may institute an injunction suit requesting an individual or entity be directed to remove a structure erected in violation of this chapter, or to make the same comply with its terms. If the Commission is successful in its suit, the respondent shall bear the costs of the action.

(3) The Commission may institute a suit for mandatory injunction requesting an individual or entity be directed, where the individual or entity has violated any provisions of this chapter, to comply with the provisions of this chapter. If the Commission wins the suit, the respondent shall pay the Commission's reasonable attorney fees and all costs related to the enforcement of this chapter.
(Prior Code, § 153.095) (Ord. 1670, passed 6-11-1996)

§ 153.106 ADMINISTRATION OF CHECKPOINT AGENCIES.

(A) *Organization of county officials and specifications*. The following offices are concerned with the administration of this chapter and are also referred to herein as checkpoint agencies.

(B) *Offices and functions*. For purposes of clarity, these offices and some of their pertinent functions are listed as follows.

(1) Lake County Plan Commission functions include, but are not limited to, the review of the sketch plan, primary plat, and secondary plat and the exercise of responsibilities provided in this chapter. There is hereby created the position of Plat Officer. The Executive Secretary of the County Plan Commission, or his or her appointed representative, is hereby designated to be the Plat Officer. The Plat Officer shall administer the provisions of this chapter and, in addition thereto, and in furtherance of said authority, he or she shall:

(a) Maintain permanent and current records of this chapter, including amendments hereto;

(b) Receive and file all sketch plans, primary plats and secondary plats (together with applications);

(c) Identify with the Plan Commission, stamp seal all copies of the sketch plan, primary plat, and secondary plat, and authorize the subdivider or his or her agent to deliver copies to other appropriate agencies for their recommendations and reports;

(d) Assimilate all comments, recommendations and review from the applicable checkpoint agencies and make recommendations for action to the Plan Commission on every subdivision plat, primary or secondary, which the Commission is to consider. The recommendations will be either for approval, disapproval, or continuance. Reasons for the recommendation shall be clearly stated;

(e) Receive and file copies of all secondary plats and check their compliance with the primary plat;

(f) Receive as-built plans, as outlined in § 153.078, and forward such plans to the proper governmental departments;

(g) Inspect and make recommendations concerning approval or disapproval of streets and improvements in accordance with the provisions of this chapter; and

(h) Make all other determinations required of him or her by the regulations herein.

(2) The Lake County Highway Department Superintendent shall:

(a) Make recommendations on street design and on storm drainage details in accordance with the provisions of this chapter and as required by applicable county ordinance;

(b) Make inspections of streets and improvements during their construction in accordance with the provisions of this chapter;

(c) Inspect and make recommendations concerning approval or disapproval of streets and improvements in accordance with the provisions of this chapter; and

(d) Make cost recommendations for appropriate bonds.

(3) The Lake County Surveyor's Office (County Surveyor) shall:

(a) Check and verify the boundary closure on all subdivisions;

(b) Verify the installation of subdivision boundary monuments in accordance with the provisions of this chapter;

(c) Inspect and make recommendations on all subdivision engineering and construction plans, especially storm drainage plans in accordance with the provisions of this chapter and in accordance with any other duly adopted ordinance involving storm drainage and/or sediment control;

(d) Review and make recommendations on all development, engineering, and construction plans regarding the establishment of property owners associations or other methods to provide proper maintenance of stormwater systems and improvements; and

(e) Establish cost and administration of appropriate bonds, including bonds for construction and/or maintenance of stormwater systems and improvements, including but not limited to detention and retention ponds.

(4) The Lake County Health Department (County Health Officer) shall make recommendations in regard to minimum lot size in instances where sewage treatment or domestic water facilities are to be installed separately on each individual lot.

(5) The Board of Commissioners of the County of Lake shall:

(a) Accept subdivision performance and maintenance bonds or escrow as herein required; and

(b) Accept into the county highway system streets and improvements designed and constructed in accordance with the provisions of this chapter.

(6) The Lake County Recorder's Office shall:

(a) Be responsible for recording of the secondary subdivision plat;

(b) Prepare copies of recorded document to be forwarded to appropriate county offices.

(7) The Lake County Auditors Office shall:

(a) Be responsible for records concerning platting of subdivision lots; and

(b) Prepare certified lists of adjacent property owners.

(8) The Lake County Soil and Water Conservation District of Lake County shall: review sketch plans and primary plats of proposed subdivisions and comment on the plans in regard to accuracy of soil information, watershed, prime agricultural land, erosion factors, or any other pertinent information.
(Prior Code, § 153.096) (Ord. 1670, passed 6-11-1996)

§ 153.999 PENALTY.

Any person or entity that violates a provision of this chapter or any regulations herein contained, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than $10 and not more than $300 for each day's violation.
(Prior Code, § 153.999) (Ord. 1670, passed 6-11-1996)

APPENDIX A: FEES

Subdivision Approval Fee Schedule	
Application	***Fee***
Major subdivision sketch plan review	$100
Major subdivision primary approval	$500
Major subdivision secondary approval	$250
*Minor subdivision approval (five lots or less)	$200
Extension of approvals $200 for each extension requested	$200
Plat vacations	$200
Resubdivision approval	
Five lots or less	Minor fee
More than five lots	Sketch, primary, and secondary fees
Commercial or industrial subdivision approval	
Five lots or less	Minor fees
More than five lots	Sketch, primary, and secondary fees
*This is a flat, one-time fee	

(Prior Code, App. A) (Ord. 1670, passed 6-11-1969)

APPENDIX B: CERTIFICATES

(1) Under authority provided by Chapter 174, Acts of 1947, enacted by the General Assembly of the State of Indiana and ordinance adopted by the Board of County Commissioners of the County of Lake, Indiana, this plat was given by the County of Lake as follows:

Approved by the County Plan Commission at a meeting held on _____

_____
President

_____
Executive Secretary

(2) Each secondary plat submitted to the Commission for approval shall carry a certificate signed by a Registered Professional Engineer or Land Surveyor in substantially the following form:

"I, (name), hereby certify that I am a Professional Engineer (or a Land Surveyor), licensed in compliance with the laws of the State of Indiana; that this plat correctly represents a survey completed by me on (date), that all monuments shown thereon actually exist; and that their location, size, type and material are accurately shown."
(SEAL)

(3) Each secondary plat submitted to the Commission for approval shall carry a deed of dedication in substantially the following form:

"We, the undersigned, (names), owners of real estate shown and described herein, do hereby certify that we have laid off, platted and subdivided, and do hereby lay off, plat and subdivide real estate in accordance with the within plat. This subdivision shall be known and designated as (name) All streets, alleys, parks and other public lands shown and not heretofore dedicated, are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building structure."

WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____20__,

STATE OF INDIANA)
COUNTY OF LAKE)

Before me, the undersigned Notary Public in and for the County of Lake, State of Indiana, appeared ___(names)_____and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and Notarial Seal this ___ day of _____, 20___ .

(Notary Public)

(4) Certificate of Maintenance Responsibility. By acceptance of this Plat, the County assumes no liability for maintenance on drainage sales, ditches and tiles, roadside ditches, storm and sanitary sewers, septic systems, retention and detention ponds, overflow pipes, and park areas found on the entire plat.

(5) Utility Easement. An easement is hereby granted to the County of Lake, all public utility companies including Ameritech and Northern Indiana Public Service Company severally, and private utility companies where they have a "Certificate of Territorial Authority" to render service, and their respective successors and assigns, to install, place, and maintain sewers, water mains, gas mains, conduits, cables, poles and wires either overhead or underground with all necessary braces, guys, anchors, and other appliances in, upon, and along and over the strips of land designated on the plat and marked "Utility Basement" for the purpose of serving the public in general with sewer, water, gas, electric and telephone service, including the right to use the streets where necessary, and to overland lots with aerial service wires to serve adjacent lots, together with the right to enter upon the said easements for public utilities at all times for any and all the purposes aforesaid and to trim and keep trimmed any trees, shrubs, or saplings that interfere with any such utility equipment. No permanent buildings shall be placed on said easement, but same may be used for gardens, shrub, landscaping, and other purposes that do not interfere with the use of said easement for such public utility purpose.

(6) Drainage Easement. An easement is hereby granted to the County of Lake for the installation of a drainage swale, ditch, or waterway upon and along the strip or strips of land designated on the plat and marked "Drainage Basement" for the purpose of handling the stormwater run-off.

(7) Regulated Drain Easement (where appropriate.)

> The easement marked and designated herein as (name of regulated drain) under the jurisdiction of the Lake County Drainage Board and the Lake County Surveyor as defined under I.C. 35-9-27-33. No building, fences, structures, alterations, grading, discharging, irrigating or the like are permitted uses within said designated easement without written approval of the Lake County Surveyor.

(8) The following certificate is to be placed on Secondary Subdivision Plats that are located less than one mile from any farm containing any agricultural activity that may prove offensive to some individuals. It is the intent of this certificate that all agricultural activities allowed under the Lake County, Indiana, zoning ordinance be permitted to commence or continue and that the placement of any subdivision in an area where these types of agricultural activities are allowed not hinder their continued agricultural pursuits:

> Owners of lots within the above titled subdivision are advised that the land contained herein is surrounded, bordered, or in the vicinity of tracts or parcels of land that may be used for agricultural purposes. Prospective purchasers or lot owners are advised that the keeping of livestock, tillage, care of crops, and all operations appurtenant thereto are likely, expected, and considered to be proper activities in an agricultural community.

(9) Each Secondary/Final Plat submitted to the Commission for approval shall carry a certificate to be signed by an Indiana Professional Land Surveyor, authorized to certify and verify the subdivision boundary closure on behalf of the Lake County Surveyor's Office in substantially the following form:

> This is to certify that I have checked the exterior comer monuments and verified the boundary closure of the above plat.

_____
(Name of Professional Land Surveyor), R.L.S. for (Name of the Lake County Surveyor),
Lake County Surveyor

(Prior Code, App. B) (Ord. 1670, passed 6-11-1996; Ord. 1670A, passed 7-8-2003; Ord. 1670A-1, passed 8-12-2003; Ord. 1670A-3, passed 12-9-2003; Ord. 2462, passed 6-9-2015)

APPENDIX C: SURVEYING REQUIREMENTS

Every subdivision of land under the terms of this chapter shall require a survey meeting the following requirements prepared by a surveyor registered in the State of Indiana.

(1) Requirements. The description and location of all survey monuments placed in the subdivision shall be shown upon all maps of record. Permanent monuments shall be of concrete reinforced with one #4 vertical rod, and not less than 4 inches square on top and tapered to 6 inches square at the bottom and 36 inches long set flush with the ground.

Block corners shall be established by placement of an iron rod or pipe not less than ½ inch in diameter and not less than 2 feet long and shall be driven flush with the ground. All points of intersection between lot lines and section, quarter section, or quarter quarter section lines shall be marked and referenced with an iron rod or pipe in an approved manner. Permanent monuments shall be erected at all corners or changes in bearing of the exterior boundary of the subdivision. All monuments shall be installed prior to recording of secondary plat, or if not, a Bond shall be posted to guarantee their installation.

(2) Certificates. Each and all secondary plats shall bear thereon the following certificates:

(a) Plan Commission Approval Statement (see Appendix B, Item 1.)

(b) Land Surveyor's Statement (see Appendix B, Item 2.)

(c) Deed of Dedication (see Appendix B, Item 3.)

(d) Certificate of Maintenance Responsibility (see Appendix B, Item 4.)
(Prior Code, App. C) (Ord. 1670, passed 6-11-1996)

APPENDIX D: ROADWAY, CONSTRUCTION SPECIFICATIONS

(a) *Standard Specifications and applicable county ordinances*. All construction shall be performed in the manner prescribed in the current edition of *Standard Specifications* of the State Highway Department of Indiana and in the manner prescribed in any subsequent and applicable county ordinance. In any instance where conflicting requirements may appear between *Standard Specifications* and applicable county ordinance, the county ordinance regulation shall be binding. At minimum, all streets shall be construed with 10 inches of compacted aggregate base, plus 2 and ½ inches of M.A.C. Binder Course, and 1 and ½ inches of M.A.C. Surface Course. A Tensar Geo Grid or other equivalent material shall be placed immediately below the 10-inch compacted aggregate base. All subterranean construction below street pavements shall be backfilled with a material approved by the Lake County Highway Engineer. Prior to placing the street-surfacing, adequate sub-surface drainage for the street shall be provided where necessary. Concrete pavement (rigid pavement) can be used by the subdivider. Minimum requirements for concrete pavement shall be a 6-inch concrete slab on top of a 2-inch sand pad. In the event the subdivider elects to use concrete pavement, he shall submit 3 copies of a construction plan to the Plat Officer and shall have this plan approved by the county inspecting officials before concrete street construction is begun.

(b) *Figures in § 153.052*. See Figures 1 and 2 following § 153.052(K)(4).

(c) *Construction requirements, cul-de-sac streets, minor streets and marginal streets; surfacing*. Cul-de-sac streets, minor streets, and marginal streets built without curb and gutter shall be surfaced to a minimum width of 24 feet. A road shoulder on both sides of the pavement shall be constructed to a width of 8 feet, and the slope on the shoulder shall be ½ inch per foot. Where roadside sales are constructed, the side slopes shall not be of a steeper gradient than 3 feet of horizontal measurement to one foot of vertical measurement; furthermore, the subdivider shall demonstrate to the Commission what means he will employ to preserve the slope and maintain continuous flow of stormwater in the roadside sales.

(d) *Construction requirements, collector streets and secondary streets; Figures in § 153.052*. Collector streets and secondary streets built without curb and gutter shall be built as specified in Figures 1 and 2 following § 153.052(K)(4), except that the paved surface shall be a minimum of 24 feet in width, and the road shoulder shall be stabilized in a manner approved by the Highway Superintendent.

(e) *Cul-de-sacs*. Cul-de-sacs shall meet all requirements for a minor street; however, the pavement diameter shall be not less than 120 feet.

(f) *Alleys*. Alleys provided to serve business, commercial, or industrial uses shall be constructed in accordance with the street specifications; however, the paved surface may be only 20 feet.

(g) *Curb and gutter*. Concrete curb and gutter shall be provided along the outside edge of all street pavements in subdivisions where the density of development (as defined in this chapter) is 1.0 or greater. In any case, curb and gutter shall be required for any subdivision within a two-mile radius of a duly incorporated municipality.
(Prior Code, App. D) (Ord. 1670, passed 6-11-1996)

APPENDIX E: STREET DIRECTORY

Broadway West			
Block Number	***Street Name***	***Block Number***	***Street Name***
2	Adams	106	Alexander
106	Alexander	19	Arthur
92	Austin		
111	Bailey	46	Baker
121	Baring	81	Barman
145	Beall	131	Beech
71	Bell	125	Belmont
39	Bigger	129	Birch
76	Blaine	77	Bryan
13	Buchanan	56	Burr
87	Butternut		
60	Calhoun	144	Calumet
149	Cameron	100	Carey
133	Catalpa	143	Cedar
32	Chase	132	Chestnut
48	Clark	20	Cleveland
80	Cline	57	Clinton
64	Colfax	136	Columbia
94	Cottage Grove		
61	Dallas	126	Delmar
91	Deodor	79	Dewey
93	Doffin	99	Drummond
53	Durbin	70	Edison
27	Ellsworth Pl.	26	Ellsworth St.
28	Euclid		
68	Fairbanks	11	Fillmore
159	Forest	115	Forestdale
73	Fulton		

Broadway West			
Block Number	***Street Name***	***Block Number***	***Street Name***
18	Garfield	58	Gerry
158	Gettler	16	Grant
101	Grasselli		
63	Hamlin	8	Harrison
119	Hawthorne	17	Hayes
36	Hendricks	147	Henry
103	Hess	95	Highland
67	Hobart	156	Hohman
123	Hohman	83	Hoshaw
50	Hovey	138	Howard
114	Huron	85	Huseman
97	Ivy		
6	Jackson	3	Jefferson
35	Jennings	15	Johnson
104	Kennedy	105	Keilman
62	King	117	Knickerbocker
137	Kosciusko	155	Kreitzburg
44	Lane	78	Lee
14	Lincoln	108	Lindberg
135	Linden		
4	Madison	134	Magnolia
120	Magoun	141	Maplewood
88	Marquette	29	Marshall Pl.
28	Marshall St.	51	Matthews
5	Monroe	157	Moraine
72	Morse	45	Morton
107	McCook	21	McKinley
37	Noble	122	Northcote
151	Nondorf		

Broadway West			
Block Number	***Street Name***	***Block Number***	***Street Name***
139	Oakdale	118	Olcott
113	Ontario	109	Osborne
96	Parrish	124	Patterson
12	Pierce	10	Polk
49	Porter	89	Pulaski
55	Ralston	142	Rhode
82	Roberts	154	Robinson
23	Roosevelt Pl.	22	Roosevelt St.
25	Rutledge		
110	Schneider	90	Schubert
152	Sheffield	69	Sherman
148	Sohl	160	State Line
66	Stevenson		
24	Taft	31	Taney Pl.
30	Taney Pl.	140	Tapper
84	Teibel	59	Tompkins
146	Torrence	150	Towle
86	Truman	9	Tuler
153	Wabash	33	Waite
102	Walker	38	Wallace
130	Walnut	127	Walsh
1	Washington	75	Webster
65	Wheeler	40	Whitcomb
128	White Oak	74	Whitney
112	Wicker	43	Willard Pl.
42	Willard St.	47	Williams
34	Wilson	116	Woodmar
41	Wright		

Broadway East			
Block Number	***Street Name***	***Block Number***	***Street Name***
49	Aetna	18	Alabama
45	Allan	40	Arizona
46	Benton		
28	California	7	Carolina
47	Cass	48	Clay
32	Colorado	2	Connecticut
96	County Line		
33	Dakota	49	Dearborn
50	Decatur	51	Dekalb
4	Delaware		
52	Elkhart	53	Elkhart Pl.
54	Fayette	22	Florida
55	Floyd		
8	Georgia	56	Gibson
64	Grand Blvd.	57	Green
58	Hamilton	60	Hancock
61	Henry	62	Howard
63	Huntington		
35	Idaho	17	Illinois
15	Indiana	24	Iowa
65	Jasper	66	Jay
29	Kansas	11	Kentucky
67	Knox		
59	Lake	68	LaPorte
69	Lawrence	14	Louisiana
19	Main	70	Marion
5	Maryland	1	Massachusetts
71	Miami	21	Michigan
27	Minnesota	16	Mississippi

Broadway East			
Block Number	***Street Name***	***Block Number***	***Street Name***
20	Missouri	34	Montana
72	Montgomery	73	Morgan
31	Nebraska	30	Nevada
42	New Hampshire	41	New Jersey
74	Newton	43	New York
13	Ohio	38	Oklahoma
75	Orange	28	Oregon
76	Park	3	Pennsylvania
77	Perry	78	Pike
79	Putnam		
80	Randolph	9	Rhode Island
81	Ripley	82	Rush
83	St. Joseph	84	Shelby
85	Spencer	44	State
86	Sullivan		
12	Tennessee	23	Texas
87	Tippecanoe		
88	Union	37	Utah
89	Vandenburg	90	Vermillion
10	Vermont	91	Vigo
6	Virginia		
92	Warren	93	Warick
94	Wayne	95	Wells
25	Wisconsin	36	Wyoming

(Prior Code, App. E) (Ord. 1670, passed 6-11-1996)

APPENDIX F: LIST OF PROHIBITED TRESS FOR STREET PLANTING

(A) The following trees are prohibited.

Scientific Name	*Common Name (For Reference Only)*
Acer negundo	Boxelder
Acer platanoides	Norway Maple
Acer saccharinum	Silver Maple
Aescuius species	Chestnut and Buckeye
Ailanthus altissima	Tree of Heaven
Betula pendula and papyrifora	European Birch and Paper Birch
Carya species	Hickory
Catalpa species	Catalpa
Cercis canadensis	Eastern Redbud
Crataegus species (with thorns)	Hawthorn
Elaeagnus angustifolia	Russian Olive
Fagus species	Beech
Ginkgo biloba (female only)	Ginkgo
Gleditsia triacanthos (with thorns)	Honeylocust (varieties with thorns)
Juglans species	Walnut
Maclura pomifera	Osage-orange
Malus species	Apples, Crabapples
Morus species	Mulberry
Paulownia tomentosa	Princess Tree
Platanus occidentalis	American Sycamore
Populus species	Poplar, Cottonwood, Aspen
Prunus species (Ornamental species only allowed)	Cherry, Plum, Peach
Pyrus calleryana	Ornamental Pear
Quercus paiustris	Pin Oak

Scientific Name	*Common Name (For Reference Only)*
Robonia species	Black Locust
Salix species	Willow
Sorbus species	Mountain Ash
Ulmus species	Elm
Coniferous species	Pines, Spruce, Fir

(B) In addition to the list of prohibited trees above, include any tree with a USDA Hardiness Zone six (6) or greater.

(Prior Code, App. F) (Ord. 1670, passed 6-11-1996; Ord. 2468, passed 9-8-2015)

CHAPTER 154: ZONING CODE

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GENERAL PROVISIONS

§ 154.001 SHORT TITLE.

This chapter shall be known and may be cited as the Lake County, Indiana, Zoning Ordinance. (Prior Code, § 154.001) (Ord. passed 4-15-1957)

§ 154.002 PURPOSE.

The zoning regulations and districts as herein set forth are made in accordance with a comprehensive master plan in order that adequate light, air, convenience of access, and safety from fire, flood, and other danger may be secured; that congestion in the public streets may be lessened or avoided; and that the public health, safety, comfort, morals, convenience, and general public welfare may be promoted. They are made with reasonable regard to existing conditions, the character of building erected in each district, the most desirable use for which the land in each district may be adapted, and the conservation of property values throughout the unincorporated areas of the county. (Prior Code, § 154.002) (Ord. passed 4-15-1957)

§ 154.003 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. In addition, unless otherwise specified all distances shall be measured horizontally in any direction. Finally, the definitions in I.C. 36-1-2-1 *et seq.* and 36-7-1-1 *et seq.* apply throughout this chapter unless otherwise specifically defined.

ABANDONED VEHICLE.

(1) A vehicle located on public property illegally.

(2) A vehicle left on public property without being moved for 24 hours.

(3) A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicular traffic on a public right-of-way.

(4) A vehicle that has remained on private property without the consent of the owner or person in control of that property for more than 48 hours.

(5) A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable and left on public property.

(6) A vehicle that has been removed by a towing service or public agency upon request of an officer enforcing a statute or an ordinance other than this chapter if the impounded vehicle is not claimed or redeemed by the owner or the owner's agent within 20 days after the vehicle's removal.

(7) A vehicle that is at least three model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than 20 days. For purposes of this division, a vehicle covered by a

tarpaulin or other plastic, vinyl, rubber, cloth, or textile covering is considered to be visible.

(a) It is prima facie evidence that a vehicle is an ***ABANDONED VEHICLE*** if it remains on private property for more than 20 days and meets anyone of the following:

1. Does not have lawfully affixed thereto or displayed thereon a current, valid, and unexpired or unencumbered license plate permitting its operation upon public roads, streets, or highways. or is qualified to be but is not carried on the most recent tax records of the Lake County Assessor's Office;

2. Has broken or missing windows or flat or missing tires and appears to be mechanically inoperable;

3. Has missing bumpers or fenders or is in any other way partially dismantled or wrecked; or

4. Is missing its engine, transmission, differential, or any other parts that would make it mechanically inoperable.

(b) The fact that the vehicle has a lawfully valid and unexpired license plate permitting its operation upon public roads, streets, or highways, or is being carried on the most recent tax records of the Lake County Assessor's Office, shall not prevent the vehicle from being declared an ***ABANDONED VEHICLE***.

ACCESSORY BUILDING and ***USE.*** A subordinate building located on the same lot with the main building, or a subordinate use of land, either of which is customarily incidental to the main building or to the principal use of the land. Where a substantial part of the wall of an accessory building is a part of the wall of the main building, or where an accessory building is attached to the main building in a substantial manner as by a roof, the accessory building shall be counted as part of the main building.

ACCESSORY LIVING QUARTERS. Living quarters within an accessory building for the sole use of persons employed on the premises, such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

ADVERTISING DEVICE or ***DEVICES.*** Any billboard, signs, notice, poster, display, emblem, or any structure for supporting the device.

ALTA SURVEY or ***ALTA/ACSM SURVEY*** or ***PLAT OF SURVEY.*** A boundary survey prepared to a set of minimum standards that have been jointly prepared and adopted by the American Congress on Surveying and Mapping and the American Land Title Association with the goal of promoting uniformity in survey information. Additionally, an ALTA Survey includes improvements, easements, rights-of-way, and other elements impacting the ownership of land.

ANIMAL HOSPITAL. A lot, building, structure, enclosure, or premises whereon or wherein three or more dogs, cats, and other domestic animals are kept or maintained, and is operated by or the treatment therein is under the direct supervision of a veterinarian licensed to practice by the state.

APARTMENT. One or more rooms including sleeping, living, and principal kitchen facilities designed as a unit for occupancy by only one family.

APARTMENT HOTEL. An apartment house which provides services for the use of its tenants, which are usually furnished by hotels, but the privileges of these services are not available to the public.

BLOCK FRONTAGE. All the property fronting on one side of a street between intersection or intercepting streets or between a street and right-of-way, end of dead-end street, or city boundary measured along the street line.

BOARD. The Board of Zoning Appeals of the county.

BUILDING. Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, or chattel. When any portion thereof is completely separated from every other portion thereof by a division wall without openings, then each such portion shall be deemed to be a separate building.

(1) ***BUILDING, DETACHED.*** A building having no party wall in common with another building.

(2) ***BUILDING, NONCONFORMING.*** A legally existing building which fails to comply with the regulations set forth in this chapter applicable to the district in which the building is located.

(3) ***BUILDING, SEMI-DETACHED.*** A building having one party wall common with an adjacent building.

BUILDING, HEIGHT OF. The vertical distance measured from the adjoining street centering grade at a point opposite the center of the principal frontage of the building to the highest point of ceiling of the top story in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between the eaves and ridge.

BUILDING LINE. A line running across the length or width of a lot, parallel with any road right-of-way abutting the lot, which establishes the minimum open space between the road right-of-way and the nearest point that a building or structure may be placed.

CAMP GROUND. Any lot, parcel, or tract of land used for occupancy by two or more camp sites in which only tents are utilized. Recreation vehicles shall not be permitted.

CAMPING TRAILER. See ***RECREATIONAL VEHICLE***.

CEMETERY. Land used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries, when operated in conjunction with and within the boundary of such cemetery.

COMMERCIAL VEHICLE. A vehicle used for transportation and profit as a chief aim, or in association with the buying and selling of goods, trade, or business; those devices may or may not contain advertising.

COMMISSION. The County Plan Commission.

COMMISSIONERS. The Board of County Commissioners.

COUNTY. The County of Lake, Indiana.

COURT. An open unoccupied space on the same lot with a building or group of buildings and bounded on three or more sides by the building or buildings. The width of any court is its least horizontal dimension measured between opposite walls. The length of any court is its greatest horizontal dimension measured at right angles to its width.

(1) ***COURT, INNER.*** Any court other than an outer court.

(2) ***COURT, OUTER.*** A court which opens on any yard on the lot or which extends to any street line of the lot.

DWELLING UNIT. One or more rooms with culinary facilities designed as a unit for occupancy by only one family for cooking, living, and sleeping purposes.

(1) ***DWELLING, MULTIPLE.*** A building containing three or more dwelling units arranged either side by side or one above the other.

(2) ***DWELLING, ONE-FAMILY.*** A detached building containing only one dwelling unit.

(3) ***DWELLING, TERRACE, ROW, TOWNHOUSE.*** A building containing three or more dwelling units arranged side by side, separated from each other by a fire wall, and having separate means of egress and ingress from the outside.

(4) ***DWELLING, TWO-FAMILY.*** A detached building containing only two dwelling units.

EDUCATIONAL INSTITUTION. Pre-primary or grade, public, parochial, or private school, high school, preparatory school or academy, public or founded or owned or conducted by or under the sponsorship of a religious or charitable organization; private preparatory school or academy furnishing courses of instruction substantially equivalent to the courses offered by public high schools for preparation of admission to colleges or universities which award B.A. or B.S. degrees; junior college, college, or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or private when not conducted as a commercial enterprise for the profit of individual owners or stockholders. This definition shall not be deemed to include ***TRADE*** or ***BUSINESS SCHOOLS*** as defined in this section.

FAMILY. An individual or a group of two or more persons related by blood, marriage, or adoption, but limited to husband, wife, son, daughter, father, mother, grandfather, grandmother, aunt, uncle, and legally adopted children (or foster children) or not more than two persons not related by blood, marriage, or adoption, with all persons occupying the premises of a single dwelling unit with single culinary facilities as distinguished from a group occupying a boarding house or lodging house, hotel, club, fraternity, or similar dwelling for group use.

FARM.

(1) A parcel of land at least 20 acres in size used for agricultural purposes, including buildings and equipment essential to agricultural production.

(2) ***HOBBY FARM.*** A parcel of land at least two and one-half acres used primarily as a residential lot whereon some crops may be raised and whereon some animals may be kept for pleasure.

FLOOR AREA. For the purpose of determining the floor area ratio, the ***FLOOR AREA*** of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The ***FLOOR AREA*** of a building shall include basement floor area when more than one-half of the basement height is above the established curb level, or above the finished lot grade level, where curb level has not been established; elevator shafts and stairwells at each floor; floor space used for mechanical equipment (open or enclosed) located on the roof; penthouse; attic space having headroom of seven feet, ten inches or more; interior balconies and mezzanines; enclosed porches; and floor area devoted to accessory uses. However, any space devoted to off-street parking or loading shall not be included in ***FLOOR AREA***.

FLOOR AREA RATIO (F.A.R.). The ***FLOOR AREA RATIO*** of the building or buildings on any zoning lot is the floor area of the building or buildings on that zoning lot divided by the area of the zoning lot.

GARAGE. A detached accessory building or portion of main building used or intended to be used for the storage of vehicles or trailers.

GARAGE, PARKING. Any building, except a private garage, used exclusively for parking or

self-propelled vehicles, and with not more than two pumps for the incidental sale of gasoline.

HOME OCCUPATION. Any occupation conducted by the residents of a dwelling unit for financial gain.

HOSPITAL. Sanitarium, sanitorium, preventiorium, clinic, provided the institution is operated by, or treatment given under direct supervision of, a physician licensed to practice by the state.

HOTEL. A building or portion thereof used for the more or less temporary occupancy of individuals who are lodged with or without meals, and in which provisions for cooking is made preponderantly in a central kitchen and not in the individual rooms or suites.

JUNK YARD. Includes automobile wrecking and storage. Any lot, building, structure, enclosure, premises, or parts thereof used for the storage, keeping, or abandonment of any worn out, cast off, or discarded or abandoned article, material, vehicle, automobile, and machinery or parts collected or stored for salvage or conversion to some use including scrap metal, paper, wood, cordage, or other waste or discarded materials, vehicles, automobiles, and machinery or part thereof, or vehicles or automobiles that are inoperable or incapable of movement by their own locomotion or power, or vehicles or automobiles without a valid current state registration and license plate issued to the vehicle or automobile and to the occupant, owner, purchaser, lessor, lessee, or tenant of any lot, building, or structure therein or thereon situated.

KENNEL. A lot, building, structure, enclosure, or premise wherein or whereon dogs or cats are maintained, boarded, bred, kept, or cared for, in return for remuneration, or are kept for the purpose of sale, or are groomed, trained, or handled by others.

LEGISLATIVE BODY. The County Council.

LIMITED ACCESS STREET. A street designated as such by the Indiana State Highway Commission or the federal government.

LODGING HOUSE. A building with more than two, but not more than ten, guest rooms, where lodging with or without meals is provided for compensation.

LOT. A parcel of land defined by metes and bounds or boundary lines in a recorded deed or on a recorded plat, fronting on a street. In determining lot area and boundary lines, no part thereof within the limits of the street shall be included. The word ***LOT*** includes ***PLOT***.

(1) ***LOT, CORNER.*** A lot at the junction of and fronting on two or more intersecting streets, both of which are 20 feet or more in width.

(2) ***LOT, THROUGH.*** A lot having frontage on two parallel or approximately parallel streets.

LOT WIDTH. The distance parallel to the front of a building erected or to be erected, measured between side lot lines at the building line.

MANUFACTURED HOME. A dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the Federal Manufactured Housing Construction and Safety Standards Law of 1974, and certified by the state. Such manufactured home shall be constructed after 1-1-1981, classified as residential design, and exceed 950 square feet of occupied space, exceed 23 feet in width along the entire length of the unit. Porches, terraces, decks, garages, pull-out and expansion rooms shall not be included for width requirements.

MOBILE HOME. Any housing unit defined or titled by the state as a ***MOBILE HOME*** or any portable structure eight feet or more wide, 30 feet or more long, designed primarily for year-round residency, and generally transported on its own frame and running gear. Multiple units and expandables shall be included in this definition.

MOBILE HOME PARK. Any lot, parcel, or tract of land approved and licensed for the parking of two or more mobile homes.

MODULAR HOME. Any factory assembled home defined by the state as a ***MODULAR HOME*** or any factory assembled home not on its own frame or running gear designed to be transported by truck or trailer to a building site.

MOTEL. A permanent building or group of buildings containing rooms without cooking facilities, used, rented, or hired out for the more or less temporary occupancy of overnight guests.

MOTOR HOME. See ***RECREATIONAL VEHICLE***.

NET SITE AREA. The entire land area within the boundaries of a site, less one-half the area of any vacated streets or alleys.

NONCONFORMING USE. A legally existing use of land or building which fails to comply with the regulations set forth in this chapter applicable to the district in which such use is located.

PARKING AREA, PUBLIC. An open area, other than a street, used for the temporary parking of more than four automobiles and available for public use whether free, for compensation, or as an accommodation for clients or customers.

PARKING SPACE (ONE), OFF-STREET. A space on private land, accessible from a street or alley, not less than ten feet wide and 20 feet long exclusive of passageways.

PICK-UP COACH. See ***RECREATIONAL VEHICLE***.

PLANNING STAFF. The duly appointed planning staff of the county.

RECREATIONAL VEHICLE. A temporary dwelling for travel, recreation, and vacation use including, but not limited to the following.

(1) ***CAMPING TRAILER.*** A canvas, folding structure built on a chassis with wheels and designed to move on the highway.

(2) ***MOTOR HOME.*** A self-propelled vehicle with a dwelling constructed as an integral part of the vehicle, or so altered.

(3) ***PICK-UP COACH.*** A structure designed to be mounted on a truck chassis or cut-down car.

(4) ***TRAVEL TRAILER.*** A vehicle, identified by the manufacturer as a travel trailer, built on a chassis eight feet or less wide and 30 feet or less long, and designed to move on the highway.

RECREATIONAL VEHICLE PARK. Any lot, parcel, or tract of land approved for the use and occupancy of two or more recreational vehicles.

RECREATIONAL VEHICLE SITE. An area of land within a recreational vehicle park designed and approved for the placement of one recreational vehicle.

RESTAURANT. Any establishment whose principal business is the sale of foods, desserts, or beverages to the customer in a building designed for and intended for being served in a seating area.

RESTAURANT (FAST FOOD). Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state for consumption either within the building or for carry-out or drive-thru facilities and the building design is for the purposes of carry-out and drive-thru pick-up.

ROOMER. Any person, not the principal tenant or a family member of the principal tenant, who resides in a living unit who pays remuneration to the principal tenant, as distinguished from a guest who does not receive remuneration.

SANITARY FILL. The disposal of garbage by the trench and cover method or fill and borrow method. In the first case, an excavation will be made and the garbage placed in the excavation and covered with the dirt which was removed. In the second case, the fill may be made in a low area and dirt borrowed from higher ground will be spread over the top of the garbage.

SATELLITE EARTH STATION. An installation designed to receive geosynchronous satellite transmission and convert them into audio and video signals which are applied to a television receiver or monitor by means of a standard coaxial cable.

SATELLITE EARTH STATION ANTENNA SYSTEM. The part of a satellite earth station consisting of a parabolic or spherical dish antenna used to receive signals from geosynchronous satellites.

SIGN. An advertisement, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing, or placing of a structure on any land or on any other structure, or produced by painting on or posting or placing any printed, lettered, pictured, figured, or colored material on any building, structure, or surface. Signs placed or erected by public agencies for the purpose of showing street names or traffic direction or regulations or for other governmental purposes shall not be included herein, nor shall this include signs which are part of the architectural design of the building.

SITE DEVELOPMENT PLAN. The specific plan for the development of real property that requires administrative review and approval by the Commission under the 1400 series of I.C. 36-7-4 prior to the issuance of a building and zoning permit includes a site development plan, satisfies the development requirements specified in this chapter regulating the development and contains any plan documentation and supporting information required by this chapter.

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS). A system containing a wind turbine, tower, associated control or conversion electronics, and any related facilities employed to convert wind energy to electrical energy used primarily for onsite consumption. The maximum rated capacity for a SWECS shall be 100 kilowatts or less.

STABLE, COMMERCIAL. A building, structure, or portion thereof, in which horses or ponies are boarded, trained, or kept for others, or are available to the public for riding with or without remuneration.

STABLE, PRIVATE. A building, structure, or portion thereof, in which horses or ponies are kept for the private use of the property owner or tenant, but not for hire, remuneration, or sale.

STORY. The portion of a building included between the upper surface of any floor and the upper surface of the floor next above; also any portion of a building used for human occupancy between the top-most floor and the roof. A basement shall not be counted as a ***STORY*** unless the height of the surface of the first floor above the average elevation of the finished lot grade at the front of the building exceeds four feet.

STREET. A public way established by or maintained under public authority, a private way open for public uses, and a private way, plotted or laid out for ultimate public use, whether or not constructed.

STREET, IMPROVED. Any public street with a minimum right-of-way of 40 feet with a minimum 18-foot roadway properly graded and drained with a minimum base of seven inches or more of aggregate.

STRUCTURE. Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

TELEVISION AERIAL. An instrument used to receive electromagnetic waves in the VHF (Very High Frequency) and UHF (Ultra-High Frequency) bands.

TOURIST HOME. A building in which more than one but not more than five guest rooms are used to provide or offer overnight accommodations for transient guests for compensation.

TRADE or ***BUSINESS SCHOOL.*** Secretarial school or college; business school or college when not public and not owned or conducted by or under the sponsorship of a religious or charitable organization;

school conducted as commercial enterprise for teaching instrumental music, dancing, barbering, or hair dressing, or for teaching industrial skills in which machinery is employed as a means of instruction. This definition shall not be deemed to include ***EDUCATIONAL INSTITUTION*** as defined in this section.

TRAVEL TRAILER. See ***RECREATIONAL VEHICLE***.

USED. Includes ***DESIGNED*** or ***INTENDED TO BE USED***.

VEHICLE. A device in, upon, or by which person or property is, or may be, transported or drawn upon a road, street, or highway. ***VEHICLE*** does not include the following:

(1) A device moved by human power;

(2) A vehicle that runs only on rails or tracks;

(3) A vehicle propelled by electric power obtained from overhead trolley wires but not operated upon rails or tracks;

(4) A fire truck and apparatus owned by a person or municipal division of the state and used for fire protection;

(5) A municipally owned ambulance;

(6) A police patrol wagon; or

(7) A vehicle not designed for or employed in general highway transportation of persons or property and occasionally operated or moved over the highway, including the following:

(a) Road construction or maintenance machinery;

(b) A movable device designed, used, or maintained to alert motorists of hazardous conditions on highways;

(c) Construction dust control machinery;

(d) Well boring apparatus;

(e) Ditch digging apparatus;

(f) An implement of agriculture designed to be operated primarily in a farm field or on farm premises;

(g) An invalid chair;

(h) A yard tractor; and

(i) An electric personal assisting mobility device.

YARD. A space on the same lot with a main building, open, unoccupied, and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this chapter.

(1) ***YARD, REAR.*** A yard extending the full width of the lot between the rearmost main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of the main building.

(2) ***YARD, SIDE.*** A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard. The width of the required side yard shall be measured horizontally from the nearest point of the side lot line toward the nearest part of the main building.

ZONING LOT. A single tract of land located within a single block, which at the time of the filing for a zoning permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a ***ZONING LOT*** may or may not coincide with a lot of record. The ***ZONING LOT*** shall have

adequate frontage on an improved, dedicated roadway of adequate width.
(Prior Code, § 154.003) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982; Ord. 1234, passed 5-14-1985; Ord. 1244, passed 10-8-1985; Ord. 1296, passed 6-14-1988; Ord. 1449, passed 12-10-1991; Ord. 2313, passed 9-14-2010; Ord. 2345, passed 7-12-2011; Ord. 2376, passed 9-11-2012)

§ 154.004 CONFORMANCE TO ZONING CODE REQUIRED.

No building or land, except buildings or land incidental to agricultural operations, shall hereafter be used, and no building or part thereof shall be erected, moved, or altered, unless in conformity with the regulations of this chapter.
(Prior Code, § 154.004) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.005 SITE DEVELOPMENT PLANS.

(A) *Applicability.*

(1) Site Development Plans shall be required in all commercial, industrial, and multi-family residential (over 4-units) zoning district classifications. These zoning districts include R5, B-1, B-2, B-3, HS-1, HS-2, PO, M-1, M-2, PUD, PIC, and CDD.

(2) In addition, Site Development Plans shall be required for any variance of use or special exception regardless of the zoning district classification where the variance of use or special exception involves any non-residential development.

(3) Site Development Plan approval shall be required prior to issuance of any building and zoning permit.

(4) Site Development Plan review shall be conducted exclusively by the Commission consistent with the provisions of I.C. 36-7-4-1400.

(B) *Site plan review as part of other petition.* When an application for any use requires approval of a zone change, special exception, variance of use, subdivision, or any planned development, or includes any development, redevelopment, or other application requiring a public hearing containing an associated site plan, such associated site plan shall not be interpreted in lieu of Site Development Plan review under this section.

(C) *Application.* A petitioner shall submit an application for Site Development Plan review pursuant to adopted filing deadlines on forms approved by the Commission, signed by the owner of the petitioned property (if the petitioner is someone other than the property owner, a power-of-attorney shall accompany the application), containing a copy of the deed for the property involved, the required filing fee, and any other required supporting information or documentation to the appropriate planning staff. Supporting information shall include, but not be limited to the following (the planning staff or the Commission may request additional supportive information, which shall be provided by the petitioner):

(1) *Summary statement.* A summary statement of the characteristics and operation of the development. The statement shall include any written commitments being made or having been rebuked regarding the Site Development Plan.

(2) *Site description.* A general description of the site and its ownership including:

(a) The name, address, telephone number, and e-mail address of the applicant;

(b) The name, address, telephone number, and e-mail address of any land surveyors, engineers, or other professionals responsible for the Site Plan design;

(c) The name, address, telephone number, and e-mail address of the primary contact individual for the application (it shall be indicated if the primary contact person is the applicant or contracted design professional);

(d) The legal description of the subject property and common address of the site; and

(e) The proposed name of the development (if applicable).

(3) *Vicinity map*. A vicinity map showing and clearly identifying the subject property and showing all land within 500 feet of the subject property. The location map should identify the current zoning and use of all property within 500 feet of the subject property.

(a) The vicinity map shall also show all property which is contiguous to the subject property that is owned and/or otherwise controlled by the owner or developer of the subject property.

(b) A conceptual drawing describing the future development of all contiguous holding described in division (C)(1) above shall be provided by the applicant upon the request of the Planning Director and/or the body conducting the public hearing. At a minimum the conceptual drawings shall include a description of the general driveways and access points, general land uses, general lot arrangements, and general drainage conditions and plans.

(4) *Property survey*. An ALTA survey prepared by a land surveyor licensed by the state, and drawn to a scale of not more than one inch = 100 feet including the following:

(a) The boundary line and dimensions of the subject property;

(b) All structures (specifically indicating any structures recognized as notable, contributing, or outstanding by the Indiana Historic Sites and Structures Inventory, or listed on the National Register of Historic Places and/or Indiana Register of Historic Sites and Structures);

(c) Topography interpolated from USGS sources and/or otherwise meeting the requirements of the Planning Director (provided topographic information should tie into horizontal and vertical control points);

(d) Significant wooded areas and other isolated fees;

(e) One hundred year floodplain and 100-year floodway boundaries and elevations;

(f) Public and private streets (including street names), rights-of-way, and easements;

(g) Building setback and any build-to lines;

(h) All known drainage areas, tiles, pipes, and structures;

(i) Utility services (including water, fire hydrants, sanitary sewers, storm water drainage, and other utilities); street accesses; and other paved or otherwise improved areas; and, all land within 200 feet of the property lines of the subject property.

(5) *Site plan*. A site plan, drawn to a scale of not more than one inch = 100 feet, and bearing the seal of a professional engineer or land surveyor registered in the state of Indiana clearly showing all proposed aspects of the property and all features relevant to the Site Development Plan, including:

(a) Setbacks and buffers;

(b) Topography (including elevation contour lines at two foot intervals);

(c) Structures (including buildings, fences, and walls);

(d) All structure heights, dimensions, and floor areas, materials, and style of improvements;

(e) Building coverage;

(f) Building separation;

(g) Areas of outdoor storage;

(h) Permanent dumpsters and trash areas;

(i) Locations dimensions, and design features (including all curb radii, tapers, and parking space dimensions) of road accesses, interior drives, parking spaces and ramps for the disabled, parking lots, loading docks or areas, sight visibility triangles, interior sidewalks, and vehicle and pedestrian circulation (all public road access shall be subject to any additional requirements of the Lake County Highway Department);

(j) Open spaces, recreational spaces, landscaping, and landscaped areas;

(k) Locations of public and private utilities;

(l) Water meter clean out locations and elevations and top of casting elevations;

(m) Sanitary sewer invert elevations;

(n) The location, width, and purpose of all easements;

(o) The use of each structure and the amount of parking allocated for those uses;

(p) Public improvements including sidewalks, street trees, and right-of-way dedications; and

(q) Locations for temporary uses, such as seasonal sales areas.

(6) *Landscaping plan.* A landscaping plan drawn by an Indiana registered engineer, land surveyor or landscape professional, drawn to a scale of not more than one inch = 100 feet, and showing the following:

(a) Required and proposed landscaping in buffer yards and street trees;

(b) Existing and proposed elevation contour lines at two foot intervals (or otherwise meeting the requirements of the Planning Director);

(c) One hundred year floodplain and 100-year floodway boundaries and elevations;

(d) Existing and proposed public and internal sidewalks and other pedestrian ways;

(e) The size and spacing of the plantings at the time of installation and the species proposed to be used to meet the requirements of this section; and

(f) All existing trees and vegetation to be preserved, and the driplines for the trees (in which no construction activity shall occur).

(7) *Sign plan.* A sign plan showing the location, height, method of illumination (if any) and dimension of all permanent signs and indications of appropriate locations, heights, and sizes of any temporary signs.

(8) *Drainage plan.* A site drainage plan bearing the seal of a professional engineer registered in the State of Indiana including all calculations required by the Planning Director. The drainage plan shall include the following:

(a) All natural streams, regulated drains, and watercourses;

(b) One hundred year floodways and 100-year floodplain boundaries and elevations;

(c) All marshes, wetlands, and wooded areas.

(d) All drainage area features as described in the drainage calculations; and

(e) Compliance with the Lake County Stormwater Management and Clean Water Regulations Ordinance.

(9) Traffic management plan that includes:

(a) Management of traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community;

(b) That the design and location of any proposed street and roadway access points minimizes safety hazards and congestion;

(c) That the capacity of adjacent streets and roads is sufficient to safely and efficiently accept traffic and movements that will be generated by the new development;

(d) The entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments;

(e) If requested by the Lake County Highway Department to verify the plan incorporates the above design features in the most favorable way possible, a traffic impact analysis to assess the effects that the proposed development's traffic will have on the transportation network in the community. The study preparer shall be an associate (or higher) member of one or more professional transportation related organizations, particularly the Institute of Transportation Engineers (ITE) or the Transportation Research Board (TRB).

(10) *Lighting Plan.* A site lighting plan, drawn to a scale of not more than one inch = 100 feet, showing the type and location of all exterior lighting fixtures.

(11) *Construction plan.* A site construction plan, drawn to a scale of not more than one inch = 100 feet, showing:

(a) Proposed erosion and sediment control measures;

(b) The location of any proposed construction trailer and worker parking;

(c) The location, height, and dimensions of any temporary construction-related signage;

(d) Any temporary site accesses to be used during construction;

(e) Any temporary utility connections; and

(f) The location of any stockpiles of dirt, construction materials, and construction waste dumpsters or storage areas.

(12) *Consolidation of plans.*

(a) The above required plans, including the site, landscaping, sign, traffic management, drainage, lighting, and construction plans may be consolidated into one or more separate drawings depending on the complexity of any project.

(b) Plans shall be created so that they clearly, easily, and readily provide access to all required information. Individual plans shall not contain so much information that they become cluttered and difficult to read. Since this is more of a subjective decision, the Commission shall be the final entity to determine whether the plan(s) need to be redrawn for a better understanding of their content.

(D) *Fees.* Fees for Site Development Plan review shall be $200 plus $25 per acre or any portion thereof. The maximum fee for Site Development Plan review shall not exceed the cost to convene the Commission combined with the processing fees associated with the application for Site Development Plan review. The maximum fee is not to exceed $780 per application.

(E) *Plan Commission review.*

(1) After submittal of the application and required material as described in this section, including any other supporting material and after review and acceptance of the complete Site Development Plan application by the planning staff,

the item shall be placed on the agenda of the Plan Commission in accordance with adopted filling deadlines. No application shall be accepted or considered accepted until all criteria under this section are met.

(2) The applicant or petitioner shall appear at the meeting of the Commission and proceed with their petition under the Plan Commission rules of procedure, as amended.

(3) The Commission shall conduct an administrative review of the Site Development Plan and any supporting materials to determine whether the plan is consistent with the comprehensive plan, satisfies the development requirements specified in this section, and is compatible with the development of surrounding land uses.

(F) *Action.*

(1) After their review, the Commission may impose conditions on the approval of the Site Development Plan if the conditions are reasonably necessary to satisfy the development requirements specified in this section. Also, the Commission may provide that the approval of the Site Development Plan is conditioned on the furnishing to the Commission of a bond or written assurance in the name of the Lake County Board of Commissioners that guarantees the timely completion of a proposed public improvement in the development and is satisfactory to the Commission. Finally, the Commission may require the owner of the real property to make a written commitment regarding the development of the real property under consideration.

(2) The Commission shall make written findings concerning each decision to approve or disapprove a Site Development Plan. The findings shall be prepared by the planning staff in the form of a letter to the petitioner signed by the Executive Director or President or Vice-President of the Commission.

(3) The decision of the Commission in approving or disapproving a Site Development Plan is a final decision that may be reviewed only as provided by I.C. 36-7-4-1016.
(Ord. 2376, passed 9-11-2012)

NONCONFORMING BUILDINGS OR USES

§ 154.015 MAINTENANCE, REPAIRS, AND ALTERATIONS.

(A) A nonconforming building or structure may be maintained, except as otherwise provided in this section or §§ 154.016 or 154.017.

(B) Repairs and alterations may be made to a nonconforming building or structure, provided that in a building or structure which is nonconforming as to use regulations, no enlargement shall be made.
(Prior Code, § 154.015) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.016 ADDITIONS OR ENLARGEMENTS; MOVING.

(A) A building or structure nonconforming as to regulations for use or lot area per dwelling unit shall not be added to or enlarged in any manner unless the building or structure, including the addition and enlargement, is made to conform to the use and area per dwelling regulations of the zone in which it is located.

(B) A building or structure nonconforming as to height or yard regulations shall not be added to or enlarged in any manner unless the addition or enlargement conforms to all the regulations of the zone in which it is located.

(C) No nonconforming building or structure shall be moved in whole or in part to any other location on the lot unless every portion of the building or structure is made to conform to all the regulations of the zone in which it is located.
(Prior Code, § 154.016) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.017 CONTINUATION, CHANGE, OR EXPANSION OF NONCONFORMING USE.

(A) *Continuation and change of use*. Except as otherwise provided in this section:

(1) The nonconforming use of a building or structure, lawfully existing at the time this chapter became effective, may be continued; and/or

(2) The nonconforming use of a building or structure may be changed only to a use of the same or more restricted classification.

(B) *Expansion prohibited*. A nonconforming use of a building or structure designed for a conforming use shall not be expanded or extended into any other portion of the conforming building or structure, nor changed except to a conforming use.

(C) *Expansion permitted*. A nonconforming use of a building or structure designed for such use may be expanded to 15% of the area nonconforming at the time of passage of this chapter.
(Prior Code, § 154.017) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.018 AMORTIZATION OF NONCONFORMING USE OR BUILDING.

(A) The nonconforming use of land where no building is involved, or any nonconforming billboard not attached to a building, or any advertising structure lawfully existing at the time this chapter became effective, shall be discontinued within eight years from the date of its passage.

(B) Whenever a nonconforming use has been discontinued for a period of six months, the use shall not thereafter be established and any future use shall be in conformity with the provisions of this chapter, except as otherwise noted in division (C) below.

(C) Whenever a nonconforming use dependent on seasonal trade has been discontinued for a period of one year, the use shall not thereafter be established and any future use shall be in conformity with the provisions of this chapter.

(D) Whenever a nonconforming structure has been destroyed by more than 60%, the structure may not be reconstructed unless the structure is made to conform to the zoning and building regulations existing at the time. The percent of damage incurred will be determined by the County Building Department.

(E) Appeal of the County Building Department's damage appraisal may be made as follows.

(1) The aggrieved party shall submit names of three professionally designated appraisers or insurance adjusters from which one name will be chosen at random.

(2) The aggrieved party shall retain the services of the chosen appraiser or adjuster who shall conduct the final damage appraisal.
(Prior Code, § 154.018) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.019 NONCONFORMANCE DUE TO RECLASSIFICATION.

The provisions of this subchapter shall also apply to buildings, structures, land, or uses which hereafter become nonconforming due to any reclassification of zones under this chapter, or any subsequent change in the regulations of this chapter, and any time periods specified for discontinuance of nonconforming uses shall be measured from the date of the reclassification or change.
(Prior Code, § 154.019) (Ord. passed 4-15-1957)

Lake County - Land Usage

GENERAL USE PROVISIONS

§ 154.030 CONFORMANCE TO REGULATIONS ESTABLISHED FOR THAT PARTICULAR ZONING DISTRICT.

No building or structure shall be erected, reconstructed, enlarged, or moved for any use other than that which is permitted in the zone in which the building, structure, or land is located, nor shall any building, structure, or land be used for any other use than is permitted in the zone in which it is located. (Prior Code, § 154.030) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.031 TEMPORARY BUILDINGS OR MOBILE HOMES PROHIBITED; EXCEPTION.

(A) No temporary building or structure shall be erected, reconstructed, enlarged, or moved on any lot or placed on a tract of land except as follows.

(1) The Plan Commission staff may authorize the erection of a temporary structure or building for occupancy and use of the owner during the construction of an approved, permanent commercial or industrial building. The temporary buildings shall be razed within 30 days of issuance of a certificate of occupancy for the permanent building or within one year of issuance of the permit for the temporary structure, whichever occurs first.

(2) By special exception only; one structure or building approved by the state may be placed on a farm 20 acres or more, for the housing of transient workers on agricultural pursuits, provided the following conditions are met.

(a) Approved sanitary facilities are provided.

(b) The building is not the principal dwelling on the property.

(c) A distance of 600 feet is maintained from a neighboring residence or residential subdivisions, excluding primary residence on farm.

(d) All applicable front, side, and rear yard setbacks are adhered to.

(e) The building will be removed within 30 days if it no longer houses agriculturally employed employees, or if the land ceases to be used for agricultural pursuits.

(B) No mobile home shall be stored, parked, or used as a dwelling unit or any use on the lot, plot, or tract of land other than one approved as a mobile home park by the County Plan Commission and licensed by the State Board of Health, except as follows.

(1) As set forth in §§ 154.135 through 154.139;

(2) The Plan Commission staff may authorize the temporary placement of a mobile home after issuance of a building and zoning permit, on a parcel of land during the reconstruction of any single-family home destroyed by an act of God for a period not to exceed six months or to complete the reconstruction, whichever occurs first;

(3) For agricultural pursuits by special exception only: one mobile home may be placed on a farm, 20 acres or more, for the housing of permanent employees on full agricultural pursuits, provided the following conditions are met.

(a) Approved sanitary facilities are provided.

(b) The mobile home is not the principal dwelling on the property.

(c) A distance of 600 feet is maintained from a neighboring residence or residential subdivisions, excluding primary residence on farm.

(d) All applicable front, side, and rear yard setbacks are adhered to.

(e) The mobile home will be removed within 30 days if it no longer houses agriculturally employed employees, or if the land ceases to be used for agricultural pursuits.

(4) If two or more mobile homes are requested, the location of said mobile homes shall be in accordance with the rules and regulations of the mobile home park ordinance.
(Prior Code, § 154.031) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.032 KEEPING OF LIVESTOCK OR POULTRY.

Keeping, raising, or breeding of farm animals, including horses and ponies, or poultry shall not be permitted in any zone, except on farms of 20 acres or more, or on hobby farms.
(Prior Code, § 154.032) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.033 PARKS, PLAYGROUNDS.

Parks, playgrounds, or community centers owned and operated by a governmental agency or local homeowner's association for subdivisions or neighborhoods may be permitted in any zone.
(Prior Code, § 154.033) (Ord. passed 4-15-1957)

§ 154.034 SWIMMING POOLS.

(A) *Definitions*. For the purpose of this section the following words and phrases shall have the meanings ascribed them respectively.

DOOR. A part of a fence that when open provided ingress and egress through the fence and when closed obstructs ingress and egress through the fence.

FENCE. A free-standing artificially-constructed barrier, composed of any material or combination of materials (including, but not limited to, wood, metal, plastic, or other materials), including without limitation screens and walls, and hedges, shrubbery, or other vegetation, planted or erected to enclose, screen or otherwise restrict ingress or egress to an area.

GATE. Interchangeable with the term ***DOOR***.

GRADE. The degree of rise or descent of a sloping surface.

SWIMMING POOL. Any artificial basin of water constructed, modified, or improved for wading, swimming, or diving. The term does not include artificial lakes.

SWIMMING POOL (IN GROUND). Any swimming pool whose sides rest in partial or full contact with the earth.

SWIMMING POOL (NON-PERMANENTLY INSTALLED). Any swimming pool that is so constructed that it may be readily disassembled for storage and reassembled to its original integrity.

SWIMMING POOL (ON GROUND). Any swimming pool whose sides rest fully above the surrounding earth.

SWIMMING POOL (PERMANENTLY INSTALLED). Any swimming pool that is constructed in the ground or in a building in such a manner that the pool cannot be readily disassembled for storage.

SWIMMING POOL, RESIDENTIAL. Any in-ground pool or on-ground pool capable of a water depth greater than 42 inches (1,067 mm), and all pools installed inside a residence regardless of water depth, whether or not served by electrical circuits of any nature, and which is intended for noncommercial use as a swimming pool by not more than two owner families and their guests.

SWIMMING POOL (WADING). Any pool that may range in water depth from two feet to zero feet for wading.

(B) *Swimming pools.* A swimming pool, residential (family pool), a swimming pool (permanently installed), or a swimming pool (in ground) shall be permitted as an accessory use, provided the following conditions are met:

(1) Minimum yard building setback requirements of the zoning lot in which the swimming pool is to be located, shall be observed.

(2) Access thereto shall be restricted by one of the means described more fully in 675 IAC 14-4.3-296 safety features:

(a) Walls or fencing not less than four feet high and completely surrounding the pool and deck area with the exception of self-closing and latching gates and doors, both capable of being locked.

(b) Other means not less than four feet high and deemed impenetrable by the enforcing authority at the time of construction and completely surrounding the pool and deck area when the pool is not in use.

(c) A combination of divisions (a) and (b) above that completely surrounds the pool and deck with the exception of self-closing and latching gates and doors which are capable of being locked. This applies to divisions (a) and (b) above and this division only.

(d) A power safety pool cover that:

1. Shall provide a continuous connection between the cover and the deck, so as to prohibit access to the pool when the cover is completely drawn over the pool;

2. Shall be mechanically operated such that the cover cannot be drawn open or retracted without the use of a:

a. Key;

b. Key and switch; or

c. Touch pad with a personal access code:

(i) Is installed with tract, rollers, rails, guides, or other accessories necessary to accomplish divisions 1. and 2. above, in accordance with the manufacturer's instructions; and

(ii) Shall bear an identification tag indicating that the cover satisfied the requirements of ASTM F (Reapproved 2003), *Standards Performance Specification for Safety Covers and Labeling Requirements for all Covers for Swimming Pools, Spas, and Hot Tubs*, as published by ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, Pennsylvania 19428-2959 for power safety pool covers.

(3) Not less than the following lifesaving equipment shall be installed with each residential swimming pool:

(a) A ring or throwing buoy fitted with 40 feet of one-fourth inch diameter line.

(b) A pole not less than 12 feet in length.

(c) Access to a telephone.

(4) All gates and doors thereto shall be self-closing and latching and capable of being locked.

(5) Electrical service shall meet all current provisions of the National Electric Code regarding separation and clearance required from pool.

(6) Provisions of 675 IAC 14-4.3-270 is adopted by reference and local building and electrical permits, shall be required prior to the building and commencement of construction.

(Prior Code, § 154.034) (Ord. passed 4-15-1957; Ord. 1214, passed 7-24-1984; Ord. 2323, passed 10-12-2009; Ord. 2427, passed 4-16-2014) Penalty, see § 154.999

§ 154.035 HOBBY FARMS.

Where district regulations permit hobby farms, the hobby farms shall be allowed, provided that the following conditions are met.

(A) No building or structure shall be permitted in C-1 Zones.

(B) Minimum lot size shall be two and one-half acres.

(C) Livestock harbored, raised, or bred is primarily for personal enjoyment and not for commercial gain. Commercial stables shall not be permitted except by special exception and only on lots five acres or more in size.

(D) Animals shall be limited as follows.

(1) Not more than one horse, pony, steer, bull, or cow shall be permitted on the first two and one-half acres. One additional horse, pony, or steer may be permitted for each additional two acres of pasture.

(2) Horses, ponies, bulls, cows, and steer shall not be permitted to graze within 50 feet of a neighboring residence (house). No animal shelter shall be permitted closer than 150 feet to a neighboring residence.

(3) Small animals such as sheep or goats shall be limited to a maximum of one per acre, and shall not be permitted within 100 feet of a neighboring residence (house). Swine shall not be permitted within 300 feet of any neighboring residence (house).

(4) Shelters for poultry, fowl, rabbits, and similar animals shall be kept a minimum of 150 feet from any neighboring residence (house).

(E) Keeping of more animals than permitted in division (D) above shall not be permitted unless first approved by special exception as prescribed in § 154.115 by the County Plan Commission and the County Board of Zoning Appeals.

(F) Hobby farms shall not be permitted in subdivisions unless 80% of the platted lots are five acres or more in size.
(Prior Code, § 154.035) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.036 ACCESSORY BUILDINGS.

(A) *Definitions*. For the purpose of this section, the following terms shall have the following meanings:

(1) ***CEILING HEIGHT.*** The vertical distance from the floor to the finished ceiling.

(2) ***OVERALL HEIGHT.*** The vertical distance from the finished floor to the peak of the roof.

(B) *Accessory buildings on less than one acre*. On lots or parcels one acre or less in size, one accessory building shall be permitted. Use of the accessory building shall be limited to providing covered space for vehicles (detached garage) or additional storage space for the usual residential accessories. The maximum size permitted for an accessory structure shall be 1,014 square feet in area and one story (12-foot, six-inch ceiling height), not to exceed 16 feet overall height.

(1) The actual size accessory building which may be permitted shall be determined by the maximum size permitted (1,014 square feet), less the following.

(a) If residence has an attached garage or carport, the accessory structure shall be reduced 200 square feet for every vehicle space provided for in the attached garage.

(b) Accessory structure shall also be reduced in area equal to the area within an attached garage which exceeds 12 feet by 24 feet, or 288 square feet per vehicle.

(2) If an accessory building already exists on the property, one additional storage building may be permitted providing it does not exceed 150 square feet in size, and provided the total area of all accessory buildings does not exceed 1,014 square feet.

(3) In no case shall an accessory building occupy more than 20% of a required rear yard, i.e., 25% of width of lot times 25% of total lot depth.

(C) *Accessory buildings on one acre or more*.

(1) Accessory buildings shall be limited as provided in division (A) above, except that additional storage building may be permitted, and total accessory building area may be permitted, increased as follows:

1.0–2.5 acres	288 square feet
2.6–5.0 acres	576 square feet
5.1–10.0 acres	800 square feet
10.1 or more	Not restricted if additional storage is for agricultural machinery or storage

(2) On property 5.1 to 19.9 acres, maximum height is one story (one-foot, six-inch ceiling height), not to exceed 18 feet overall height.

(3) If only one accessory building is desired, the size permitted in division (C)(1) above may be added to the size accessory building permitted in division (A) above.
(Prior Code, § 154.036) (Ord. passed 4-15-1957; Ord. passed 9-8-1987) Penalty, see § 154.999

§ 154.037 HOME OCCUPATION.

Where district regulations permit home occupations, the home occupations shall comply with the following regulations.

(A) No person other than members of the family residing on the premises shall be engaged in the occupation.

(B) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and an area not to exceed the equivalent of 25% of the ground floor area shall be used in the conduct of the home occupation.

(C) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the home occupation, other than one sign, not exceeding one square foot in area, non-illuminated, and mounted flat against the wall of the building.

(D) There shall be no sales in connection with the home occupation, except that which is produced by the home occupation.

(E) No traffic shall be generated by the home occupation in greater volumes than would normally be expected in residential neighborhoods.

(F) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. If the occupation is conducted in a residence, in the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
(Prior Code, § 154.037) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.038 SIGNS AND ADVERTISING DEVICES.

Where district regulations allow any signs or advertising devices, the following regulations shall apply.

(A) *Advertising devices.*

(1) Minimum setback restrictions as set out in § 154.069(A) shall not apply to advertising devices.

(2) Advertising devices may be permitted in the following zones, provided the requirements in division (A)(4) below are met:

(a) Any B Zone;

(b) Any HS Zone;

(c) Any M Zone; and

(d) Any A Zone by special exception.

(3) Advertising devices shall not be permitted in any of the following zones:

(a) Any C Zone;

(b) Any R Zone;

(c) Any PO Zone;

(d) Any PUD Zone; and

(e) Any PIC Zone.

(4) No advertising device shall be permitted:

(a) Within ten feet of the existing right-of-way or easement of any street;

(b) Within 300 feet of any dwelling or land platted or divided for residential use, school, church, park, or place of public assembly;

(c) Within 1,320 feet of another advertising device located on the same side of a four-lane (or more) state, federal, or county street;

(d) Within 600 feet of another advertising device located on the same side of a two-lane state, federal, or county street;

(e) Within 2,640 feet of another advertising device located on the same side of a limited access street;

(f) For the purpose of division (c) and (d) above, series 1 to 6 signs, each of an area of no greater than six square feet and spaced at least 100 feet apart, which are designed to be read in sequence to convey a single message, shall be considered as one advertising device and the spacing distance between such a series of signs and the advertising devices specified in divisions (A)(4)(c) and (d) above shall be measured from the first and last sign in the series; and

(g) There shall be no distance of separation requirement for advertising devices in the following zones:

1. B-1 Zone;
2. B-2 Zone;
3. B-3 Zone;
4. BP-1 Zone;
5. BP-2 Zone; and
6. BP-3 Zone.

(5) The following advertising devices shall be permitted in any zone.

(a) Signs not over 12 square feet in area advertising the sale of farm products produced on the premises may be permitted in any zone.

(b) Advertising devices advertising only the sale, rental, or lease of the building or premises on which it is maintained, provided, however, the device shall not exceed 50 square feet in area.

(c) Advertising devices advertising the sale of dwellings or lots located in a platted of record subdivision are permitted on a temporary basis, until 95% of the dwellings or lots are completed or sold, provided, however, the restriction of division (A)(4)(a) above of this section is met.

(6) Advertising devices may contain not more than two signs per facing, nor more than two sides per the device.

(7) Every permit for an advertising device shall require the removal of the device within 60 days upon notice by the Commission Secretary that the land upon which the device is located has been platted or divided for residential use, or lies within 300 feet of lands platted or divided for residential use, or within 300 feet of a dwelling house for which a building and zoning permit for a residence has been issued. Before a building and zoning permit shall be issued by the Commission Secretary, the owner or person entitled to the possession of the land, and the owner of the device, shall consent in writing to the Commission Secretary that he or she shall have the right and permission to remove the device at the owner's expense, if his or her order to remove the device has not been complied with.

(B) *Miscellaneous signs.*

(1) *Farm products.* Signs not over 12 square feet in area advertising the sale of farm products produced on the premises may be permitted in any zone.

(2) *Name plate or signs in R-1, R-2, R-3 Zones.* One name plate for each dwelling unit, excluding illuminated signs of the flashing or animated type, not exceeding one and one-half square feet in area, indicating the name of the occupant or any permitted occupation may be permitted. Unlighted signs not exceeding a total of 21 square feet pertaining to the prospective rental or sale of the property on which they are located may be permitted; provided that the signs shall be located not less than 15 feet behind the front or side lot line except where affixed to the wall of the building and not extending over the sidewalk.

(3) *Name plate or signs in R-3 and R-5 Zones.* One identification sign not exceeding 12 square feet in area for multiple dwellings may be permitted, provided that such sign shall be located not less than 15 feet behind the front or side lot line except where it is affixed to the wall of the building and does not extend over the sidewalk.

(4) *Miscellaneous.* One entrance sign conforming to the height regulations in the appropriate zone may be erected for the following businesses and their accessory uses.

(a) Filling stations;

(b) Mobile home parks;

(c) Mobile home sale agencies;

(d) Drive-in businesses and theatres;

(e) Motels and tourist courts; and

(f) Other businesses approved by the Board of Zoning Appeals, requiring special traffic provisions.

(5) *Signs in PO (Professional Office) District.* Signs in the PO District shall be limited to one illuminated, two-faced sign, architecturally integrated with the building provided it does not exceed 12 feet in height and 25 square feet in area.

(6) *Signs in B-1, B-2, B-3, and M-1 Zones.* Signs in B-1, B-2, B-3, and M-1 Zones, provided that when they are located within 75 feet of an R Zone Boundary line, they shall be affixed to or a part of a building, may not extend over any street line nor project above the roof line, and shall pertain only to a use conducted within the building. The size shall be limited to three square feet of area to each front foot of the building displaying the sign.
(Prior Code, § 154.038) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.039 FENCES, WALLS, AND SHRUBBERY.

(A) *Farm fences.* Farm fences may be constructed along farm property lines.

(B) *Residential fences.* Residential fences not over six feet in height may be permitted along any side or rear property line. A fence not over three and one-half feet may be permitted from the minimum setback line to extend along side lot lines to the street right-of-way. A fence may be constructed between a building and right-of-way providing it meets the setback requirements of § 154.069(A), does not exceed three and one-half feet in height and has at least one point of access (gate) at least eight feet wide. No fence within a subdivision may be constructed of a hazardous material such as barbed wire or electrically charged wire.

(C) *Business or industrial fences.* Fences for business or industrial uses may be permitted in any B, HS, PIC, or M Zone as follows.

(1) A fence may be permitted in any side or rear yard provided it does not exceed eight feet in height. It may have up to three strands of barbed wire spaced not more than six inches apart above the eight-foot height limitation.

(2) A chain-link fence may be permitted up to eight feet in height in any yard abutting a street or highway provided that it shall not be placed closer than 30 feet from the intersection of any two intersecting minor street rights-of-way, or 50 feet from the intersection of any two major street rights-of-way.

(D) *Shrubbery*. A hedge or thick growth of shrubs may be permitted in any required front yard at a height not to exceed three and one-half feet; however, at street intersections where a problem of visual clearance may result such shrubs are expressly prohibited.

(E) *Business and Industrial Zone uses*. Fences shall be required along the rear or side of any business or industry where the same abuts either to the rear or side of any residential use. The height of the fence shall be eight feet except as may otherwise be permitted by the Board of Zoning Appeals.

(F) *Junk yards, storage yards, scrap yards*. All junk yards, storage yards, scrap yards, or other places where autos are dismantled, stored, wrecked, or otherwise disposed of, or any other similar uses, shall be completely enclosed by a solid fence not less than eight feet in height. Further, the fence shall be of good quality material and construction and be maintained in such a fashion as to not detract from the value of the surrounding properties.

(G) *Landscape feature*. A landscape feature, such as trees, shrubs, flowers, or plants, shall be permitted in any required minimum setback, side, or rear yard, provided it does not violate the provisions of §§ 154.065 through 154.068, 154.070, and 154.071.

(H) *Required fence, wall for trash containment area*.

(1) In all commercial, industrial, manufacturing, and multi-family residential (over 4-units) zoning district classifications, including R-5, B-1, B-2, B-3, HS-1, HS-2, PO, M-1, M-2, PUD, PIC, and CDD; and, in for any variance of use or special exception (regardless of the zoning district classification) where such variance of use or special exception involves any non-residential development, a property owner shall erect and maintain a solid fence or wall, including gates, not less than five feet in height, completely enclosing containers used for the collection of refuse including dumpsters, multiple trash cans, boxes, garbage bags, paper, cardboard and plastic bags.

(2) The location of the trash containment area shall be located within the building setback area and shall not be located in any drainage or utility easement and not closer than five feet to any property line. In addition, the trash containment area shall not be located in an area designated for parking or used for vehicular or pedestrian traffic.
(Prior Code, § 154.039) (Ord. passed 4-15-1957; Ord. 2428, passed 4-16-2014) Penalty, see § 154.999

§ 154.040 SATELLITE EARTH STATIONS.

(A) Satellite earth station antenna systems that are less than or equal to one meter in size are limited as follows.

(1) They shall be located anywhere on a residential property except in the front yard.

(2) They shall conform with all other provisions set down by ordinance (such as setbacks, height limitation, permits, and the like).

(3) They shall be neutral in color and, to the extent possible, be compatible with the surrounding neighborhood in appearance and character.

(4) They shall not contain advertising other than a small name plate (no larger than 1% of the total area of the dish) identifying the manufacturer.

(B) Satellite earth station system that are greater than one meter and less than or equal to four meters in size are limited as follows.

(1) They shall be located on residential property installed only in rear yards and conform with all proper setback provisions for accessory structures.

(2) They shall only be used for private non-commercial purposes.

(3) No more than one parabolic or spherical dish antenna per lot.

(4) They shall not contain advertising other than a small name plate (no larger than 1% of the total area of the dish) identifying the manufacturer.

(5) They shall be neutral in color and, to the extent possible, be compatible with the surrounding neighborhood in appearance and character.

(6) They shall be no greater than 12 feet in height (above grade).

(7) They shall have all potentially dangerous mechanisms (electrical, mechanical, rotational, and the like) completely enclosed.

(C) Satellite earth station antenna systems located anywhere other than residential properties must conform with all provisions established by the unincorporated county zoning ordinance, to include minimum setbacks, height limitations, and rear yard setbacks.
(Prior Code, § 154.040) (Ord. 1234, passed 5-14-1985)

§ 154.041 SUPPLEMENTARY REGULATIONS; SMALL WIND ENERGY CONVERSION SYSTEM (SWECS).

(A) Any wind energy conversion system with a maximum rated capacity larger than 100 kilowatts, shall be treated as a public service under § 154.118 below, required special exception under § 154.118 below.

(B) Any wind energy conversion system proposed to be established in any zoning district classification other than agricultural or residential shall be treated as a public service under § 154.118 below.

(C) Prior to initiating construction, all wind energy conversion systems shall first obtain a building and zoning permit in accordance with the Unincorporated Lake County Building Code, as amended. The building and zoning permit may be issued only after compliance with this section is exhibited.

(D) Depending on the specific zoning district classification, a SWECS is permitted as an accessory use in all residential and agricultural zoning districts either by right or by special exception. The following regulations apply to all SWECS in both instances:

(1) *Height*. The maximum height of any SWECS tower and generator blades shall not exceed 100 feet measured from ground level to the tip of any wind generator blade, rotor, or vane when it is at its highest point or extension. Further, the minimum distance between the ground and the wind generator blade, rotor, or vane shall be 15 feet measured at the lowest point of the arc of the blade, rotor, or vane;

(2) *Setbacks*. The maximum height of any SWECS tower and generator blade measured from ground level to the tip of any wind generator blade at its highest point as described in division (D)(1) above shall establish the required setback for any SWECS tower and generator blades from any property line. In other words, if the maximum height of and SWECS tower and associated generator blade at its highest point is 100 feet, then a setback from all property lines shall be a minimum of 100 feet. In any case, all minimum setbacks, for any SWECS or supporting structures such as guy wires, including the front, side, and rear yards as described in other sections of this section shall be maintained for the zoning district in which the system is located;

(3) *Roof mounted SWECS*. The maximum allowable height for a roof mounted SWECS shall be measured from the highest point of the roof to the tip of any wind generator blade, rotor, or vein when at its highest point or extension and shall be no more than 20 feet above the maximum allowable building height

of the zoning district classification. The roof mounted SWECS shall be installed using accepted engineering practices and principles and be in conformity with all other laws, ordinances, and codes.

(4) *Sound level or noise*. A SWECS shall not exceed 60 decibels (dB) measured at the closest property line, except during short-term events such as severe wind storms or utility outages;

(5) *Shadow flicker*. Shadow flicker is the visible flicker effect when rotating blades of a wind generator cast shadows on the ground and nearby structures causing a repeating pattern of light and shadow. SWECS shall be sited in a manner that does not result in significant shadow flicker impacts. Significant shadow flicker is defined as more than 30 hours per year on abutting occupied buildings. The applicant for any SWECS has the burden of proving that any shadow flicker will not have significant adverse impact on neighboring or adjacent occupied buildings;

(6) *Signage*. No signs, advertising devices, flag streamers, decorative items, or any graphic representation that may be construed as advertising may be placed on any portion of any SWECS. Except that, at least one sign shall be posted on the gate or entry-point to the SWECS warning of potential electrical shock or high voltage.

(7) *Visual impacts*. It is inherent that SWECS may pose some visual impacts due to the tower height needed to access wind resources. The purpose of this division is to reduce the visual impacts without restricting the owner's access to the optimal wind resources on the property:

(a) Any applicant for a SWECS shall demonstrate by development plan approval in the case of a special exception or by project site planning in the case of approval by right in Agricultural or Rural Residential Zoning Districts that the SWECS's visual impacts will be minimized for surrounding neighbors and the community. This may include information regarding site selection, wind generator design or appearance, buffering, and screening of ground-mounted electrical and control equipment. All electrical conduits shall be underground in accordance with applicable codes;

(b) No SWECS shall be artificially lighted, unless required by the Federal Aviation Administration (FAA) or appropriate authority. If lighting is required, the applicant shall provide a copy of the FAA determination to establish the required markings or lights for the SWECS;

(c) The color of the SWECS shall be either the stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment. Approved colors include white, off-white, earth-tone, or gray;

(d) Location of any SWECS in any front yard of any property is prohibited.

(8) *Signal disturbance*. Any SWECS shall be constructed to prevent any emissions that would interfere with radio, television, wireless communication, police, fire, emergency transmissions, and the like. Upon complaint of any signal disturbance, the operation of the SWECS shall cease. The owner or occupant of the property maintaining the SWECS shall immediately correct any signal disturbance problem that has been identified before the operation of the SWECS may resume;

(9) *Other laws, codes, ordinances*. Any SWECS shall comply with all federal, state, and local laws, including the Federal Aviation Administration regulations. The burden of proof for compliance of these regulations is on the owner or applicant for any such SWECS;

(10) *Access and fencing*. Any SWECS or supporting structures shall be enclosed by a chain-link fence six feet in height in conjunction with § 154.039 above to prevent climbing, entry, or access. Further no fenced enclosure shall be greater than twenty feet in length and width (20 feet by 20 feet);

(11) *Abandonment*. A SWECS that is out of service for a continuous 18-month period will be deemed to have been abandoned and must immediately be removed in its entirety to the existing ground level by the property owner and the area that contained the SWECS shall be made to appear as vacant undisturbed ground. Full disclosure of any below-grade improvements, such as the footings, foundation, electrical wiring or conduit, or any other items that remain after removal of the abandoned SWECS, shall be made upon any transfer, lease, or sale of the property on which the SWECS was constructed.
(Ord. 2313, passed 9-14-2010)

§ 154.042 ABANDONED VEHICLES.

(A) *Regulation of abandoned vehicles*.

(1) No individual, partnership, corporation, organization or association of any kind (hereinafter "person") owning, leasing, renting, or otherwise controlling property within the limits of the jurisdiction of unincorporated Lake County, Indiana shall keep, maintain, or allow an abandoned vehicle on such property. No one owning possessing, or having an interest in an abandoned vehicle shall place that vehicle on any public or private property in Unincorporated Lake County.

(2) No person shall place an abandoned vehicle or any portion or part thereof on any public way or place with unincorporated Lake County. Public ways or places shall include any roads, streets, highways, or any associated rights-of-way of any road, street, or highway within the jurisdiction of unincorporated Lake County.

(B) *Impounding abandoned vehicles*.

(1) In addition to the Lake County Sheriff's ability under I.C. 9-22-1 *et seq*. to regulate abandoned vehicles on public or private property, the Lake County Sheriff's Department, with the written authorization of the Lake County Plan Commission under the Unincorporated Lake County Zoning Ordinance, is authorized to remove or have removed any abandoned vehicle left at any place, including private property, within unincorporated Lake County, which reasonably appears to be in violation of this section, or appears to be lost stolen or unclaimed.

(2) After written authorization to the Lake County Sheriff, the Lake County Plan Commission will bear the cost of removal of any such abandoned vehicle from private property within unincorporated Lake County and shall be entitled to reimbursenaent from the owner of any such abandoned vehicle. Such abandoned vehicle shall be impounded until lawfully claimed or disposed of in accordance with the applicable laws of the State of Indiana.

(3) This section of the Unincorporated Lake County Zoning Ordinance is notintended to interfere with the normal, usual, and customary operation of the Lake County Sheriff and his or her Department concerning abandoned vehicles. However, this section is intended to regulate land use by prohibiting the parking, storing, dismantling, collecting, or keeping of abandoned vehicles that may have a negative impact on land values and the environment. Abandoned vehicles located on public property may be removed by the Lake County Sheriff's Department under the laws of the State of Indiana.

(4) Nothing in this section shall prevent Lake County, the Lake County Sheriff or the Lake County Plan Commission from pursuing any remedy available for violation of this section in a court of competent jurisdiction.
(Ord. 2345, passed 7-12-2011) Penalty, see § 154.999

GENERAL HEIGHT PROVISIONS

§ 154.050 CONFORMANCE TO REGULATIONS ESTABLISHED FOR THAT PARTICULAR ZONING DISTRICT.

Except as herein provided, no building or structure shall be erected, enlarged, or reconstructed

to exceed the height limit established for the zone wherein the building or structure is located.
(Prior Code, § 154.050) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.051 THREE-STORY BUILDINGS IN TWO-STORY ZONES.

In the zones limiting height to two stories not to exceed 25 feet, any permitted structure may be increased in height to three stories not to exceed 45 feet, provided the required side yards are increased an additional one foot for each three feet the structure exceeds 25 feet.
(Prior Code, § 154.051) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.052 THROUGH LOTS.

(A) On through lots 150 feet or less in depth, the height of a building may be measured from the adjoining curb level on either street.

(B) On through lots more than 150 feet in depth, the height regulations and basis of height measurements for the street permitting the greater height shall apply to a depth of not more than 150 feet from that street.
(Prior Code, § 154.052) (Ord. passed 4-15-1957)

§ 154.053 CERTAIN STRUCTURES PERMITTED ABOVE HEIGHT LIMIT.

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment to operate and maintain the building, fire or parapet walls, skylights, television aerials, steeples, roof signs, flagpoles, chimneys, smokestacks, wireless masts, water tanks, grain elevators, silos, gas containers, material hoppers, or similar structures may be erected above the height limits herein prescribed, but no penthouse or roof structure or any space above the height limit shall be allowed for the purpose of providing additional floor space for residential business or industrial use.
(Prior Code, § 154.053) (Ord. passed 4-15-1957) Penalty, see § 154.999

GENERAL AREA PROVISIONS

§ 154.065 CONFORMANCE TO REGULATIONS ESTABLISHED FOR THAT PARTICULAR ZONING DISTRICT.

Except as herein provided, no building or structure shall be erected on a lot unless the building, combined existing structure plus additions conform with the area regulations of the zone in which it is located.
(Prior Code, § 154.065) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.066 LOTS ALREADY IN EXISTENCE WITH LESS THAN MINIMUM AREA REQUIREMENTS.

Lots of record at the time of the enactment of this chapter, which have less than the minimum area requirements for R Zones may nevertheless be used for any use permitted therein, except that for dwellings, the lot must have a width of at least 40 feet, and an area of at least 5,000 square feet.
(Prior Code, § 154.066) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.067 REDUCTION OF REQUIRED LOT AREA PROHIBITED.

No lot area shall be so reduced, diminished, and maintained that the yards, other open space, or total lot area shall be smaller than prescribed by this chapter, nor shall the density of population be increased in any manner except in conformity with the regulations herein established.
(Prior Code, § 154.067) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.068 YARD, OPEN SPACE MAY APPLY TO ONLY ONE BUILDING.

(A) No required yard or other open space around an existing building or which is hereafter provided around any building for the purpose of complying with the provisions of this chapter shall be considered as providing a yard or open space for any other building. Nor shall any yard, nor other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected.

(B) In no case shall there be more than one detached building and its accessory buildings on one lot.
(Prior Code, § 154.068) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.069 MINIMUM SETBACKS.

(A) *Lot abutting street or highway*. Wherever a lot abuts a street or highway, there shall be a minimum setback between the building line and the street or highway right-of-way lines as follows.

(1) On existing federal or state highways having or proposed to have a right-of-way of 100 feet or more, the minimum setback shall be 60 feet from the edge of the proposed right-of-way.

(2) On all county highways designated by alphabetical letters, or on any road designated or proposed to have an 80-foot right-of-way, there shall be a minimum setback of 50 feet from the edge of the proposed right-of-way.

(3) All other streets shall have a minimum setback a distance of 30 feet.

(B) *Lot between two lots*. Where a lot is situated between two lots, each of which has a main building which projects beyond the established building line and was so maintained when this chapter became effective, the minimum setback requirements on such lot may be the average of the building line of the existing buildings, provided, however, the building line of the lot shall not be less than ten feet.

(C) *Lot adjoins only one lot having a main building*. Where a lot adjoins only one lot having a main building which projects beyond the established building line and has been so maintained since this chapter became effective, the minimum setback requirement on the lot may be the average of the building line of the existing building and the established building line, provided, however, the building line of the lot shall be not less than ten feet.

(D) *Minimum setback*. Where the elevation of the ground at a point 50 feet from the building line of the lot and midway between the side lines differs ten feet or more from the curb level, or where the slope (measured in the general direction of the side lot lines) is 20% or more on at least 50% of that required in the zone provided the required minimum setback of such lot shall not be less than ten feet, a private garage, not exceeding one story nor 14 feet in height, may be located in such minimum setback provided every portion of the garage building is at least ten feet from the building line, does not occupy more than 50% of the width of the building line, and does not encroach upon the side yards.
(Prior Code, § 154.069) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.070 CORNER SETBACK.

At street intersections of an angle less than 60 degrees, shrubs or structures over three and one-half feet high will not be placed between the intersections of the street lines and ten feet from the building line.
(Prior Code, § 154.070) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.071 FRONT YARD ON THROUGH LOT.

At each end of a through lot, there shall be a front yard of the depth required by this chapter for the zone in which each street frontage is located, and one of the front yards may serve as a required rear yard.
(Prior Code, § 154.071) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.072 MINIMUM SETBACK AND SIDE YARDS WAIVED.

(A) For the purpose of side yard regulations, the following dwellings with common party walls shall be considered as one building occupying one lot: semi-detached dwellings, row dwellings, and group dwellings.

(B) Minimum setbacks and side yards may be waived for dwellings, hotels, and lodging houses erected above the ground floor of a building when said ground floor is designed and used exclusively for business or industrial purposes.
(Prior Code, § 154.072) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.073 REAR YARDS; ACCESSORY BUILDINGS.

An accessory building not exceeding 20 feet in height may occupy not more than 30% of the area of a required rear yard, providing it is no less than five feet from any side or rear lot line.
(Prior Code, § 154.073) (Ord. passed 4-15-1957)

§ 154.074 THROUGH LOTS MAY BE COMPOSED OF TWO LOTS.

Where a through lot has a depth of 150 feet or more, an area of 10,000 square feet or more, the lot may be assumed to be two lots with the rear line of each approximately equidistant from the building lines, provided all area requirements are complied with.
(Prior Code, § 154.074) (Ord. passed 4-15-1957)

§ 154.075 PROJECTIONS INTO YARDS.

(A) *Porte cochere (carport).* A porte cochere may be permitted over a driveway in a side yard, provided the structure is not more than one story in height and 20 feet in length, and is entirely open on at least three sides, except for the necessary supporting columns and customary architectural features, provided, however, the porte cochere does not extend to within six feet of a side lot line.

(B) *Cornice, sill, or chimney.* A cornice, eave, bolt course, sill, canopy, or other similar architectural feature (not including bay window or other vertical projection) may extend or project into a required front, side, or rear yard not more than one foot, provided the width of the side yard is not reduced to less than three feet.

(C) *Fire escape.* A fire escape may extend or project into any minimum setback, side or rear yard not more than four feet.

(D) *Open stairway and balcony.* An open, unenclosed stairway or balcony, not covered by a roof or canopy, may extend or project into a required rear yard not more than four feet, and the balcony may extend into a required front yard not more than 30 inches.

(E) *Open porch.* An open, unenclosed porch, platform, or land place not covered by a roof or canopy, which does not extend above the level of the first floor of the building, may extend or project into any required side or rear yard not more than four feet.

(F) *Wingwalls.* Wingwalls, when used in conjunction with a residential structure as attached thereto, may be permitted in a side yard to the side property line provided that the wingwall does not exceed six feet in height.
(Prior Code, § 154.075) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.076 MODIFICATION OF YARD REGULATIONS.

Where the yard or setback regulations cannot reasonably be complied with or their application determined on lots of peculiar shape, location, or topography, the regulations may be modified or determined by the Board of Zoning Appeals, as provided for in § 154.280.
(Prior Code, § 154.076) (Ord. passed 4-15-1957)

OFF-STREET PARKING AND LOADING

§ 154.090 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

FLOOR AREA. The total floor area of every floor of a building including areas occupied for fixtures, and equipment used for display or sale of merchandise, but excluding areas used exclusively for storage, housing of mechanical equipment integral with the building, and maintenance facilities.
(Prior Code, § 154.090) (Ord. passed 4-15-1957)

§ 154.091 WHEN REQUIRED; PARKING SPACE SCHEDULE.

(A) Parking spaces shall be provided and adequately maintained by each property owner in every zoning district for the off-street storage of motor vehicles for the use of occupants, employees, and patrons of each building and premises constructed, altered, or enlarged after the effective date of this chapter. The proper number of parking spaces for any given use, as specified in division (C) below, is based on consideration of the maximum number of motor vehicles that can be expected to be at the premises at the same time on an average day of full use of the premises.

(B) The requirements for an off-street parking facility for a use not specifically mentioned shall be the same as the requirements for a use which is mentioned and which is most similar to the use not mentioned.

(C) Parking space for motor vehicles in all districts in connection with every residential, recreational, instructional, cultural, commercial, and industrial use shall be provided as follows, and in accordance with the parking schedule below.

(1) In a multi-use building, parking shall be calculated for each use classification.

(2) With the exception of industrial or manufacturer establishments and shopping centers, one parking space per two employees shall be provided in addition to the spaces required in the parking schedule.

[Schedule follows on next page]

(3) In no case, except residential, shall there be permitted less than five parking spaces in addition to parking required for employees.

Parking Schedule	
Auto courts, motels, tourist homes	1 space for each sleeping room
Automobile service and repair garage, gasoline filling and service stations	2 spaces for each repair and service stall
Banks	1 space per 200 square feet of floor area, plus off-street stacking of 6 vehicles per drive-in window
Barber shops, beauty parlors	2 spaces for each chair
Bowling alleys	8 spaces for each lane
Camps and clubs for outdoor sports	1 space for every 2 persons of maximum anticipated capacity
Church, auditorium, stadium, theatre, assembly hall, or other place of assembly	1 space for every 3 seats
Clothing, furniture, appliance, hardware, automobile, machinery sales; shoe repair; personal services (other than beauty and barber shops); wholesale sales	1 space for every 800 square feet of floor area
Convalescent homes, nursing homes, homes for the aged	1 space for each 4 beds, plus 10% of the total required spaces, including employee parking
Dance halls, table game establishments, assembly and exhibition halls without fixed seats, community centers, civic clubs, fraternal orders, veterans organizations, union halls, and any similar type occupancy	1 space for every 50 square feet of floor area
Doctor, dental, or medical clinics	1 space per office or treatment room, plus 1 space per waiting room seat
Dwelling	2 spaces for each dwelling unit
Fraternity and sorority	2 spaces for each 3 beds
Funeral homes, mortuaries	1 space for every 25 square feet of floor area of chapels, assembly rooms
Golf courses	Paved parking spaces shall be provided for 6 vehicles per green. Additional unpaved spaces shall be provided for 6 vehicles per green. This additional space may be grass or gravel, but it is not to be used unless the paved lot is full.
Hospitals, sanitariums	1 space for each bed, plus 1 space for each doctor
Hotels, lodging houses	1 space for each sleeping room

Parking Schedule	
Industrial or manufacturers' establishments	1 space per employee for one shift operation. l-1/2 spaces per employee based on maximum employees working in a single shift in a multiple shift operation.
Launderette, laundromat, self-service laundry, washteria, or any similar use or establishment under a different name	1 parking space for each 2 washing machines or portion thereof
Libraries	l space for each 300 square feet of floor area
Museums	1 space for every 800 square feet of floor area
Offices, business	1 space for every 200 square feet of floor area
Offices, professional	1 space for every 400 square feet of floor (except medical offices) area
Post offices	1 space for each 300 square feet of floor area, plus 1 space for each mail vehicle
Recreation building - in conjunction with an approved multi-family complex	1 space for every 150 square feet of floor area; minimum of ten spaces
Restaurants, cafeterias, taverns, bars	1 space for every 2 patron seats
Restaurants, cafeterias, taverns, bars, with no drive-in or pick-up facilities	1 space for every 2 patron seats
Restaurants, cafeterias, taverns, bars, with drive-in or pick-up facilities	1 space for every 2 patron seats plus 1 space for every 15 square feet of customer waiting room
Restaurants or drive-in food service with no indoor seats	10 spaces for every customer window or 24 inches of customer service counter area
Schools, elementary and junior high school	Requires employee parking, plus 10%
Schools, senior high	Requires employee parking, plus 1 space for every 2 students in the twelfth grade, based on classroom capacity
School stadiums, or fieldhouses	1 space for every 3 seats, may be gravel rather than paved upon approval of Plan Commission staff
**shopping centers	6 spaces per 1,000 square feet of floor area, as defined in § 154.090
Stores, all other retail space for each 150 square feet of floor area	
Supermarket, self-service food stores	1 space for each 200 square feet of floor area
Warehouse	1 space per 5,000 square feet of floor area
For purposes of this parking schedule, ***SHOPPING CENTER* is defined as any single structure or group of structures designed and used for five or more distinctly separate commercial uses, excluding bowling alleys and theatres	

(Prior Code, § 154.091) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.092 CONSTRUCTION, ALTERATION OF OFF-STREET PARKING SPACES; REVIEW OF PLANS BY CITY.

Plans and specifications for the construction or alteration of an off-street parking area accommodating four or more vehicles shall be submitted to the Plan Commission staff. Written approval by the Executive Secretary of all parking area plans shall be secured before a building and zoning permit can be issued. The plans and specifications should show the location, basis of capacity, calculation, size, site design, surfacing, marking, lighting, drainage, curb-cuts, entrances, exits, and any other detailed features essential to the complete design and construction of the parking area.
(Prior Code, § 154.092) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.093 DESIGN, CONSTRUCTION REQUIREMENTS.

In addition to general design requirements specified in other sections, the following design and construction requirements shall be satisfied in all off-street parking areas with any exceptions noted.

(A) A minimum area of 200 square feet, not less than ten feet wide by 20 feet deep, shall be provided for each vehicle parking space; each space shall be definitely designated and reserved for parking purposes, and each space shall be accessible separately from a drive. For single-family homes, or duplexes using separate drives, it shall not be necessary to provide separate access to each space. A driveway or driveway and garage may be used to provide the required two spaces, provided that no part of the driveway within the road right-of-way may be considered in determining parking capacity.

(B) Parking areas shall be so designated and marked as to provide for orderly and safe movement and storage of vehicles.

(C) Width and length of parking stalls and access drives shall be drawn as indicated in Illustration A, located at the end of the section, depending on the type of parking arrangement to be used.

(D) Except for parking space provided on residential lots, no parking area shall be constructed less than 1,000 square feet in area.

(E) Parking areas designed, intended for, or used by the general public, except as noted in the schedules, shall be blacktop or concrete.

(1) Parking areas inaccessible to the public, but intended and used exclusively for employee parking or for the display of vehicles or recreational vehicles for sale, may be gravel.

(2) A parking ratio of 40% paved and 60% gravel may be used in meeting the parking requirements for the following uses:

(a) Churches;

(b) Civic clubs;

(c) Fraternal orders; and

(d) Veterans organizations, or any other similar type occupancy.

(F) Except for single-family and two-family residential lots, adequate lighting shall be provided for use when a parking area is in operation. All lighting shall be arranged so that no source of light shall be visible beyond the parcel lot upon which the parking area is located.

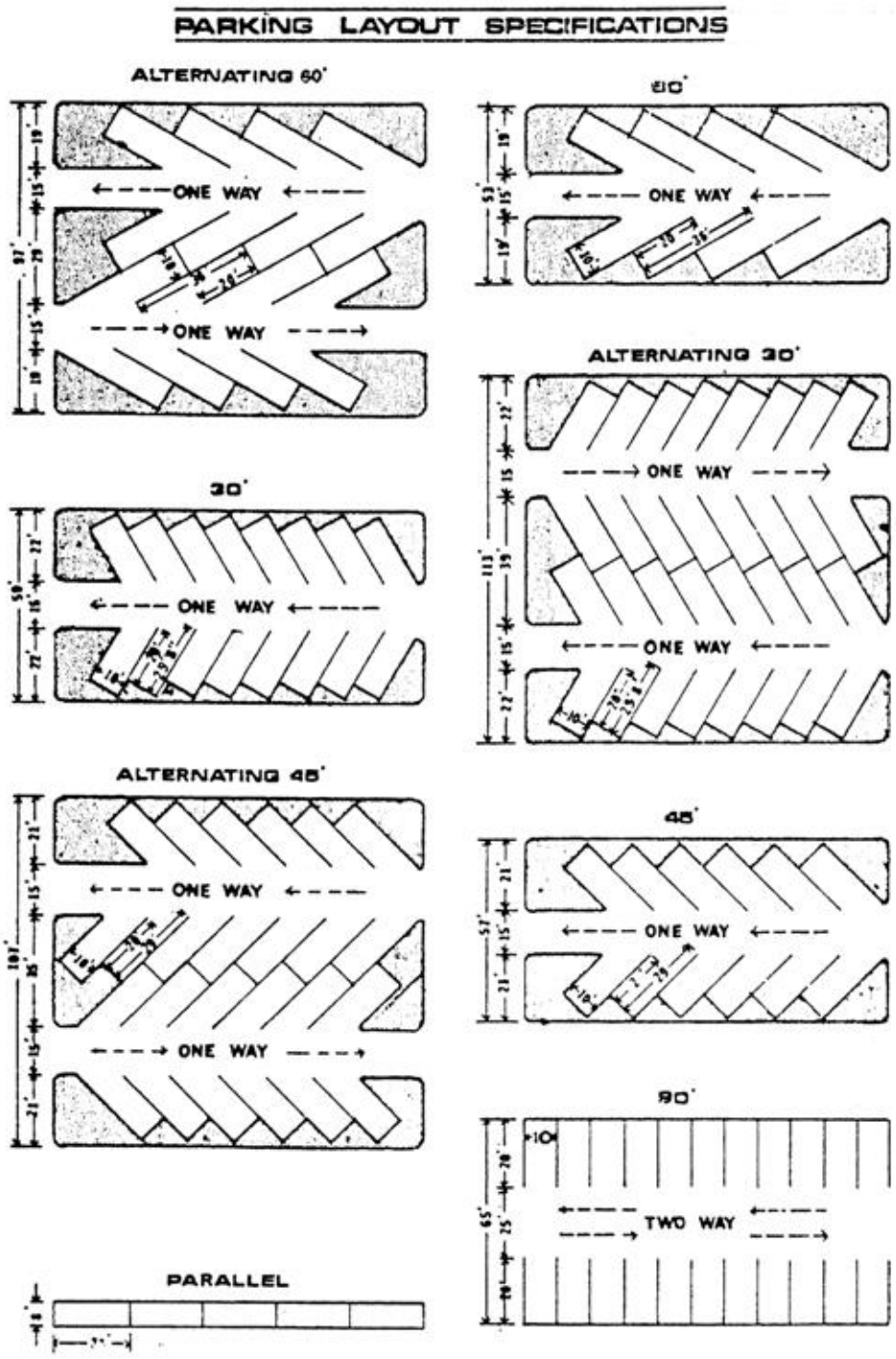
(G) Where a parking area with a capacity of four or more vehicles adjoins a residential district, a buffer at least ten feet wide shall be provided between the parking area and the adjoining property, and a vertical screen shall be erected consisting of structural or plant materials no less than four feet in height. If, in the opinion of the Plan Commission, the adjoining

residential property will eventually be rezoned to commercial, the required ten-foot wide buffer may be reduced to a five-foot buffer. However, the structural or plant material screening shall still be required.

(H) Where a parking area with a capacity of four or more vehicles adjoins a public street or alley, a planted buffer at least five feet wide shall be provided between the parking area and the adjoining street or alley right-of-way line. No more than two driveway approaches shall be permitted to break this buffer strip from any major street, nor shall more than one driveway approach be permitted to break this buffer strip from any minor street. Where a large single parcel of land abuts a major road, the Plan Commission may approve a third driveway approach, provided the minimum distance between the centerlines of the approach is at least 660 feet.

(I) With the exception of service stations, every parking lot shall be designed to provide an unobstructed pedestrian area extending from every point of public access or egress from a building to the drive or street, not less than 30 feet in width, centered at each point of access or egress, unless otherwise approved by the Planning Department.

[See image on following page.]



(Prior Code, § 154.093) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.094 DRIVEWAY APPROACHES.

Driveways extending from a public road to a parking area of four or more spaces shall meet the following minimum requirements.

(A) Driveways designed for two-way traffic shall not be less than 20 feet in width.

(B) Driveways designed for one-way traffic shall not be less than ten feet in width.

(C) Whenever a driveway serving a parking area of four or more vehicles abuts a residential zone, there shall be provided a buffer strip of five feet or more.

(D) Driveways, ingress and egress, driveway easements, driveways, or private ways designed, intended for, or used by the general public shall be blacktop or concrete.

(E) All driveways as defined in division (D) shall meet minimum roadway design criteria.
(Prior Code, § 154.094) (Ord. passed 4-15-1957; Ord. 1239, passed 8-13-1985) Penalty, see § 154.999

§ 154.095 INCREASE IN PARKING AREA.

Any increase in effective capacity of any premise use for which off-street parking is required in accordance with this chapter shall be accompanied by the provision and maintenance of parking space in proper ratio to the increased capacity.
(Prior Code, § 154.095) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.096 FRACTIONAL SPACES.

The number of parking spaces required for any particular building or land use shall be calculated on the basis of specific need. A calculation of the number of spaces needed resulting in a fraction of space shall be corrected by deleting any space less than one-half of a full space or by adding one space for any space over one-half of a full space.
(Prior Code, § 154.096) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.097 PARKING ON LOT REQUIRED; EXCEPTION.

All vehicles shall be stored on the zoning lot occupied by the principal building, except that manufacturing or warehousing uses may provide parking on premises located outside the zoning lot, but within 200 feet as measured from the nearest point of the parking lot to the building.
(Prior Code, § 154.097) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.098 USE OF PARKING AREAS ONLY FOR PARKING.

No commercial repair work, servicing, or selling of any kind shall be conducted on any parking area. Only those signs essential to the functions of the area shall be displayed.
(Prior Code, § 154.098) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.099 JOINT USE OF PARKING AREA.

(A) The joint use of parking facilities by two or more uses is recommended whenever the use is practicable and satisfactory to each of the uses intended to be served, and when all requirements for location, design, and construction can be satisfied. In computing capacities of any joint use, the total space requirement is the sum of the individual requirement that will occur at the same time. If peak space requirements for individual uses occur at distinctly different times from the peak requirements for other joint use, the maximum capacity required for joint use will be less than the sum of total individual space requirements.

(B) A copy of an agreement between joint users shall be filed with the application for a building and zoning permit and recorded with the Plan Commission staff. The agreement shall include a guarantee for continued use of the parking facility for each party to the joint use.
(Prior Code, § 154.099) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.100 PARKING ON NON-PAVED OPEN SPACE PROHIBITED.

Parking on non-paved open space is prohibited, except for driveways serving individual dwelling units, or as may otherwise be permitted by this chapter.
(Prior Code, § 154.100) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.101 OFF-STREET LOADING.

(A) On the same premises with every building, structure, or part thereof, hereafter erected, established, or enlarged and occupied for manufacturing, storage, warehouse goods display, department store, wholesale store, market, hotel, mortuary, laundry, dry cleaning, or other uses, involving the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained adequate space for standing, loading, and unloading in order to avoid undue interference with public use of the street or alley.

(B) The space, unless otherwise adequately provided for shall include a 12-foot by 35-foot loading space with 14-foot height clearance for every 20,000 square feet or fraction thereof in excess of 3,000 square feet of floor area used for above mentioned purposes, or for every 20,000 square feet or fraction thereof in excess of 3,000 square feet of land used for the above mentioned purposes. These requirements may, upon appeal, be increased, modified, or waived by the Board of Zoning Appeals where the conditions or circumstances justify the action, provided it has obtained thereon recommendation from the County Highway Supervisor.
(Prior Code, § 154.101) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.102 SPACE ALREADY IN EXISTENCE.

Any parking or loading space established prior to the effective date of this chapter and which is used or intended to be used in connection with any main building, structure, or use, or any spaces designated and intended to comply with the requirements of this chapter for any such main building or structure erected after such effective date, shall hereafter be maintained so long as the building or structure remains, unless the owner provides and maintains in another location an equivalent number of required spaces in conformance with the provisions of this chapter.
(Prior Code, § 154.102) (Ord. passed 4-15-1957)

§ 154.103 OFF-STREET HANDICAP PARKING.

(A) *Handicapped parking*. Handicap parking spaces are required per the American with Disabilities Act (ADA) and I.C. 5-16-9-2. Handicap spaces shall be required in addition to the parking schedule as follows:

(1) One accessible space for 1 to 25 parking spaces.

(2) Two accessible spaces for 26 to 50 parking spaces.

(3) Three accessible spaces for 51 to 75 parking spaces.

(4) Four accessible spaces for 76 to 100 parking spaces.

(5) Five accessible spaces for 101 to 150 parking spaces.

(6) Six accessible spaces for 151 to 200 parking spaces.

(7) Seven accessible spaces for 201 to 300 parking spaces.

(8) Eight accessible spaces for 301 to 400 parking spaces.

(9) Nine accessible spaces for 401 to 500 parking spaces.

(10) For 501 to 1,000 parking spaces, 2% shall be handicap accessible.

(11) Parking lots over 1,000 parking spaces shall have 20 handicap accessible spaces plus one for each 100 spaces over 1,000.

(12) When eight or more handicapped spaces are required at least one in eight accessible spaces shall be van accessible.

(B) *Location*. Accessible parking spaces shall be located within the shortest accessible route of travel from the parking lot to an accessible enhance.

(C) *Design/aisle width/signage*.

(1) Minimum aisle width shall be 60 inches (five feet). Van accessible aisle shall be 96 inches (eight feet).

(2) Signs shall be installed in front of each handicapped parking spot at least four feet from the ground with the handicapped symbol along with wording declaring the spot as reserved for handicapped.
(Ord. 2429, passed 4-16-2014)

SPECIAL EXCEPTIONS

§ 154.115 APPLICATION PROCEDURE FOR SPECIAL EXCEPTION.

(A) The following special exceptions set forth in this subchapter may be permitted by the Board of Zoning Appeals in any zone where such uses will be deemed essential or desirable to the public convenience or welfare, and which will not adversely affect the use or enjoyment of property adjacent to the area of the proposed special exceptions and which will be in harmony with the various elements or objectives of the Master Plan, provided, however, that the location, plan, and character of development is first approved by the Board. In the exercise of its approval, the Board may impose such conditions regarding the location, character, and other features of the proposed use, buildings or structures, as it may deem advisable in the furtherance of the purposes of this chapter.

(B) Applicants shall file their written application for one of the specified classifications with the Plan Commission staff, upon the forms prescribed by the Board, together with detailed plans and specifications of the proposed use and improvements. Prior to a decision on public hearing thereon, notice of which shall be advertised ten days prior to the public hearing in a newspaper of general circulation in the county.

(C) In cases where approved special exception plans have any major deviations in the approved site development plan, as determined by the Executive Secretary of the Plan Commission, an application shall be filed and a public hearing shall be held for a revision of special exception.

(D) If an approved special exception plan is not developed, the base zone shall supersede the special exception plan.
(Prior Code, § 154.115) (Ord. passed 4-15-1957; Ord. 1500, passed 12-8-1992)

§ 154.116 PERMITTED SPECIAL EXCEPTIONS.

The following are permitted special exceptions.

(A) Airport or aircraft landing field;

(B) Cemetery;

(C) Hospital; and

(D) Local government enterprises.
(Prior Code, § 154.116) (Ord. passed 4-15-1957)

§ 154.117 EDUCATIONAL INSTITUTION.

(A) Land, buildings and structures owned or used at the time of the enactment of this chapter for the usual purposes and activities of educational institutions as defined in § 154.003, including instructional and recreational uses, provision for exhibitions and athletic contests, and provision for living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers, and employees, together with land, buildings, and structures hereafter acquired for the uses by the educational institutions having a location adjacent to land now so owned or used by the educational institutions shall be deemed to be conforming uses in the zone in which the land is located. No building shall be hereafter erected for such use by any such institution within 30 feet of the boundary line of a lot owned by others in an R Zone.

(B) ***ADJACENT*** as used in this section, shall be deemed to include any property within 1,000 feet of any part of any property owned or used for educational purposes by such educational institution at the time of the enactment of this chapter.
(Prior Code, § 154.117) (Ord. passed 4-15-1957)

§ 154.118 PUBLIC SERVICE.

Public services, including electrical distributing substations, fire or police stations, telephone exchanges, telephone repeater cabinets, gas regulator stations and the like, are permitted.
(Prior Code, § 154.118) (Ord. passed 4-15-1957)

§ 154.119 RECREATIONAL SPECIAL EXCEPTIONS; RECREATIONAL VEHICLE PARKS.

Land uses, buildings, and structures for clubs, fraternal organizations, adult organizations, fishing ponds, picnic groves, and private recreational developments, all conducted for profit, or not for profit, for the purpose of this section, shall be hereby divided into four specific classifications.

(A) *Class A*. Uses for youth, organizations for camps, ball fields, swimming pools and water sports and similar uses, which will at no time involve the use of firearms or other deadly weapons or instruments, or the use of engine powered racing vehicles or other noise producing devices.

(B) *Class B*. Uses for clubs, fraternal organizations, lodges, adult organizations, fishing ponds, picnic groves, and private recreational developments which will not at any time involve the dispensing, sale, distribution, or use of alcoholic beverages on the premises.

(C) *Class C*. Uses for clubs, fraternal organizations, lodges, adult organizations, fishing ponds, picnic groves, and private recreational developments which will at any time involve the dispensing, sale, distribution or use of alcoholic beverages on the premises.

(D) *Class D*. Recreational vehicle parks.

(1) *Length of stay*. This district is intended to accommodate recreational vehicles only. Spaces with a recreational park shall be rented by the day or week only. No recreational vehicle shall be permitted to remain in any park for a period exceeding 30 days.

(2) *Subclasses*. For the purpose of this chapter, Class D, Recreational Vehicle Parks, is divided into two subclasses: Class D-1 en-route parks and Class D-2, Destination Parks.

(a) Class D-1 is intended to accommodate en-route parks where persons stop (usually overnight) on their way to a destination point. Their needs are similar to those travelers who stay in motels in that they usually desire close proximity to restaurants, service stations, laundries, and the like. Thus, these parks should locate in business districts catering to the traveling public.

(b) Class D-2 is intended to accommodate destination parks located at or near a natural attraction or recreation area where persons ordinarily stay several days or longer. Such attractions are often some distance from commercial or urban development. Care must be taken to protect the character of the attraction and its environs and yet permit needed service and convenience facilities required by the recreational vehicle park occupants. Destination parks should be limited to Agricultural or Conservation Districts.

(3) *Recreational vehicle parks*. Design specifications and standards for recreational vehicle parks.

(a) *Access*. All Class D-1, Recreational Vehicle Parks, shall have direct access to a primary or secondary thoroughfare. All Class D-2, Destination Parks, shall be located within one mile of a primary or secondary thoroughfare with no access in or through a residential subdivision.

(b) *Minimum frontage*. Minimum frontage shall be 100 feet.

(c) *Minimum area*.

1. Class D-1 minimum area shall be two acres.

2. Class D-2 minimum area shall be 25 acres.

(d) *Maximum density*. Maximum density per gross acre.

1. Class D-1 maximum density per gross acre shall be 25 units per acre.

2. Class D-2 maximum density per gross acre shall be 15 units per acre.

(e) *Soil conditions*. Conditions of soil, groundwater level, drainage, geologic structure, and topography shall not create hazards to the park site or to the health and safety of occupants, nor shall the site be subject to the hazards of objectionable smoke, odor, noise, or the possibility of subsidence, sudden flooding, or severe erosion.

(f) *Minimum setbacks*. All recreational vehicles shall be set back at least 50 feet from any public roadway, or the distance required by the setback requirements of this chapter as amended, for the type of street on which it fronts or sides, whichever is the greater distance.

(g) *Buffer strips.* All recreational vehicle parks shall provide a buffer along all park boundaries not fronting on a public road as follows.

1. *Class D-1.*

a. If abutting a business or industrial district - 15 feet.

b. If abutting any district other than business or industrial - 30 feet.

2. *Class D-2.*

a. If abutting a business or industrial district - 50 feet.

b. If abutting any district other than business or industrial - 100 feet.

3. *Class D-1 and Class D-2.*

a. The buffer strip in a D-1 Class shall include a six-foot high chain link fence, effectively landscaped, or a dense green belt, as required for the D-2 Class.

b. The buffer strip in a D-l Class shall include a dense green belt of evergreen trees or shrubs, not less than six feet high after one full growing season, and which at maturity is not less than 12 feet high, effectively maintained at all times so as to provide an effective visual barrier when viewed at right angles, to protect occupants from adverse influences outside the park or nearby neighbors from adverse effects of the park.

c. Tent sites may be permitted within the required buffer strip, provided no tent site shall be located closer than 20 feet to any adjoining Business or Industrial District, or 40 feet to any other zoning district.

(h) *Minimum recreational area.* At least one centrally-located recreation area equal in size to 8% of the gross park area shall be provided in each recreational vehicle park. Streets, buffers, parking areas, and park service facility areas shall not be included in the required recreational area.

(i) *Interior roads and drives.* All streets or drives within any recreational vehicle park shall be constructed to meet the following minimum standards.

1. Streets or drives permitting access to a park from a county or state road shall be provided with a smooth, graded, drained, and paved durable surface with concrete curb and gutters from the county or state road to the common parking area and office building.

2. Except as required in division (D)(3)(i)1. above, all roads within a park shall be provided with a smooth, graded, drained, and graveled surface, if the proposed density exceeds ten units per acre. Where density is less than ten units per acre, no surface treatment, other than required for dust control, shall be required.

(j) *Accessory uses.*

1. Food stores, restaurants, sporting goods, laundromats, dry cleaning pick-up stations, and similar convenience and service shops may be permitted in recreational vehicle parks containing 50 or more spaces provided:

a. The shops and the parking areas required by their use shall not occupy more than 10% of the total area of the park;

b. The use of the shops shall be solely by the occupants of the park;

c. The shops shall be so located or designed within the park to present no visible evidence of their commercial nature to persons outside the park.

2. Management offices and storage, playground and picnic equipment, sanitation and laundry facilities, informational signs, and other structures customarily incidental to a recreational vehicle park shall be permitted as accessory uses.

(k) *Utilities*.

1. *Electricity*. Electrical outlets provided for the use of tenants shall be installed in a manner approved by the utility company.

2. *Water*. Water supply system shall be approved by the County Health Department.

3. *Sanitary facilities*. Minimum sanitary facilities shall be provided as follows and in accordance with any other rules and regulations of the County Health Department. A central service building containing the necessary toilet and other plumbing fixtures specified in the following divisions and in Table I, below, shall be provided in recreational vehicle parks. The buildings shall be located within 300 feet of the units it is intended to serve.

a. All rooms containing sanitary facilities shall have sound resistant walls extending to the ceiling between male and female sanitary facilities; shall have at least one window or skylight facing directly to the outdoors; and shall have adequate ventilation, either by easily-opened windows, or by a mechanical device.

b. Toilets shall be located in separate compartments equipped with self-closing doors. The shower stalls shall be of the individual type. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

c. Hot and cold water shall be furnished to every lavatory, sink, bathtub, shower, and laundry fixtures; and cold water shall be furnished to every water closet and urinal.

d. Illumination levels shall be maintained as follows: general seeing tasks - five footcandles; toilet room, in front of mirrors 40 footcandles.

(E) Applicants shall file their written application for one of the above specified classifications with the Board, upon the forms prescribed by the Board, together with detailed plans and specifications of the proposed use and improvements.

Table 1

No. Parking Spaces (a)	***Toilets Other***		***Urinals***	***Lavatories***		***Showers***		***Fixtures (b)***
	Men	***Women***	***Men***	***Men***	***Women***	***Men***	***Women***	
1–15	1	1	1	1	1	1	1	One service sink with a flushing rim (c)
16–30	1	2	1	2	2	1	1	
31–45	2	2	1	3	3	1	1	
46–60	2	3	2	3	3	2	2	
61–80	3	4	2	4	4	2	2	

Table 1								
No. Parking Spaces (a)	*Toilets Other*		*Urinals*	*Lavatories*		*Showers*		*Fixtures (b)*
	Men	*Women*	*Men*	*Men*	*Women*	*Men*	*Women*	
891–100	3	4	2	4	4	3	3	
For parking spaces having more than 100 travel trailer spaces, there shall be provided: 1 additional toilet and lavatory for each sex per each additional 30 travel trailer spaces; 1 additional shower for each sex per each additional 40 travel trailer spaces; 1 additional men's urinal per each additional 100 travel trailer spaces.								
Notes to table (a) Parking spaces for dependent trailers. (b) Additional fixtures including laundry trays, clothes washing machines, and an ice-making machine may be provided. (c) A service sink with a flushing rim shall be provided for disposal of liquid wastes unless a sanitary station is conveniently accessible for this purpose.								

(Prior Code, § 154.119) (Ord. passed 4-15-1957; Ord. 1500, passed 12-8-1992) Penalty, see § 154.999

§ 154.120 MOBILE HOMES.

One mobile home may be placed by special exception only for the housing of permanent employees on full agricultural pursuits provided the following conditions are met.

(A) Approved sanitary facilities are provided.

(B) The mobile home is not the principal dwelling on the property.

(C) A distance of 600 feet is maintained from a neighboring residence or residential subdivisions, excluding primary residence on farm.

(D) All applicable front, side, and rear yard setbacks are adhered to.

(E) The mobile home will be removed within 30 days if it no longer houses agriculturally employed employees, or if the land ceases to be used for agricultural pursuits.
(Prior Code, § 154.120) (Ord. passed 4-15-1957)

MANUFACTURED HOMES

§ 154.135 PURPOSE.

It is the intent of this subchapter that all residential design manufactured housing units conform to all regulations that other residential housing units meet; to establish requirements and to assure acceptable similarity in appearance between manufactured housing and other residential dwelling units.
(Prior Code, § 154.135) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982)

§ 154.136 PLACEMENT.

The location of manufactured homes as permanent residences approved individually, shall be permitted as provided for in § 154.186, subject to the requirements and limitations for the zoning district, and provided the unit shall meet the following requirements.

(A) The unit shall meet the exterior appearance standards as provided in § 154.137.

(B) The unit shall be located in a district where the use is permitted in § 154.186.

(C) The unit shall receive all required permits and conform to all ordinances of the county.
(Prior Code, § 154.136) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982) Penalty, see § 154.999

§ 154.137 EXTERIOR APPEARANCE STANDARDS.

A manufactured home shall:

(A) Conform to the minimum square footage requirements of the zoning district, but not less than 950 square feet;

(B) Meet any applicable building codes of the One- and Two-Family Building Code;

(C) Be anchored to the ground, in accordance with installation standards and the One- and Two-Family Building Code;

(D) Have wheels, axles, and hitch removed;

(E) Meet utility connection standards;

(F) Have siding material limited to: horizontal aluminum lap siding, vinyl lap siding, cedar or wood siding, wood grain weather resistant press board siding, stucco, brick, or stone;

(G) Have roofing materials designed to the specifications of the roof pitch and design specification of the shingle limited to: asbestos, fiberglass, shake, asphalt, and title; and

(H) Be placed onto a permanent exterior perimeter wall of mortared walls, concrete block, brick, stone, tile, and poured concrete. The perimeter wall may be partially or totally load bearing.
(Prior Code, § 154.137) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982) Penalty, see § 154.999

§ 154.138 INSTALLATION.

All units designated by ordinances shall require perimeter walls and shall be set onto an excavated area with foundation, footings, or basement wall constructed in accordance with the terms of the One- and Two-Family Building Code and the manufacturers' installation standards.
(Prior Code, § 154.138) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982) Penalty, see § 154.999

§ 154.139 CONFORMANCE TO PERMIT; CERTIFICATE OF OCCUPANCY REGULATIONS REQUIRED.

All units shall conform to the terms of §§ 154.281 through 154.284 and applicable building codes of the county.
(Prior Code, § 154.139) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982) Penalty, see § 154.999

ZONING DISTRICTS

§ 154.150 DISTRICT CLASSIFICATIONS.

(A) For the purpose of this chapter, the unincorporated area of the county is hereby divided into 22 zones designated as follows:

(1) C-1 - Floodway Zone;

(2) C-2 - Flood Fringe Zone;

(3) C-3 - Flood Plain Zone;

(4) A-1 - Agricultural Zone;

(5) R-1 - One-Family Zone;

(6) R-2 - One-Family Zone;

(7) R-3 - One- to Four-Family Zone;

(8) R-5 - Multiple Family Zone;

(9) PUD - Planned Unit District;

(10) Neighborhood Business Zone;

(11) Rural Business Zone;

(12) General Business Zone;

(13) Highway Service Intensive Zone;

(14) Highway Service Extensive Zone;

(15) Professional Office Zone;

(16) Neighborhood Shopping Centers;

(17) Community Shopping Centers;

(18) Regional Shopping Centers;

(19) Light Industrial Zone;

(20) Heavy Industrial Zone;

(21) Planned Industrial Center Zone; and

(22) Conditional Development District.

(B) The above zones and the boundaries of the zones are hereby established as shown on the map entitled, "Lake County Zoning Map, dated 4-15-1957, as amended," which accompanies the zoning ordinance and is on file in the office of the Commission. The map and all explanatory matter thereon are hereby adopted and made a part of this chapter.

(C) Land which may hereafter become unincorporated areas of the county shall be classified as A-1 Zone until changed by amendment to this chapter.

(D) Whenever the terms ***C ZONE***, ***A ZONE***, ***R ZONE***, ***B ZONE***, or ***M ZONE*** are used, they shall be deemed to refer to all zones containing the same letters in their names; that is, B Zone shall include the B-1, B-2, and B-3 zones.
(Prior Code, § 154.150) (Ord. passed 4-15-1957)

§ 154.151 BOUNDARIES.

(A) Unless otherwise indicated, the zone boundary lines are land lines, the center lines of streets, parkways, alleys, or railroad right-of-way, or such lines extended. Other lines within blocks are rear or side lot lines, or such lines extended.

(B) Where the street layout actually on the ground varies from the layout as shown on the zoning map, the Executive Secretary of the Plan Commission shall interpret the map according to the reasonable intent of this chapter.
(Prior Code, § 154.151) (Ord. passed 4-15-1957)

FLOODPLAIN DISTRICT

§ 154.165 BOUNDARIES.

(A) The boundaries of these Flood Plain Districts have been identified by the Federal Insurance Administration in a scientific and engineering report entitled, "The Flood Insurance Study for the County of Lake," dated 9-2-1981, with the accompanying flood insurance rate maps and flood boundary floodway maps which are adopted by reference and declared to be a part of this chapter.

(B) The Executive Secretary, or his or her designated agent, of the County Plan Commission shall be designated to review all development and subdivision proposals to insure compliance with this section.
(Prior Code, § 154.165) (Ord. passed 4-15-1957)

§ 154.166 C-1 FLOODWAY ZONE.

This district is created to protect the public health and to reduce the financial burdens imposed on the community, its governmental units, and its individuals which may result from improper use of lands, which are subject to frequent and periodic floods and overflow within the floodway. The flood insurance study and maps are on file at the office of the County Auditor.

(A) *Definitions*. Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application.

DEVELOPMENT. Any human-made change to improved or unimproved real estate including, but not limited to, buildings, grading, paving, excavation, or drilling operations.

FLOOD PLAIN. Any floodplain, floodway, or floodway fringe district, or combination thereof as illustrated on the flood boundary and floodway map as prepared by the Federal Insurance Administration.

NATURAL RESOURCES. The Indiana Natural Resources Commission.

REGULATORY FLOOD. That flood having a peak discharge which can be expected to be equaled or exceeded on the average of once in a 100-year period, as calculated by a method and procedure which is acceptable to and approved by the Federal Insurance Administration and the Indiana Natural Resources Commission. This flood is equivalent to a flood having the probability of occurrence of 1% in any given year.

STRUCTURE. Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, mobile homes, and other similar items.

(B) *Permitted uses*.

(1) All development except the following uses permitted by right shall be prohibited within the C-l Conservation Zone except:

(2) The following uses have a low flood damage potential and do not obstruct flood flows. These uses shall be permitted by right within the C-l Conservation Zone District to the extent that they are not prohibited by any other ordinance and provided they do not require structures, fill, or storage of material or equipment:

(a) Agricultural uses such as general farming, pasture grazing, orchards, plant nurseries, and vineyards;

(b) Forestry, wildlife areas, and nature preserves; and

(c) Parks and recreational uses, such as golf courses, driving ranges, and play areas.

(C) *Nonconforming uses*. Any building, structure, or use of land in this district which is not in conformance with this chapter constitutes a nonconforming use. All applications to repair, extend, or enlarge a nonconforming use shall be forwarded to Natural Resources for review and comment. All terms and conditions imposed by natural resources shall be incorporated into the issuance of any local permit.
(Prior Code, § 154.166) (Ord. passed 4-15-1957)

§ 154.167 C-2 FLOODWAY FRINGE DISTRICT.

(A) *Purpose*. The purpose of the C-2 District is to guide development in areas in the floodway fringe subject to potential flood damage, but outside an identified C-1 Floodway District. The identification

of these areas may be by the Federal Insurance Administration, Natural Resources, the Soil Conservation Service, the Corps of Engineers, the U.S. Geological Survey, or other reliable sources. The principal requirement of this District is that the flood protection grade of all buildings shall be at least two feet above the regulatory flood profile.

(B) *Permitted uses*. The following shall be permitted by right. The facilities, structures, uses, and buildings consistent with other provisions of this chapter may be constructed in this district provided that the flood protection grade for all buildings shall be at least two feet above the regulatory flood profile. Further, mobile homes must have pad (concrete or stands of compacted fill) at or above the elevation of the regulatory flood and must be provided with ground anchors. Flood proofed non-residential buildings may also be constructed in this district provided that the plans and specifications for all necessary structural facilities and modifications are certified by a professional engineer or registered architect licensed to practice in the state. Also, onsite waste disposal systems must be so located as to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.

(C) *Nonconforming uses*. Any building, structure, or use of land in the C-2 Zoning District which is not in conformance with this section constitutes a nonconforming use. All applications to repair, extend, or enlarge a nonconforming use shall be forwarded to Natural Resources for review and comment. All terms and conditions imposed by Natural Resources shall be incorporated into the issuance of any local permit.
(Prior Code, § 154.167) (Ord. passed 4-15-1957)

§ 154.168 C-3 FLOODPLAIN DISTRICT.

(A) The district regulations of the C-3 Flood Plain covers an area subject to flooding, but which has not yet been classified into a C-1 Floodway or C-2 Floodway Fringe configuration.

(B) The permitted uses in this District are subject to provisions of § 154.167(B) after proper permit or letter of recommendation for same has been granted by Natural Resources. All terms and conditions imposed by Natural Resources shall be incorporated in any permit issued.

(C) Any building, structure, or use of land in the C-3 Flood Plain District which is not in conformance with this chapter constitutes a nonconforming use. All applications to repair, extend, or enlarge a nonconforming use shall be forwarded to Natural Resources for review and comment. All terms and conditions imposed by Natural Resources shall be incorporated into the issuance of any local permit.
(Prior Code, § 154.168) (Ord. passed 4-15-1957)

§ 154.169 CONSTRUCTION STANDARDS.

(A) The structure or structures, if permitted in any district, shall be constructed on the building site so as to minimize obstruction to the flow of floodwaters.

(B) Floodproofing of non-residential structures, if proposed, must be in accordance with the definition of a floodproofed building as set forth in the County Building Code (Chapter 151 of this code) and must be so certified by a professional engineer or a registered architect licensed to practice in the state.

(C) Onsite waste disposal systems must be so located as to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
(Prior Code, § 154.169) (Ord. passed 4-15-1957)
Penalty, see § 154.999

§ 154.170 VARIANCES.

Applications for variances to the provisions of this chapter are subject to the provisions of § 154.280.

(A) The Board of Zoning Appeals may consider issuing a variance to the terms and provisions of the Floodway (C-1), Floodway Fringe (C-2), or Floodway Plain (C-3) Districts provided the applicant offers that:

(1) There exists a good and sufficient cause for the requested variance;

(2) The strict application of the terms of this chapter will constitute an exceptional hardship to the applicant; and

(3) The grant of the requested variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

(B) The Board of Zoning Appeals may issue a variance to the terms and provisions of the Floodway (C-1), Floodway Fringe (C-2), Flood Plain (C-3) Districts subject to the floodway findings of fact.

(1) No variance for a residential use in a Floodway (C-1) District may be granted.

(2) Variances to the flood protection grade requirements in a Floodway Fringe (C-2) District may be granted only when a new structure is to be located on a lot surrounded by lots with existing structures constructed below the flood protection elevation.

(3) Any variance granted in a Floodway (C-1) District, will require a permit from Natural Resources.

(4) Any variance granted in a Flood Plain (C-3) District, will require a permit or letter of recommendation from Natural Resources. If a letter of recommendation is received from Natural Resources, the Board of Zoning Appeals may apply the standards pertaining to a Floodway Fringe (C-2) District.

(5) Variance may be granted for the reconstruction or restoration of any structure listed on the National Register of Historic Places or the Indiana State Survey of Historic, Architectural, Archaeological, and Cultural Sites, Structures, Districts, and Objects.

(6) All variances shall give the minimum relief necessary, and be such that the maximum practical flood protection will be given to the proposed construction.

(7) The Board of Zoning Appeals shall issue a written notice to the recipient of a variance that the proposed construction will be subject to increased risks to life and property and could require payment of excessive flood insurance premiums.
(Prior Code, § 154.170) (Ord. passed 4-15-1957)

§ 154.171 DISCLAIMER OF LIABILITY.

Larger floods can and will occur on rare occasions. Therefore, this chapter does not create any liability on the part of the community, Natural Resources, or the state for any damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
(Prior Code, § 154.171) (Ord. passed 4-15-1957)

A-1, R-1, R-2, AND R-3 ZONES

§ 154.185 PERMITTED USES.

The following regulations and the regulations contained in §§ 154.071
through 154.139 shall apply in all A-1, R-1, R-2, and R-3 Zones.

(A) Schedule of uses for A-1, R-1, R-2, and R-3 zoning indicates those uses permitted provided they comply with the regulations specified in § 154.187.

(B) Section 154.186, schedule of uses for A-1, R-1, R-2, and R-3 Zones, indicates those uses which may be approved by special exception and in accordance with §§ 154.115 through 154.120.
(Prior Code, § 154.185) (Ord. passed 4-15-1957)

§ 154.186 SCHEDULE OF USES.

The following is the schedule of uses.

Schedule of Uses					
	A-1	***R-1***	***R-2***	***R-3***	***RR***
Uses permitted by right (as defined in Chapter 153)	no	yes	yes	yes	yes
Uses permitted by right					
Residential uses					
Single-family					
Conventional homes	yes	yes	yes	yes	yes
Modular home	yes	yes	yes	yes	yes
Manufactured homes(Refer to §§ 154.135 to 154.139)	yes	yes	yes	yes	yes
Mobile homes (exception - refer to § 154.031)	no	no	no	no	no
Two to four units	no	no	no	yes	no
Five or more units	no	no	no	no	no
Agricultural and open spaces					
Farm	yes	yes	yes	yes	yes
Hobby farm (see § 154.035)	yes	yes*	yes*	yes*	yes
Green house and nursery	yes	no	no	no	no
Stands for the sale of agricultural products on the farms where the products are grown	yes	yes	yes	yes	yes
Private stable if a park of a farm or hobby farm	yes	yes	yes	yes	yes
Accessory uses					
Home occupation	----------yes - see § 154.037----------				

Schedule of Uses					
	A-1	***R-1***	***R-2***	***R-3***	***RR***
Accessory structures	----------yes - see § 154.036----------				
Advertising devices and signs	---------- yes - see § 154.038----------				
Small wind energy conversion systems (SWECS)	yes*	no	no	no	yes*
	----------pursuant to § 154.041----------				
Swimming pool	---------- yes - see § 154.034----------				
Fence	---------- yes - see § 154.039----------				
Parking or storage of commercial vehicles no vehicles exceeding 1/4-ton capacity	no	no	no	no	no
Parking or storage of commercial vehicles exceeding 1/4-ton capacity in areas used in conjunction with the agricultural operation of a farm	yes	yes	yes	yes	yes
Satellite earth station (see § 154.040)	yes	yes	yes	yes	yes
Uses permitted by special exception					
Animal hospitals provided they are located further and beyond 300 feet from an adjoining residence	yes	no	no	no	no
Gun club, skeet shoot or target range	yes	no	no	no	no
Livestock sales or auction	yes	no	no	no	no
Riding academy or commercial stable in accordance with §§ 154.115 to 154.120	yes	no	no	no	no
Transient amusement enterprise, circus, or medicine show	yes	no	no	no	no
Class D-2 recreation vehicle parks	yes	no	no	no	no
Golf course	yes	yes	yes	yes	yes
Private and public golf clubs	yes	yes	yes	yes	yes
Churches, public and parochial schools	yes	yes	yes	yes	yes
Nursing homes	yes	yes	yes	yes	yes
Small wind energy conversion systems (SWECS)	no	yes	yes	yes	no
	---------- pursuant to § 154.041---------				

Schedule of Uses					
	A-1	***R-1***	***R-2***	***R-3***	***RR***
Two-family dwelling unit	yes	no	yes	no	no
Notes to table					
* SWECS permitted by right on A-1, Agricultural or RR, Rural Residential property containing five acres or more and meeting the provisions of § 154.041, otherwise any SWECS shall be permitted only by special exception.					

(Prior Code, § 154.186) (Ord. passed 4-15-1957; Ord. 972B, passed 7-14-1982; Ord. 1859, passed 8-10-2001; Ord. 2156, passed 9-12-2006; Ord. 2313, passed 9-14-2010)

§ 154.187 SCHEDULE OF DEVELOPMENT REGULATIONS.

The following is the schedule of development regulations.

Schedule of Development Regulations					
	A-1	***R-1***	***R-2***	***R-3***	***RR***
Lot area (in square feet)					
With septic system	871,200 (2)	43,560(1)	28,870(1)	43,560(1)	217,800(1)
With sewer system	871,200	21,780	10,000	8,800- 1 unit 12,000 - 2 unit 13,500 - 3 unit 18,000 - 4 unit	217,800
Minimum lot width (Road/street frontage)					
With septic system (1)	330 ft	120 ft	100 ft.	100 ft.	165 ft.
With sewer system	330 ft	100 ft	80 ft.	60 ft.	165 ft.
Minimum lot depth	N/A	N/A	N/A	110 ft.	N/A
Minimum setback	Refer to § 154.069(A)				
Side yards (two required)					
Minimum size each	10 ft.	10 ft.	6 ft.	6 ft.	25 ft.
Total required side yard (total aggregate) minimum % of total lot width	30%	25%	20%	20%	30%
Rear yard					
Minimum % of total lot depth	25%	25%	25%	25%	20%
Maximum lot coverage	25%	35%	40%	40%	20%

Schedule of Development Regulations					
	A-1	***R-1***	***R-2***	***R-3***	***RR***
Maximum building height					
In stories	2-1/2	2-1/2	2	2	2-1/2
In feet	35 ft.	35 ft.	25 ft.	25 ft.	35 ft.
Minimum building size (in square feet)					
Minimum ground floor area exclusive of unenclosed porches, terraces and garages	768	1,000(3)	768	768(4)	768
Exceptions and modifications	Refer to §§ 154.051 through 154.053, 154.069(B) through (D), and 154.072 through 154.076				
Notes to table (1) In some instances septic systems may require larger lots (to be determined by the Lake County Health Department.)					
(2) In order to build on 20 acres (or more) the following requirement shall be met:					
(a) Adequate lot frontage on a dedicated, improved, public road at least 18 feet wide and at least gravel;					
(b) Approved soil type for septic system installation (to be determined by the Lake County Health Department); and					
(c) Conformance with the Lake County Subdivision Regulation, Chapter 153 of this code.					
(3) 1,000 square feet if limited to one-story, 1,350 square feet if greater than one-story.					
(4) 768 square feet per unit for buildings containing one or two units, 400 square feet per unit for buildings containing three or four units.					

(Prior Code, § 154.187) (Ord. passed 4-15-1957; Ord. 1859, passed 4-10-2001)

PLANNED UNIT DEVELOPMENT DISTRICT

§ 154.205 PURPOSE.

(A) The primary purpose of this District is to recognize and accommodate planning and residential development innovations which cannot be properly accommodated in other existing residential districts.

(B) A Planned Unit Development District may be approved for the following uses when proper authorization has been granted by the County Plan Commission and the legislative body as required for amendments or a change of zone, as well as the requirements of this section. A planned unit development may be issued for one of the following classifications:

(1) Class 1 - Mobile home parks when in accordance with the county mobile home park ordinance.

(2) Class 2 - Community unit projects when in accordance with § 154.206.

(Prior Code, § 154.205) (Ord. passed 4-15-1957)

§ 154.206 COMMUNITY UNIT PROJECTS - CLASS 2.

(A) The owner or owners of any tract of land comprising an area of 20 or more acres may be submitted to the County Plan Commission for the use and development of this land for mixed dwelling purposes in a residential district. It shall be referred to the Plan Commission for study. The Plan Commission shall advertise and hold a public hearing. After the public hearing by the Commission, the plan, together with the recommendations of the Commission, shall be submitted to the legislative body for final action.

(B) The considerations for approval and recommendation by the Plan Commission shall be that:

(1) The property adjacent to the area included in the plan will not be adversely affected.

(2) The plan is consistent with the intent and purposes of this chapter to promote health, safety, morals, and general welfare of the community.

(3) The buildings shall be used for single-family dwellings, duplexes, three- and four-family dwellings, converted dwellings, row houses or apartments, and usual accessory uses such as garages, parking area, storage spaces, administrative buildings, and community activities including churches.

(4) The area shall be provided with community or city sewers and water systems and with fire protection.

(5) The average lot area per family and minimum yard shall be as follows:

(a) Single-family dwellings: 7,500 square feet.

(b) Two-family dwellings: 10,000 square feet or 5,000 square feet per dwelling unit.

(c) Row houses and low apartments: not to exceed 45 feet in height, 4,000 square feet for the first two dwelling units and 3,000 square feet per each additional unit.

(d) Multi-story apartments: not to exceed 12 stories or 100 feet in height, 2,500 square feet per dwelling unit.

(6) Provisions shall be made for sufficient utility easements to service the property.

(7) Sufficient parking facilities shall be provided as in §§ 154.090 through 154.102. In case parking lots are provided, the following shall be required.

(a) There shall be a setback from the street conforming to the requirements in which the lot is located.

(b) The area around the lot shall be landscaped.

(c) There shall be a solid wall or screen planting at least three and one-half feet in height along the street and any side adjoining residential property.

(d) The lot shall be at least ten feet from any property line and 25 feet from any building.

(C) If the legislative body of Lake County approves the plan, the plan shall be recorded in the office of the County Recorder, prior to issuance of zoning and building permits.

(D) In cases where a final development plan has not been approved by the Plan Commission or legislative body of the county and/or if there are major deviations as determined by the Executive Secretary of the Plan Commission from an approved final development plan, an application shall be filed and a public hearing shall be held for a revision of a planned unit development.

(Prior Code, § 154.206) (Ord. passed 4-15-1957) Penalty, see § 154.999

R-5 MULTI-FAMILY ZONE

§ 154.215 PERMITTED USES.

(A) *Generally*. The regulations set forth in this subchapter, and the regulations contained in §§ 154.001 through 154.139 shall apply in the R-5 Multi-Family Zone.

(B) *Permitted uses*.

(1) Any use permitted in the R-3 One- to Four-Family Zone; and

(2) Multi-family dwellings and apartments provided only one multi-family building shall be placed on one lot; and no multi-family building exceeds three stories or 35 feet in height.
(Prior Code, § 154.215) (Ord. passed 4-15-1957)

§ 154.216 SPECIAL EXCEPTION USES.

The following are special exception uses permitted in R-5 Multi-Family Zone:

(A) Any multi-family building exceeding three stories or 35 feet in height; and

(B) Any project involving two or more multi-family structures on a single parcel of land.
(Prior Code, § 154.216) (Ord. passed 4-15-1957)

§ 154.217 MINIMUM DISTRICT AREA REQUIREMENTS.

Before a zone change in this R-5 Multi-Family Zone shall be considered by the Plan Commission and the legislative body, the application shall contain at least 43,560 square feet to be developed.
(Prior Code, § 154.217) (Ord. passed 4-15-1957)

§ 154.218 FLOOR AREA.

The floor area ratio of buildings and structures on a zoning lot shall not exceed one to two (1:2).
(Prior Code, § 154.218) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.219 MAXIMUM HEIGHT.

Three stories, not to exceed 35 feet in height, except in a special exception project, is the maximum permissible height in an R-5 Multi-Family Zone.
(Prior Code, § 154.219) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.220 MINIMUM LOT SIZES.

(A) For every dwelling unit hereafter established in an R-5 Multi-Family Zone, lot area shall be provided as follows:

Type of Dwelling	*Lot Area per Dwelling Unit in Square Feet*
Four bedrooms or over	2,500
Three bedrooms	2,000
Two bedrooms or over	1,500
One bedroom and efficiency units	1,000

(1) For every lodging room established hereinafter in an R-5 Zone, there shall be provided not less than 500 square feet of lot area.

(2) One-family row houses hereafter erected or structurally altered shall have a total area of 2,000 square feet per dwelling unit, provided that corner and end dwelling units of a row unit building shall have not less than 2,500 square feet of total lot area, except as provided in § 154.075.

(B) No existing use shall be converted in such a way as to conflict with, or further conflict with the foregoing requirements. Further, no residential

building shall be established hereafter on a lot which is less than 9,000 square feet in area, and 60 feet in width at the building line.

(C) No principal building, other than a permitted residential building, shall hereafter be established on a zoning lot having an area of less than 10,000 square feet and a width of less than 75 feet.
(Prior Code, § 154.220) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.221 MAXIMUM BUILDING COVERAGE.

Not more than 35% of the area of a zoning lot may be covered by buildings or structures, including accessory buildings.
(Prior Code, § 154.221) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.222 MINIMUM SETBACK.

Minimum setback requirements shall be in accordance with § 154.069. Required setbacks shall be unobstructed from ground level to the sky except as otherwise provided in § 154.075.
(Prior Code, § 154.222) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.223 MINIMUM SIDE YARDS.

(A) *Multiple-family dwellings over two stories in height*. On a zoning lot improved with a multiple-family dwelling over two stories in height, a side yard shall be provided along each side lot line. Neither side yard shall be less in width than one-fifth of the building height, but in no case less than 16 feet.

(B) *Multiple-family dwellings not over two stories in height*. The same regulations shall apply as govern side yards for dwelling in the R-2 One-Family Zone.

(C) *One-family row dwellings*. The same regulations shall apply as govern side yards of one-family row dwellings in the R-3 One- to Four-Family Zone.

(D) *One-family detached dwellings and two-family dwellings*. The same regulations shall apply as govern side yards for one-family detached dwellings in the R-1 One-Family Zone.

(E) *Non-residential buildings*. On a lot improved with a non-residential building, a side yard shall be provided along each side lot line. Each side yard shall be not less in width than one-third of the building height, but in no case less than 16 feet.

(F) *Required side yards*. Shall be unobstructed from ground level to the sky, except as otherwise provided in § 154.075.
(Prior Code, § 154.223) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.224 MINIMUM REAR YARDS.

(A) The regulations governing rear yards in the R-3 One- to Four-Family Zone, as set forth in § 154.187 shall apply in this R-5 Multi-Family Zone, except that a yard shall not be required greater than 50 feet.

(B) However, a rear yard in an R-5 Multi-Family Zone may begin at a height of not more than six feet above curb level for the sole purpose of providing enclosed accessory off-street parking facilities beneath. However, when so elevated above normal grade level, there shall be no accessory buildings or other permanent structures erected on the yard, and it shall be otherwise unobstructed from the lowest level to the sky, except as provided in § 154.075, when not in conflict with the foregoing requirements.
(Prior Code, § 154.224) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.225 MINIMUM OPEN SPACE.

Not more than 35% of the area of the zoning lot may be covered by parking lots and drives.
(Prior Code, § 154.225) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.226 SEWAGE, PARKING.

(A) For all structures containing five or more dwelling units, sewage treatment facilities shall be provided by connection to a sewage system of a municipality; or connection to a sewage treatment plant approved by the State Board of Health. For purposes of this chapter, septic systems shall not be considered as sewage treatment shall be utilized.

(B) Parking shall be in accordance with §§ 154.090 through 154.102.
(Prior Code, § 154.226) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.227 ISSUANCE OF BUILDING, ZONING PERMITS.

(A) Before building and zoning permits shall be issued by the Plan Commission Secretary, the approval of the State Administrative Building Council and the State Fire Marshal shall be obtained. Further, evidence shall be submitted that fire hydrants with suitable connections for the equipment of the local fire departments in which the use is to be located will be installed.

(B) Their number and location shall be approved by the office of the State Fire Marshal.
(Prior Code, § 154.227) (Ord. passed 4-15-1957)

BUSINESS ZONES

§ 154.240 B-1 NEIGHBORHOOD BUSINESS ZONE.

The following regulations and the regulations contained in §§ 154.001 through 154.139 shall apply in the B-1 Neighborhood Business Zone.

(A) *Permitted uses*. The following uses are permitted, provided they are conducted wholly within a building and, except for off-street loading or delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102.

(1) Bakery;

(2) Art or antique shop;

(3) Bank;

(4) Barber shop or beauty parlor;

(5) Book or stationery store;

(6) Cleaning establishments using not more than two clothes cleaning units, neither of which shall have a rated capacity of more than 40 pounds using cleaning fluid which is non-explosive and non-flammable;

(7) Department store, furniture store, or radio store;

(8) Confectionery store;

(9) Custom dressmaking or millinery shop;

(10) Drug store;

(11) Medical or dental clinic or laboratory;

(12) Florist or gift shop;

(13) Grocery store, fruit or vegetable store;

(14) Hardware store or electric appliance store;

(15) Jewelry store;

(16) Meat market or delicatessen;

(17) Music store or newsstand;

(18) Office, business or professional;

(19) Photographer;

(20) Repair of appliances and small equipment, provided that any incidental repair shall be conducted and confined wholly within a building, where the mechanical power employed in the operation of any machine or tool does not exceed three horsepower, and where the total mechanical power provided or employed does not exceed 12 horsepower;

(21) Restaurant, tea room, or café, excluding dancing or entertainment;

(22) Shoe store or shoe repair shop;

(23) Tailor store, clothing or wearing apparel store;

(24) Theatre;

(25) Variety store;

(26) Sign painting or tire shop, provided all activities are conducted wholly within a building;

(27) Other retail business and service establishments not specifically referred to in this chapter, selling new merchandise exclusively; and

(28) All products shall be sold at retail on the premises and not more than four persons shall be engaged exclusively in the process of production of materials sold at retail.

(a) *Advertising signs*. In accordance with § 154.038.

(b) *Incidental uses*. Uses customarily incidental to any of the above uses and accessory buildings, when located on the same lot.

(c) *Public parking area*. For the exclusive use of the patrons of the stores, shops, or businesses in the immediate business zone when located and developed as required in §§ 154.090 through 154.102.

(B) *Uses by special exception*.

(1) Automobile service station. In accordance with Chapter II of *Rules and Regulations of the State Fire Marshal Regulating the Use, Handling, Storage, and Sale of Flammable Liquids in the State of Indiana*, provided that any tire or tube repairing, battery charging, and storing of merchandise or supplies are conducted wholly within a building. Plans for the erection or structural alteration of an automobile service station shall be approved by the Board. The Board may require such change therein in relation to yards, location of pumps and buildings, and construction of buildings, as it may deem best suited to insure safety, to minimize traffic difficulties, and to safeguard adjacent properties. The service station use area shall be developed as required in §§ 154.090 through 154.102.

(2) Apartments for residential use above the ground floor of the building, or within the same building.

(C) *Height*.

(1) *Maximum height*. Three stories.

(2) *Exceptions*. Exceptions to height regulations are provided for in §§ 154.050 through 154.053.

(3) *Site development plans to be approved by Commission with final approval by B.Z.A*. Site development plans shall be approved by the Commission with final approval by the B.Z.A. In the exercise of its approval, the Commission may impose conditions and development standards in relation to

building and parking location, driveway approaches, screening, buffers, lighting, signs, or any other conditions as it may deem essential to safeguard adjacent land uses.

(D) *Setbacks and yards.*

(1) *Minimum setback.* In accordance with § 154.069.

(2) *Side yards.* Where the side of a lot in the B-1 Zone abuts upon the side of a lot in an R Zone, there shall be a side yard of not less than four feet for each story of height, but the side yard shall not be less than six feet in width. In all other cases, a side yard for a business building shall not be required, but if provided, it shall not be less than four feet in depth.

(3) *Rear yard.* Where the B-1 Zone abuts an R Zone, there shall be a rear yard of not less than 20% of the depth of the lot, but such rear yard need not exceed 20 feet. In all other cases, no rear yard shall be required, but if provided, shall not be less than four feet in depth.

(4) *Exceptions.* Exceptions to yard regulations are provided for in §§ 154.069 and 154.072 through 154.076.
(Prior Code, § 154.240) (Ord. passed 4-15-1957; Ord. 1244, passed 10-8-1985; Ord. 1500, passed 12-8-1992) Penalty, see § 154.999

§ 154.241 B-2 RURAL BUSINESS ZONE.

The following regulations and the regulations contained in §§ 154.001 through 154.139 shall apply in the B-2 Rural Business Zone.

(A) *Permitted uses.*

(1) Any use permitted in the B-1 Neighborhood Business Zone, provided that B-1 uses shall be subject to the same limitations and controls as specifically set forth in the B-1 Zone, § 154.240.

(2) The following uses pertinent to farm communities, provided they are within 150 feet of a lot of a more restrictive zone. They shall be conducted wholly within the building or within an area screened on all sides by a masonry wall, compact evergreen planting, or uniformly painted ornamental wood fence not less than six feet in height maintained between the use and adjoining residential zones, except for off-street loading and delivery vehicles which are incidental thereto, as required in §§ 154.090 through 154.102:

(a) Agricultural implements, automobile or trailer sales. Provided that any display or storage area shall be developed as required in §§ 154.090 through 154.102, and that any incidental repair of implements, automobiles, or trailers shall be conducted and confined wholly within a building where the mechanical power employed in the operation of any machine or tool does not exceed three horsepower, and where the total mechanical power provided or employed does not exceed 12 horsepower;

(b) Building material sales yard. Including the sale of lumber, rock, sand, and gravel, but excluding concrete mixing;

(c) Farm and contractor's equipment storage yard or plant, or rental of equipment;

(d) Feed or fuel yard or grain elevator;

(e) Creamery or ice-cream manufacture;

(f) Greenhouse, nursery, floor, or plant. Provided all incidental equipment is kept wholly within a building;

(g) Poultry or rabbit killing. Poultry or rabbit killing incidental to retail sales on the premises; and

(h) Automotive and truck repair. The use and any outside storage shall be conducted wholly within the building or within an area screened on all sides by a masonry wall, uniformly painted wooden fence, or a solid fence not less than six feet in height.

(3) The following uses not pertinent to farm commodities, provided they meet the requirements indicated in division (A)(2) above, shall be permitted:

(a) Public utility service yard, or electrical receiving or transforming station;

(b) Amusement enterprise, including billiard or pool hall, bowling alley, boxing arena, dance hall, games of skill or science, penny arcade, shooting gallery, and the like;

(c) Bottling works;

(d) Circus or transient amusement;

(e) Drive-in business. Where persons are served in automobiles from a refreshment stand, restaurant, food store, and the like, provided the area is screened by a masonry wall, compact evergreen planting, or uniformly painted ornamental wood fence not less than six feet in height, erected and maintained between such uses and any adjoining R Zone;

(f) Drive-in movie;

(g) Driving tees or ranges;

(h) Funeral parlor;

(i) Laundry or dry-cleaning establishment;

(j) Motel; and

(k) Stadium.

(B) *Height*.

(1) *Maximum height*. Same as required in the B-1 Zone, § 154.240.

(2) *Exceptions*. Exceptions to height regulations are provided for in §§ 154.050 through 154.053.

(C) *Setbacks and yards*.

(1) *Minimum setback*. In accordance with § 154.069.

(2) *Side yards*. Same as required in the B-1 Zone, § 154.240.

(3) *Rear yard*. Same as required in the B-1 Zone, § 154.240.

(4) *Exceptions*. Exceptions to yard regulations are provided for in §§ 154.069 and 154.072 through 154.076.
(Prior Code, § 154.241) (Ord. passed 4-15-1957; Ord. 1194, passed 7-12-1983; Ord. 1243, passed 10-8-1985) Penalty, see § 154.999

§ 154.242 B-3 GENERAL BUSINESS ZONE.

The following regulations and the regulations contained in §§ 154.001 through 154.139 shall apply in the B-3 General Business Zone.

(A) *Permitted uses*.

(1) Any use permitted in the B-2 Rural Commercial Zone, provided all B-2 uses shall be subject to the same limitations and controls, except those regarding maximum height, as specially set forth in the B-2 Zone, § 154.241.

(2) The following uses, provided that when they are within 150 feet of a lot in a more restricted zone they shall be conducted wholly within a building, except for the off-street loading of delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102:

(a) Carpenter shop, cabinet shop, plumbing or sheet metal fabricating shop, but excluding manufacturing;

(b) Ice manufacture or cold storage;

(c) Warehousing;

(d) Wholesale merchandise storage;

(e) Pawnshop;

(f) Rescue or temporary revival mission; and

(g) Trade school, business school, or private school operated as a commercial enterprise.

(3) The following uses, provided they are conducted wholly within a building, except for off-street loading or delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102:

(a) Secondhand store; and

(b) Upholstering shop.

(4) The following uses, provided that when they are within 150 feet of a lot in a more restricted zone, they 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 fence, not less than four feet in height, except for the off-street loading of delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102:

(a) Building material sales yard, including the sale of lumber, rock, sand, and gravel;

(b) Contractor's equipment storage yard, plant, or rental of equipment commonly used by contractors;

(c) Draying, freighting, or trucking yard or terminal;

(d) Feed or fuel yard or grain elevator; and

(e) Public utility service yard or electrical receiving or transforming station.

(5) The following special exceptions, provided their location is first approved by the Board of Zoning Appeals as provided for in § 154.285:

(a) Penal or correctional institutions, sanitariums, hospitals, or asylums for contagious, mental, drug, or liquor addict uses;

(b) Animal hospital; and

(c) Recreational vehicle parks, Class D-1, may be permitted by special exception only, and only when in accordance with § 154.119.

(B) *Height*.

(1) *Maximum height*. Not to exceed 45 feet.

(2) *Exceptions*. Exceptions to height regulations are provided for in §§ 154.050 through 154.053.

(C) *Setbacks and yards*.

(1) *Minimum setback*. In accordance with § 154.069.

(2) *Side yards*. Same as the B-1 Zone, § 154.240.

(3) *Rear yard*. Same as the B-1 Zone, § 154.240.

(4) *Exceptions*. Exceptions to area regulations are provided for in §§ 154.069 and 154.072 through 154.076.
(Prior Code, § 154.242) (Ord. passed 4-15-1957; Ord. 1243, passed 10-8-1985) Penalty, see § 154.999

§ 154.243 HS-1 AND HS-2 HIGHWAY SERVICE DISTRICTS.

(A) *Purpose*. These two districts are intended to recognize and accommodate those commercial uses which are directly automobile oriented and must, by

necessity, be located on major highways. The primary distinction between the two districts is the traffic-generating characteristics, as well as the intensity of land use.

(1) *Highway Service District 1 (HS-1)*. The HS-1 District is for highway oriented intensive land uses, or high traffic generators usually located on the relatively small parcels of land.

(2) *Highway Service District 2 (HS-2)*. The HS-2 District is for highway oriented business usually requiring large tracts of land, but generally considered to be low traffic generators.

(B) *Uses permitted by right*. The following uses shall be permitted, provided they meet the requirements of all applicable regulations:

(1) *Highway Service District 1 (HS-1)*.

(a) Car wash;

(b) Drive-in banks;

(c) Restaurants and fast food restaurants;

(d) Taverns, night-clubs;

(e) Drive-in business (excluding drive-in theatres) where service may be in automobiles or outdoors, but where all other activities shall be carried on within a building. The outdoor space used or service shall be paved and adequately maintained so as to provide a durable, smooth, and dustless surface, and shall be so graded and provided with adequate drainage facilities that adjacent properties will not be adversely affected; and

(f) Gasoline service stations under the following conditions:

1. Steam-cleaning, mechanical, or physical modification of motor vehicles is specifically prohibited;

2. All activities, except those required to be performed at the fuel pumps, and car washing shall be carried on inside a building. If work is performed on a vehicle, that vehicle shall be entirely within a building;

3. No outdoor storage of wrecked, unlicensed, or partially dismantled vehicles shall be permitted unless the vehicles are required to be stored for a period of time by police or court order; and

4. No more than two driveway approaches shall be permitted directly from any major street, nor more than one driveway approach from any minor street, each of which shall not exceed 30 feet in width at the property line. If the property fronts on two or more streets, the driveways shall be located as far from the intersection of the street right-of-way lines as practical, but no less than 50 feet.

(2) *Highway Service District 2 (HS-2)*.

(a) Building supply and equipment stores;

(b) Indoor and outdoor motor vehicle, trailer, and boat display, sales, rental, and handling primarily new merchandise;

(c) Farm and contractors' equipment or storage yard, including sales and rentals;

(d) Bowling alleys;

(e) Golf driving ranges;

(f) Miniature golf when in conjunction with a driving range;

(g) Motels, motor courts;

(h) Public utility service yard or electrical receiving or transforming station;

(i) Indoor theatres;

(j) Greenhouses and nursery operations; and

(k) Other uses similar to uses permitted by right, provided they comply with the purpose and intent of this HS-2 District.

(C) *Uses permitted by special exception only.* The following uses may be permitted in the HS-2 District only by special exception.

(1) Outdoor drive-in theatres;

(2) Used car lots except when in conjunction with a new car dealership;

(3) Auditorium, athletic field, stadium, or other similar assembly halls; and

(4) Amusement parks other than a golf driving range or miniature golf.

(D) *Design specifications.*

Type of Area HS-1 District, HS-2 District		
Minimum lot area	10,000	1 acre
Minimum frontage	80 feet	100 feet
Setbacks and yards		
Minimum setback	In accordance with § 154.069	
Side and rear yards	10 feet	50 feet each with a minimum of 20 feet preserved as a landscaped buffer strip along all boundaries
Maximum lot coverage	25%	25%
Maximum height	35 feet	35 feet
Exceptions	In accordance with §§ 154.050–154.053, 154.069, 154.072–154.076	
Parking and loading	In accordance with §§ 154.090–154.101	

(E) *Sexually oriented businesses.*

(1) *Definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SEXUALLY ORIENTED BUSINESSES. Those businesses defined as follows:

1. ***ADULT ARCADE.*** Any establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each are regularly used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

2. ***ADULT BOOKSTORE, ADULT NOVELTY STORE*** or ***ADULT VIDEO STORE.*** A commercial establishment which has as a significant or substantial portion of its stock and trade

or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising to the sale or rental, for any form of consideration, of any one or more of the following:

a. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";

b. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others;

c. An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas," and still be categorized as adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is offering for sale or rental, from some form of consideration, the specified materials which depict or describe "specified anatomical areas" or "specified sexual activities."

3. ***ADULT CABARET.*** A nightclub, bar, restaurant, "bottle club," or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features:

a. Persons who appear nude or in a state of nudity or semi-nude;

b. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities;" or

c. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

4. ***ADULT MOTEL.*** A motel, hotel or similar commercial establishment which:

a. Offers public accommodations, for any form of consideration, which provides patrons with closed circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including but not limited to, newspapers, magazines, pamphlets, or leaflets, radio or television, or internet mediums; or

b. Offers a sleeping room for rent for a period of time less than ten hours; or

c. Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten hours.

5. ***ADULT MOTION PICTURE THEATER.*** A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

6. ***ADULT THEATER.*** A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."

7. ***ESCORT.*** A person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

8. ***ESCORT AGENCY.*** A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

9. ***MASSAGE PARLOR.*** Any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses shall not include the practice of massage in or by any licensed hospital; nor by a licensed physician, surgeon, chiropractor or osteopath; nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath; nor by a massage therapist who has successfully completed a minimum of 500 hours of supervised classroom training on massage therapy at a school or institution accredited by the Indiana Commission on Proprietary Education or program at an institution of higher education that is approved by the State of Indiana, or accredited by another state where the standards for massage therapy education as substantially the same as the standards in Indiana, or who currently holds a license, certification or registration in good standing in another state equal to those standards for massage therapy, and the massage therapist does not conduct or administer massages in the manner described above; nor by trainers for any amateur, semi-professional or professional athlete or athletic team or school athletic program.

10. ***NUDE MODEL STUDIO.*** Any place where a person, who regularly appears in a state of nudity or displays "specified anatomical areas" for money or any form of consideration and is to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons.

11. ***SEXUAL ENCOUNTER ESTABLISHMENT.*** A business or commercial establishment that, as one of its primary business purposes offers for any form of consideration a place where two or more persons may congregate, associate, or consort for the purpose of engaging in "specified sexual activities" or the exposure of "specified anatomical areas" or activities when one or more of the persons is in a state of nudity or semi-nude. The definition of sexually oriented businesses shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

LICENSED DAY-CARE CENTER. A facility licensed by the State of Indiana, whether situated within unincorporated Lake County or not, that provides care, training, education, custody, treatment or supervision for more than 12 children under 14 years of age, where such children are not related by blood, marriage or adoption to the owner or operator of the facility, for less than 24 hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

SPECIFIED ANATOMICAL AREAS. ***SPECIFIED ANATOMICAL AREAS*** means:

1. The human male genitals in a discernibly turgid state, even if fully and opaquely covered;

2. Less than completely and opaquely covered human genitals, pubic region, buttocks, or a female breast below a point immediately above the top of the areola.

SPECIFIED SEXUAL ACTIVITIES. Means and includes any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts, whether covered or uncovered;

2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

3. Masturbation, actual or simulated; or

4. Excretory functions as part of or in connection with any of the activities set forth in divisions 1. through 3. above.

(2) *Statement of purpose*. It is the purpose of this chapter to regulate sexually oriented businesses and related activities, to promote the health, safety, morals, and general welfare of the citizens of Lake County, and to establish reasonable and uniform provisions to prevent the deleterious effects of sexually oriented businesses within Lake County. The provisions of this chapter have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of this chapter to restrict or deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Further, it is not the intent or effect of this chapter to condone or legitimize the distribution of obscene materials. It is not the intent or effect of this chapter to limit or restrict lawful activities permitted under the Indiana Code.

(3) *Findings*. Based on evidence concerning the adverse secondary effects of sexually oriented businesses on the community presented in hearing(s) and in reports made available to the Lake County Plan Commission and adopted as a 12-page study on May 5, 2004, and Lake County Council, and on findings incorporated in the cases of *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 426 U.S. 50 (1976); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *Arcara v. Cloud Books, Inc.*, 478 U.S. 697 (1986); *California v. LaRue*, 409 U.S. 109 (1972); *Lacobucci v. City of Newport, KY*, 479 U.S. 92 (1986); *United States v. O'Brien*, 391 U.S. 367 (1968); *City of Erie v. Pap's A.M.*, 120 S. Ct. 1382 (2000); *City of Los Angeles v. Alameda Books, Inc.*, 122 S. Ct. 1728 (2002); *Broadway Books, Inc. v. Roberts*, 642 F. Supp. 486 (E.D. Term. 1986); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Pleasureland Museum, Inc. v. Beutter*, 2002 WL 818791 (7th Cir. 2002); *Kev, Inc. v. Kitsap County*, 793 F.2d 1053 (9th Cir. 1986); *Hang On, Inc. v. City of Arlington*, 65 F.3d 1248 (5th Cir. 1995); *South Florida Free Beaches, Inc. v. City of Miami*, 734 F.2d 608 (11th Cir. 1984); *Mitchell et. al. v. Commission on Adult Entertainment Establishments of the State of Delaware et. al.*, 10 F.3d 123 (3d Cir. 1993); *Ellwest Stereo Theatre, Inc. v. Boner*, 718 F. Supp. 1553 (M.D. Term. 1989); *City of Lincoln Nebraska v. ABC Books, Inc.*, 470 N.W.2d 760 (Neb. 1991); *Berg v. Health & Hosp. Corp. of Marion County*, 865 F.2d 797 (7th Cir. 1989); *Shultz v. Cumberland*, 228 F.3d 831 (7th Cir. 2000), as well as studies conducted in communities including, but not limited to Indianapolis, Indiana; Phoenix, Arizona; Minneapolis, Minnesota; Houston, Texas; Amarillo, Texas; Garden Grove, California; Los Angeles, California; Whittier, California; Austin, Texas; Seattle, Washington; Oklahoma City, Oklahoma; Cleveland, Ohio; and Beaumont, Texas; findings reported in the *Final Report of the Attorney General's Commission on Pornography* (1986), the *Report of the Attorney General's Working Group On the Regulation of Sexually Oriented Businesses* (6-6-1989, State of Minnesota); and statistics of the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, the Lake County Plan Commission finds:

(a) Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are presently insufficiently controlled by the operators of the establishments.

(b) Crime statistics show that all types of crimes, especially sex-related crimes, occur with more frequency in neighborhoods where sexually oriented businesses are located.

(c) Sexual acts, including masturbation, oral sex and anal sex, occur at sexually oriented businesses, especially those which provide booths or cubicles for viewing films, videos, or live sex shows.

(d) Acts of prostitution commonly occur at or in the area of sexually oriented businesses.

(e) Persons frequent certain adult theaters and other sexually oriented businesses for the purpose of engaging in sex within the premises.

(f) At least 50 communicable diseases may be spread by activities that occur in adult sexually oriented businesses, including, but not limited to, syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genial herpes, hepatitis B, Non A, salmonella infections and shigella infections.

(g) Prostitution, sexual assaults and other criminal activity occur at or in the area of sexually oriented businesses.

(h) Prostitution is connected to the spread of sexually transmitted diseases.

(i) There is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values.

(j) It is recognized that sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area.

(k) It is not the intent of this section to suppress any speech activities protected by the First Amendment, but to enact a content-neutral section that addresses the secondary effects of sexually oriented businesses as well as the health problems associated with such businesses; and it is not the intent of the Lake County Plan Commission to condone or legitimize the distribution of obscene materials, and the Commission recognizes that state and federal law prohibits the distribution of obscene materials and expects and encourages state enforcement officials to enforce state and federal obscenity statutes against any such illegal activities in the County of Lake.

(l) Sexually oriented businesses have operational characteristics which should be reasonably regulated in order to protect those substantial governmental concerns.

(m) The general welfare, health, morals and safety of the citizens of Lake County will be promoted by the enactment of this chapter.

(4) *Prohibitions*.

(a) *Sexually oriented business within 1,000 feet of other certain businesses and/or uses*. The establishment, enlargement, reconstruction, resumption or structural alteration of any sexually oriented business shall be prohibited if such business is within 1,000 feet of another such business or within 1,000 feet of any existing church, church zoning district, public, private or parochial school for kindergarten through twelfth grade, school zoning district, park, parking zoning district, locally designated historic preservation area, licensed day care center or day care home or lots zoned for residential use and devoted to a residential use as defined in the zoning code within Lake County, Indiana.

(b) *Special exception*. Provided further, no sexually oriented business shall be established, enlarged, reconstructed, resumed or structurally altered unless the site or proposed site is located in Highway Service District-1 (HS-1) zone by special exception.

(c) *Measurement of distances.* The distance between one sexually oriented business and another sexually oriented business shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of each such business. The distance between an adult entertainment business and any church, church zoning district, public, private, or parochial school for kindergarten through twelfth grade, school zoning district, park, park zoning district, locally designated historic preservation area, licensed day care center or day care home shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior structural wall of the adult entertainment business to the nearest property line of the church, church zoning district, public, private or parochial school for kindergarten through twelfth grade, school zoning district, park, park zoning district, locally designated historic preservation area, day care center or day care home. If a sexually oriented business is part of or include within a business center, only the portion of such center or leased space occupied by such sexually oriented business shall be included in determining the closest exterior structural wall of such establishment.

(d) *Exterior display.*

1. *General prohibition.* No sexually oriented business shall be conducted in any manner that permits the observation of any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decorations, sign, show window or other opening from any public view.

2. *Number of signs.* Not more than one business wall sign shall be permitted for a sexually oriented business and such sign shall be permitted only on the front facade. In addition to the one permitted business wall sign, a sexually oriented business not located within a business center shall be permitted not more than one pole or ground sign structure if it is an entity of commercial development held in either private ownership or long-term lease, and which meets all of the requirements of the zoning district in which it is located. Such requirements shall include direct access to a public street from that property and a full amount of required parking on the site with the use. All other sign structures shall be prohibited.

3. *Sign surface area.* The sign surface areas of a business wall sign for an sexually oriented business shall not exceed an amount equal to 5% of the front building facade of the first floor elevation (first ten feet) of the premises occupied by the sexually oriented business, or 100 square feet, whichever is the lesser. The maximum sign surface area of a ground or pole sign structure, where permitted, shall not exceed one square foot for each lineal foot of frontage of the lot, or 36 square feet, whichever is the lesser.

4. *Lighting.* Signs and sign structures may be illuminated, provided, however, such illumination shall not be by way of exposed neon, exterior lighting (e.g., spot or floodlights), or any flashing or animated lights (either interior to the sign, on the exterior of the sign, or as a border to the sign).

(e) *Parking.* Parking for a sexually oriented business shall be provided on the site with the use. There shall be at least one parking space for each 285 square feet of floor area or one parking space for every two seats of seating capacity, whichever standard results in the higher requirement.

(f) *Continuation of non-conforming use.* The lawful use of land or buildings existing at the times of the adoption of this chapter may continue although such use does not conform to the regulations specified herein, subject to the provisions set forth in divisions (4)(a) and (4)(b) above.

(Prior Code, § 154.243) (Ord. passed 4-15-1957; Ord. 1244, passed 10-8-1985; Ord. 2069, passed 12-14-2004; Ord. 2167, passed 8-9-2006) Penalty, see § 154.999

§ 154.244 PROFESSIONAL OFFICE ZONE.

(A) *Purpose*. This district is designed to accommodate those non-residential uses of an administrative or professional nature which are necessary to the normal conduct of a community's activities. It is not intended to accommodate commercial establishments of a retail nature.

(B) *Permitted uses*.

(1) Offices of a professional nature, including, but not limited to architects, engineers, lawyers, planners, surveyors, and similar professions;

(2) Offices of an administrative nature, including, but not limited to, accounting, clerical, real estate, insurance, and the like;

(3) Medical and dental facilities for human care, including laboratories, but excluding facilities for overnight care;

(4) Any other use of similar nature, provided that is no on-site sale of goods, or exchange of the goods;

(5) Signs are in accordance with § 154.038; and

(6) Public parking is in accordance with §§ 154.050 through 154.053.

(C) *Height*.

(1) *Maximum height*. Two stories not to exceed 25 feet in height.

(2) *Exceptions*. Exceptions to height regulations are provided for in §§ 154.050 through 154.053.

(D) *Yards*.

(1) *Minimum setback*. In accordance with § 154.069.

(2) *Side yards*. In all instances, there shall be a side yard of not less than four feet for each story of height, but the side yard shall not be less than six feet in width.

(3) *Rear yard*. In all instances, there shall be a rear yard of not less than 20% of the depth of the lot, but the rear yard need not exceed 20 feet.

(4) *Exceptions*. In accordance with §§ 154.069 and 154.072 through 154.076.

(E) *Maximum lot coverage*.

(1) Building coverage shall be limited to 25% of the total area of the lot. Not more than one building shall be permitted on a lot.

(2) Not more than 50% of the area of the lot may be covered by drives or parking areas.
(Prior Code, § 154.244) (Ord. passed 4-15-1957) Penalty, see § 154.999

§ 154.245 BP PLANNED BUSINESS CENTERS ZONE.

(A) *General conditions*. A BP (Planned Business Centers) District may be established upon a tract of land in single ownership, or under united control, provided the preliminary and final development plan for a planned business center has been prepared and submitted in compliance with the regulations and requirements of this section. The approximate location of a planned business center shall be designated on the zoning map by a star. One center may be located within, 1,400 feet of the center of the star, provided the applicant has met the requirements of this section.

(1) *Area*. This district shall be further divided into BP-1, BP-2, and BP-3 Districts with requirements as listed below:

(a) *BP-1 District*. The net area of land to be included and so designated shall be at least one and one-half acres in size.

(b) *BP-2 District*. The net area of land to be included and so designated shall be at least five acres.

(c) *BP-3 District*. The net area of land to be included and so designated shall be at least ten acres.

(d) *Net area, exclusions*. The net area as used herein shall not include any area within designated highways, streets, alleys, or any other public ways or public property.

(e) *Area occupied by a building on a tract of land established as BP District*. The area occupied by a building on a tract of land which is to be established as a BP District shall be 25% or less of the net area of the District. The location of any BP District shall be on property which has an acceptable relationship to major thoroughfares. The Plan Commission must satisfy itself as to the adequacy of the thoroughfares to carry the additional traffic engendered by the development, and may request a report and recommendation from the County Highway Superintendent.

(2) *Management; relation to other properties*. The place of the proposed development must present a unified and organized management of building and service facilities which shall have a functional relationship to the properties and public ways comprising the planned development and shall not adversely affect the properties and uses of properties immediately adjacent to the proposed development.

(3) *Modification of requirements*. The requirements and regulations herein described pertaining to height, yards, setbacks, and parking and loading may be adjusted or modified by the County Plan Commission before a BP District is established so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and the interest of the community, but in keeping with the general intent and spirit of this chapter.

(4) *Procedure for approval of planned business center*. The County Plan Commission shall have the power to make and adopt such rules and regulations as are necessary and proper to effectuate the purpose of this section. The Plan Commission may, if it sees fit, require the developer to have made a projected shopping analysis of the surrounding trade area in which it is anticipated that the center may draw for its customers.

(a) The proponents of a planned business center shall prepare or submit a preliminary development plan to the County Plan Commission for its inspection and review, upon which the Plan Commission shall hold a public hearing. Notification will be published in a newspaper of general distribution in the county at least ten days prior to the hearing.

(b) Upon determination by the Commission that the preliminary plan as prepared and submitted, meets the requirements and regulations of this section, the proponent shall prepare and submit a final development plan, which plan shall incorporate any changes or alterations suggested by the Commission. If the final development plan is found to comply with the intent of the requirements and regulations set forth in this section, the Commission shall prepare and submit to the legislative body a request for an ordinance, which shall provide for the establishment of a BP District in accordance with the final development plan submitted. The legislative body may modify the final development plan consistent with the intent and meaning of the ordinance.

(c) The preliminary and final development plans submitted shall comply with the rules and regulations adopted by the legislative body for the submission, review, and development of planned business centers.

(d) The final development plan, upon being approved by the legislative body, shall be recorded with the County Recorder of Deeds of Lake County. Application may be made directly to the legislative body for the zoning of property for a

planned business shopping center. However, before taking action, the legislative body shall refer the matter to the County Plan Commission for recommendations. The procedure and requirements for the submission of the plans and the information required shall be the same as though the application had been made directly to the County Plan Commission and which is provided for in this section. When the matter has been referred to the County Plan Commission by the legislative body and action has been taken by the County Plan Commission, the plan, together with the recommendation of the County Plan Commission, shall be submitted to the legislative body.

(e) The proponents of the planned business center shall prepare and submit a schedule of construction, which construction shall begin with a period of one year following the approval of the final development plan by the legislative body and the issuance of a building and zoning permit. Failure to begin construction as scheduled shall void the plan as approved unless request for an extension is made by the proponents to the Board of Zoning Appeals and approved by the Board. No fee shall be charged for this request.

(f) If, for any reason, the plan is abandoned or if the construction is terminated after the completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing the BP District shall be restricted by the legislative body and the zoning of the entire tract of the portion which is undeveloped as a planned business center shall be changed to its former classification by ordinance.

(g) After the final development plan has been approved and the zoning change has been made, and when, in the course of carrying out this plan, adjustments or re-arrangement of the buildings, parking areas, entrances, heights, or yards are being requested by the proponents, and the request conforms to the standards established by the approved final development plan for the area to be covered by buildings, parking space, entrances, heights, setbacks, and lot area requirements, the adjustments may be approved by the Board of Zoning Appeals upon application without fee and after receiving the recommendations of the County Plan Commission.

(h) The plan shall meet the following requirements set forth in this section as to use, height, yard space, off-street parking and loading, and all driveways or shop access-ways.

(B) *Use*. In District BP, which is further divided into BP-1, BP-2, and BP-3, no building or land shall be used and no building shall be erected, altered, or enlarged, which is arranged, intended, or designed for other than the following uses:

(1) *All BP Districts*. In any BP District, only one entrance sign and flat wall sign on the face of a building or marquee are permitted. Otherwise, all advertising signs will comply with the regulations indicated in § 154.038, with the exception that one additional sign structure to indicate each planned business center shall be permitted. Such identifying sign or structure shall be a permanent type construction and shall conform to all the requirements of this chapter, as well as the Building Code of the county. The plans for the sign or structure shall be submitted as part of the preliminary and final development plan.

(2) *BP-1 Districts*.

(a) Artist's studios;

(b) Bakery or pastry shops (retail only), employing not more than five persons on the premises;

(c) Banks;

(d) Barber or beauty shops;

(e) Bicycle repair shops;

(f) Book or stationery stores;

(g) Churches;

(h) Cleaners collection stations;

(i) Clinics (for humans only);

(j) Clothing or ready-to-wear stores;

(k) Confectionery stores;

(l) Dancing schools;

(m) Drug stores;

(n) Dry goods or notions stores;

(o) Dyeing, dry cleaning, or laundry collection offices;

(p) Electrical shops;

(q) Fix-it radio or television repair shops;

(r) Florists or gift shops;

(s) Furniture homes or stores;

(t) Garages (storage) for motor vehicles; no body or fender work;

(u) Grocery, fruit or vegetable stores;

(v) Jewelry stores;

(w) Meat markets or delicatessens;

(x) Music studios;

(y) Hardware stores;

(z) Offices, including ticket offices for railroads, buses, and the like;

(aa) Plumbing shops; no tinwork or outside storage permitted;

(bb) Photographic studios or shops;

(cc) Public parking lots or stations for passenger cars or taxicabs;

(dd) Restaurants or tea rooms, excluding drive-ins;

(ee) Service stations (gasoline and oil), not including motor, body, or fender work, and complying with the restrictions for such as given in § 154.240(B)(1);

(ff) Shoe stores or shoe repair shops;

(gg) Tailor shops;

(hh) Other retail business activities of the character enumerated above, not included in any other classification;

(ii) Accessory uses customarily incidental to the uses enumerated above, including air conditioning plants and ice refrigeration plants purely incidental to a main activity permitted on the premises. A maximum of one horsepower employed in the operation of any one machine, or a total of three horsepower for the manufacture of articles to be sold at retail on the premises shall be permitted as an accessory use. No more than 115 volts shall be used on power equipment, other than heating and air conditioning; and

(jj) Department store.

(3) *BP-2 Districts*.

(a) Any use permitted in a BP-1 District;

(b) Auto laundries;

(c) Automobile or trailer sales rooms;

(d) Bakery or pastry shops, retail only;

(e) Barbecue stands;

(f) Bars and cocktail lounges if they comply with the liquor ordinance;

(g) Billiard or pool halls and bowling alleys, if the nearest point of the property is more than 200 feet from the boundary of an R-1 to R-3 District, inclusive;

(h) Bus stations;

(i) Business or commercial schools, not including trade schools;

(j) Children's day nurseries for the convenience of customers, including accessory amusement devices;

(k) Commercial photography;

(l) Drive-in restaurants where persons are served in automobiles, when the nearest point of the property is more than 200 feet from the boundary of an R-1 to R-3 District, inclusive, and provided all work is done within the building;

(m) Frozen food lockers for individual or family use;

(n) Garages, public, provided the nearest point of the property is more than 200 feet from the boundary of an R-1 to R-3 District, inclusive, and provided all work is done within the building;

(o) Ice cream stores;

(p) Job printing, newspapers, lithographing, and publishing (less than a total of five horsepower);

(q) Launderettes, washaterias, or self-service laundries;

(r) Loan and finance companies;

(s) Night clubs or taverns, if they comply with the liquor ordinance;

(t) Office buildings;

(u) Package liquor stores, if they comply with the liquor ordinance;

(v) Pet shops, if entirely within a building;

(w) Pony rings, provided the animals are stabled outside of the development, and when in connection with a day nursery;

(x) Public parking stations for commercial delivery cars not exceeding three-quarters of a ton;

(y) Service stations, gasoline and oil;

(z) Telephone exchanges;

(aa) Theatres and picture shows, other than drive-ins;

(bb) Tire and battery shops; and

(cc) Wholesale sales offices and sample rooms. A maximum of one horsepower employed in the operation of any one machine, or a total of three horsepower for the manufacture of articles to be sold at retail on the premises shall be permitted as an accessory use. No more than 115 volts shall be used on power equipment, other than heating and air conditioning.

(4) *BP-3 Districts.*

(a) Any use permitted in a BP-2 District;

(b) Battery stations;

(c) Cat and dog hospitals, sound-proofed and air conditioned, and without outside pens;

(d) Diaper service;

(e) Drive-in businesses where persons are served in automobiles, such as refreshment stands, restaurants, food stores, and the like, provided the

nearest point of the property is more than 100 feet from the boundary of residentially zoned R-1 to R-3 property, inclusive;

(f) Garages, public, provided the nearest point of the property is more than 100 feet from the boundary of an R-1 to R-3 District, inclusive, and provided all work is done within the building;

(g) Manufacture of articles sold only at retail on the premises;

(h) Miniature golf courses;

(i) Newspapers, job printing, lithographing, and publishing;

(j) Parking stations for trucks and buses;

(k) Photograph printing shops;

(l) Plumbing or sheet metal shops (allow punching of material of one-eighth inch or less in thickness);

(m) Sign painting and sign shops;

(n) Taxidermy;

(o) Tourist courts and motels;

(p) Transfer and storage offices; and

(q) Accessory uses customarily incidental to the above uses. A maximum of three horsepower employed in the operation of any machine for the manufacture of merchandise shall be permitted as an accessory use.

(C) *Height, yard, and area regulations.*

(1) *Height.*

(a) *BP-1 District.* The height shall not exceed two stories and shall not exceed 35 feet.

(b) *BP-2 Shopping District.* The height shall not exceed three stories and shall not exceed 45 feet.

(c) *BP-3 District.* The height shall not exceed six stories and shall not exceed 75 feet.

(d) *Planned business center.* If a planned business center is to be constructed in the vicinity of an airport, no building or structure shall be erected whose roof, chimney, or top-most structure or portion of a structure, shall intrude into an approach zone as indicated in Civil Aeronautics Authority Regulations, provided that this shall not prohibit the erection of a building or structure of a height not over 25 feet.

(2) *Yards.* In any BP District, there shall be a setback from any street conforming to the requirement in which the district is located. Any structure in the BP District shall be at least 20 feet from any other building and ten feet from any parking lot.

(a) Along any property line within or adjoining an established commercial district, there shall be a setback from any building or structure of at least ten feet, unless provisions for a fire lane are not considered necessary. Along any other property line abutting or adjoining a residential zone district, there shall be a setback of at least 20 feet from any building or parking lot.

(b) The planned business center shall be permanently screened from any abutting or adjoining properties zoned for residential use by a wall, fence, hedge, or other suitable enclosure at least three and one-half feet in height, which shall be erected or placed at least 15 feet from the property line. The area between the wall, fence, or hedge planting shall be planted with grass, trees, and shrubs to form a permanent screen. Such trees, shrubs, and grass shall be properly and adequately maintained by the developer or subsequent owner.

(c) The building line along any street shall be consistent with the building line established in the neighboring residential district.

(d) The County Plan Commission may recommend a reduction in the above-required setback where the situation will reasonably warrant the reduction.

(D) *Parking and loading regulations*. Parking shall be provided in accordance with §§ 154.090 through 154.102. Ample off-street parking space for standard loading and unloading shall be provided within the development. The location of illumination for any driveway and parking area shall be on light standards at least 12 feet above the ground, but shall not exceed 18 feet in height. Lights used to illuminate the parking area shall be so spaced that they will not reflect on adjoining streets or residential properties. (Prior Code, § 154.245) (Ord. passed 4-15-1957) Penalty, see § 154.999

INDUSTRIAL ZONES

§ 154.260 M-1 LIGHT INDUSTRIAL DISTRICT.

The regulations contained in §§ 154.001 through 154.139, as well as those contained in this section, shall apply to the M-1 Light Industrial District, provided a maximum of five horsepower shall be employed in the operation of any one machine, and that the machines shall be used within a building at least 300 feet from a business or residential zone.

(A) *Limitations and controls in § 154.241*. Any use permitted in § 154.241(A)(2), provided all the uses therein shall be subject to the same limitations and controls as specifically set forth in § 154.241 and provided further that a building containing dwelling units shall not be permitted.

(B) *Uses within 100 feet of lot in a more restrictive zone; conducted wholly within a building*. The following uses, provided that if they are within 100 feet of a lot in a more restrictive zone, said uses shall be conducted wholly within a building, except for off-street loading or delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102:

(1) The manufacture, compounding, processing, packaging, or treatment of food products, except fish and meat products, sauerkraut, vinegar, yeast, and the rendering or refining of fats and oils;

(2) The manufacture of pottery, figurines, or any other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas;

(3) Automobile assembly, painting, upholstering, rebuilding, reconditioning, truck repair or overhauling, tire retreading or recapping, and battery manufacture;

(4) Blacksmith shops, manufacturing of machine tools, manufacturing of machinery including agricultural, electrical machinery or equipment, office or store machines, equipment or supplies and the like, machine shops, excluding punch presses over 100-tons' ready capacity, and drop hammers;

(5) Foundries casting light-weight, non-ferrous metals not causing noxious fumes or odors;

(6) Animal hospitals or kennels;

(7) Chick hatcheries; and

(8) Underground storage of fuel oil, liquified petroleum gas, and gasoline in amounts not to exceed 120,000-gallon capacity.

(C) *Uses carried on completely within the building*. The following uses, provided the operations are carried on completely within the building:

(1) Auto wrecking;

(2) Bleaching or dyeing;

(3) Body or fender works;

(4) Breweries or liquor distilleries; and

(5) Stone cutting.

(D) *Height*.

(1) *Maximum height*. Same as required in a B-3 Zone (§ 154.242), provided that no building or structure, nor the enlargement of any building or structure shall be hereafter erected or maintained to exceed the height requirements of an adjacent R Zone when the building or structure is within 150 feet of the adjacent R Zone.

(2) *Exceptions*. Exceptions to height regulations are provided for in §§ 154.050 through 154.053.

(E) *Setbacks and yards*.

(1) *Minimum setback*. In accordance with § 154.069.

(2) *Side yards*. Where the side of a lot in the M-1 Zone abuts upon the side of a lot in an R Zone, there shall be a side yard of not less than four feet for each story of 12 feet in height, but such side yard shall be not less than six feet in width. In all other cases, a side yard for an industrial building shall not be required, but if provided, it shall not be less than four feet in width.

(3) *Rear yards*. Where the rear of a lot in the M-1 Zone abuts upon a lot in an R Zone, there shall be a rear yard of not less than 20% of the depth of the lot, but the rear yard need not exceed 20 feet. In all other cases, a rear yard for an industrial building shall not be required, but if provided, it shall be not less than four feet in depth.

(4) *Exceptions*. Exceptions to yard regulations are provided for in §§ 154.069 and 154.072 through 154.076.
(Prior Code, § 154.260) (Ord. passed 4-15-1957; Ord. 1563, passed 1-11-1994) Penalty, see § 154.999

§ 154.261 M-2 HEAVY INDUSTRIAL DISTRICT.

The following regulations and the regulations contained in §§ 154.001 through 154.139 shall apply in the M-2 District.

(A) The following uses, provided that if they are within 150 feet of a residential or business zone, they shall be contained wholly within a building, or within an area enclosed on all sides with a solid wall, compact evergreen screen, or uniformly painted board or metal fence not less than six feet in height, except for the off-street parking and loading of delivery vehicles which are incidental thereto as required in §§ 154.090 through 154.102:

(1) Brick, tile, terra cotta, or cinder block;

(2) Acetylene gas manufacture or storage;

(3) Alcohol manufacturing;

(4) Ammonia or bleaching powder manufacturing;

(5) Asphalt manufacturing or refining;

(6) Boiler works, locomotive or railroad car manufacturing;

(7) Carbon or lampblack manufacturing;

(8) Central station light or power plant;

(9) Coal distillation, including manufacture or derivation of the by-products;

(10) Coke oven;

(11) Creosote manufacture or treatment;

(12) Gas manufacture from coal or petroleum, or the storage thereof;

(13) Furniture manufacture;

(14) Iron or steel foundry, steel furnace or rolling mill, except smelting;

(15) Meat products manufacture;

(16) Oilcloth or linoleum manufacture;

(17) Paint, oil (including linseed), shellac, turpentine, lacquer, or varnish manufacture;

(18) Planing mill;

(19) Plastic manufacture;

(20) Power forge;

(21) Pyroxylin manufacture;

(22) Railroad yards, including turntables and repair facilities;

(23) Rubber or gutta-percha manufacture or treatment;

(24) Soap manufacture;

(25) Stove or shoe polish manufacture;

(26) Tanning, curing, or storage of raw hides; and

(27) Tar distillation or tar products manufacture.

(B) Height, yard, setback, and area regulations shall be the same as for the M-1 District (§ 154.260(A) and (B)).
(Prior Code, § 154.261) (Ord. passed 4-15-1957; Ord. 1563, passed 1-11-1994) Penalty, see § 154.999

§ 154.262 CDD CONDITIONAL DEVELOPMENT DISTRICT.

(A) *Purpose*. This district is created to protect the public health, safety, comfort, and general welfare as concerns uses that have a serious impact on the environment and on neighboring properties, and to provide a proper classification for the approval of the uses.

(B) *Permitted uses*.

(1) Quarries and borrow pits. Whenever quarries, borrow pits, sand mines, and peat mines are requested, a public hearing shall be conducted by the County Plan Commission for the purpose of providing parks, recreational areas, or other uses upon the completion of the project. In such cases, the operator shall submit a plan to show the depth, extent, and indication of the size of the excavations, and the proposed use of the land when the project is completed. No quarries and borrow pits shall be approved within 1,000 feet of any subdivision;

(2) Sanitary landfills. When in accordance with the county sanitary landfill ordinance as set forth in Chapter 94, sanitary landfills may be permitted in this zone. The Plan Commission and/or the legislative body may require as special conditions to any change of zone to this classification any of the requirements or conditions that are contained in the county sanitary landfill ordinance (Ord. 26, passed 8-20-1974, as amended) which is set forth in Chapter 94, and all sanitary landfills shall in all respects comply therewith;

(3) Private airfields. Private airfields utilizing turf or gravel runways;

(4) Go-kart tracks;

(5) Concrete mixing;

(6) Use upon recommendation. Upon recommendation of the County Plan Commission, after a public hearing and by a majority vote, the following uses may be included in the CDD Zone provided that specific conditions to protect the public are included.

(a) Slaughterhouse;

(b) Junk yard;

(c) Feed lots in other than an A-1 Zone, and on less than 20 acres;

(d) Auto body and fender work;

(e) Material storage or use; and

(f) Any use not specifically authorized in any other zone may be permitted in a CDD Zone provided the use will not be injurious to adjacent property owners or to the general public health and welfare.

(7) Rags, paper junk or metal. Storage, sorting, collection, or baling of rags, paper, junk, or metal;

(8) Garbage disposal. Garbage disposal, including garbage feeding, transfer stations and similar uses;

(9) Incinerator, municipal;

(10) Composting; and

(11) Environmentally questionable use of garbage. Any other environmentally questionable use of garbage, waste or by-products. This determination shall be made by the Executive Director of the Plan Commission.

(C) *Special conditions*. In approving any CDD Zone, the Plan Commission and/or the legislative body may require any special conditions or provisions necessary for the protection of adjacent property owners or other residents in unincorporated Lake County or which are reasonably required to protect the general public health and welfare, including but not limited to compliance with any and all laws or ordinances affecting the intended use or performance bonds to indemnify against loss or injury to residents.

(D) *Zones for specific use only*. Any amendment to this chapter reclassifying property to a CDD Zone shall specify that the change of zone is granted only for the purpose of permitting a specific use. No other use available under this CDD Zone shall be lawful unless subsequent approval is given by the County Plan Commission and the legislative body.

(E) *Height, yard and setback regulations*. Height, yard and setback regulations are the same as § 154.242(B) and (C).
(Prior Code, § 154.262) (Ord. passed 4-15-1957; Ord. 1563, passed 1-11-1994; Ord. 2157, passed 9-12-2006) Penalty, see § 154.999

§ 154.263 PLANNED INDUSTRIAL CENTER.

(A) *Purpose*. The primary purpose of this district is to provide a means for the consolidation of numerous, small industrial plants and research facilities in a common park-like atmosphere conducive to the mutual benefit of large-scale development, while minimizing potential adverse effects on surrounding properties by providing for suitable open spaces, landscaping, parking, and traffic control not always feasible by the uncontrolled dispersal of numerous small industrial units on isolated sites.

(B) *Minimum site requirements*.

(1) *Location*. The parcel of land shall have direct access to a secondary, primary, or state highway as designated in the County Preliminary Thoroughfare Plan.

(2) *Sewage disposal*. Sewage disposal facilities approved by the County Health Department or any applicable state agency, shall be available to the property in question.

(3) *Stormwater run-off*. The property in question shall be capable of disposing of stormwater run-off without adversely affecting adjacent properties.

(4) *Other utilities*. Other utilities, i.e., water, electricity, gas, and telephone, shall be available to the property in question.

(5) *Topography and soils*. The proposed project shall be reasonably level and well drained.

(6) *Minimum parcel area*. No planned industrial center development shall be initiated on less than 30 acres of land so that sufficient area is available

for modern horizontal plants, parking facilities, loading areas, internal traffic circulation, yard space, buffers, and landscaping within a flexible and efficient layout.

(C) *Procedure for application for rezoning*. In addition to the requirements of § 154.285, the petitioner shall submit the following:

(1) A site plan of the proposed project showing the title block, including the name of the project, date, scale, and north arrow; the name and address of the owner and the developer, as well as the name and address of the planner or engineer preparing the plan;

(2) The location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land;

(3) The location of all entrances and exits, including acceleration and deceleration lanes, frontage roads, and traffic regulation controls, and any other information requested by the Plan Commission for the proper review of traffic circulation;

(4) Exterior buffer strips, screening, and setbacks;

(5) Topographic information at two-foot contour levels with reference to U.S.G.S. datum;

(6) Soil information as determined from the Department of Agriculture, Soil Conservation Survey; and

(7) Evidence that all utilities listed in division (B) of this section are available to the parcel in question.

(D) *Apply for a building permit*. Upon approval of the rezoning by the legislative body, the petitioner shall apply to the County Plan Commission for a building and zoning permit prior to starting construction of any industrial buildings.

(1) Application for a building and zoning permit shall be required for each industrial building or use, or group of buildings or uses, to be constructed in one phase.

(2) The application shall include the following:

(a) The site plan showing conformance with all applicable county regulations;

(b) Satisfactory evidence that all utility needs have been satisfied; and

(c) Any other information or approvals deemed necessary for proper review of the application.

(E) *Permitted uses*. The following uses may be permitted, provided they are not offensive to the occupants of adjacent premises by reason of the creation or emission of noise, smoke, odor, dust, dirt, toxic or noxious materials, glare, heat, or fire, explosion, or radiation hazards:

(1) Industrial administrative offices;

(2) Laboratories, offices, and other facilities for research, both basic and applied, conducted by or for any individual or organization or concern;

(3) Production of prototype products when limited to the scale necessary for full investigation of the merits of the product;

(4) Production, processing, storage, and distribution of materials, goods, and products not involving a retail activity on the lot or parcel; excluding those uses listed under division (F) below;

(5) Accessory uses clearly appurtenant to the main use of the lot and customary to and commonly associated with the main use, such as:

(a) Caretaker's residence; and

(b) Restaurants and cafeteria facilities, provided the restaurant or facility is so located or designed within the park as to present no visible evidence of their commercial nature to persons outside the park; and that the use of such facility shall be solely by the occupants of the park.

(F) *Uses prohibited.*

(1) Abattoir;

(2) Stamping machines, punch presses over ten ton limit;

(3) Hot forgings, steam, or board hammers;

(4) Open storage for junk, auto wrecking yards, and other waste products; and

(5) Manufacturing, storage, or use of explosives of any kind.

(G) *Performance standards.* No use shall be permitted which would violate any of the following minimum performance standards:

(1) *Noise.* No use shall be permitted which would create noise exceeding the level of normal conversation when measured at any property line.

(2) *Smoke and particulate matter.* For the purpose of grading the density of smoke, the Ringelmann Chart published and used by the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density greater than No. 1 on the Ringelmann Chart is prohibited at all times.

(3) *Odors, dust, dirt, fumes, vapors, and other forms of air pollution.* There shall be no emission of odors, dust, dirt, fumes, vapors, and other forms of air pollution which may be detrimental to or endanger the public health, safety, comfort, or general welfare. The emission of offensive odors in such quantities as to be readily detectable from any location outside of the industrial center, or which produce a public nuisance or hazard beyond lot lines is prohibited.

(4) *Vibration.* There shall be no vibrations humanly perceptible at or beyond the industrial center.

(5) *Glare and heat.* Any operation producing glare and/or heat shall be performed within an enclosed building or in such manner as not to be visible or to produce any adverse effect beyond the property line of the lot on which the operation is located.

(6) *Radiation emission.* There shall be no electromagnetic radiation or radioactive emission injurious to human beings, animals, or vegetation, or of any intensity that interferes with the lawful use of any other property.

(7) *All permitted uses.* Shall be conducted wholly within a building. Any outdoor storage or supplies or raw material shall be effectively screened so as not to be visible from any location outside of the industrial center.

(H) *Development requirements with the center.*

(1) *Internal circulation.*

(a) All proposed uses shall direct access to a street or drive within the industrial center only.

(b) All interior streets shall be served with curb and gutter and storm sewers. Pavement width shall be a minimum of 30 feet and constructed with a minimum ten-inch aggregate base with three inch bituminous pavement.

(c) Every industrial center shall provide a frontage road along the entire length of property abutting any public street. The road shall be constructed as required in division (F)(1)(b) above.

(d) Not more than one entrance from a public street to the frontage road shall be permitted. Where the industrial center has over 1,000 feet of

frontage along a public road, additional entrances may be permitted where a minimum distance of 660 feet is provided between centerlines of the entrances.

(2) *Buffer strips*. A buffer strip shall be provided along all industrial center boundaries. The buffer strip shall: be a minimum of 100 feet when adjacent to a residential or agricultural zone, or 50 feet if adjacent to any zone other than residential or agricultural; and be attractively landscaped; and include a chain-link fence not less than six feet or more than eight feet in height wherever the district abuts a residential or agricultural district.

(a) Parking may be permitted within the required buffer strip, provided that no parking shall be permitted within 50 feet of any park boundary abutting a residential or agricultural zone, or 25 feet of any other zone.

(b) When all or part of the proposed industrial park abuts land zoned for industry, or abuts a railroad right-of-way or natural condition which creates a physical barrier, the Plan Commission may waive the requirements for a buffer strip for that portion abutting that zone or physical barrier.

(3) *Height of buildings and structures*.

(a) *Maximum height of buildings*. Two and one-half stories, or 30 feet, except as provided in division (F)(4)(b) below.

(b) *Maximum height of structures*. Forty feet.

(4) *Lot areas and yard*.

(a) *Flexibility in design and development*. To permit flexibility in design and development of an industrial center, individual lot sizes shall not be specified. However, prior to obtaining a building permit, the area of land allocated to the use shall be clearly shown on the permit application. No building shall be permitted to cover more than 35% of the land allocated to it. If the parcel in question abuts a buffer strip which has not been allocated for any other building, the portion of the buffer strip immediately adjacent to the site in question (as determined by extending the lot lines) may be used in computing total lot area, provided that no buildings may be constructed within the designated buffer zone. No land shall be allocated to more than one building or use.

(b) *Front yard*. A landscaped yard shall be provided between any street or drive and the building as follows: where building height is 30 feet or less, the yard shall be 30 feet as measured from the nearest curb to the building; where building height exceeds 30 feet, the yard shall be increased one foot for every one foot the building exceeds 30 feet. No parking shall be permitted within the front yard.

(c) *Side yards*. Each building shall have two landscaped side yards. Each side yard shall be equal in width to one-half the height of the building, or ten feet, whichever is greater.

(d) *Rear yards*. A rear yard equal to 25% of the depth of land allocated to that building shall be provided.

(5) *Parking and loading spaces*.

(a) Parking shall be provided in accordance with §§ 154.090 through 154.102.

(b) Loading space shall be provided as required by § 154.101.

(c) All parking and loading areas shall be effectively landscaped.

(6) *Landscaping*. Landscaping shall be maintained in all required front and side yards in accordance with plans approved by the Plan Commission. A landscape plan showing locations and varieties of plant materials shall be submitted for site plan review by the Plan Commission. All landscaped areas and buffers shall be planted with suitable living plant materials and replaced as necessary. Landscaped areas shall be watered, weeded, and generally maintained.

(7) *Signs*. Only flat wall signs, architecturally integrated with and placed upon a building wall, shall be permitted. One free-standing sign identifying the industrial center shall be permitted at each entrance of the center.

(8) *Utilities*. All utilities shall be installed underground.
(Prior Code, § 154.263) (Ord. passed 4-15-1957) Penalty, see § 154.999

ADMINISTRATION AND ENFORCEMENT

§ 154.280 BOARD OF ZONING APPEALS.

(A) *Organization*. A Board of Zoning Appeals for the county is hereby established in accordance with I.C. 36-7-4-900 *et seq*.

(B) *Meetings*. Meetings of the Board shall be held at the call of the Chairperson and at such other times as the Board may determine. The Chairperson, or in his or her absence, the Acting Chairperson, may administer oaths and compel the attendance of witnesses.

(C) *Petitions*. Prior to decision on petitions, the Board shall hold a public hearing thereon. At least ten days prior to the date set for hearing, notice shall be given by publication in a newspaper of general circulation in the county of the time and place of the hearing. Notice of the hearing, both as to time and place, shall be mailed to the petitioner and to the owners of adjacent affected property. The cost of preparing a certified list of affected property owners, notifying those property owners, and the cost of advertising the notice of public hearing shall be borne by the petitioner.

(1) The petitioner shall provide a list of the names and addresses (as determined from the most current property tax rolls) of all owners of affected property. This list shall be certified by a title company, township tax assessor, or county auditor, and shall include all owners of land immediately adjacent to, or across any public street or alley from the property and any other property owners the Board determines would be affected.

(2) The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of the enforcement officer or other duly authorized administrative officer, and the concurring vote of three members of the Board shall be required to decide in favor of the petitioner on any matter within the discretion of the Board upon which it is required to pass under this chapter or to affect any variation in the application of this chapter.

(3) The Board shall cause to be made a detailed report of all its proceedings, setting forth its reasons for its decision. The record, immediately following the Board's decision, shall be filed in the offices of the Board and of the Plan Commission, and shall be open to public inspection. Notice of the decision shall be mailed forthwith to each party in interest as aforesaid.

(D) *Appeals*. Any person or persons jointly or severally aggrieved by any decision of the Board, may proceed in the manner prescribed in I.C. 36-7-4-1003.

(E) *File fee for appeal, variance*.

(1) Any petition to the Board of Zoning Appeals appealing a decision of the enforcement officer or other duly authorized administrative officer, shall be accompanied by a filing fee of $300 which shall be held pending the final decision of the Board. If the Board reverses the decision of the enforcement officer, the filing fee shall be refunded to the petitioner. If the Board upholds the decision of the enforcement officer, the filing fee shall be deposited with the County Treasurer and no part of which shall be returnable to the petitioner.

(2) Any petition to the Board of Appeals for a variance from this chapter shall be accompanied by a filing fee of $200. Any petition to the Board of

Zoning Appeals for a variance from use from this chapter shall be accompanied by a filing fee of $400. Both fees described above shall be deposited with the County Treasurer and no part shall be returnable to the petitioner.

(F) *Powers of the Board of Zoning Appeals*. The Board of Zoning Appeals shall have the powers provided in I.C. 36-7-4-900 *et seq.*, and as assigned to it by this chapter. It may impose such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purposes of this chapter. It shall not, however, permit any use in conflict with this chapter.
(Prior Code, § 154.280) (Ord. passed 4-15-1957; Ord. 1215, passed 7-24-1984; Ord. 1564, passed 1-11-1994)

§ 154.281 ZONING PERMITS.

(A) *Must apply for building and zoning permit*. No building or structure except the following, shall be erected, reconstructed, enlarged, or moved until a building and zoning permit has been applied for in writing and issued by the Plan Commission Secretary, or his or her designated agent.

(B) *Permit not required*. No permit shall be required for the following, provided all other provisions of this chapter are complied with:

(1) Temporary swimming pools (pools capable of being set up in the spring and removed in the fall);

(2) Children's recreational amusements such as slides, swings, and the like, when placed in rear or side yards; and

(3) One storage shed per residential lot, provided it is not placed on a permanent foundation, does not exceed 150 square feet in size, and provided it has no electrical service to it.

(C) *Zoning fee*. A zoning fee in accordance with the following schedule shall be paid when making application for a zoning permit. The permit shall be posted in a prominent place on the premises prior to and during the period of erection, reconstruction, enlargement, or moving.

Type of Structure or Activity	*Fee*
Residential and agricultural	$50
Commercial and industrial	$100
(Residential and agricultural) additions, remodeling, alterations, patios, moving, razing, swimming pools, garages, and other accessory buildings	$20
(Commercial and industrial) additions, remodeling, alterations, patios, moving, razing, swimming pools, garages, and other accessory buildings	$50
Signs	$50
Fences	$10
Electric (AMP changes/meters)	No fee
Special Plan Commission or Board of Zoning Appeals meetings (paid by petitioner)	
Plan Commission meeting	$750
Board of Zoning Appeals meeting	$300

(D) *Plans and intended use to indicate conformity to zoning provisions*. Before a permit is issued for the erection, moving, alteration, enlargement, or occupancy of any building or structure or use of premises, the plans and intended use shall indicate conformity in all respects to the zoning provisions of this chapter. The permit shall not be issued until after review by the Plan Commission Secretary and finding by the Commission Secretary that:

(1) There is adequate frontage on an improved street maintained by the County Highway Department and accepted into the state highway or county roadway system;

(2) State and county health requirements will be met;

(3) Lot design requirements as set out in the subdivision regulations, Chapter 153, will be met;

(4) There be adequate means present to handle stormwater runoff from proposed improvements in a satisfactory manner;

(5) There will be no interference with the county master plan of streets and public facilities; and

(6) Continual circumvention by an individual property owner of the platting requirements of the subdivision regulations, Chapter 153, will not result.

(E) *Permit valid for two years.*

(1) Any permit issued in accordance with this chapter shall be valid for a period of two years from the date of issuance. Any permit requiring a foundation inspection shall be commenced and have a foundation inspection completed and approved within three months of permit issuance.

(2) All other permits shall be revoked and rendered null and void if construction, alteration, modification, remodel or repair defined under the permit is not commenced within six months of issuance. If any question arises, it shall be the responsibility of the developer, builder, agent or owner to prove work on any permit under this division was commenced with the required six-month period.

(3) Any structure or building not completed within two years of issuance of the permit shall necessitate renewal of the permit as described by the Unincorporated Lake County Building Code No. 18, Chapter 151 above, as amended, or a new permit in case of permit expiration.

(F) *Site plan.* (1) Every application for a building and zoning permit submitted to the Commission shall be accompanied by a site plan, drawn to scale, showing the lot and the building site and the location of existing buildings on the lot, accurate dimension of the lot, yards, and building or buildings, together with the locations, size and use of any land and all buildings not on the lot but within 50 feet from the boundaries thereof, unless separated by a street, together with such other information as may be necessary to the enforcement of this chapter and the Unincorporated Lake County Building Code No. 18, Chapter 151 above, as amended. This site plan may be completed without being signed and sealed by an Indiana Registered Land Surveyor. This division is intended to be applied to all building and zoning permits except those for a main building as described in the next division.

(2) Every application for a building and zoning permit for a main building submitted to the Commission shall be accompanied by a site plan. For purposes of this division a ***MAIN BUILDING*** is the principal building on a lot, plot or tract of land with any other structures being accessory or incidental to the main building. A site plan submitted under this division shall be signed and sealed by an Indiana Registered Land Surveyor with the following minimum requirements:

(a) Drainage patterns and sales;

(b) Federal Emergency Management Agency (FEMA) Special Flood Hazard Designation and if applicable, identify flood elevation line;

(c) Proposed or existing structures tied to lot lines to the nearest one-tenth of a foot;

(d) Bearings and distances of lots including all setback lines, square footage of proposed and/or actual buildings and other structures, easements, streets, alleys, sidewalks, width of lot at building setback line, and lot grades; and

(e) Proposed elevations required to nearest one-tenth of a foot (if in subdivision must be in accordance with approved subdivision plan) for the following:

1. Entryway;

2. Main floor;

3. Top of foundation;

4. Ground grade at each corner of building;

5. Ground grade at every lot corner;

6. Grade at side yards;

7. Grade at front and rear yards;

8. Slope of driveway, expressed as a percentage;

9. Elevations of adjacent properties including lot corners, and

10. Elevations of adjacent buildings including top finished floor and building corners.

(3) If the stated site plan is of a lot or lots in a subdivision approved by the Commission, then all elevations mentioned in this section shall be in compliance and tied to the primary subdivision plat as approved by the Commission. Among all participating agencies, particular attention shall be paid to the primary plat approved by the Lake County Surveyor concerning drainage as it relates to the subdivision. No lot or lots shall be altered, added to or changed in such a manner that they will negatively affect drainage patterns of surrounding lots, streets, or other areas in the subdivision.

(4) Prior to issuance of a certificate of occupancy a certified as-built drawing shall be submitted with an additional copy submitted to the Lake County Surveyor for approval. Any difference of over one-half foot either vertically or horizontally between the initial site plan submitted to obtain a building and zoning permit and actual measurements shall be highlighted by the Indiana Registered Land Surveyor signing the as-built drawing.

(5) A copy of the as-built drawing shall be submitted to the Commission Office prior to any request for a certificate of occupancy.

(G) *Interpretation*. In interpreting and applying the provisions of this chapter, it shall be held to be the minimum requirements for the promotion of the health, safety, morals, convenience, and general welfare. The lot or yard areas required by this chapter for a particular building shall not be diminished and shall not be included as part of the required lot or yard areas of any other building. The lot or yard areas of buildings existing at the time this chapter became effective shall not be diminished below the requirements herein provided for buildings hereafter erected and the required areas shall not be included as a part of the required areas of any building hereafter erected.

(H) *Completion of existing buildings*. Nothing in this chapter shall require any change in the plans, construction, or intended use of a building, the construction of which shall have been diligently prosecuted within six months preceding the date of this chapter and the entire building shall be completed within two years from the date this chapter became effective. Nothing herein shall prevent the reconstruction of a wall or other structural part of a building declared unsafe by the State Fire Marshal or the State Administrative Building Council.

(I) *Solid Waste District*.

(1) Anyone applying for a permit to construct a main building, other than a one- or two-family dwelling unit, or demolish any structure shall have first filed a plan and received approval from the Lake County Solid Waste District (District) regarding the manner in which the solid waste will be managed.

(2) Each permit application for construction of a main building, other than one- or two-family dwelling unit, or demolition of any structure shall be accompanied by correspondence from the District

indicating a plan was filed and approved. Any authority regarding the implementation of the approved plan shall be the sole responsibility of the District.
(Prior Code, § 154.281) (Ord. passed 4-15-1957; Ord. 1215, passed 7-24-1984; Ord. 1564, passed 1-11-1994; Ord. 2159, passed 9-12-2006; Ord. 2166, passed 9-12-2006; Ord. 2159-A, passed 1-9-2007) Penalty, see § 154.999

§ 154.282 CERTIFICATES OF OCCUPANCY.

(A) (1) A certificate of occupancy to be issued by the Plan Commission Secretary, or his or her designated deputy, shall be required prior to occupying any new structure, except buildings incidental to agricultural operations other than residences, in accordance with the county Building Code and the provisions of this chapter:

(a) Occupancy and use of a building hereafter erected or enlarged;

(b) Change in use of an existing building;

(c) Occupancy and use of vacant land except for the raising of crops;

(d) Change in the use of land to a use of a different classification except for the raising of crops; and

(e) Any change in the use of a nonconforming use.

(2) No such occupancy, use, or change of use, shall take place until a certificate of occupancy therefor shall have been issued.

(B) Written application for a certificate of occupancy for a new building or for an existing building which has been enlarged shall be made at the time as the application for the building and zoning permit for the building. No fee shall be charged for an original certificate applied for coincident with the application for a building and zoning permit; for all other certificates or for copies of any original certificate, there shall be a charge of $1 each. The certificate shall be acted upon within three days after a written request for the same has been made to the Plan Commission Secretary, which written request shall be made after the erection or enlargement of such building or part thereof has been completed in conformity with the provisions of this chapter and the county Building Code.

(1) Pending the issuance of such a certificate, a temporary certificate of occupancy may be issued by the Plan Commission Secretary for a period of not more than six months during the completion of the construction of the building or of alterations which are required under the terms of any law or ordinance.

(2) The temporary certificate may be renewed; but it shall not be construed in any way to alter the respective rights, duties, or obligations of the owner or of the county relating to the use of occupancy of the land or building, or any other matter covered by this chapter and the county Building Code. The temporary certificate shall not be issued except under such restrictions and provisions as will adequately ensure the safety of the occupants.

(C) (1) Written application for a certificate of occupancy for the use of vacant land, or for a change in the use of land or of a building, or for a change in a nonconforming use, as herein provided, shall be made to the Plan Commission Secretary.

(2) If the proposed use is in conformity with the provisions of this chapter and the county Building Code, the certificate of occupancy therefor shall be issued within three days after the application has been made.

(D) Each certificate of occupancy shall state that the building or proposed use of a building or land complies with the provisions of this chapter and all regulations and provisions of the county Building Code.

(E) A record of all certificates of occupancy shall be kept on file in the office of the Plan Commission and a copy shall be forwarded, on request, to any person having proprietary or tenancy interest in the building or land affected.

(F) No permit for erection of any building shall be issued before application has been made for a certificate of occupancy.
(Prior Code, § 154.282) (Ord. passed 4-15-1957)

§ 154.283 CHANGE OF USE PERMIT.

(A) A change of use permit, to be issued by the Plan Commission Secretary or his or her designated agent, shall be required prior to undertaking the following:

(1) Change in use of any existing building; and

(2) Any change in the use of a nonconforming use or building.

(B) Before granting a change of use permit, the Plan Commission Secretary shall ascertain that the proposed use conforms with all provisions of this chapter. When changing the use of an existing building to a classification requiring additional parking, the petitioner shall provide parking as required by this chapter.

(C) A zoning fee in accordance with the following shall be paid when making application for a change of use permit.

(1) The fee for a change in use of an existing building or structure requiring no building permit is $25.

(2) If a building permit is required, the fee will be established by that permit.
(Prior Code, § 154.283) (Ord. passed 4-15-1957; Ord. 1564, passed 1-11-1994) Penalty, see § 154.999

§ 154.284 ISSUANCE FOR ILLEGAL USE PROHIBITED.

All departments, officials, and public employees of the county which are vested with the duty or authority to issue any permit or license shall conform to the provisions of this chapter and shall issue no permit or license for any use, building, or purpose if the same would be in conflict with the provisions of this chapter. Any permit or license issued in conflict with the provisions of this chapter shall be null and void.
(Prior Code, § 154.284) (Ord. passed 4-15-1957)

§ 154.285 AMENDING ZONING CODE, SEEKING SPECIAL EXCEPTION; PROCEDURE; FEE.

(A) *Application of I.C. 36-7-4-100* et seq. The regulations, restrictions, and boundaries provided for in this chapter may from time to time be amended or appealed, as provided in I.C. 36-7-4-100 *et seq*.

(B) *Petition*. Any petition for amendment shall be accompanied by:

(1) A legal description and a plat of survey, certified by a state registered land surveyor, showing all dimensions of the property being petitioned;

(2) A certified list of names and addresses (as determined from the most current property tax rolls) of all owners of land immediately adjacent to, or across any street or alley from, the property being petitioned. The certified list shall be certified by a title Company, Township Tax Assessor, or a County Auditor; and

(3) An application field at the Plan Commission Office on forms supplied by the Commission and in addition, shall include exhibits, material, agency comments, and information required by and specified on the forms.

(C) *Notice.*

(1) Notice of all petitions, applications, or matters shall be given by the Planning Staff as follows:

(a) By publication in accordance with I.C. 5-3-1;

(b) To the applicant/petitioner in writing, by means of regular United States mail, postage prepaid, addressed to the applicant/petitioner at the address listed in the application/petition; and

(c) To all adjacent property owners, in writing, addressed to them at their last known address as listed on the real estate master file maintained by the County Auditor.

(2) The written notice shall be given at least ten days prior to the date of the hearings, and shall contain a general description of the real estate involved, and the nature of the application, petition or matter to be heard, as well as the date, time, and place of the hearing.

(3) The Planning Staff may, but is not required to, give such additional notice as, in their discretion, they may deem necessary or advisable under the facts and circumstances of a particular application or petition.

(D) *Filing fee.* Any petition to the Board of Zoning Appeals for a special exception shall be accompanied by a filing fee of $200 plus $10 per acre or any portion thereof, which shall be payable to the County Treasurer.

(1) Any petition to the legislative body for an amendment to this subchapter and map, except when initiated by the Commission or the legislative body shall be accompanied by a filing fee of $200 for agricultural and residential amendments; $400 plus $25 per acre or any portion thereof for multi-family, commercial or industrial amendments, which shall be payable to the County Treasurer.

(2) No part of any fees collected in accordance with this section shall be returnable to the petitioner.
(Prior Code, § 154.285) (Ord. passed 4-15-1957; Ord. 1215, passed 7-24-1984; Ord. 1296, passed 6-14-1988; Ord. 1500, passed 12-8-1992; Ord. 1564, passed 1-11-1994)

VIOLATIONS

§ 154.300 NUISANCE PER SE.

Buildings or structures erected, altered, moved, razed, or converted, or any use of land or premises carried on in violation of any provision of this chapter are declared to be a nuisance per se. Any and all buildings, structures, or land use activities considered possible violations of the provisions of this chapter shall be reported to the Plan Commission staff.
(Prior Code, § 154.998) (Ord. passed 4-15-1957)

§ 154.999 PENALTY.

(A) *Enforcement and remedies; statement of purpose.* This section is remedial and shall be construed in such a manner as to effectuate its purpose of promoting the public health, safety, comfort, morals, convenience and general welfare by enforcement of all zoning ordinances for all lands within unincorporated Lake County, Indiana.

(B) *Jurisdiction.*

(1) The Lake County Plan Commission of Lake County, Indiana may institute a suit for injunctive or monetary relief in the circuit or superior

courts of Lake County; such suit is to be brought in the name of and captioned as "The Lake County Plan Commission of Lake County, Indiana," versus the person, persons or entity charged with violating the provisions of any zoning ordinance or land use regulations of unincorporated Lake County, Indiana.

(2) The Lake County Plan Commission may also institute a suit for mandatory injunction directing a person, persons or entity to remove any structure erected in violation of any zoning ordinances or land use regulations of unincorporated Lake County, Indiana.

(3) Any structure erected, raised, or converted, or land or premises used in violation of any zoning and land use ordinance of unincorporated Lake County, Indiana, shall and hereby is declared to be a common nuisance and the owner or possessor of the structure, land, or premises shall be liable for maintaining a common nuisance pursuant to I.C. 36-7-4-1012.

(4) In addition to the above remedies, the Lake County Plan Commission may pursue prosecution of any common nuisance violation in accordance with I.C. 36-7-4-1013, I.C. 36-7-4-1014, I.C. 36-7-4-1015, or I.C. 36-7-4-1018.

(C) *Inspection of property; right of entry.*

(1) The Commission, their duly authorized planning staff or law enforcement officers are authorized to make inspections of all lands located within unincorporated Lake County in order to enforce all zoning ordinances and land use regulations of unincorporated Lake County, Indiana.

(2) In order to execute inspections, the Commission, their duly authorized planning staff, or law enforcement officers shall have the right to enter upon any premises at any reasonable time for the purpose of carrying out his/their duties in the enforcement of zoning ordinances and land use regulations of unincorporated Lake County, Indiana, unless the owner or occupant of the premises refuse to permit entry to the Commission, their duly authorized planning staff, or law enforcement officers when such entry is sought pursuant to this section. In the event of such refusal, the Commission, their duly authorized planning staff, or law enforcement officers may make application to any judge of the circuit or superior courts of Lake County, Indiana, for the issuance of an administrative search warrant. Such application shall identify the premises upon which entry is sought and the purpose for which entry is desired. The application shall state the facts giving rise to the belief that a condition which is a violation of a zoning ordinance or land use regulation of unincorporated Lake County, Indiana, exists on such premises, or that a violation in fact exists and must be abated, and that the condition or violation is not a lawful nonconforming use to the best of the affiant's belief. Any warrant issued pursuant to such application shall order such owner or occupant to permit entry to the Commission, their duly authorized planning staff, or law enforcement officers for the purposes stated therein. In no event shall the Commission, their duly authorized planning staff, or law enforcement officers have the right to enter a residential structure or other structures not open to the public without the permission of the owner or occupant and/or an administrative search warrant first obtained. Prior to entering such residential structure or other structure not open to the public, the Commission, their duly authorized planning staff, or law enforcement officers shall advise the owner or occupant that such owner or occupant is not required to grant entry without the presentation of an administrative search warrant.

(D) *Stop-work order.*

(1) The Commission or their duly authorized planning staff is empowered to issue an order requiring the suspension of land improvement of any kind when any of the following circumstances exist:

(a) Site improvement is occurring without a building and zoning permit or any other permit required by the zoning ordinance having first been obtained;

(b) Site improvement is occurring in violation of the terms or conditions of any zone change, special exception, or variance granted under

the advisory planning law as contemplated by I.C. 36-7-4; in violation of covenants made in connection with the platting of a subdivision that is approved by the Commission; in violation of commitments made in accordance with I.C. 36-7-4-600 *et seq.* or I.C. 36-7-4-900 *et seq.*; or in violation of the terms, conditions or provisions of any provision of the Lake County Zoning Ordinance.

(2) The stop-work order shall be posted on the property in a conspicuous place, or personally delivered to the owner, possessor, person in charge, or person causing the violation and state the conditions under which construction or other activity may be resumed. The Commission or their duly authorized planning staff or their duly authorized designee shall attempt to meet with the recipient of a stop-work order upon request to explain the conditions under which construction or other activity may be resumed.

(3) The designated enforcement entity may pursue all remedies allowed by this section to enforce any stop-work order. Enforcement activity may be pursued against owner, possessor, person in charge, person causing the violation, or combination thereof.

(E) *Violations of zoning ordinance.*

(1) It shall be unlawful for any person who is the owner or contract vendee of, or who has a possessory interest in, real property located in unincorporated Lake County to cause, suffer or allow any of the following civil zoning violations to occur on such property:

(a) The location, erection, or maintenance of any sign not specifically permitted by § 154.038;

(b) The failure to obtain a building and zoning permit when one is required by the terms and provisions of this section;

(c) The outdoor storage of junk, trash, or debris in any zoning district, the provisions of which do not specifically permit such a use;

(d) The storage of inoperable or abandoned vehicles or vehicle parts in any zoning district the provisions of which do not specifically permit such a use;

(e) The parking or storage in any zoning district, the provisions of which do not specifically permit such a use, of any vehicle used or designed: (a) for use in pulling, towing, hauling, transporting, or (b) as a temporary or permanent base, platform or support for equipment, machinery, materials or other goods. This provision shall include but not be limited to school buses, buses used for public transportation, stake body trucks, dump trucks, trucks or tractors having dual rear wheels or more than two axles, semi-trailer tractors, semi-trailers and trailers having dual rear wheels or more than one axle or having an overall length of more the 12 feet;

(f) The storage or display of merchandise or goods in any zoning district, the provisions of which do not specifically permit such a use or are in violation of zoning district, the provisions of which do not decimally permit such a use;

(g) Lawns in subdivisions shall be manicured to a height no taller the eight inches and shall be free from excessive litter or excreta;

(h) Bushes, trees, shrubs, and the like located in subdivisions shall be maintained and cut so as not to grow into or obstruct any public way or place, including sidewalks, alleys, or parkways;

(i) Swimming pools shall be maintained and be free from stagnant water to avoid any possible insect or rodent manifestation;

(j) Vehicles in subdivisions shall not be parked in front yards except for areas that have been properly designated by the Lake County Plan Commission as an approved driveway;

(k) All garbage, trash, and refuse shall be properly stored and contained and shall only be

placed in a county right-of-way within 48 hours of the time of collection;

(l) Gutters on residential structures in subdivisions, including accessory buildings, shall be maintained so that they are properly attached to the structure and remain functioning free from weeds and debris;

(m) Residential structures in subdivisions shall be maintained to prevent unsightly appearance of chipping or peeling paint or brick or siding which is in disrepair;

(n) The conduct of any activity in a residential zoning district, not specifically enumerated as a permitted primary or accessory use in that zoning district and which activity has not been legally established by a currently valid variance, special exception or other approval;

(o) Failure to comply with zoning district development standards, including but not limited to landscaping, paving or striping of parking areas, minimum parking space requirements, certain enclosures, fencing or screening requirements;

(p) Failure to comply with the terms, provisions, conditions or commitments of a variance, special exception, rezoning ordinance, or any other approval or provision of this section;

(q) Violation of any other provision of the Unincorporated Lake County Zoning Ordinance.

(2) Each day of the existence of any violation shall be deemed a separate offense. If the violation remains uncorrected each offense may be prosecuted at the discretion of the enforcement authority.

(3) The provisions of this section may be enforced by any and all duly authorized employees of the Lake County Plan Commission.

(4) Enforcement may be accompanied by the issuance of a letter to the owner, contract purchaser or vendee, tenant, or anyone having a possessory interest in the real property where the violations occurred allowing a maximum of 15 days to correct the stated violations and bring the property into compliance.

(5) If the violation remains after 15 days notice as provided in division (4) above, enforcement may be accompanied by the issuance of a citation to the owner, contract purchaser or vendee, tenant, or anyone having a possessory interest in the real property where the violation occurred. Said citation shall be written on documents approved by the Lake County Plan Commission and contain:

(a) Name of the department and official writing the citation;

(b) Name and address of the owner or anyone having a possessory interest in the property in question;

(c) Address, including apartment or unit number, if applicable, of property for which citation is being issued;

(d) List of alleged violations of zoning ordinance;

(e) Notice advising that if stipulated violations are resolved at least five days prior to court date and compliance is confirmed by the official responsible for the citation, the Lake County Plan Commission will move for dismissal of said violation. Dismissal of said violation does not constitute a dismissal of any fines, penalties, or court costs which may have accrued;

(f) Notice of any deferral programs available to property owner or anyone having a possessory interest to assist in bringing the property where said violation has occurred into compliance.

(g) Nothing contained in this section shall prevent enforcement by injunction at the sole discretion of the Lake County Plan Commission of Lake County, Indiana.

(F) *Civil zoning violations; citations; enforcement.*

(1) lf an injunction is sought, the violator shall be responsible for all costs of prosecution as well as all penalties;

(2) If prosecuted as a common nuisance or citation, the penalty shall not be more than $2,500 for a first violation of the ordinance, nor more than $7,500 for a second or subsequent violation of the ordinance, as directed under I.C. 36-1-3-8;

(3) If a second or subsequent citation is issued for the same property, the citation shall not be dismissed as allowed under division (E)(5)(e) of this section. Citations may be served by leaving a copy of said citation posted on the property where the alleged violation has occurred or by mailing a copy of the violation via regular first class mail to the owner, contract purchaser, vendee, tenant, anyone having a possessory interest in the real property, or anyone deemed responsible by Lake County at the address according to the Real Estate Master File maintained by the Lake County Auditor or as listed on the property record card of the Lake County Assessor.

(4) In addition to the procedures listed herein, a person who has been cited for a violation of this zoning ordinance may elect to file a land use petition. The filing of a land use petition, or subsequent issuance of a variance, special exception, rezoning or other approval of the land use petition, shall not constitute a defense of any zoning violation which occurs prior to the issuance of the variance, special exception, rezoning or other approval.
(Ord. 2345, passed 7-12-2011; Ord. 2351, passed 11-22-2011; Ord. 2408, passed 8-13-2013)
Cross-reference:
Code Enforcement Fund, see § 37.146

CHAPTER 155: UNSAFE BUILDING CODE

Section

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GENERAL PROVISIONS

§ 155.01 TITLE.

These regulations shall be known as the Lake County Unsafe Building Code, a uniform code for the abatement of dangerous buildings, which may be cited as such, and will be referred to herein as this code. (Prior Code, § 155.01) (Ord. 1012A, passed 8-13-1985)

§ 155.02 PURPOSE AND SCOPE.

(A) *Purpose*. It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to, any other remedy provided by the Building Code, Housing Code or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety, or welfare of the general public or their occupants may be required to be repaired, vacated, or demolished.

(B) *Scope*. The provisions of this Code shall apply to all unsafe and dangerous buildings, as herein defined, which are now in existence or which may hereafter become dangerous in this jurisdiction. (Prior Code, § 155.02) (Ord. 1012A, passed 8-13-1985)

§ 155.03 ALTERATIONS, ADDITIONS, AND REPAIRS.

All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of this chapter.
(Prior Code, § 155.03) (Ord. 1012A, passed 8-13-1985)

§ 155.04 ADOPTION OF STATUTES.

This chapter adopts and implements the provisions of I.C. 36-7-9-1 through 36-7-9-28, as amended, insofar as such provisions are compatible with the administrative structure of the county.
(Prior Code, § 155.04) (Ord. 1012A, passed 8-13-1985)

§ 155.05 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ENFORCEMENT AUTHORITY. The Administrative Officer of the Department.

HEARING AUTHORITY. The person or persons designated as such. The Board shall be comprised of five members, one representative from each of the four Contractor's Licensing Boards. They are the General Contractor's Board, Electrical Board, Plumber's Board, the Heating, Ventilating, and Air-Conditioning Board, and a member appointed by the County Council, subject to approval of the Board of Commissioners.

ORDER. Any written directive issued by the Unsafe Building Department in accordance with § 155.20.

PERSON. Any entity capable of holding an interest in real estate, including, by way of an example but not of limitation, individuals and corporations.

SUBSTANTIAL PROPERTY INTEREST. Any right in real property that may be affected in a substantial way by actions authorized by this chapter, including a fee interest, a life estate, a future interest, a present possessor interest, or an equitable interest of a contract purchaser. In a consolidated city, the interest reflected by a deed, lease, license, mortgage, land sale contract, or lien is not a substantial property interest unless the deed, lease, license, mortgage, land sale contract, lien, or evidence of it is:

(1) Recorded in the Office of the County Recorder; and

(2) The subject of a written information that is received by the Division of Code Enforcement and includes the name and the address of the holder of the interest described.
(I.C. 36-7-9-2)

UNSAFE BUILDING DEPARTMENT. The County Planning, Zoning, and Building Department.

UNSAFE, DANGEROUS BUILDING.

(1) For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe dangerous building, provided that such conditions or defects exist to the extent that the life, property or safety of the public or its occupants are endangered.

(2) Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size or is so arranged as to provide safe and adequate means of exit in case of fire or panic.

(3) Whenever, the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(4) Whenever, the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the

working stress or stresses allowed in the Building Code for any new buildings of similar structure, purpose or location.

(5) Whenever, any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before the catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose, or location.

(6) Whenever, any portion or member or appurtenance thereof is likely to fall, or become detached or dislodged, or to collapse and thereby injure persons or damage property.

(7) Whenever, any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the Building Code for the buildings.

(8) Whenever, any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes that is required in the case of similar new construction.

(9) Whenever, the building or structure, or any portion thereof, because of dilapidation, deterioration or decay; faulty construction; the removal movement or instability of any portion of the ground necessary for the purpose of supporting the building; the deterioration, decay, or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.

(10) Whenever for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.

(11) Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside of the middle one-third of the base.

(12) Whenever the building or structure, exclusive of the foundation, shows 33% or more damage or deterioration of its supporting member or members, or 50% damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.

(13) Whenever the building or structure has been so damaged by fire, wind, or earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children; a harbor for vagrants, criminals or immoral person; or as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.

(14) Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to the building or structure provided by the building regulations of the county, as specified in the Building Code, or of any law or ordinance of the state or county, relating to the condition, location, or structure of buildings.

(15) Whenever any building or structure which, whether or not erected in accordance with applicable laws and ordinances, has in any nonsupporting part member or portion less than 50%, or in any supporting part, member or portion less than 66% of the strength, fire-resisting quality or characteristics, or weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.

(16) Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement,

inadequate light, air or sanitary facilities, or otherwise, is determined by the Health Officer to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

(17) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electrical wiring, gas connections or heating apparatus, or other causes, is determined by the Fire Marshal to be a fire hazard.

(18) Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

(19) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.

UNSAFE PREMISES. Any unsafe building or a tract of real estate on which an unsafe building or structure is located.
(Prior Code, § 155.05) (Ord. 1012A, passed 8-13-1985)

ORDERS IN RELATION TO UNSAFE PREMISES

§ 155.20 ISSUANCE.

(A) The Unsafe Building Department may issue an order relative to any unsafe premises to require action, including but not limited to:

(1) Vacating of an unsafe building or structure;

(2) Sealing an unsafe building against intrusions by unauthorized persons in accordance with a uniform standard established by the Unsafe Building Department of Lake County, Indiana;

(3) Repair of an unsafe building to bring it into compliance with the standards for building condition or maintenance found in ordinances enacted by the Lake County legislative and executive bodies and the laws of the State of Indiana;

(4) Removal of a portion of an unsafe building;

(5) Extermination of vermin in and about the unsafe premises; and

(6) Removal of an unsafe building. The ordered action shall be reasonably related to the condition of the unsafe premises and the nature and use of nearby properties.

(B) The order shall take precedence over any municipally issued permit relating to building or land use which is obtained, either before or after the order is issued.

(C) The force of an order shall expire two years from the day the notice of the order is given unless one or more of the following events occur within the two-year period:

(1) A complaint requesting judicial review is filed in accordance with § 155.27;

(2) Work is let out at public bid to a contractor to perform action required by an order in accordance with § 155.32; and

(3) A civil action is filed in the Lake County Circuit or Superior Court, in accordance with § 155.52.
(Prior Code, § 155.20) (Ord. 1012A, passed 8-13-1985)

§ 155.21 CONTENTS.

(A) Any order shall contain the following information:

(1) The name of the person to whom the order is issued;

(2) The legal description or address of the unsafe premises that is the subject of the order;

(3) The action which the order requires to be accomplished;

(4) The period of time in which the action is required to be accomplished, measured from the time when the notice of the order is given;

(5) A statement indicating the exact time and place of the hearing regarding the order; and that the person to whom the order was issued has a right to appear at the hearing with or without legal counsel and present evidence, cross-examine opposing witnesses, and make argument;

(6) A statement briefly indicating what action can be taken by the Lake County Unsafe Building Department, if the order is not complied with; and

(7) A statement indicating the obligation created by § 155.29 relating the notification of subsequent interest holders and the Unsafe Building Department.

(B) The order shall allow sufficient time in which to accomplish the required action. In no case shall less than ten calendar days from the day when notice of the order is given be allowed for compliance with an order.

(C) In the instance where more than 30 calendar days are allowed by the order to accomplish the action, the order may require that a substantial beginning be made in accomplishing the action within a period of 30 calendar days.
(Prior Code, § 155.21) (Ord. 1012A, passed 8-13-1985)

§ 155.22 SERVICE BY PUBLICATION.

If the service of the order is by publication, the publication, shall include the information required by § 155.21 and also a statement indicating generally what action is required by the order and that the exact terms of the order be obtained from the Lake County Unsafe Building Department.
(Prior Code, § 155.22) (Ord. 1012A, passed 8-13-1985)

§ 155.23 MODIFICATION.

(A) The Lake County Unsafe Building Department may issue an order to a person which has the effect of modifying the order previously issued to that person.

(B) If the service of the previously issued order was by publication, it shall be sufficient to serve the subsequent order by publication unless the Lake County Unsafe Building Department has received information in writing that would enable it to make service in accordance with § 155.25 by a method other than publication.
(Prior Code, § 155.23) (Ord. 1012A, passed 8-13-1985)

§ 155.24 RESCISSION.

(A) The Lake County Unsafe Building Department may at any time rescind an order. All persons who have been issued an order shall be notified of its rescission pursuant to § 155.25 by means of a written statement which shall include the following information:

(1) The name of the person to whom the statement of rescission of order is issued;

(2) The legal description or address of the unsafe premises that are the subject of the order being rescinded;

(3) The substance of the order being rescinded;

(4) A statement that the order is being rescinded; and

(5) The name, address, and telephone number of the County Planning and Building Departments.

(B) If service of the statement of rescission is by publication, the publication shall include the information provided in division (A) above.

(C) If service of the order being rescinded was by publication, it shall be sufficient to serve the statement of rescission by publication unless the County Unsafe Building Department has received information in writing that would enable it to make service in accordance with § 155.25 by a method other than publication.
(Prior Code, § 155.24) (Ord. 1012A, passed 8-13-1985)

§ 155.25 SERVICE OF ORDERS AND STATEMENTS.

(A) Notice of orders (including orders which have the effect of modifying a previous order), notice of statement of rescission, notice of continued hearings, notice of a statement that public bids are to be let, and notice of claims for payment shall be given to all persons to whom directed by the following manner of service, any of which may be used:

(1) Sending a copy of the order or statement by registered mail to the residence or place of business or employment of the person to be notified with return receipt;

(2) Delivering a copy of the order by statement personally to the person to be notified; and/or

(3) Leaving a copy of the order or statement at the house or dwelling or usual place of abode of the person to be notified.

(B) In the event service is not obtained by a means described above after reasonable effort, service may be made by publishing a notice of the order or statement at least two times in a newspaper authorized by law to publish notices, which is published in Lake County, Indiana. Publication may be made on consecutive days.

(C) When service is made by any of the means described in this section, except by mailing or by publication, the person making service shall make an affidavit stating that he or she has made the service, the manner in which made, to whom the order or statement was issued, the nature of the order or statement, and the date of service. The affidavit shall be placed on file with the Lake County Planning and Building Department.

(D) The time when notice of the order or statement is deemed given is as follows:

(1) In case of personal delivery or leaving at the dwelling house or usual place of abode, the day when the order or statement is delivered to the person or left at his or her dwelling house or usual place of abode;

(2) In case of mailing, the date shown on the return receipt, or if no date is shown, the date when the return receipt is received by the Lake County Planning and Building Department; and

(3) In the case of publication, the date of the second day that publication was made.

(E) Notice of orders (including orders which have the effect of modifying a previous order), notice of statements of rescission, notice of continued hearings and notice of a statement that public bids are to be let, is not required to be given to a person holding a property interest in an unsafe premises if all of the following conditions exist:

(1) An instrument reflecting the property interest held by the person is not recorded in the Recorder's Office in Lake County, Indiana, where the unsafe premises is located;

(2) The order or statement was recorded in accordance with the provisions of § 155.28; and

(3) The Building Department has neither received the written information nor has actual notice of the identity of the person who holds a property interest in the unsafe premises.

(F) A person who fails to record an instrument reflecting an interest in his or her unsafe premises, is deemed to consent to action taken under this section relative to which notice would otherwise be given. (Prior Code, § 155.25) (Ord. 1012A, passed 8-13-1985)

§ 155.26 HEARINGS, NOTICE, PROCEDURES.

(A) A hearing shall be held relative to each order. The hearing shall be conducted by the Hearing Authority.

(B) The hearing shall be held on a business day no earlier than ten calendar days after notice of the order is given. The Hearing Authority may, however, take action at a hearing to continue the hearing relative to the order so that it will be held on a later business day. Unless, the Hearing Authority takes action to have the continued hearing held on a definite, specified date, notice of the hearing shall be given to the person to whom the order was issued at least five calendar days before the hearing date in the manner provided by § 155.25. If the order which is being considered at the hearing was served by publication, it shall be sufficient to give notice of the continued hearing by publication unless the Building Department has received information in writing that would enable it to make service in accordance with § 155.25 by a method other than publication.

(C) The person to whom the order was issued, or any person having a substantial property interest in the unsafe premises which are the subject of the order, or any other person with an interest in the proceedings, may appear in person or by counsel at the hearings. The person shall have the opportunity to present evidence, cross-examine opposing witnesses, and make argument.

(D) At the conclusion of any hearing at which a continuance is not granted, the Hearing Authority may, irrespective of whether the person to whom the order was issued does not appear at the hearing, make findings and take action either to:

(1) Affirm the order;

(2) Rescind the order; and

(3) Modify the order, provided, however, that unless the person to whom the order was issued, or counsel for the person, is present at the hearing, the Hearing Authority shall have authority only to modify the order in such manner as to make its terms less stringent.

(E) If a person to whom an order has been issued requests at a hearing, a period of time to accomplish action beyond that time stated in the order, the Hearing Authority, may, as a condition for modifying the order to allow the additional time period, require that the person post a cash performance bond to be forfeited in the event that the ordered action is not completed within the additional time period allowed.

(F) The Unsafe Building Department shall, at a public hearing, after having given notice in a newspaper of general circulation in Lake County, of the time and place of the hearing at least ten days before the date set for the hearing, adopt a schedule setting forth the amount of cash performance bonds applicable to various types of ordered action. The Hearing Authority, shall use this schedule to fix the amount of cash bond required as a condition for modifying the order to allow additional time to complete the ordered action.

(G) The record of the findings made and action taken by the Hearing Authority at the hearing shall be available to the public upon request. No provision in

this chapter shall be construed to require affirmative action by the Unsafe Building Department, or the Hearing Authority, to give notice of the findings made and action taken by the Hearing Authority at the hearing to the person to whom the order was issued, or any other person.
(Prior Code, § 155.26) (Ord. 1012A, passed 8-13-1985)

§ 155.27 JUDICIAL REVIEW.

(A) An action taken to affirm, rescind, or modify an order in accordance with § 155.26 shall be subject to review by the Lake Circuit or Superior Court.

(B) The review shall be initiated by a verified complaint which shall include the findings of fact and the action taken by the Hearing Authority. Such Complaint must be filed within a period of ten calendar days after the date when the action was taken by the Hearing Authority.

(C) The following persons shall have the right to request a judicial review:

(1) Any person who has a substantial property interest in the unsafe premises which were the subject of the order reviewed by the Hearing Authority; and

(2) Any person to whom the order was issued that was reviewed by the Hearing Authority.

(D) The appeal shall be an action de novo. The Court may affirm, modify or reverse the action by the Hearing Authority.
(Prior Code, § 155.27) (Ord. 1012A, passed 8-13-1985)

§ 155.28 RECORDING OF ORDERS, STATEMENT AND RECORDS.

(A) Orders issued in accordance with §§ 155.20 and 155.23, statements of rescission issued in accordance with § 155.24, statements that public bids are to be let as provided in § 155.32 and records of action taken by the Hearing Authority, in accordance with § 155.26, shall be recorded in the Office of the Lake County Recorder by the Unsafe Building Department, at no charge.

(B) Any person who takes an interest in the unsafe premises which are the subject of an order, shall, irrespective of whether or not a hearing has been held, take the interest subject to the terms of the order and specifically in such a manner that all of the requirements of § 155.32 relating to the issuance of orders, service of orders, and affirmation of orders are deemed satisfied and all of the requirements of § 155.52, relating to issuance of orders and affirmation of orders are deemed satisfied. In the instance however, where an interest is taken in the unsafe premises relative to which a hearing has been held, the person shall take the interest subject to the terms of the order, as modified at the hearing and specifically in such manner that all of the requirements of § 155.32, relating to the issuance of orders, service of orders, and modification of orders at the hearing are deemed satisfied, and all of the requirements of § 155.52, relating to the issuance of orders and modification of orders at the hearing are deemed satisfied.

(C) A person who takes an interest in unsafe premises which are the subject of a statement that public bids are to be let, shall take the interest to the terms of the statement and specifically in such a manner that the notice of the statements required by § 155.31 is deemed given to the person.
(Prior Code, § 155.28) (Ord. 1012A, passed 8-13-1985)

§ 155.29 DUTIES OF TRANSFEROR OF UNSAFE BUILDINGS.

(A) Information to be supplied on transfer or disposal of unsafe buildings.

(B) Any person who has been issued and received notice of an order relative to the unsafe premises, shall, if the order has not been complied with:

(1) Supply full information regarding the order to any person who may take or agree to take a substantial property interest in the unsafe premises. This information shall be supplied prior to the time when there is any transfer or agreement to transfer any substantial property interest in the unsafe premises; and

(2) Supply the following information to the Lake County Unsafe Building Department, in writing within five calendar days after there is any transfer or agreement to transfer a substantial property interest in the unsafe building:

(a) The full name, address, and telephone number of person taking a substantial property interest in the unsafe premises; and

(b) A true and accurate copy of the legal instrument under which the transfer or agreement to transfer the substantial property interest is accomplished.

(Prior Code, § 155.29) (Ord. 1012A, passed 8-13-1985)

§ 155.30 EMERGENCY ACTION.

(A) If, in any instance, the Unsafe Building Department shall find that it is necessary to take emergency action with reference to unsafe premises in order to protect life, safety, or property, the Unsafe Building Department, may cause action as is necessary to protect life, safety, or property to be performed without issuing an order or giving notice.

(B) Such emergency action shall be limited to removing any immediate danger. The cost incurred by the Unsafe Building Department in taking or having such action taken may be recovered against the persons who have a fee interest or life estate interest in the unsafe premises by filing of a civil action in the Lake County Circuit, or Superior Court by the Unsafe Building Department. Cost of the action shall not be borne by either the Unsafe Building Department, or any other Department of the County of Lake, State of Indiana.

(Prior Code, § 155.30) (Ord. 1012A, passed 8-13-1985)

§ 155.31 RECEIVERS, APPOINTMENT AND POWERS.

(A) In accordance with § 155.52, a receiver may be appointed by a court of competent jurisdiction relative to the unsafe premises, subject to the following:

(1) The purpose of the receivership shall be to take possession of the unsafe premises for a period of time sufficient to accomplish and pay for repairs and improvements.

(2) The receiver may be a not-for-profit corporation whose primary purpose is the improvement of housing conditions in unincorporated Lake County, Indiana, or be any other capable person residing in Lake County, Indiana.

(3) The receiver shall collect and use the rents and other income of the unsafe premises despite any prior assignments thereof, to repair or remove the defects as required by the order, and may upon approval by the Court, make repairs and improvements in addition to those specified in the order or required by the applicable statues, ordinances, codes, or regulations.

(4) The receiver shall have the power to make any contracts and do all things necessary to accomplish the repair and improvement of the unsafe premises.

(5) The Court may, after hearing, authorize the receiver to obtain moneys needed to accomplish the repairs and improvements by the issuance and sale of notes or receiver's certificates bearing interest as

the Court may fix. The notes or certificate shall be first lie upon the unsafe building and real estate on which the unsafe building is located and on the rents and income thereof, and shall be superior to all existing assignments of rents, liens, mortgages or other encumbrances on the property, except taxes, provided that within 60 days following the sale or transfer for value of the notes by the receiver, the holder thereof shall file notice in the Recorder's Office, which shall contain the following information:

(a) The legal description of the tract of real estate on which the unsafe building is located;

(b) The face amount and interest rate of the note, or certificate;

(c) The date when the note or certificate was sold or transferred by the receiver; and

(d) The date of maturity.

(B) Upon payment to the holder of the receiver's note or certificate of the face amount and interest, and upon filing in the Recorder's Office of Lake County, of a sworn statement of payment the note or certificate shall be released. Upon failure of payment, the lien may be enforced by proceedings to foreclose as in the case of a mechanic's lien or mortgage, however, the suit must be commenced within one year after the date of default. The receiver shall be entitled to the same fees commissions, and necessary expenses as are receivers in action to foreclose mortgages and the fees, commission, and expenses shall be paid out of the rents, and income of the property in foreclosure.
(Prior Code, § 155.31) (Ord. 1012A, passed 8-13-1985)

§ 155.32 REPAIRS, PUBLIC BIDS FOR WORK PURSUANT TO ORDER.

(A) The Unsafe Building Department may cause the action required by an order to be performed by a contractor if the following has occurred:

(1) An order has been issued to each person having a substantial property interest in the unsafe premises;

(2) Service of an order in the manner provided by § 155.25 has been made on each person having a substantial property interest in the unsafe premises which are the subject of the order;

(3) Each of the orders has been armed or modified at a hearing in such manner that all persons having a substantial property interest in the unsafe premises which are the subject of each of the orders are currently subject to an order requiring the accomplishment of substantially identical actions;

(4) The order as affirmed or modified at the hearing has not been complied with, or having once been complied with, is not now being complied with; and/or

(5) The order is not being reviewed in accordance with § 155.27.

(B) This work may be performed in the following manner.

(1) If the cost is estimated to be less than $5,000, the Unsafe Building Department, acting in conjunction with the Lake County Public Works Department as its agent, may perform the work by means of employees of the Public Works Department and equipment owned and leased by it. Notice that this work to be performed shall be given to all persons with a substantial property interest, in the manner provided in divisions (C) and (D) of this section. This notice shall be given at least ten days before the date of performance of the work. This notice shall include a statement that an amount representing a reasonable estimate of the cost incurred in processing the matter and performing the work may, if not paid, be recorded after a hearing as a lien against all persons having a fee interest or life estate interest in the unsafe premises.

(2) If the estimated cost of this work is $5,000 or more, this work shall be let out a public bid to a contractor, who is qualified, registered, and licensed in the unincorporated Lake County, Indiana. The obligation to pay costs imposed by this section,

§ 155.33, is based on the condition of the unsafe premises at the time the public bid was accepted. Changes occurring in the condition of the unsafe premises after the public bid was accepted shall not eliminate or diminish this obligation.

(3) Bids may be solicited and accepted for work on more than one property if the bid reflects an allocation of the bid amount among the various unsafe premises in proportion to the work to be accomplished. The portion of the bid amount attributable to each of the unsafe premises shall constitute the basis for calculating the portion of the cost defined under this section.

(C) All persons with a substantial property interest in the unsafe premises shall be notified about the public bid in accordance with § 155.25 by means of written statement, which shall include the following information:

(1) The name of the person to whom the order was issued;

(2) A legal description or address of the unsafe premises that are the subject of the order;

(3) A statement that a contract is to be let at public bid to a qualified, registered, and licensed contractor, to accomplish work to comply with the order;

(4) A description of work to be accomplished;

(5) A statement that both the bid price of the contractor, who accomplishes the work and an amount representing a reasonable estimate of the cost incurred by the Lake County Unsafe Building Department in processing the matter of unsafe premises, may if not paid be recorded after a hearing as a lien against all persons having a fee interest or life estate interest in the unsafe premises;

(6) A statement that the owner has the right to elect in writing within a period of five calendar days to retain any or all materials salvaged from the work;

(7) The time of the bid opening; and

(8) The place of the bid opening.

(9) The name, address, and telephone number of the Lake County Unsafe Building Department.

(D) If service of the notice of statement that public bids are to be let is by publication, the publication shall include the information provided for in division (C) above, except that it need only include a general description of the work to be accomplished. The publication also shall include a statement that a copy of the statement of public bid may by obtained from the Lake County Unsafe Building Department.

(E) Notice of the statement that public bids are to be let shall be given to all persons having a substantial property interest in the property at least ten calendar days before the date of the public bid.

(F) Persons having a substantial property interest in the unsafe premises which are the subject of a statement that public bids are to be let may, as their interest allows, within a period of five calendar days after they have received notice of the statement, elect by sending a statement in writing to the Lake County Unsafe Building Department, to retain any or all of the materials resulting or salvaged from the work. In the absence of the statement, the Lake County Unsafe Building Department, may decide the method of disposal of the materials.

(G) If action in accordance with this section is being taken on the basis of an order which is being served by publication, it shall be sufficient to serve the statement that the Lake County Unsafe Building Department, acting in conjunction with the Public Works Department, intends to perform the work or that public bids are to be let by publication unless the County Unsafe Building Department has received information in writing that would enable it to make service in accordance with § 155.25 by a method other than publication.

(Prior Code, § 155.32) (Ord. 1012A, passed 8-13-1985; Ord. 1012A-1, passed 12-8-1987)

§ 155.33 LIABILITY FOR COSTS OF WORK PURSUANT TO ORDER.

(A) When action required by an order is performed by the Lake County Unsafe Building Department, acting by and through its agents, or by a contractor in accordance with § 155.32, each person who held a fee interest or life estate interests in the unsafe premises, from the time when the order requiring the work performed was recorded to the time that the work was completed, shall be jointly and severally responsible for the following costs:

(1) The actual cost of the work performed by the Lake County Unsafe Building Department, through the Lake County Public Works Department, or the bid price of work accomplished by the contractor in accordance with § 155.32; and

(2) An amount which represents a reasonable forecast of the average processing expense which will be incurred by the Lake County Unsafe Building Department in taking all the technical, administrative, and legal actions relative to a typical unsafe premises which are necessary under this chapter, so that the action required by an order may be performed by a contractor in accordance with § 155.25 in calculating the amount of the average processing expense, the following costs may be considered:

(a) Obtaining reliable information about the identity and location of persons who own a substantial property interest in the unsafe premises;

(b) Accomplishing notice of orders, notice of statements or rescission, notice of continued hearing, and notice of statements that public bids are to be let or that the Lake County Unsafe Building Department, acting by and through its agents, and notice that a hearing may be held on the amounts indicated in the records in accordance with § 155.25;

(c) Salaries for employees; and

(d) Supplies, equipment, and office.

(B) The amount of the average processing expense shall be determined by the Lake County Unsafe Building Department; at a public hearing relative to which notice has been given in the same manner as is required for other official action of the Lake County Unsafe Building Department. In determining the average processing expense, it. shall be acceptable to fix the amount at a full dollar amount, which is an even multiple of ten.

(C) All or any part of the actual costs incurred by the Lake County Unsafe Building Department, acting by and through the Lake County Public Works Department, or the contractor bid price and the applicable average processing expense remain unpaid relative to any unsafe premises, other than unsafe premises owned by a government, after a period of 15 days has elapsed after the completion of the work, and the enforcement authority of the Lake County Unsafe Building Department, in his or her discretion, determines that there is a reasonable probability of obtaining recovery, the enforcement authority shall prepare a record which shall state the name or names and last known addresses of all persons who have a fee interest or life estate interest in the unsafe premises that were the subject of work, the nature of work that was accomplished, the amount of the unpaid bid price of the work that was accomplished, and the amount of the unpaid average processing expense.

(D) This record shall be in form prescribed by or approved by the State Board of Accounts. The Enforcement Authority shall swear to the accuracy of the record prepared by him or her before the Clerk of the Circuit Court and shall thereon deposit the record in the Office of the Clerk of the Circuit Court. Notice that the record has been filed and that a hearing on the amounts indicated in the record may be held, shall be sent to the person or persons named in the record, as provided in § 155.33. If within 30 days of that notice, the Clerk of the Circuit Court' has received a written petition from the person named in the record, objecting to the claim for payment and requesting a hearing, the Clerk of the Circuit Court shall enter the cause on the Docket of Circuit or Superior Court as a civil action and a fair hearing on the question shall be

held pursuant to the provisions of I.C. 4-21.5-5. However, issues that could have been determined pursuant to § 155.27 shall not be entertained at the hearing. At the conclusion of the hearing on the petition, the Court shall either sustain the petition or enter a judgement for the amounts recorded or modified amounts against the person or persons named in the record. If no petition is received at the end of 30 days after the notice to the person or persons named in the record. Clerk of the Circuit Court shall enter the cause on the docket of the Court and the Court shall enter a judgement for the amounts stated in the record which shall constitute a debt and be a lien on all the real and personal property of the person named or the joint and several debt and lien on the real and personal property of the persons named. The lien on any real property shall be perfected as against all creditors and purchasers when the judgement is entered on the judgement docket of the Court. The lien on personal property shall be perfected by filing a lis pendens notice in the appropriate filing office as prescribed in Trial Rule 63.1 of the Indiana Rules of Procedure. Any judgement rendered under this section may be enforced in the same manner as all other judgements are enforced.
(Prior Code, § 155.33) (Ord. 1012A, passed 8-13-1985; Ord. 1012A-1, passed 12-8-1987)

§ 155.34 UNSAFE BUILDING FUND.

(A) A fund designated as the Unsafe Building Fund shall be established in the operating budget of the Unsafe Building Department. Any balance remaining at the end of the fiscal year shall be carried over in the Fund for the following year and shall not revert to the General Fund.

(B) Money for the Fund may be received from any source including appropriation by a municipal, state or federal legislative authority, and donations. The following moneys shall be deposited in the Fund:

(1) Money received as payment for or settlement of any obligations or judgements created in accordance with §§ 155.30, 155.32, 155.33, and 155.52;

(2) Moneys received from bonds posted in accordance with § 155.26; and

(3) Moneys received in satisfaction of receiver's notes or certificates, issued in accordance with § 155.31, which were purchased with use of moneys from the Unsafe Building Fund.

(C) The Unsafe Building Department may take action to transfer all or any part of any money which may exist in the Building Demolition, Repair and Contingent Fund, created by I.C. 36-7-9-15, to the Unsafe Building's Fund.

(D) Money included in the Unsafe Building's Fund may be used for the purposes directly related to the carrying out of any provisions of this chapter, which shall include, by way of example and not of limitation:

(1) The cost of obtaining reliable information about the identity and location of persons who own a substantial property interest in an unsafe premises;

(2) The cost of an examination of an unsafe building by a registered architect or engineer, not employed by the county government;

(3) The cost of surveys necessary to determine the location and dimensions of real estate on which an unsafe building is located;

(4) The cost of accomplishing notice of orders, notice of statements of rescission, notice of continued hearing and, notice of statements that public bids are to be let in accordance with § 155.25;

(5) The bid price of work accomplished by a contractor in accordance with § 155.32 or § 155.52;

(6) The cost accomplishing work on an emergency basis in accordance with § 155.30; and/or

(7) The cost of notes or receiver certificates issued in accordance with § 155.31.

(E) Payment of money from the Unsafe Building Fund shall be made in accordance with applicable law.
(Prior Code, § 155.34) (Ord. 1012A, passed 8-13-1985)

ADMINISTRATION AND ENFORCEMENT

§ 155.50 ADMINISTRATION AND ENFORCEMENT.

The Lake County Planning and Building Department shall be responsible for the administration of this chapter.
(Prior Code, § 155.50) (Ord. 1012A, passed 8-13-1985)

§ 155.51 INSPECTION AND POWER OF ENFORCEMENT.

(A) In those cases in which the owners or those in possession of a building refuse inspection, an inspection officer in the Lake County Unsafe Building Department may obtain an inspection warrant from any Court of record in Lake County, Indiana, in order to determine if the building is an unsafe building. The Court shall issue the warrant subject to the following.

(1) The person seeking the warrant must establish that the building to be searched or inspected is to be searched or inspected as part of a legally authorized program of inspection which naturally includes that building or that there is probable cause for believing that there is a condition, object, activity, or circumstance which legally justifies such a search or inspection of the building.

(2) An affidavit indicating the basis for the establishment of one of the grounds described in division (A)(1) above must be signed under oath or affirmation by the affiant.

(3) The issuing judicial official must examine the affiant under oath or affirmation to verify the accuracy of the matters indicated by the statement in the affidavit.

(B) The warrant shall be validly issued only if it meets the following requirements:

(1) It must be signed by the issuing judicial official and must bear the date and hour of its issuance above his or her signature with a notation that the warrant is valid only 48 hours, following its issuance.

(2) It must describe, either directly or by reference to the affidavit, the building where the search or inspection is to occur and be accurate enough in description so that the executor of the warrant and the owner or possessor of the building can reasonably determine from the warrant what property it authorizes an inspection of.

(3) It must indicate the conditions, objects, activities or circumstances which the inspection is the forfeiture reduced or stricken if it is satisfied that all intended to check or reveal.

(4) It must be attached to the affidavit required to be made in order to obtain the warrant.

(C) Any warrant issued under this section for a search or inspection shall be valid for only 48 hours after its issuance, must be personally served upon the owner or possessor of the building and must be returned within 72 hours.
(Prior Code, § 155.51) (Ord. 1012A, passed 8-13-1985)

§ 155.52 CIVIL ACTION BY PLANNING AND BUILDING DEPARTMENT.

The Unsafe Building Department may initiate a civil action in the County Circuit or Superior Court, with regard to the unsafe premises. Cost of the action

shall not be borne by either the Unsafe Building Department or County Government. The Circuit or Superior Court may, as is appropriate, grant one of more of the following kinds of relief in the action:

(A) If the following is shown, grant mandatory or prohibitory injunction against any person that will cause the order to be complied with.

(1) An order was issued to the person but this order does not need to set a hearing date.

(2) The person has a property interest in the unsafe premises that is the subject of the order that would allow the person to take the action required by the order.

(3) The building which is the subject of the order is an unsafe building.

(4) The order is not being reviewed in accordance with § 155.26.

(B) Impose a civil forfeiture not to exceed $1,000 against any person if the provisions of division (A) of this section are shown.

(1) No forfeiture shall be imposed which is substantially less that the cost of complying with the order unless the cost exceeds $1,000. The effective date of the forfeiture may be postponed for a period not to exceed 30 days after which the Court may order the forfeiture reduced or stricken if it is satisfied that all work necessary to fully comply with the order has been done.

(2) On request of the Lake County Unsafe Building Department, the Court shall enter a judgement in the amount of the civil forfeiture. In any instance, where there is more than one party defendant, the civil forfeiture shall be separately applicable to each defendant.

(3) The amount of any civil forfeiture which is collected shall be deposited in the Unsafe Building Fund.

(C) Appoint a receiver as provided in § 155.31.

(1) The issuance of an order relative to the unsafe premises is not a prerequisite to the appointment of a receiver. If an order has been issued relative to such unsafe premises, it shall not prevent the appointment of a receiver.

(2) In any case in which the Unsafe Building Department, requests the appointment of a receiver, all persons having a substantial property interest in the unsafe premises shall be made party defendants.

(D) If the following is shown, authorize the County Unsafe Building Department, to cause the action required by the order to be performed by a Contractor qualified and licensed under applicable Lake County ordinances, and the laws of the State of Indiana.

(1) (a) An order was issued to each person having a substantial property interest in the unsafe premises;

(b) Each of the orders has been affirmed or modified at hearing in such manner that all persons having a substantial property interest in the unsafe premises, which are the subject of each of the orders are currently subject to an order requiring the accomplishment of substantially identical actions;

(c) The order, as affirmed or modified at the hearing has not been complied with, or having once been complied with, is not now being complied with;

(d) The building which is the subject of the order is an unsafe building; and

(e) The order is not being reviewed in accordance with § 155.26.

(2) In any case which the Lake County Unsafe Building Department, requests authority to cause action required by the order to be performed by

a contractor, all persons having a substantial property interest in the unsafe premises shall be made party defendants.

(3) The cost of accomplishing the work and the processing expenses incurred by the Lake County Unsafe Building Department, computed in accordance with the provisions of § 155.33, both may, after a hearing, be entered by the Court as a judgement against persons having a fee interest or life estate in the unsafe premises.

(E) Set a hearing to be held within ten days of the filing of a complaint alleging the existence of an unsafe premises presenting an immediate danger to the health and safety of the surrounding community which is sufficient to warrant emergency action. Upon a finding at the hearing in favor of the County Unsafe Building Department, the Court may either:

(1) Authorize the Unsafe Building Department to cause action necessary to make the premises safe (which may include any action described under § 155.20) to be immediately performed by a contractor licensed and qualified under applicable county ordinances and state laws.

(2) Authorize the Unsafe Building Department to cause action necessary to make the premises safe (which may include any action described under § 155.20 to be immediately performed by a contractor licensed and qualified under applicable county ordinances and state law after defendants have had a reasonable time as established by the Court to make the unsafe premises safe and have failed to accomplish completely the necessary action. In granting relief under this division (E)(2), the Court shall set a date certain for the completion of the necessary action and shall hold a hearing within ten days thereafter to determine whether the necessary action has been accomplished completely.

(a) The issuance of an order relative to such unsafe premises is not a prerequisite to the authorization by the Court to cause action to be performed on the unsafe premises. If an order has been issued relative to unsafe premises, it shall not prevent the authorization by the Court to cause action to be performed on the unsafe premises.

(b) In any case in which the Lake County Unsafe Building, Department, requests authority to cause action on the unsafe premises to be performed by a contractor, all persons having a substantial property interest in the unsafe premises shall be made party defendants.
(Prior Code, § 155.52) (Ord. 1012A, passed 8-13-1985)

§ 155.53 CRIMINAL SANCTIONS FOR VIOLATIONS.

(A) A person commits a Class C infraction who:

(1) Remains in, uses, or enters any building in violation of an order;

(2) Knowingly interferes with or delays the carrying out of an order;

(3) Knowingly obstructs, damages or interferes with any persons engaged or property used in performing any work or duty under this chapter; or

(4) Fails to comply with § 155.05.

(B) Each day that the violation continues constitutes a separate offense.
(Prior Code, § 155.53) (Ord. 1012A, passed 8-13-1985)

§ 155.54 CHANGE OF VENUE; CHANGE OF JUDGE.

No change of venue shall be allowed in any action filed pursuant to §§ 155.27, 155.33 or 155.52 but a change of judge shall be allowed, in the same respect and manner as provided in other civil matters.
(Prior Code, § 155.54) (Ord. 1012A, passed 8-13-1985)

§ 155.55 PRECEDENCE OF ACTIONS.

Any action filed pursuant to §§ 155.27 and 155.52 takes precedence over other pending litigation, and the action shall be tried and determined by the Court at as early a date as possible.
(Prior Code, § 155.55) (Ord. 1012A, passed 8-13-1985)

§ 155.56 RESTRICTIONS OF POWERS.

Wherever in the county building regulations it is provided that anything must be done to the approval of or subject to the direction of the Hearing Authority or any other officer of the county, this shall be construed to give the officer only the discretion of determining whether the rules and standards established by ordinance have been complied with, and no such provisions shall be construed as giving any officer discretionary powers as to what the regulations or standards shall be, power to require conditions not prescribed by ordinance, or to enforce ordinance provisions in an arbitrary or discretionary manner.
(Prior Code, § 155.56) (Ord. 1012A, passed 8-13-1985)

CHAPTER 156: LEASE PROVISIONS

Section

156.01 Disclosure of beneficiaries prior to lease

§ 156.01 DISCLOSURE OF BENEFICIARIES PRIOR TO LEASE.

Prior to the execution of a lease for real estate by the county and the Trustee of an Indiana Land Trust pursuant to I.C. 36-1-10 *et seq.*, all named beneficiaries of the Indian Land Trust shall be disclosed to the political subdivision or agent of the county executing the lease, and a copy of the trust agreement naming the beneficiaries shall be filed with the County Auditor's Office for public inspection.
(Prior Code, § 156.01) (Ord. 1002A, passed 11-13-1984)

CHAPTER 157: FLOODPLAIN PROVISIONS

Section

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STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES.

§ 157.001 STATUTORY AUTHORIZATION.

The Indiana Legislature has in I.C. 36-7-4 and I.C. 14-28-4 granted the power to local government units to control land use within their jurisdictions.

Therefore, the Lake County Plan Commission and Lake County Council of the County of Lake, State of Indiana do hereby adopt the following floodplain management regulations.
(Ord. 2336, passed 3-8-2011)

§ 157.002 FINDINGS OF FACT.

(A) The flood hazard areas of unincorporated Lake County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

(B) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.
(Ord. 2336, passed 3-8-2011)

§ 157.003 STATEMENT OF PURPOSE.

It is the purpose of this chapter to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

(A) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, which result in damaging increases in erosion or in flood heights or velocities;

(B) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

(C) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

(D) Control filling, grading, dredging, and other development which may increase erosion or flood damage;

(E) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and

(F) Make federally subsidized flood insurance available for structures and their contents in the unincorporated areas of Lake County by fulfilling the requirements of the National Flood Insurance Program.
(Ord. 2336, passed 3-8-2011)

§ 157.004 OBJECTIVES.

The objectives of this chapter are:

(A) To protect human life and health;

(B) To minimize expenditure of public money for costly flood control projects;

(C) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

(D) To minimize prolonged business interruptions;

(E) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in floodplains;

(F) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and

(G) To ensure that potential home buyers are notified that property is in a flood area.
(Ord. 2336, passed 3-8-2011)

DEFINITIONS

§ 157.015 DEFINITIONS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

A ZONE. Portions of the SFHA in which the principal source of flooding is runoff from rainfall, snowmelt, or a combination of both. In A zones, floodwaters may move slowly or rapidly, but waves are usually not a significant threat to buildings. These areas are labeled as Zone A, Zone AE, Zones A1-A30, Zone AO, Zone AH, Zone AR and Zone A99 on a FIRM or FHBM. The definitions are presented below:

ZONE A. Areas subject to inundation by the 1% annual chance flood event. Because detailed hydraulic analyses have not been performed, no base flood elevation or depths are shown. Mandatory flood insurance purchase requirements apply.

ZONE AE and ***A1-A30.*** Areas subject to inundation by the 1% annual chance flood event determined by detailed methods. Base flood elevations are shown within these zones. Mandatory flood insurance purchase requirements apply. (Zone AE is on new and revised maps in place of Zones A1-A30.)

ZONE AO. Areas subject to inundation by the 1% annual chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

ZONE AH. Areas subject to inundation by the 1% annual chance shallow flooding (usually areas of pending) where average depths are between one and three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone. Mandatory flood insurance purchase requirements apply.

ZONE AR. Areas that result from the decertification of a previously accredited flood protection system that is determined to be in the process of being restored to provide base flood protection. Mandatory flood insurance purchase requirements apply.

ZONE A99. Areas subject to inundation by the 1% annual chance flood event, but which will ultimately be protected upon completion of an under-construction federal flood protection system. These are areas of special flood hazard where enough progress has been made on the construction of a protection system, such as dikes, dams, and levees, to consider it complete for insurance rating purposes. Zone A99 may only be used when the flood protection system has reached specified statutory progress toward completion. No base flood elevations or depths are shown. Mandatory flood insurance purchase requirements apply.

ACCESSORY STRUCTURE (APPURTENANT STRUCTURE). A structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. ***ACCESSORY STRUCTURES*** should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of ***ACCESSORY STRUCTURES*** are detached garages, carports, storage sheds, pole barns, and hay sheds.

ADDITION (TO AN EXISTING STRUCTURE). Any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.

APPEAL. A request for a review of the Floodplain Administrator's interpretation of any provision of this chapter or a request for a variance.

AREA OF SHALLOW FLOODING. A designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. That flooding is characterized by pending or sheet flow.

BASE FLOOD ELEVATION (BFE). The elevation of the 1% annual chance flood.

BASEMENT. That portion of a structure having its floor sub-grade (below ground level) on all sides.

BUILDING. See ***STRUCTURE***.

COMMUNITY. A political entity that has the authority to adopt and enforce floodplain ordinances for the area under its jurisdiction.

COMMUNITY RATING SYSTEM (CRS). A program developed by the Federal Insurance Administration to provide incentives for those communities in the regular program that have gone beyond the minimum floodplain management requirements to develop extra measures to provide protection from flooding.

CRITICAL FACILITY. A facility for which even a slight chance of flooding might be too great. ***CRITICAL FACILITIES*** include, but are not limited to, schools, nursing homes, hospitals, police, fire, and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

DEVELOPMENT.

(1) Any man-made change to improved or unimproved real estate including but not limited to:

(a) Construction, reconstruction, or placement of a structure or any addition to a structure;

(b) Installing a manufactured home on a site, preparing a site for a manufactured home or installing recreational vehicle on a site for more than 180 days;

(c) Installing utilities, erection of walls and fences, construction of roads, or similar projects;

(d) Construction of flood control structures such as levees, dikes, dams, channel improvements, etc;

(e) Mining, dredging, filling, grading, excavation, or drilling operations;

(f) Construction and/or reconstruction of bridges or culverts;

(g) Storage of materials; or

(h) Any other activity that might change the direction, height, or velocity of flood or surface waters.

(2) ***DEVELOPMENT*** does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

ELEVATED STRUCTURE. A non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

ELEVATION CERTIFICATE. A certified statement that verifies a structure's elevation information.

EMERGENCY PROGRAM. The first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance

at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

ENCROACHMENT. The advance or infringement of uses, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

EXISTING CONSTRUCTION. Any structure for which the "start of construction" commenced before the effective date of the community's first floodplain ordinance.

EXISTING MANUFACTURED HOME PARK or ***SUBDIVISION.*** A ***MANUFACTURED HOME PARK*** or ***SUBDIVISION*** for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the community's first floodplain ordinance.

EXPANSION. An existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA. The Federal Emergency Management Agency.

FIVE-HUNDRED-YEAR FLOOD (500-YEAR FLOOD). The flood that has a 0.2% chance of being equaled or exceeded in any year.

FLOOD. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.

FLOOD BOUNDARY and ***FLOODWAY MAP (FBFM).*** An official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

FLOOD HAZARD BOUNDARY MAP (FHBM). An official map of a community, issued by FEMA, where the boundaries of the areas of special flood hazard have been identified as Zone A.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS). The official hydraulic and hydrologic report provided by FEMA. The report contains flood profiles, as well as the FIRM, FBFM (where applicable), and the water surface elevation of the base flood.

FLOOD PRONE AREA. Any land area acknowledged by a community as being susceptible to inundation by water from any source. (See ***FLOOD***.)

FLOOD PROTECTION GRADE (FPG). The elevation of the regulatory flood plus two feet at any given location in the SFHA. (See ***FREEBOARD.***)

FLOODPLAIN. The channel proper and the areas adjoining any wetland, lake, or watercourse which have been or hereafter may be covered by the regulatory flood. The ***FLOODPLAIN*** includes both the floodway and the fringe districts.

FLOODPLAIN MANAGEMENT. The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

FLOODPLAIN MANAGEMENT REGULATIONS. This chapter and other zoning ordinances, subdivision regulations, building codes,

health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. ***FLOODPLAIN MANAGEMENT REGULATIONS*** are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

FLOODPROOFING (DRY FLOODPROOFING). A method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

FLOODPROOFING CERTIFICATE. A form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be by a registered professional engineer or architect.

FLOODWAY. The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

FREEBOARD. A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

FRINGE. Those portions of the floodplain lying outside the floodway.

FUNCTIONALLY DEPENDENT FACILITY. A facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

HARDSHIP. (As related to a variance of this chapter) means the exceptional hardship that would result from a failure to grant the requested variance. The Lake County Plan Commission and Lake County Board of Zoning Appeals require that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial ***HARDSHIP*** alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of neighbors likewise cannot, as a rule, qualify as an exceptional ***HARDSHIP***. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE. Any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

INCREASED COST OF COMPLIANCE (ICC). The cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after 6-1-1997, will include ICC coverage.

LETTER OF MAP AMENDMENT (LOMA). An amendment to the currently effective FEMA map that establishes that a property is not located in a SFHA. A LOMA is only issued by FEMA.

LETTER OF MAP REVISION (LOMR). An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

LETTER OF MAP REVISION BASED ON FILL (LOMR-F). An official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

LOWEST ADJACENT GRADE. The lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

LOWEST FLOOR. The lowest of the following:

(1) The top of the lowest level of the structure;

(2) The top of the basement floor;

(3) The top of the garage floor, if the garage is the lowest level of the structure;

(4) The top of the first floor of a structure elevated on pilings or pillars;

(5) The top of the first floor of a structure constructed with a crawl space, provided that the lowest point of the interior grade is at or above the BFE and construction meets requirements of division (6)(a) below; or

(6) The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:

(a) The walls are designed to automatically equalize the hydorstatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls having a total net area of one square inch for every one square foot of enclosed area. The bottom of all the openings shall be no higher than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher and shall be located entirely below the BFE; and

(b) The enclosed space shall be usable solely for the parking of vehicles and building access.

MANUFACTURED HOME. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term ***MANUFACTURED HOME*** does not include a recreational vehicle.

MANUFACTURED HOME PARK or ***SUBDIVISION.*** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MAP AMENDMENT. A change to an effective NFIP map that results in the exclusion from the SFHA of an individual structure or a legally described parcel of land that has been inadvertently included in the SFHA (i.e., no alterations of topography have occurred since the date of the first NFIP map that showed the structure or parcel to be within the SFHA).

MAP PANEL NUMBER. The four-digit number followed by a letter suffix assigned by FEMA on a flood map. The first four digits represent the map panel, and the letter suffix represents the number of times the map panel has been revised. (The letter "A" is not used by FEMA, the letter "B" is the first revision.)

MARKET VALUE. The building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. ***MARKET VALUE*** can be established by independent certified appraisal, replacement cost depreciated by age of building (actual cash value), or adjusted assessed values.

MITIGATION. Sustained actions taken to reduce or eliminate long-term risk to people and property from hazards and their effects. The purpose of ***MITIGATION*** is two fold: to protect people and structures, and to minimize the cost of disaster response and recovery.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP). The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

NATIONAL GEODETIC VERTICAL DATUM (NGVD) OF 1929. As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

NEW CONSTRUCTION. Any structure for which the "start of construction" commenced after the effective date of the community's first floodplain ordinance.

NEW MANUFACTURED HOME PARK or ***SUBDIVISION.*** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

NORTH AMERICAN VERTICAL DATUM OF 1988 (NAD 88). As adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

OBSTRUCTION. Includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

ONE-HUNDRED-YEAR FLOOD (100-YEAR FLOOD). The flood that has a 1% chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter "A" is subject to the 1% annual chance flood. See ***REGULATORY FLOOD***.

ONE-PERCENT ANNUAL CHANCE FLOOD. The flood that has a 1% chance of being equaled or exceeded in any given year. Any flood zone that begins with the letter "A" is subject to the 1% annual chance flood. See ***REGULATORY FLOOD***.

PARTICIPATING COMMUNITY. Any community that voluntarily elects to participate in the NFIP by adopting and enforcing floodplain management regulations that are consistent with the standards of the NFIP.

PHYSICAL MAP REVISION (PMR). An official republication of a community's FEMA map to effect changes to base (1% annual chance) flood elevations, floodplain boundary delineations, regulatory floodways, and planimetric features. These changes typically occur as a result of structural works or improvements, annexations resulting in additional flood hazard areas, or correction to base flood elevations or SFHAs.

POST-FIRM CONSTRUCTION. Construction or substantial improvement that started on or after the effective date of the initial FIRM of the community or after 12-31-1974, whichever is later.

PRE-FIRM CONSTRUCTION. Construction or substantial improvement, which started on or before 12-31-1974, or before the effective date of the initial FIRM of the community, whichever is later.

PROBATION. A means of formally notifying participating communities of violations and deficiencies in the administration and enforcement of the local floodplain management regulations.

PUBLIC SAFETY AND NUISANCE. Anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

RECREATIONAL VEHICLE. A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling, but as quarters for recreational camping, travel, or seasonal use.

REGULAR PROGRAM. The phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

REGULATORY FLOOD. The flood having a 1% chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in § 157.026 below. The ***REGULATORY FLOOD*** is also known by the term ***BASE FLOOD***, ***ONE-PERCENT ANNUAL CHANCE FLOOD***, and ***100-YEAR FLOOD***.

REPETITIVE LOSS. Flood-related damages sustained by a structure on two separate occasions during a ten-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the structure at the time of each such flood event.

SECTION 1316. That section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

SPECIAL FLOOD HAZARD AREA (SFHA). Those lands within the jurisdictions of the county subject to inundation by the regulatory flood. The SFHAs of the county are generally identified as such on the Lake County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated January 18, 2012. (These areas are shown on a FHBM or FIRM as Zone A, AE, A1-A30, AH, AR, A99, or AO).

START OF CONSTRUCTION. Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The ***ACTUAL START*** means the first placement or permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footing, installation of piles, construction of columns, or any work beyond the stage of excavation for placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, foundations, or the erection of temporary forms. For ***SUBSTANTIAL IMPROVEMENT***, the ***ACTUAL START OF CONSTRUCTION*** means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. A structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "repetitive loss" or "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structures continued designation as a "historic structure".

SUSPENSION. The removal of a participating community from the NFIP because the community has not enacted and/or enforced the proper floodplain management regulations required for participation in the NFIP.

VARIANCE. Any grant of relief from the requirements of this chapter in conjunction with the provisions of the Indiana Code regarding variances. A ***VARIANCE*** shall be characterized as authorizing deviations from restrictions upon use or construction and placement of buildings and structures or a ***VARIANCE*** that involves altering any required setbacks, height, width, size, density, or any other requirement of this chapter. This definition includes all conditions for a variance as described in § 157.093 below.

VIOLATION. The failure of a structure or other development to be fully compliant with this chapter. A structure or other development without the elevation, other certification, or other evidence of compliance required in this chapter is presumed to be in violation until the time as that documentation is provided.

WATER SURFACE ELEVATION. The height, in relation to the North American Vertical Datum of 1988 (NAD 88) or National Geodetic Vertical Datum of 1929 (NGVD) (other datum where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

WATERCOURSE. A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. ***WATERCOURSE*** includes specifically designated areas in which substantial flood damage may occur.

X ZONE. The area where the flood hazard is less than that in the SFHA. Shaded ***X ZONES*** shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2% chance of being equaled or exceeded (the 500-year flood). Unshaded ***X ZONES*** (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2%.

ZONE. A geographical area shown on a FHBM or FIRM that reflects the severity or type of flooding in the area.

ZONE A. See definition for ***A ZONE***.

ZONE B, C, and ***X.*** Areas identified in the community as areas of moderate or minimal hazard from the principal source of flood in the area. However, buildings in these zones could be flooded by severe, concentrated rainfall coupled with inadequate local drainage systems. Flood insurance is available in participating communities but is not required by regulation in these zones. (Zone X is used on new and revised maps in place of ***ZONES B*** and ***C***.)
(Ord. 2336, passed 3-8-2011; Am. Ord. 2352, passed 12-13-2011)

GENERAL PROVISIONS

§ 157.025 LANDS TO WHICH THIS CHAPTER APPLIES.

This chapter shall apply to all SFHAs and known flood prone areas within the jurisdiction of unincorporated Lake County.
(Ord. 2336, passed 3-8-2011)

§ 157.026 BASIS FOR ESTABLISHING REGULATORY FLOOD DATA.

This chapter's protection standard is the regulatory flood. The best available regulatory flood data is listed below. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Indiana Department of Natural Resources for review and approval.

(A) The regulatory flood elevation. floodway, and fringe limits for the studied SFHAs of Lake County shall be as delineated on the one percent annual chance flood profiles in the Flood Insurance Study of Lake County and Incorporated Areas, dated January 18, 2012 and the corresponding Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated January 18, 2012.

(B) The regulatory flood elevation, floodway, and fringe limits for each of the SFHAs within the jurisdiction of Lake County, delineated as an "A Zone" on the Lake County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency and dated January 18, 2012 shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.

(C) In the absence of a published FEMA map, or absence of identification on a FEMA map, the regulatory flood elevation, floodway, and fringe limits of any watercourse in the community's known flood prone areas shall be according to the best data available as provided by the Indiana Department of Natural Resources; provided the upstream drainage area from the subject site is greater than one square mile.
(Ord. 2351, passed 12-13-2011)

§ 157.027 ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT (FDP).

A floodplain development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities in areas of special flood hazard. Where a building and zoning permit is required in accordance with the unincorporated Lake County Building Code, a FDP may be included as a part or portion of the building and zoning permit.
(Ord. 2336, passed 3-8-2011)

§ 157.028 COMPLIANCE

No structure shall hereafter be located, extended, converted or structurally altered within the SFHA without full compliance with the terms of this chapter and other applicable regulations. No land or stream within the SFHA shall hereafter be altered without full compliance with the terms of this chapter and other applicable regulations.
(Ord. 2336, passed 3-8-2011)

§ 157.029 ABROGATION AND GREATER RESTRICTIONS.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
(Ord. 2336, passed 3-8-2011)

§ 157.030 DISCREPANCY BETWEEN MAPPED FLOODPLAIN AND ACTUAL GROUND ELEVATIONS.

(A) In cases where there is a discrepancy between the mapped floodplain (SFHA) on the FIRM and the actual ground elevations, the elevation provided on the profiles shall govern.

(B) If the elevation of the site in question is-below the base flood elevation, that site shall be included in the SFHA and regulated accordingly.

(C) If the elevation (natural grade) of the site in question is above the base flood elevation, that site shall be considered outside the SFHA and the floodplain regulations will not be applied. The property owner should be advised to apply for a LOMA.
(Ord. 2336, passed 3-8-2011)

§ 157.031 INTERPRETATION.

In the interpretation and application of this chapter all provisions shall be:

(A) Considered as minimum requirements;

(B) Liberally construed in favor of the governing body; and

(C) Deemed neither to limit nor repeal any other powers granted under state statutes.
(Ord. 2336, passed 3-8-2011)

§ 157.032 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods can and will occur on rare occasions. Therefore, this chapter does not create any liability on the part of unincorporated Lake County, the Indiana Department of Natural Resources, or the State of Indiana, for any flood damage that results from reliance on this chapter or any administrative decision made lawfully thereunder.
(Ord. 2336, passed 3-8-2011)

§ 157.033 INCREASED COST OF COMPLIANCE (ICC).

In order for buildings to qualify for a claim payment under ICC coverage as a "repetitive loss structure", the National Reform Act of 1994 requires that the building be covered by a contract for flood insurance and incur flood-related damages on two occasions during a ten-year period ending on the date of the event for which the second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25% of the market value of the building at the time of each the flood event.
(Ord. 2336, passed 3-8-2011)

§ 157.034 EFFECTIVE DATE.

This chapter shall take effect upon its recommendation by the Lake County Plan Commission and final passage by the Lake County Council.
(Ord. 2336, passed 3-8-2011)

ADMINISTRATION

§ 157.050 DESIGNATION OF ADMINISTRATOR.

The Lake County Plan Commission and Lake County Council of Lake County, Indiana hereby appoints the Executive Director of the Lake County Plan Commission and his or her staff to administer and implement the provisions of this chapter. The Executive Director of the Lake County Plan Commission and his or her designated staff members are herein referred to as the Floodplain Administrator.
(Ord. 2336, passed 3-8-2011)

§ 157.051 PERMIT PROCEDURES.

Application for a floodplain development permit shall be made to the Floodplain Administrator on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically the following information is required:

(A) *Application stage.*

(1) A description of the proposed development;

(2) Location of the proposed development sufficient to accurately locate property and structure in relation to existing roads and streams;

(3) A legal description of the property site;

(4) A site development plan showing existing and proposed development locations and existing and proposed land grades;

(5) Elevation of the top of the lowest floor (including basement) of all proposed buildings. Elevation should be in NAD 88 or NGVD;

(6) Elevation (in NAD 88 or NGVD) to which any non-residential structure will be floodproofed;

(7) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

(B) *Construction stage.* Upon placement of the lowest floor; or floodproofing, it shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the NAD 88 or NGVD elevation of the lowest floor or floodproofed elevation, as built. The certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same. When floodproofing is utilized for a particular structure the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holders' risk. (The Floodplain Administrator shall review the lowest floor and floodproofing elevation survey data submitted.) The permit holder shall correct deficiencies detected by the review before any further work is allowed to proceed. Failure to submit the survey or failure to make the corrections required hereby shall be cause to issue a stop-work order for the project.
(Ord. 2336, passed 3-8-2011)

§ 157.052 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

(A) The Floodplain Administrator and/or designated staff is hereby authorized and directed to enforce the provisions of this chapter. The Floodplain Administrator is further authorized to render interpretations of this chapter, which are consistent with its spirit and purpose.

(B) Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to:

(1) Review all floodplain development permits to assure that the permit requirements of this chapter have been satisfied.

(2) Inspect and inventory damaged structures in SFHA and complete substantial damage determinations.

(3) Ensure that construction authorization has been granted by the Indiana Department of Natural Resources for all development projects subject to §§ 157.074 and 157.076(A) below, and maintain a record of the authorization (either copy of actual permit or floodplain analysis/regulatory assessment.)

(4) Ensure that all necessary federal or state permits have been received prior to issuance of the local floodplain development permit. Copies of the permits are to be maintained on file with the floodplain development permit.

(5) Notify adjacent communities and the State Floodplain Coordinator prior to any alteration or relocation of a watercourse, and submit copies of the notifications to FEMA.

(6) Maintain for public inspection and furnish upon request local permit documents, damaged structure inventories, substantial damage determinations, regulatory flood data, SFHA maps, Letters of Map Amendment (LOMA), Letters of Map Revision (LOMR), copies of DNR permits and floodplain analysis and regulatory assessments (letters of recommendation), federal permit documents, and "as-built" elevation and floodproofing data for all buildings constructed subject to this chapter.

(7) Utilize and enforce all Letters of Map Revision (LOMR) or Physical Map Revisions (PMR) issued by FEMA for the currently effective SFHA maps of the community.

(8) Assure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished;

(9) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with § 157.051.

(10) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed, in accordance with § 157.051.

(11) Review certified plans and specifications for compliance.

(12) For stop work orders:

(a) Upon notice from the Floodplain Administrator, work on any building, structure or premises that is being done contrary to the provisions of this chapter shall immediately cease.

(b) Notice shall be in writing and shall be given to the owner of the property, or to his or her agent, or to the person doing the work, and shall state the conditions under which work may be resumed. Notice may also be given by posting a stop work order at the site of the violation or by sending the written notice to the owner, agent, or anyone conducting any work illegally by regular United States First Class Mail at their address or place of business.

(13) For revocation of permits:

(a) The Floodplain Administrator may revoke a permit or approval, issued under the provisions of the chapter in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.

(b) The Floodplain Administrator may revoke a permit upon determination by the Floodplain Administrator that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this chapter.

(14) Inspect sites for compliance. For all new and/or substantially improved buildings constructed in the SFHA, inspect before, during and after construction. Authorized Lake County Plan Commission Officials, including the Floodplain Administrator, shall have the right to enter and inspect properties located in the SFHA.
(Ord. 2336, passed 3-8-2011)

PROVISIONS FOR FLOOD HAZARD REDUCTION

§ 157.070 GENERAL STANDARDS.

In all SFHAs and known flood prone areas the following provisions are required:

(A) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

(B) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

(C) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage below the FPG.

(D) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.

(E) Electrical, heating, ventilation, plumbing, air conditioning equipment, utility meters, and other service facilities shall be located at/above the FPG or designed so as to prevent water from entering or accumulating within the components below the FPG. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the FPG.

(F) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(G) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

(H) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.

(I) Any alteration, repair, reconstruction or improvements to a structure that is in compliance with the provisions of this chapter shall meet the requirements of "new construction" as contained in this chapter.

(J) Any alteration, repair, reconstruction or improvement to a structure that is not in compliance with the provisions of this chapter, shall be undertaken only if the non-conformity is not further, extended, or replaced.

(K) Whenever any portion of the SFHA is authorized for use, the volume of space which will be occupied by the authorized fill or structure below the BFE shall be compensated for and balanced by an equivalent volume of excavation taken below the BFE. The excavation volume shall be at least equal to the volume of storage lost (replacement ratio of one to one) due to the fill or structure.

(1) The excavation shall take place in the floodplain and in the same property in which the authorized fill or structure is located;

(2) Under certain circumstances, the excavation may be allowed to take place outside of but adjacent to the floodplain provided that the excavated volume will be below the regulatory flood elevation, will be in the same property in which the authorized fill or structure is located, will be accessible to the regulatory flood water, will not be subject to pending when not inundated by flood water, and that it shall not be refilled;

(3) The excavation shall provide for true storage of floodwater but shall not be subject to pending when not inundated by flood water;

(4) The fill or structure shall not obstruct a drainage way leading to the floodplain;

(5) The grading around the excavation shall be such that the excavated area is accessible to the regulatory flood water;

(6) The filler structure shall be of a material deemed stable enough to remain firm and in place during periods of flooding and shall include provisions to protect adjacent property owners against any increased runoff or drainage resulting from its placement; and

(7) Plans depicting the areas to be excavated and filled shall be submitted prior to the actual start of construction or any site work; once site work is complete, but before the actual start of construction, the applicant shall provide to the Floodplain Administrator a certified survey of the excavation and fill sites demonstrating the fill and excavation comply with this subchapter.
(Ord. 2336, passed 3-8-2011)

§ 157.071 SPECIFIC STANDARDS.

In all SFHAs, the following provisions are required:

(A) *Additional requirements*. In addition to the requirements of § 157.070, all structures to be located in the SFHA shall be protected from flood damage below the FPG. This building protection requirement applies to the following situations:

(1) Construction or placement of any new structure having a floor area greater than 400 square feet;

(2) Addition or improvement made to any existing structure:

(a) Where the cost of the addition or improvement equals or exceeds 50% of the value of the existing structure (excluding the value of the land);

(b) With a previous addition or improvement constructed since the community's first floodplain ordinance.

(3) Reconstruction or repairs made to a damaged structure where the costs of restoring the structure to its before damaged condition equals or exceeds 50% of the market value of the structure (excluding the value of the land) before damage occurred;

(4) Installing a travel trailer or recreational vehicle on a site for more than 180 days.

(5) Installing a manufactured home on a new site or a new manufactured home on an existing site. This chapter does not apply to returning the existing manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage; and

(6) Reconstruction or repairs made to a repetitive loss structure.

(B) *Residential construction*. New construction or substantial improvement of any residential structure (or manufactured home) shall have the lowest floor; including basement, at or above the FPG (two feet above the base flood elevation). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with the standards of division (D) below.

(C) *Non-residential construction*. New construction or substantial improvement of any commercial, industrial, or non-residential structure (or manufactured home) shall either have the lowest floor, including basement, elevated to or above the FPG (two feet above the base flood elevation) or be floodproofed to or above the FPG. Should solid foundation perimeter wails be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be

provided in accordance with the standards of division (D) below. Structures located in all "A Zones" may be floodproofed in lieu of being elevated if done in accordance with the following:

(1) A registered professional engineer or architect shall certify that the structure has been designed so that below the FPG, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The structure design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice. The certification shall be provided to the official as set forth in § 157.052(B)(10).

(2) Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

(D) *Elevated structures.*

(1) New construction or substantial improvements of elevated structures shall have the lowest floor at or above the FPG.

(2) Elevated structures with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade (craw/spaces or under-floor spaces) shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls. Designs must meet the following minimum criteria:

(a) Provide a minimum of two openings located in a minimum of two exterior walls (having a total net area of not less than one square inch for every one square foot of enclosed area;

(b) All openings shall be located entirely below the BFE;

(c) The bottom of all openings shall be no more than one foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher;

(d) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;

(e) Openings are to be not less than three inches in any direction in the plane of the wall. This requirement applies to the hole in the wall, excluding any device that may be inserted such as typical foundation air vent device;

(f) Access to the enclosed area shall be the minimum necessary to allow for parking for vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator);

(g) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms;

(h) The interior grade of such enclosed area shall be at an elevation at or higher than the exterior grade;

(i) The interior grade of a crawlspace must be at or above the base flood elevation;

(j) An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event;

(k) Where elevation requirements exceed six feet above the highest adjacent grade, a copy of the legally recorded deed restriction prohibiting the conversion of the area below the lowest floor to a use or dimension contrary to the structure's originally approved design, shall be presented as a condition of issuance of the final certificate of occupancy.

(E) *Structures constructed on fill.* A residential or nonresidential structure may be constructed on a permanent land fill in accordance with the following;

(1) The fill shall be placed in layers no greater than one foot deep before compacting to 95% of the maximum density obtainable with the either the Standard or Modified Proctor Test method.

(2) The fill should extend at least ten feet beyond the foundation of the structure before sloping below the FPG.

(3) The fill shall be protected against erosion and scour during flooding by vegetative cover, riprap, or bulkheading. If vegetative cover is used, the slopes shall be no steeper than three horizontal to one vertical.

(4) The fill shall not adversely affect the flow of surface drainage from or onto neighboring properties.

(5) The top of the lowest floor including basements shall be at or above the FPG.

(F) *Standards for manufactured homes and recreational vehicles.* Manufactured homes and recreational vehicles to be installed or substantially improved on a site for more than 180 days must meet one of the following requirements:

(1) The manufactured home shall be elevated on a permanent foundation such that the lowest floor shall be at or above the FPG and securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site:

(a) Outside a manufactured home park or subdivision;

(b) In a new manufactured home park or subdivision;

(c) In an expansion to an existing manufactured home park or subdivision; or

(d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood.

(2) The manufactured home shall be elevated so that the lowest floor of the manufactured home chassis is supported by reinforced piers or other foundation elevations that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. This requirement applies to all manufactured homes to be placed on a site in an existing manufactured home park or subdivision that has not been substantially damaged by a flood.

(3) Manufactured homes with fully enclosed areas formed by foundation and other exterior walls below the flood protection grade (crawlspaces or under-floor spaces) shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls as required for elevated structures in division (D) above.

(4) Flexible skirting and rigid skirting not attached to the frame or foundation of a manufactured home are not required to have openings.

(5) Recreational vehicles placed on a site shall either:

(a) Be on site for less than 180 days; and

(b) Be fully licensed and ready for ***HIGHWAY USE*** (defined as being on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions); or

(c) Meet the requirements for "manufactured homes" as stated earlier in this section. (Ord. 2336, passed 3-8-2011)

§ 157.072 STANDARDS FOR SUBDIVISION PROPOSALS.

(A) All subdivision proposals shall be consistent with the need to minimize flood damage.

(B) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.

(C) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

(D) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of 50 lots or five acres.

(E) All subdivision proposals shall minimize development in the SFHA and/or limit density of development permitted in the SFHA.

(F) All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).
(Ord. 2336, passed 3-8-2011)

§ 157.073 CRITICAL FACILITY.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the SFHA. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated to or above the FPG at the site. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the FPG shall be provided to all critical facilities to the extent possible.
(Ord. 2336, passed 3-8-2011)

§ 157.074 STANDARDS FOR IDENTIFIED FLOODWAYS.

(A) Located within SFHAs, established in § 157.026, are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. If the site is in an identified floodway, the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and apply for a permit for construction in a floodway. Under the provisions of I.C. 14-28-1 a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the structure. However, it does exclude non-substantial additions/improvements to existing (lawful) residences in a non-boundary river floodway. (I.C. 14-28-1-26 allows construction of non-substantial additions/improvements to residences in a non-boundary river floodway without obtaining a permit for construction in the floodway from the Indiana Department of Natural Resources. Please note that if fill is needed to elevate an addition above the existing grade, prior approval (construction in a floodway permit) for the fill is required from the Indiana Department of Natural Resources.)

(B) No action shall be taken by the Floodplain Administrator until a permit (when applicable) has been issued by the Indiana Department of Natural Resources granting approval for construction in the floodway. Once a permit for construction in a floodway has been issued by the Indiana Department of Natural Resources, the Floodplain Administrator may issue the local Floodplain Development Permit, provided the provisions contained in §§ 157.070 *et seq.* have been met. The Floodplain Development Permit cannot be less restrictive than the permit for

construction in a floodway issued by the Indiana Department of Natural Resources. However, a community's more restrictive regulations, if any, shall take precedence.

(C) No development shall be allowed which acting alone or in combination with existing or future development, will increase the regulatory flood more than 0.14 of one foot.

(D) For all projects involving channel modifications or fill (including levees), Lake County (or any entity acting on behalf of and with the express written permission of Lake County) shall submit the data and request that the Federal Emergency Management Agency revise the regulatory flood data. (Ord. 2336, passed 3-8-2011)

§ 157.075 STANDARDS FOR IDENTIFIED FRINGE.

If the site is located in an identified fringe, then the Floodplain Administrator may issue the local Floodplain Development Permit provided the provisions contained in §§ 157.070 *et seq.* have been met. The key provision is that the top of the lowest floor of any new or substantially improved structure shall be at or above the FPG.
(Ord. 2336, passed 3-8-2011)

§ 157.076 STANDARDS FOR SFHAS WITHOUT ESTABLISHED BASE FLOOD ELEVATION AND/OR FLOODWAYS/FRINGES.

(A) Drainage area upstream of the site is greater than one square mile:

(1) If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined, and the drainage area upstream of the site is greater than one square mile.

(2) The Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources for review and comment.

(3) No action shall be taken by the Floodplain Administrator until either a permit for construction in a floodway or a floodplain analysis/regulatory assessment citing the 100-year flood elevation and the recommended flood protection grade has been received from the Indiana Department of Natural Resources.

(4) Once the Floodplain Administrator has received the proper permit for construction in a floodway or floodplain analysis/regulatory assessment approving the proposed development, a floodplain development permit may be issued provided the conditions of the floodplain development permit are not less restrictive than the conditions received from the Indiana Department of Natural Resources and the provisions contained in §§ 157.070 *et seq.* have been met.

(B) Drainage area upstream of the site is less than one square mile:

(1) If the site is in an identified floodplain where the limits of the floodway and fringe have not yet been determined and the drainage area upstream of the site is less than one square mile, the Floodplain Administrator shall require the applicant to provide an engineering analysis showing the limits of the floodplain and 100-year flood elevation for the site.

(2) Upon receipt, the Floodplain Administrator may issue the local floodplain development permit, provided the provisions contained in §§ 157.070 *et seq.* have been met.

(C) The total cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the regulatory flood more than 0.14 of one foot and will not increase flood damages or potential flood damages. (Ord. 2336, passed 3-8-2011)

§ 157.077 STANDARDS FOR FLOOD PRONE AREAS.

All development in known flood prone areas not identified on FEMA maps, or where no FEMA published map is available, shall meet general standards as required per § 157.070(A) through (K).
(Ord. 2336, passed 3-8-2011)

VARIANCE PROCEDURES

§ 157.090 DESIGNATION OF VARIANCE.

The Lake County Plan Commission (Commission) shall hear and make recommendation to the Lake County Board of Zoning Appeals (Board) concerning requests for appeals of administrative decision and variances from requirements of this chapter.
(Ord. 2336, passed 3-8-2011)

§ 157.091 DUTIES OF THE COMMISSION AND BOARD.

The Board shall hear and decide appeals after a recommendation from the Commission when it is alleged an error in any requirement, decision, or determination is made by the Floodplain Administrator in the enforcement or administration of this chapter. Any person aggrieved by the final decision of the Board may appeal such decision in conjunction with the provisions of I.C. 36-7-4-1003.
(Ord. 2336, passed 3-8-2011)

§ 157.092 VARIANCE PROCEDURES.

In passing upon such applications, the Commission and Board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this chapter, and in addition:

(A) The danger of life and property due to flooding or erosion damage;

(B) The susceptibility of the proposed facility and its contents to flood damage and the effect of the damage on the individual owner;

(C) The importance of the services provided by the proposed facility to the community;

(D) The necessity to the facility of a waterfront location, where applicable;

(E) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

(F) The compatibility of the proposed use with existing and anticipated development;

(G) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

(H) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(I) The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site; and

(J) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
(Ord. 2336, passed 3-8-2011)

§ 157.093 CONDITIONS FOR VARIANCE.

(A) Variance shall only be issued when there is:

(1) A showing of good and sufficient cause;

(2) A showing that the variance is exceptional, unusual, and peculiar to the property involved;

(3) A determination that failure to grant the variance would result in hardship; and

(4) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.

(B) No variance for a residential use within a floodway subject to §§ 157.074 and 157.076(A) above may be granted.

(C) Any variance granted in a floodway subject to §§ 157.074 and 157.076(A) above will require a permit from the Indiana Department of Natural Resources.

(D) Variances to the provisions for flood hazard reduction of § 157.071, may be granted only when a new structure is to be located on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.

(E) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(F) Variances may be granted for the reconstruction or restoration of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

(G) The owner of any property to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. (See § 157.094). It shall be the owner's responsibility to ensure compliance with the provisions of this chapter and any variance that receives approval.

(H) The Floodplain Administrator shall maintain the records of appeal actions and report any variance to the Federal Emergency Management Agency or the Indiana Department of Natural Resources upon request. (See § 157.094).
(Ord. 2336, passed 3-8-2011)

§ 157.094 VARIANCE NOTIFICATION.

(A) Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

(1) The issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and

(2) Construction below the base flood level increases risks to life and property. A copy of the notice shall be recorded by the owner, agent, petitioner, or Floodplain Administrator in the Office of the County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land. Any such document shall be recorded only after review and approval by legal counsel representing the Floodplain Administrator. No FDP or Building and Zoning Permit shall be issued until proof of the recording is provided and attached to any permit issued by the Lake County Plan Commission. All costs for recordation shall be borne by the owner, agent, or petitioner receiving the variance.

(B) The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variance issued in the community's biennial report submission to the Federal Emergency Management Agency.
(Ord. 2336, passed 3-8-2011)

§ 157.095 HISTORIC STRUCTURE.

Variance may be issued for the repair or rehabilitation of "historic structures" upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation

as an "historic structure" and the variance is the minimum to preserve the historic character and design of the structure.
(Ord. 2336, passed 3-8-2011)

§ 157.096 SPECIAL CONDITIONS.

Upon the consideration of the factors listed in §§ 157.090 *et seq.*, and the purposes of this chapter, the Board may attach conditions to the granting of any variance as it deems necessary to further the purposes of this chapter.
(Ord. 2336, passed 3-8-2011)

§ 157.999 PENALTY.

Failure to obtain a floodplain development permit in the SFHA or failure to comply with the requirements of a floodplain development permit or conditions of a variance shall be deemed to be a violation of this chapter. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Unincorporated Lake County zoning ordinance (zoning ordinance). All violations shall be punishable by a fine and penalty commensurate with those imposed by the zoning ordinance.

(A) A separate offense shall be deemed to occur for each day the violation continues to exist.

(B) The Lake County Plan Commission through their staff shall inform the owner that any the violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

(C) Nothing herein shall prevent the Lake County Plan Commission or their staff from taking other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.
(Ord. 2336, passed 3-8-2011)

CHAPTER 158: COMPREHENSIVE PLAN

Adopted 12-16-1996

Prepared for:

The Citizens and Businesses of Lake County, Indiana
The Lake County Plan Commission
Wilbur Cox, CBO
Director

With the support of the Lake County Commissioners
and the Lake County Council

Prepared by:

Department of Urban Planning in association with:
The Community-Based Projects Program
College of Architecture and Planning
Ball State University
Muncie, Indiana

August, 1996

This report was initially prepared for educational and informational purposes by the Ball State University Study Team. It was then modified by the Lake County Plan Commission to adopt as an official document pursuant to Indiana Code.

The Community-Based Projects Program
Center for Education, Design, Research and Service
College of Architecture and Planing
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Muncie, IN 47306

August, 1996

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PREFACE

Community-Based Projects Program
Ball State University

The College of Architecture and Planning at Ball State University, since admitting its first class in the September of 1966, has recognized its responsibility to not only educate and train environmental professionals, but, also provide public education and service to its constituents the citizens of Indiana. The dual focus of education and service is the primary thrust of the CBP Program, a multi-disciplinary activity that accommodates faculty and students from departments of architecture, landscape architecture and urban planning, as well as other colleges within the university.

- The primary goal of the CBP Program is to provide the students with a series of viable learning experiences in problem recognition, planning and design, citizen participation methods, etc. This goal is based on the philosophy/assumption that a more realistic and pragmatic understanding of these activities can best be gained by the students through their participation in a community-based, problem focused, "hands-on" format.
- A second instructional goal of the program is to provide public education in environmental planning and design to both the public and private sectors so that they may more effectively participate in the decision-making process that is an integral component of creative problem-solving. This goal is based on the philosophy/assumption that an informed and educated "public" is the key to an effective participatory format for all community planning and development efforts. The development of communication techniques geared to increasing public awareness and facilitating a "take part" process, is an important part of the program.
- The third goal of the program is to provide a public service in the form of technical assistance to both the public and private sectors in community planning and design matters. This goal is based on the assumption that responsible decisions concerning the future of Indiana's physical environment must be based on accurate, unbiased, information and objective comparisons of alternative strategies and proposals.
- A fourth goal of the program is to promote applied research activities that focus on the widest range of Indiana's communities. This research concerns itself with the methodologies employed in the analysis, programming, planning, and design (synthesis) of urban and rural communities and the teaching of the professionals who will be involved in them.

Four points should be noted: [1] the potential of success for the planning and design of any project or facility, as part of a larger community, is dependent on you, as involved business leaders and citizens of Lake County, Indiana, and not us (The Planning and Design Assistance Team); [2] we are not a substitute for professional services; [3] the educational objectives of the CBP Program are of primary importance; and [4] everyone in the community can contribute in their own unique way.

With these points in mind, and based upon evaluation of the information and issues presented for consideration, and the levels of complexity contained within the scope of this project, we offer the following in the hope that it will inspire positive action for the future development of Lake County.

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INTRODUCTION

REPORT SUMMARY

The Lake County Planning and Design Studies were undertaken to explore the issues facing Lake County and its communities and to provide a guide for local growth management. Particular emphasis was placed on the unincorporated areas of the county. Currently, unincorporated Lake County, facing growth pressures from Greater Chicago, is attempting to take advantage of its opportunities while managing change in a manner sensitive to the needs of its residents and businesses. Lake County is blessed with strong economic driving forces and rich natural resources aspects that are often in conflict with unmanaged development. As the region is a strong player in the Greater Chicago area, Lake County has traditionally been an appealing site for investment and residential development. As growth progresses into the southern townships of Lake County, this investment challenges the character and quality of life that many long-term residents associate with their communities. In fact, some of this new development reduces the character and value in itself.

Change in Lake County finds its greatest influence in several external forces acting on the development patterns and government policies:

Natural Environment

The need and desire to protect nature, particularly farmland and wetlands, and its relationship to character in the central and southern township communities is critical in the minds of local residents. Agriculture has traditionally shared a key role with industry in the economic vitality in Lake County. Issues such as wildlife habitat, the preservation of open space and outdoor recreation resources, and the scenic quality will grow in importance as development continues.

Economic Development

The stability and expansion of the local economy is a priority for all Lake County residents, businesses and officials. Continued economic development for Lake County has typically translated into continued physical development. Concerns focus on the sensitivity of that development to local conditions and the suitability of change with regard to local needs. Also of concern is a lack of local consumer and business opportunity, with most commercial activity occurring in strip development in the northern townships.

Growth Pressures

Lake County is growing physically at a rapid pace, particularly with regard to residential and commercial development. Due to its geographic location, favorable tax policies and relationship with Greater Chicago, the region is under significant pressure from sprawling subdivisions and strip commercial development. This rapid often unmanaged growth has brought with it congestion, stressed road systems and overburdened infrastructure, particularly stormwater drainage systems. This rapid development has also consumed valuable open space and farmland and threatens community character. Growth management and the tools and development guidelines that can be employed in implementing a county-wide growth management program, therefore, become critical issues. Development is to be encouraged but in a manner that is sensitive to the capacity, needs and character of local systems.

Circulation and Access

Known as the Crossroads of America, Lake County's success and vitality can be linked to its accessibility. Continued growth, without corresponding infrastructure capacity enhancements has resulted in congestion and a significant reduction in access and circulation efficiency. This directly, and adversely, effects quality of life and business vitality. As with economic development and growth management, it is important that a match is made between the county's capacity, circulation/access needs and development. Parallel to growth management and other development planning activity should be a comprehensive infrastructure/capital facilities planning effort.

Community Quality of Life

The examination of county patterns and trends and the local driving forces that influence those trends can be summarized in one primary focus: community quality of life. In particular, this relates to the maintaining and enhancement of community character, the level and quality of services, local consumer and business opportunities, the maintenance of pleasant living and activity spaces in the face of mounting environmental challenges, growth pressures and circulation problems. The community goals, therefore, can be summarized as: growth management, preserved community character and enhanced community identity and improved communication, cooperation and organization of local governments.

These goals serve to guide the planning objectives that will guide local leaders and decision-makers in the arenas of local quality of life, land-use, community character, housing, transportation/circulation/access, infrastructure, the environment, economic development and community organization. In turn these objectives translate into programs, policies, development guidelines and action steps that serve as the future of Lake County, its communities, citizens and businesses. This plan is designed to serve as a tool to aid in decision-making and guide policy and action in a manner that is both receptive to growth and development and conscious of unique, local quality of life concerns. Several key points and observations emerged as being key to the vitality and quality of the county and its communities:

Key Issues and Observations

- Lake County contains the Calumet Region, one of the world's largest and most important industrial centers, as well as fertile and productive agricultural areas;
- The communities of northern Lake County tend to serve as bedroom communities for those working the Greater Chicago region. This trend is expanding to the south and east;
- Lake County offers investors competitive land and site development costs as well as a favorable tax structure;
- Land-use controls in Lake County are based on a 1957 Zoning Ordinance and a 1967 Comprehensive Plan (with on-going revisions to the ordinances);
- Housing development in the County is typically single family, detached, low-density in character and has not typically the diversity or affordability and other special needs of the communities.
- Spreading residential subdivisions are increasingly consuming prime agricultural land, challenging environmentally sensitive areas, and placing strains on infrastructure, circulation and support service systems and adversely impacting community character;
- Development pressures have, to date, dictated capital infrastructure improvements. A more proactive infrastructure/capital improvements program and policies would better serve the future needs of the community, its residents, businesses and future development;
- Many of Lake County's outdoor recreation areas and natural open space systems are not protected by land-use management programs and are highly sensitive to continuing growth pressures;

- The amenities of southern Lake County (scenic quality, open space, productive agricultural land, natural systems and small town character) are threatened by development pressures;
- Increased population will place greater pressure on air and water quality, ground water systems and animal habitats;
- The strong identity of Lake County's communities is an important part of community character, and should be preserved. This individual community character also poses a challenge to addressing shared challenges and opportunities.

Process

HOW TO USE THIS DOCUMENT

HOW TO USE THIS DOCUMENT

This plan serves as a general framework for guiding the future development of Lake County; coordinating with the individual municipalities, but focusing its primary attention on the unincorporated areas. Provided in this plan are recommended programs and policies for different aspects of planning and development. Although these programs and policies have been designed based on past and current growth trends with the interests and concerns of Lake County residents and businesses in mind, they are not law unless adopted by the appropriate legislative body (i.e., Lake County Plan Commission).

Based on the profile of the county as developed from demographic trends, past planning efforts, and citizen input, action steps have been developed as policy guides. These steps provide an outline for the future development of Lake County; a basis for judging individual projects and policies and evaluate their contribution to the county as a whole. The policies suggested in the plan are based on the goals of growth management, improved communication and organization, and maintained community character. Objectives toward achieving these goals are divided into land use, community character, transportation, infrastructure, housing, economic development, environment, and communication sections.

POTENTIAL USES

The document is intended to both stand on its own and compliment existing local planning materials, specifically zoning ordinances and transportation policies. The plan can serve as a decision making tool for….

- Long-term Planning: Should a group, individual, or developing firm propose a project to the Lake County Plan Commission, this document may be referred to determine whether it and its long term effects coincide with what Lake County and its residents have planned for the future.
- Setting Recommended Guidelines: With any proposed development, this document is not intended to determine whether or not it should occur, but may serve as a set of guidelines for ensuring that while in the development process and once complete, it will benefit Lake County to its greatest potential.
- Serving as a Source of Information: When questions arise about how and why things are (or are not) happening in and around local communities, this document may help develop a better understanding about what the county has planned and how those areas of concern fit into the whole picture.
- Improving Communication: As a source of information for residents and businesses, the Lake County Plan may also serve as a step toward better communication between local communities and the county. This document may then serve as a starting point for cooperative discussion between public and private individuals or organizations.

PREVIOUS PLANNING EFFORTS

PREVIOUS PLANNING EFFORTS

Adopted in the summer of 1967, the *General Development Plan for Lake County* provided a broad framework for the future of this generally agricultural area. This plan also addressed a number of issues which remain primary concerns of Lake County residents today.

Within the plan, a number of suggestions and predictions evolved as anticipated. For example, the anticipated commercial development on US 30 between Merrillville and Dyer continued; however, the population projection of 850,000 people projected by 1980 only materialized to about 520,000 persons.

Transportation was the central focus of the implementation strategy of the 1967 plan to control the impacts of commercial, industrial, and residential development. The 1967 plan recognized increasing traffic levels on east-west routes and reported that "if east-west traffic continues at its expected rate, an additional expressway will be necessary to handle the growing volume." In addition, it also exposed the "ill effects of strip highway development" to include congestion, reduction of average speed, diminishing capacity and safety. With this, it predicted that those most likely to succeed would feature "close proximity to complimentary uses, improved merchandising techniques, ease of access, adequate parking, and a pleasing appearance." Today, the more popular developments do not necessarily have these features. The extensive use of curb cuts causes congestion, making access to many developments difficult. The idea of one-stop shopping is not a reality, with shoppers having to drive to another development to comparative shop. Current parking facilities are able to handle the number of shoppers, but use extensive amounts of open space. While some developments are individually attractive, the lack of uniform design throughout the corridors creates an overall unattractive appearance.

The 1967 *General Development Plan for Lake County* established policies in the areas of land use, parks and open space, transportation, commerce and industry, coordination, and legislation. Reflected in many of these objectives are the early signs of problems currently facing the area. Objectives such as "encourage development…in areas…served with adequate community facilities" and "preserve agricultural lands" stated in the 1967 plan are very much applicable to current Lake County conditions. In general, the plan made a wide variety of large scale predictions based on a large population increase. However, as a population shift, rather than the large total increase that was projected, occurred, many of the strategies and needs set forth in the plan were grossly overestimated. In the years since, growth and development in Lake County has been guided by the 1967 document and a series of less comprehensive strategic plans developed by municipalities and the Northwestern Indiana Regional Plan Commission (NIRPC). Other local planning efforts have included….

Comprehensive Plan For Northwest Indiana

Adopted in 1977 and prepared by the Northwestern Indiana Regional Planning Commission, this document focused around the land use patterns, housing, and economic development for Lake and Porter Counties. Recommendations were made in regards to these areas, as well as transportation, water quality, solid waste, and parks and recreation. In addition, forecasts were made as to the population and employment for these Northwest Indiana counties.

Northwestern Indiana Regional Transportation Plan

Prepared by the Northwestern Indiana Regional Planning Commission in 1993, this plan is a framework for the organized development of a transportation network for Lake, Porter, and LaPorte counties. In doing this, it has paid specific attention to the 1991 Intermodal Surface Transportation Efficiency Act as well as numerous other studies and improvement programs on main corridors in these counties.

US-30 Subarea Study

Adopted in 1993, this study was prepared by the Northwestern Indiana Regional Planning Commission to address the problem of traffic congestion along this heavily traveled route. Through various suggestions, the plan revolves around three primary goals, to provide more efficient and safer transportation, maintain area economic vitality, and improve the local system to better meet the demand of internal residents.

Statement of Policy for Major Thoroughfare Development

Prepared over fifteen years ago by the Lake County Planning Commission, this document was the result of advice and guidance offered by the plan commission for the development along major corridors. Included were objectives and rationale for the development of the Indiana 55, US 41, US 30, and Indiana 2 corridors.

Lake County Parks and Recreation Open Space Master Plan

The 1993 update of this plan builds on top of the 1988-1992 Parks Plan, and seeks to maintain a vision for the future of Lake County's Park System. Its predecessor addressed areas such as recreation, alternative transportation, environmentally sensitive areas, and greenways/corridors.

Kankakee River Basin Master Plan

Prepared for the Kankakee River Basin Commission in 1989, this plan serves for the implementation of flood protection measures, land use alternatives, and drainage improvements along 60 miles of the Kankakee River in Northwest Indiana. Since the river forms the southern boundary of the county, and several tributaries and creeks flow to it from the area, this plan was important in guiding development in the Kankakee River Watershed of southern Lake County.

Northwest Indiana 208 Water Quality Management Plan

In 1979 this document was instituted by the Northwestern Indiana Regional Planning Commission as a response to the congressional mandate for the formation of area wide treatment management plans. This plan followed those mandates and was devoted to control all sources of water pollution for a 20 year period, and at the same time ensuring the fishability and swimmability of all waters (where applicable).

Following is the list of objectives outlined in the Lake County Comprehensive Plan from 1967. Objectives marked with a plus sign have been accomplished by the county. Objectives marked with a minus sign are those which have not yet been met. In both cases, activities in relation to the objectives are on-going.

General Objectives

+ Retain the county's dominant role in the northern Indiana Region.

+ Divert urban expansion from the Chicago metropolitan area to the central and southern portions of the county.

- Create a favorable environment for new homes, new businesses, and new industries by encouraging development based on the neighborhood concept and planned community unit.

- Improve and develop the county's network of expressways and primary and secondary thoroughfares to accommodate traffic loads and future land development

- Provide for expansion of community services in an economic manner to serve existing and new development.

Land Use Objectives

- Promote land use relationships in keeping with the development plan.

- Encourage the orderly development of the county first in those areas that are, or can be, served with adequate community facilities.

+ Define and establish regulations over areas of frequent flood control which makes such land suitable only for limited development and use.

Open Space Objectives

+ Support the creation of an overall county system of parks and open space.

- Encourage the acquisition of open space for recreation, water reservation, and flood control as well as to add variety to the pattern of urban development.

- Preserve agricultural lands in keeping with the soil characteristics most suitable for farming so that the land may provide permanent open space and continue in its important economic role in the county.

+ Encourage the development of new housing for a wide variety of living accommodations.

Transportation Objectives

+ Support the improvement and development of the transportation system through advance planning at the county level and through cooperation with the Northwestern Indiana Regional Planning Commission (NIRPC).

Commerce and Industry Objectives

+ Promote the development of business and commerce to provide the greatest convenience and service to the people of Lake County.

+ Encourage the establishment of new industries in central and southern Lake County.

Coordination Objectives

- Cooperate and assist local communities in the furtherance on the planning process throughout the county.

- Further relationships and cooperation of mutual problems between states.

Legislation Objectives

-Study, promote, and encourage new legislation so as to provide counties with legislative permission adequate to meet the multiple problems of modern society and county government.

(Prior Code, Comprehensive Plan)

STUDY AREA PROFILE

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STUDY AREA PROFILE

Lake County is located in the northwest corner of the state, in the *Chicagoland Region*. The second most populous county in the state, it contains the Calumet Region–including the Cities of Gary. Hammond, East Chicago, and Whiting which form one of the world's largest industrial centers.

A major catalyst for the development of Lake County was the construction of the first railroad through the region in 1832.. Because of the railroad, access to Lake Michigan, and its close proximity to Chicago, Lake County became a dynamic, industrial region that rapidly developed a reputation as the "Workshop of America."

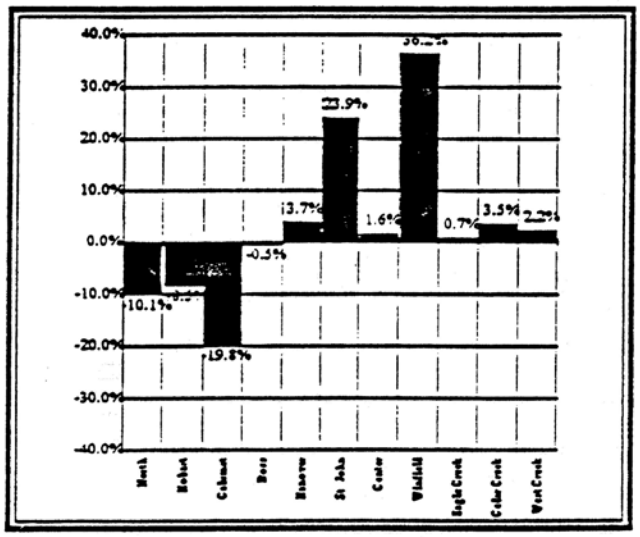
Lake County, however, is more than just a vast industrial region. Not far south of the steel-making furnaces, oil refineries and chemical plants lies a rolling, fertile, agricultural county that is experiencing tremendous growth pressures. Located in this portion of this region are the municipalities of Cedar Lake; Schneider; Lowell; Indiana's newest town, Winfield; and the county seat, Crown Point. In, and around, these communities are areas that are experiencing growth pressures from the Greater Chicago Area and northern Lake County. Because of the dynamics of the area, and the challenges of preserving rural character, while embracing change, Lake County must take advantage of its challenges and opportunities in a manner sensitive to the businesses, environment and character.

This section of the report will include an examination of *Demographics, Development Patterns and Trends,* including a *Visual Profile* of Lake County and present a summary of the *Community Participation* that was integral to the planning process.

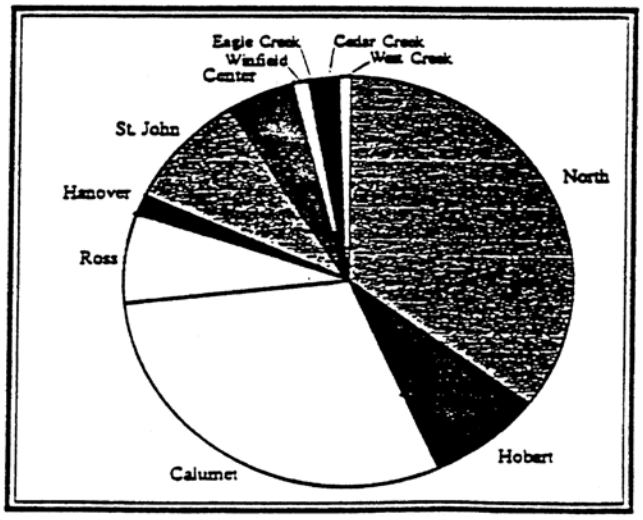
STUDY AREA PROFILE - DEMOGRAPHICS

By its dictionary definition, demographics means *viewing the people*. The demographic profile of Lake County and its communities provides an indication of patterns and trends affecting the local population. These characteristics provide a glimpse of community needs and strengths and form a basis for the development of planning policies for the county. The Lake County demographic profile suggests the relationship between the expansion of the Greater Chicago Region and development in southern townships of Lake County.

Population Change
1980 to 1990 (by Township)



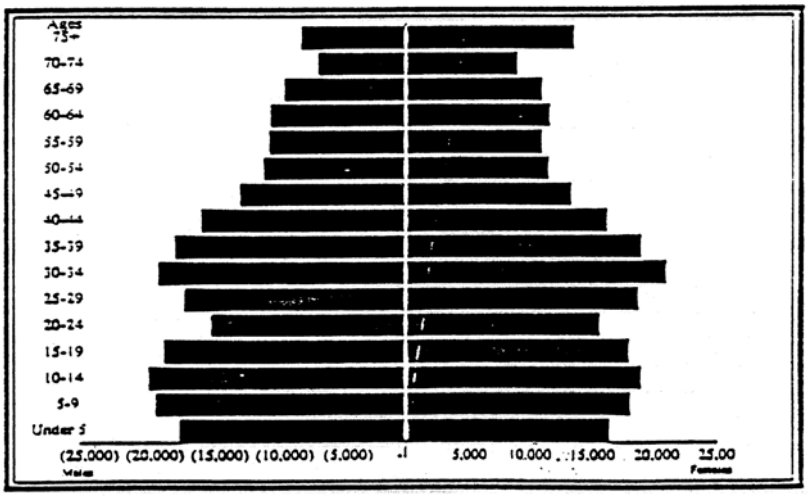
Population Distribution
(by Township)



The majority of Lake County's residents live in the four northern townships (North, Hobart, Calumet, Ross) with the three southernmost townships home to the fewest residents. Between 1980 and 1990, however, the urbanized areas have shown population declines while rural areas of the county have seen significant growth. The population in the four northern townships declined by 13% (Calumet Township declined by 20%) between 1980 and 1990. Over the same period St. John Township experienced a 24% increase, while Winfield saw a 36% jump in population. In addition to the internal population dynamics of Lake County, there is also evidence that the northern townships are losing population to other counties as well, as Lake County overall experienced a 9% decrease in population.

Reinforcing Lake County's emerging role as a bedroom community is the 68.9% of the population that commutes to a different community to work (and often to shop). In fact almost 70% of those commuters traveled to Illinois for work. This again reinforces the influence that Chicago has on Lake County.

The Lake County Population Pyramid (1990 Census)

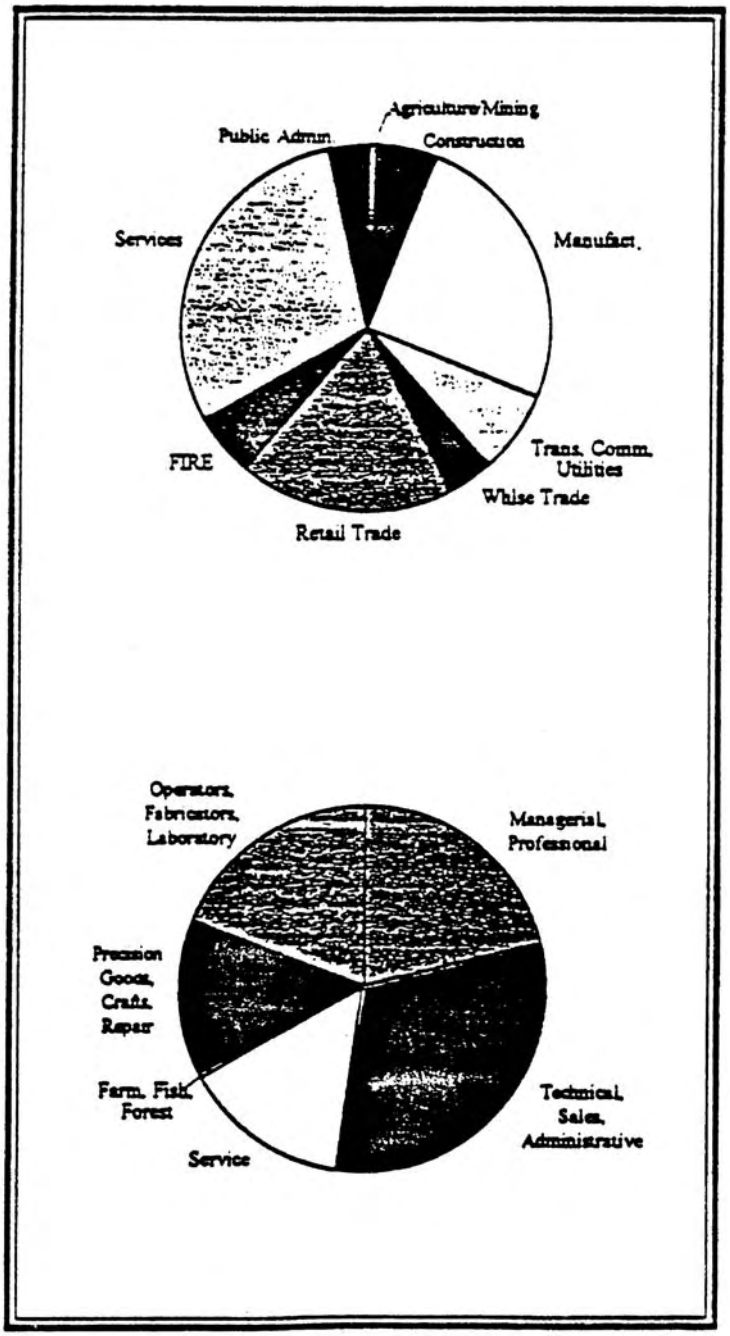


The large "bulges" in the population pyramid above suggest that the growth pressures being experienced in southern Lake County will have a more profound impact on the communities in that there is a mini baby boom happening, which suggests the short term need for additional schools and family housing. The "bulge" at the top of the pyramid also suggests that there is a large senior population, which typically places a high demand on public services. It can be safely assumed that this population growth will also mean a higher than average demand for public services and community resources. With this relatively young and mobile population, and the current land-use distribution, traffic congestion will also become a major factor.

The manufacturing, retail trade and service sectors dominate the Lake County economic profile, with 74% of the working age population. While 21% of these workers are engaged in managerial activities, and another 32% are employed in technical, sales and administrative support, it is important to remember that many of these workers are commuting to Chicago for their jobs. The more local employment tends to be in "blue collar" jobs (33%) and in the typically low wage service sector (14% and growing).

[Image follows on next page]

Employment by Occupation (1990)

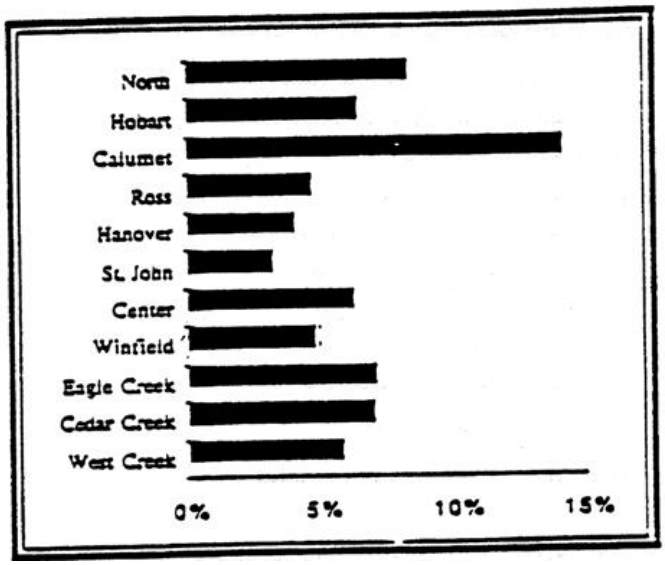


Employment by Industry (1990)

Another challenge facing Lake County is the growing unemployment rate. Particularly hard hit were the northern townships, especially Calumet Township (14%). The townships with the lowest unemployment rates are Hanover (4%) and St. John (3%) Townships. While unemployment is never a positive statistic, it is even more critical in Lake County in that many of the jobs that have been lost are those in the steel and chemical industry,

which typically pay higher service sector jobs. This is reflected in the median household income for Lake County of $37,517, while the northern townships household income fell to $30,792. The household income in the unincorporated areas of the county was $44,301, while the small towns had an average household income of $34,479.

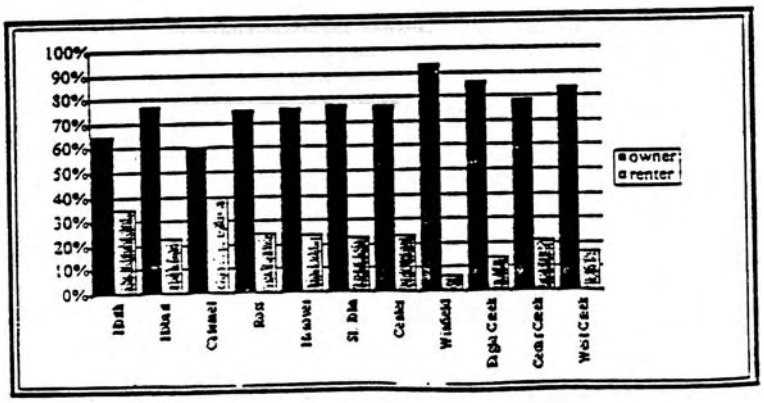
Lake County Unemployment (by Township)



As of 1990, Lake County was home to 183,014 housing units, the vast majority of which were located in the northern townships. The median home value for these townships was $53,566. This compares with a Lake County average of $68,162. The highest home values ($74,592) were found in the rapidly developing unincorporated areas of the county and in the established suburban communities ($82,469). A large majority of Lake County's housing stock is owner occupied, with the highest percentage of rental units being found in the developed communities of the northern townships. Winfield Township (now mostly the incorporated Town of Winfield) boasts the highest rate of owner-occupancy at 93%. The unincorporated portions of the county and the suburban areas experienced the lowest rates of housing vacancy at 4% and 3%, respectively. In contrast, the northern township communities had vacancy rates approaching 8%.

approaching 8%.

Housing Occupancy (by Township)



The demographic profile of Lake County highlights some of the issues facing the area and its communities. Of particular importance is the demonstration of population growth and pressures on the public and natural resources in the central and southern townships. This profile also reinforces the criticality of transportation issues as the majority of local workers and shoppers are dependent on the automobile. These trends are not likely to ease in the near future, and must be give serious consideration in planning the future of Lake County.

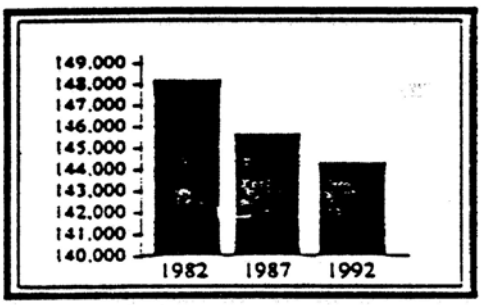
STUDY AREA PROFILE - DEVELOPMENT PATTERNS

Over the past decade, growth and development has occurred at a rapid pace in the unincorporated portions of the county. Residential and commercial land uses have sprawled southward along primary routes, consuming valuable farmland and natural amenities and altering local quality of life. In many places, this growth has resulted in considerable stress on county-wide infrastructure, particularly roads, sanitary sewers, and stormwater runoff systems. County roads originally designed for rural, agricultural traffic have become congested with commuter and commercial vehicles, while drainage ditches meant to accommodate a handful of homes now must serve still expanding subdivisions. Between 1982 and 1992, the number of farms in Lake County decreased by 22.5%, a loss of 3,334 acres. A vast majority of the development that replaced them (70% in some townships) was residential. In general, these new residents have sought out the large lots and rural atmosphere available in the unincorporated areas adjacent to established communities. In some locations throughout the county these migrants face a new set of quality of life issues basements wash out due to inadequate stormwater control systems and school buses, garbage trucks, and emergency vehicles respond to needs slowly because of overburdened roads. They have accepted the role of commuter, relying heavily on the automobile for transport to work, school, or the nearest grocery or retail store. More than any other factor, access to transportation determines the patterns of land use in unincorporated Lake County.

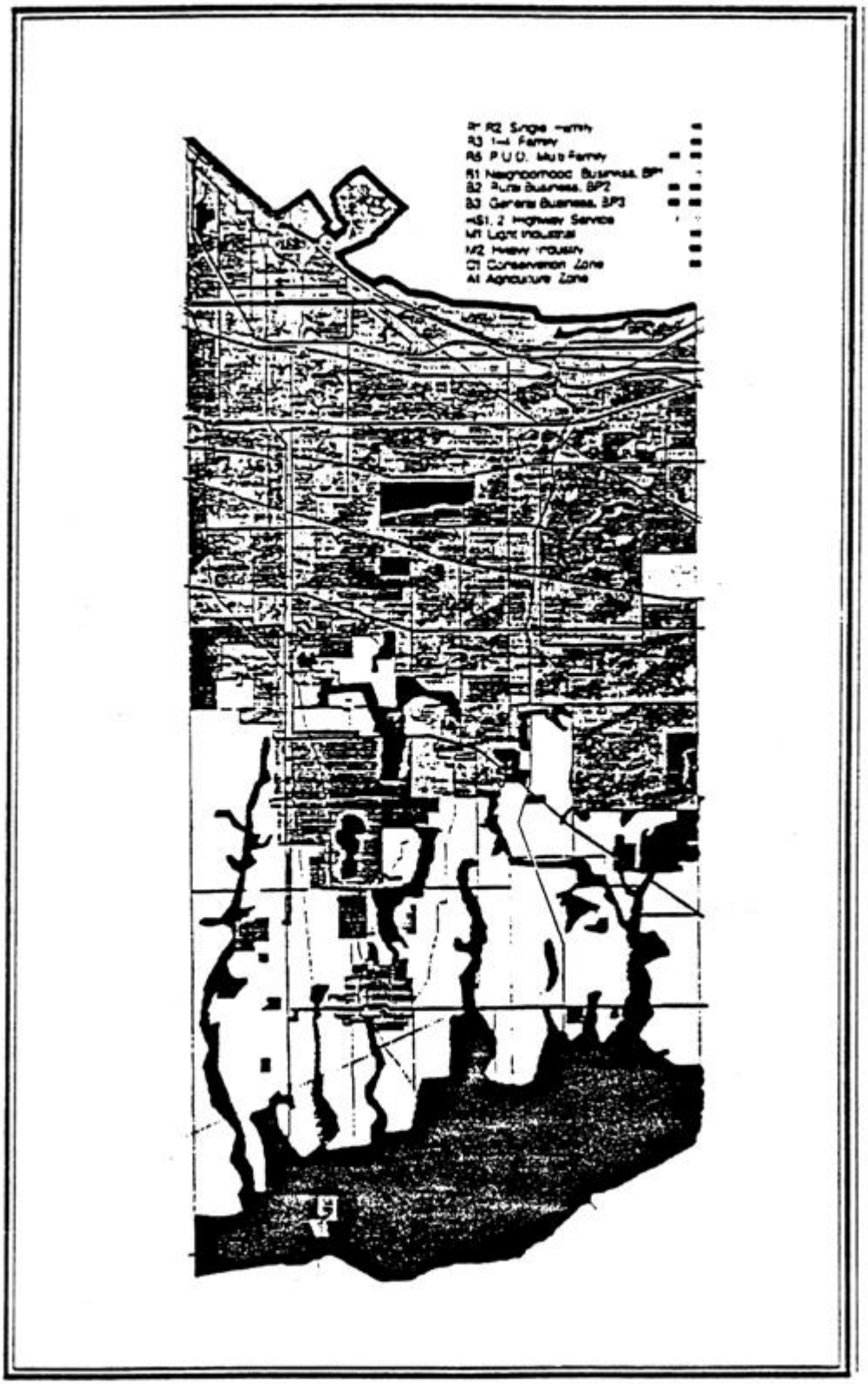
The 1967 plan observed the problems of strip retail development and residential sprawl and encouraged planned unit residential and commercial development. For new county residences, the plan proposed cluster subdivisions and other techniques that would provide diversity and minimize the impact on the natural environment. The plan also noted increasing congestion and suggested limiting development in areas with marginal infrastructure. Despite the 1967 directives, sprawl and strip development characterize much of Lake County.

Present in Lake County are four distinct "development environments." The development environment refers to the overall conditions for growth in the area a combination of local suitability for, and sensitivity to, development. Among the development environment factors are natural systems (floodplains, wetlands, woodlots), infrastructure conditions, and the scale of new growth activities. In most of unincorporated Lake County, growth and development is rapid and natural systems, infrastructure, and quality of life is changing. However, within the county are four distinct geographic areas in which the natural and infrastructure systems and driving forces of growth interact with significantly different results.

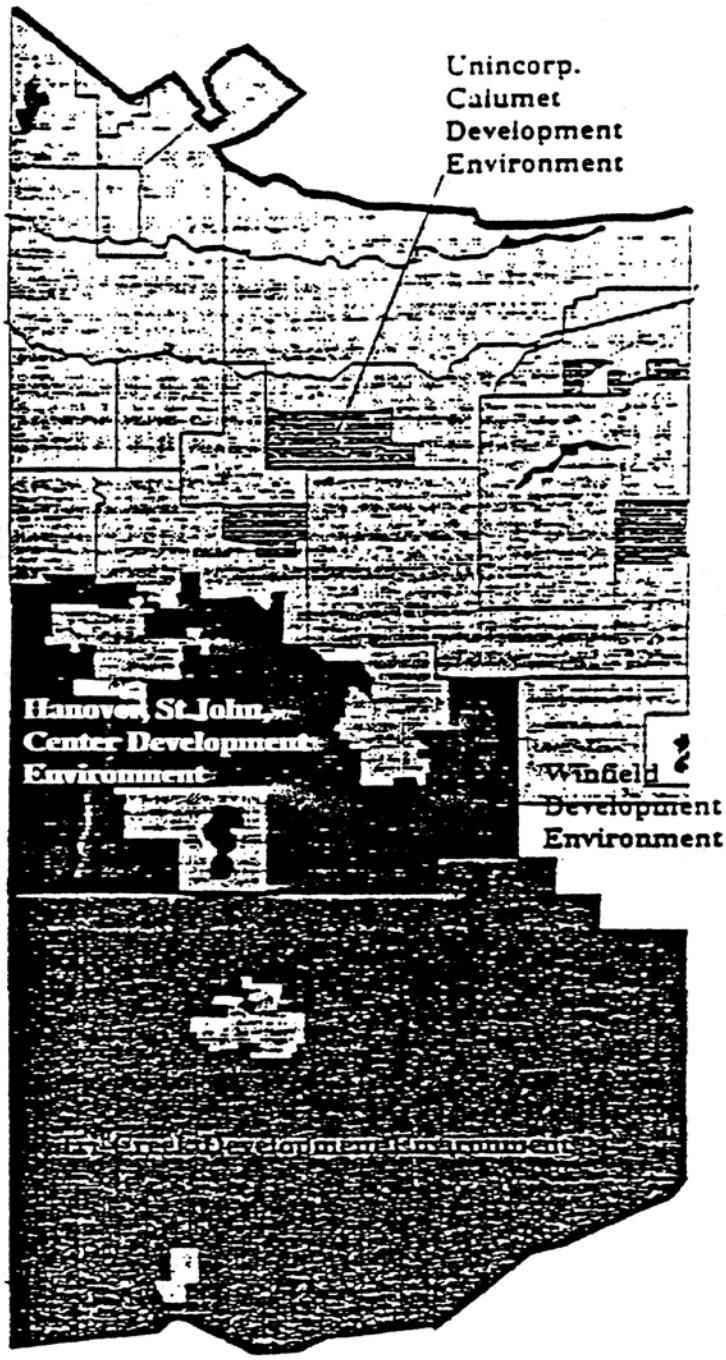
Lake County Farmland (in acres)



Zoning Map


R2 Single Family
R3 Two Family
R5 P.U.D. Multi Family
B1 Neighborhood Business, BP1
B2 Auto Business, BP2
B3 General Business, BP3
B1, 2 Highway Service
M1 Light Industrial
M2 Heavy Industry
C1 Conservation Zone
A1 Agriculture Zone

Lake County Development Environments



Lake County Development Environments

Hanover, St. John, and Center Townships

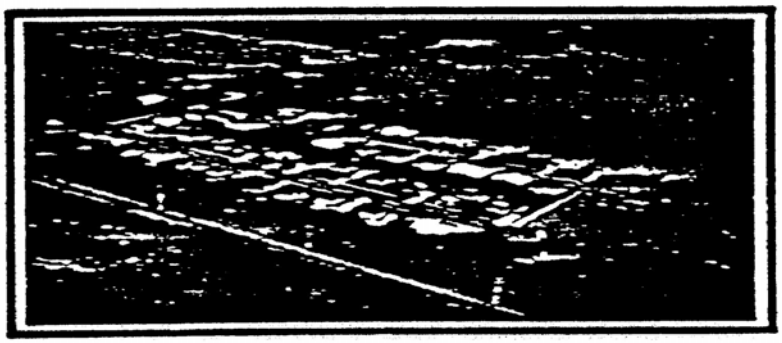
In Hanover, St. John, and Center Townships the development environment is defined by the effects of rapid growth over the last several decades. Long the focus of suburban growth in the county, this area has numerous subdivisions and strip commercial centers. It is characterized by stormwater drainage problems and road congestion that detract from the community's quality of life. Future land use controls in this area need to focus on lessening any additional strain on the infrastructure systems and reducing current shortcomings.

Eagle Creek, Cedar Creek, and West Creek Townships

Lake County's three southernmost townships have become the frontier of suburban growth in the last decade. Developers and migrants are increasingly looking to these areas as the central townships come to be characterized by the very congestion from which they are seeking relief. The local development environment is defined by open spaces, natural amenities, and a rural small town community character that is being threatened by sprawling growth. Infrastructure capacity, land, and scenic quality is abundant in this area and local land use controls must focus on preserving these elements while managing new development.

Winfield Township (now primarily incorporated as the Town of Winfield)

Winfield Township shares infrastructure conditions and scenic quality that characterizes the three southern townships. However, the incorporation of the northern two-thirds of the township as the Town of Winfield creates a unique situation. In its attempts to balance the rural community character with increasing development pressure, Winfield is in the process of defining itself as a town. Land use management techniques for the new town must focus on the balance between development and community character while providing the economic diversity and financial stability necessary to accommodate the public service needs of the community.



Unincorporated Calumet Township

In the middle of long established Hobart, Gary, Merrillville, and Griffith lies a land area that is yet unincorporated into one of the surrounding communities. Conditions in unincorporated Calumet Township differ from those in the remainder of the community in that the rapid development has passed it over. The area is bordered by Grant Street, 53rd Street, Colfax Road, and Ridge Road. The area is bisected by a large wetland and is characterized by lower-income households, deteriorating infrastructure, and an aging housing stock in need of increased maintenance. Future land use programs locally need to focus on redevelopment; encouraging home maintenance and the improvement of employment and consumer opportunities.

STUDY AREA PROFILE–COMMUNITY PARTICIPATION

Community participation in the planning process was encouraged through a series of community forums. These forums, held the week of September 12 and on 10-3-1994 were designed to allow local residents the opportunity to offer input into the planning process on the fixture of their community. Local newspapers were used to inform residents of the township forums and solicit participation. The residents that attended the forms included property owners, developers, local and county officials, and interested citizens. At each forum, participants were asked to list the strengths and weaknesses of their townships, as well as future opportunities and threats to quality of life. Areas with a number of social or physical problems are characterized with low quality of life. In the community planning process it is important to address those concerns that directly impact the area's quality of life. At some forums, residents also developed visions for their communities and listed specific area concerns. Many of the issues identified applied to all of Lake County, while others were location specific.

In the initial forums, common area threats to quality of life and opportunities to improve that quality were based on development pressures being faced by the region. Residents of Winfield Township in particular highly valued their rural community character and developed a "leave us alone" stance toward development. They feared the "city mentality" that could accompany growth. However, opportunities for the future listed in each community were based on the management of growth and generally include improved recreational and educational programs, social and public services, and a pooling of local resources. Residents generally believed that growth and development had the potential to be either opportunities or threats based on the manner in which they were managed.

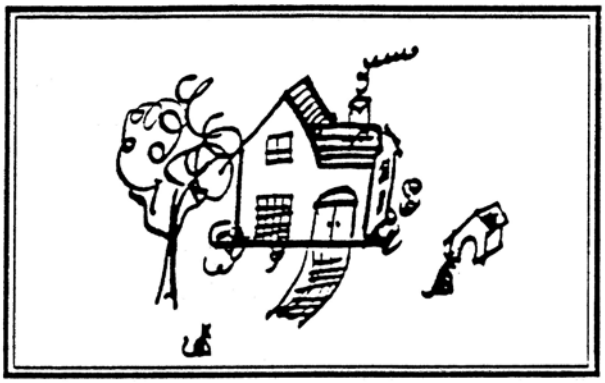
County Strengths

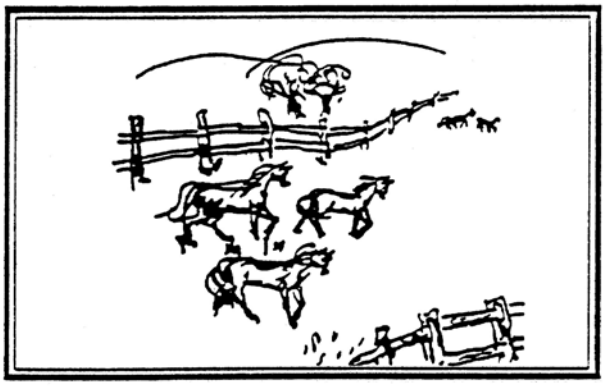
- rural character of the communities;
- open space
- recreational opportunities; and
- active citizen involvement.

County Weaknesses

- condition of roads and bridges;
- the lack of economic development;
- lack of affordable, quality housing; and
- poor stormwater drainage systems.

Sketches of How One Winfield Resident Sees the Character of Their Community





Value of Citizen Input

The citizen input provides a guide for policy decisions, helping to identify strengths that can be capitalized on and weaknesses to be improved. Comments made at the forums have their basis in issues that are significant for the county. They also serve as an evaluation of the success or failure of past planning efforts.

Local Strengths, Weaknesses, Opportunities and Threats

Hanover Township

- *Strengths:*

  - the area's rural character;
  - abundant open space and recreational opportunities;
  - good schools;
  - low tax rates;

- the local public library branch;
- strong churches; and
- the high level of resident involvement and activism.

- *Weaknesses:*

  - road congestion;
  - inadequate infrastructure;
  - inefficient public services;
  - inadequate emergency services;
  - poor stormwater drainage; and
  - the "control of township decision making by neighboring municipalities and county-wide agencies."

- *Opportunities:*

  - economic growth;
  - improved recreational facilities;
  - improved educational programs; and
  - expanded social programs.

- *Threats:*

  - increased crime;
  - continued road congestion;
  - ground water contamination; and
  - the need for expanded social and public services (particularly waste disposal).

Center Township

- *Strengths:*

  - diverse ethnic background;
  - geographic location;
  - human services, health, recreation, and education facilities; and
  - the industrially-based economy.

- *Weaknesses:*

  - waste disposal;
  - poor subdivision/development regulation;
  - road congestion and conditions;
  - poor stormwater drainage; and
  - inadequate public transportation.

- *Opportunities:*

  - available land and development sites;
  - expanded educational facilities; and
  - improved transportation.

- *Threats:*

  - increasing cost of living/tax rate;
  - threatened air quality;
  - stormwater drainage/flood control; and
  - increasing crime.

Winfield Township

- *Strengths:*

  - privacy;
  - community activism;
  - proximity to (but exclusion from) the amenities of greater Chicago;
  - low crime rate;
  - good schools;
  - open space and recreation facilities;
  - clean environment; and
  - a strong sense of community.

- *Weaknesses:*

  - poor north/south transit routes;
  - poorly draining soils;
  - overburdened infrastructure;
  - inadequate political representation;
  - poor enforcement of land-use guidelines; and
  - poor police and public service response.

- *Opportunities:*

  - increased employment; and
  - road improvements.

- *Threats:*

  - inadequate waste disposal;
  - industrial development;
  - uncontrolled development;
  - air and water contamination; and
  - “newcomers forcing a city mentality.”

St. John Township

- *Issues:*

  - lack of industry and businesses;
  - affordable/quality housing;
  - inadequate stormwater drainage; and
  - poor development controls.

Tri-Creeks Townships

- *Strengths:*

  - parks and recreation;
  - good local schools;
  - low crime rates;
  - strong churches;
  - access to greater Chicago; and
  - a good leadership base.

- *Weaknesses:*

  - inadequate political representation;
  - low quality housing;
  - poor land-use controls;
  - inadequate emergency services;
  - declining condition of infrastructure; and
  - lacking option s for public transportation.

- *Opportunities:*

  - abundant recreational programs; and
  - natural amenities.

- *Threats:*

  - welfare dependency;
  - increasing road congestion; and
  - uncontrolled residential development.

Calumet Township

- *Strengths:*

  - ethnic diversity; and
  - quality local schools.

- *Weaknesses:*

  - inadequate parks and recreational programs;
  - lost sense of community;
  - inadequate street lighting;
  - economic decline;
  - population decreases;
  - poor political representation;
  - poor stormwater drainage; and
  - inadequate waste disposal.

- *Opportunities:*

  - available land and development possibilities; and
  - access to interstate transit routes.

- *Threats:*

  - air and water quality;
  - increasing road congestion;
  - inadequate redevelopment finds and private investment; and
  - neglected and contaminated properties.

COMMUNITY GOALS

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COMMUNITY GOALS

Issues concerning economic development, the environment, circulation, and growth pressures are the most pressing issues influencing past and current development trends in Lake County. These four driving forces, were identified based on the county profile and its demographic trends, past planning efforts, and participant responses at citizen forums. Because of their compelling influence on development patterns. these four issues form the foundation of the new plan. Indicators of the driving forces, such as the reduction in farmland and increased traffic congestion on major routes, not only help to demonstrate the existing conditions of the region, but also deliver some insight as to what the future may hold for Lake County. As a whole, the comprehensive programs for Lake County need to provide a proactive guide for change. With the driving forces in mind, three goals were derived as a foundation for the development of this plan….

Growth Management

The current conditions in Lake County, particularly the growth occurring in the rural areas, establish growth management as a key issue. Growth management involves the guidance of change to allow for a better quality of life for Lake County businesses and residents, as opposed to reacting to the existing driving forces by preventing or restricting new development. Recent growth in the unincorporated areas of Lake County has resulted in stressed public services and infrastructure and a threatened natural environment.

Growth management is most obviously an element of land use, but also is a part of all policy areas, especially the environment, economic development, infrastructure, and transportation. For the maintenance of Lake County's quality of life, programs in each of these areas need to include realistic techniques for growth management. In the case of land use, this would include the establishment of development target areas for guiding development to where it is most appropriate. Environmental policy in these target areas would be used to protect sensitive natural features, and public service programs and infrastructure would be developed to anticipate growth.

Establishing growth management as a primary goal sets a basis for directing future economic development and land use while preparing public and social services and infrastructure to accommodate change. Growth management in Lake County needs to be strategic as well as comprehensive in its application of policies and programs to be best prepared for what is ahead.

Improving Communication

Although addressed in the 1967 plan, cooperation and/or coordination between local communities and public agencies is still a concern of many residents. Many issues discussed at the public forums were location-specific; however, concerns about inadequate political representation and control of decision-making were common throughout the six townships involved. Improving communication and organization between community leaders, residents, and public agencies is a priority because of the potential it has for improving the quality of life in Lake County. The key is the development of efficient agencies and programs encouraging involvement, leadership, and cooperation between all those affected by local or county decision-making.

Preservation and Enhancement of Community Character

Community character can be seen most prominently in the architectural features of the residential neighborhoods and commercial centers, as well as with the pride and care individuals take in the communities they live in. For example, many Lake County residents are proud of and very comfortable with their "small town" environments. Growth pressures, economic development, environmental issues, and circulation problems, however, have begun to threaten the character of Lake County's communities. Preservation and enhancement of this "small town" community identity can be achieved by encouraging new growth to visually conform to the historical and/or rural context. Utilizing tools such as design standards and design review, new development and modern architectural styles can be successfully integrated into the community while ensuring the preservation of existing character.

(Prior Code, Comprehensive Plan)

LAND-USE

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LAND-USE

Land use policies and practices in Lake County have, to date, been primarily reactive, accommodating development on an individual basis. Conservancy districts protect lands that represent potential flood hazards, but a guide for all land uses is needed to prevent continued unnecessary land consumption. With the exception of unincorporated Calumet Township, the county enjoys a positive development atmosphere developers are anxious to exploit the active markets that exist locally. The combination of private interest and infrastructure systems at, or near, capacity present the opportunity for greater interaction between developers and the public sector. The result of this interaction should be subdivisions and commercial development that both allow for return on investment for the developers and will more adequately meet the transportation, natural environment, and stormwater management needs of the county residents and businesses.

More than any other factor, land use influences the quality of life of the communities of the county. The impact of land use patterns on community character occur through both its location within the context of the county and physical design at the site. The 1967 plan addressed the need to avoid strip development and land use patterns that were incompatible with existing infrastructure and community character. The industrial, commercial, and residential cluster developments recommended in the previous plan are also applicable in today's Lake County.

Lake County has traditionally faced a unique development atmosphere due to its relationship with Greater Chicago. There is no reason to believe that the rapid growth trends will slow. A number of zoning ordinances and provisions have been successfully applied with nationally in communities with situations similar to those in Lake County.

Any changes in local policies need to respect infrastructure capacities and the natural environment while providing for appropriate growth and development. In light of existing land use patterns and control methods for future changes, the key objectives of the programs for local land use control are….

- establishing land use patterns compatible with local natural features and infrastructure conditions;
- utilizing flexible, performance-based land-use control methods;
- encouraging increased public/private cooperation in the development process.

Objective One: Establish Sensitive Land Use Patterns

Process

A variety of factors were used to identify the four development environments which serve as target areas for development. The target areas are the result of a comparison of the needs of individual development types (industrial, residential, commercial, open space) with local features such as soils, slopes, and road congestion. The result of the process is a geographic definition of areas most suitable for future development.

Overlay Factors

Factors included in the land suitability overlay process include both existing natural features (such as floodplains or woodlots), as well as built features (such as roads and utilities). Also significant factors in the process were existing developments and the future open space needs described in the 1993 - 1997 Lake County Parks and Open Space Master Plan.

• *Soils:*

Local soil conditions have implications for development based on their general "build ability" and permeability. As most of unincorporated Lake County is reliant on septic systems, the ability of soils to support those systems is a key to development. Much of the soil in the county is poor in its ability to support development due to high water tables and the tendency to pond. The least appropriate soils are found in the Kankakee River outwash plain and along major streams.

• *Slope:*

The flat to gently rolling topography of Lake County prevents few hindrances to development. However, when combined with soils information, the areas most prone to drainage problems can be identified.

• *Floodplains:*

The current Lake County zoning ordinance establishes flood zones for county. Flooding results in significant property damage in the zone. The most significant local floodways exist in the Kankakee River basin and along the streams which are its tributaries.

• *Wetlands:*

Construction on wetlands is prohibited by law due to the potential for the destruction of important habitats and the disruption of natural stormwater runoff patterns and groundwater recharge. A majority of Lake County's wetland areas are found in the Kankakee watershed area.

• *Prime Farmland:*

A vast majority of unincorporated Lake County has been designated as prime farmland due to the same soil and slope conditions that often make it inappropriate for development. The value of setting aside this land is based on the value of the agricultural base to the local economy, environmental conditions, and the visual quality that is the foundation for local small town/rural community character.

• *Vegetation:*

The woodlots that remain in the county represent important wildlife habitats. The targeting of future land use needs to be sensitive to the vegetation linkages and movement patterns of animals as the potential exists for conflict with human activity. These remaining stands of vegetation also provide the opportunity for future recreation facilities and amenities for development.

• *Transit Access:*

Numerous transit routes and corridors serve the Lake County area, with the presence of these roads having different implications for different land uses. Commercial and industrial sites favor readily accessible sites while residential areas are best suited for areas with secondary routes that feed into the primary corridors.

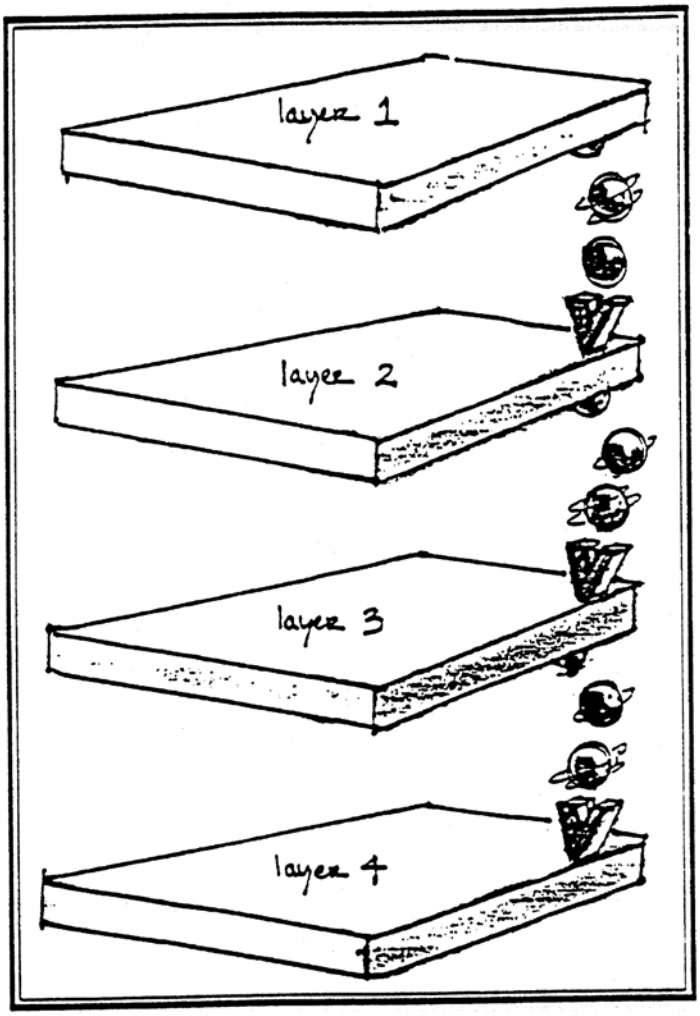
• *Transit Capacity:*

Directly related to access is the available capacity of those routes. In many places in Lake County, stresses on existing roads are a serious hindrance to future development. St. John, Center, and Hanover Townships in particular suffer from regular traffic congestion.

• *Utilities:*

The restrictions imposed by utilities are also a matter of capacity. Water and electricity are readily available throughout the county, however, the capacity is limited by existing demand.

The Suitability Overlay Process



Existing Land Use Features

L.U.T.A. – Land-Use Target Areas

The suitability overlay process identifies geographic areas with attributes most appropriate for development. These Land-Use Target Areas serve to focus the future development of the county. The target areas represent the most appropriate locations sensitive to existing natural systems, road and infrastructure capacities, and existing development patterns. All areas not designated as target areas should be reserved for agriculture.
Note: Agriculture is a viable land use. Farm land should not be considered "undeveloped" land.

- *Conservancy Areas:*

Conservancy target areas are based on the current floodplain zones as described in the county ordinances and portrayed on the county map. Due to periodic flooding, these areas are reserved for agriculture, recreation and limited development as described by the Lake County zoning ordinance.

- *Parks and Open Space:*

These areas are similar to conservancy areas, and responsive to recommendations made in the ***Parks and Open Space Master Plan***.

- *Residential:*

The siting of residential areas is based on the presence of secondary access routes, comparatively minimal limitations on infrastructure and waste management systems, and the presence of nearby communities and sources of employment and consumer opportunity. The residential target areas provide for the continued subdivision of land around existing municipalities.

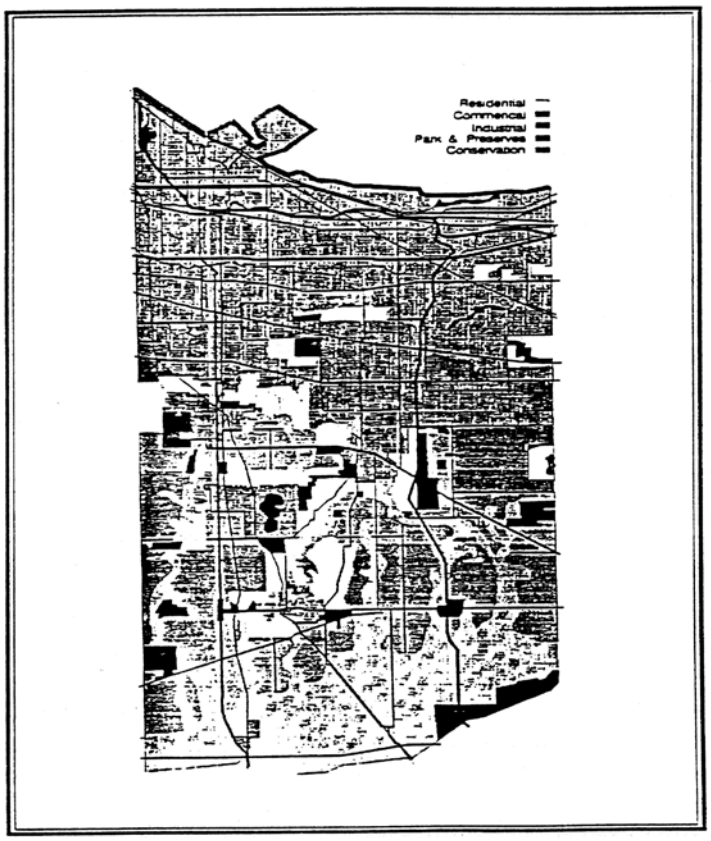
- *Commercial*:

Commercial areas were designated with regard to local environmental conditions such as soils, slope, and floodplains. However, more significant factors include the presence of complimentary residential areas or transit routes providing high visibility and accessibility.

- *Industrial:*

Industry moving into the area would most likely be light in nature, therefore, access to transit routes and compatible commercial areas are significant factors.

Land-Use Target Areas



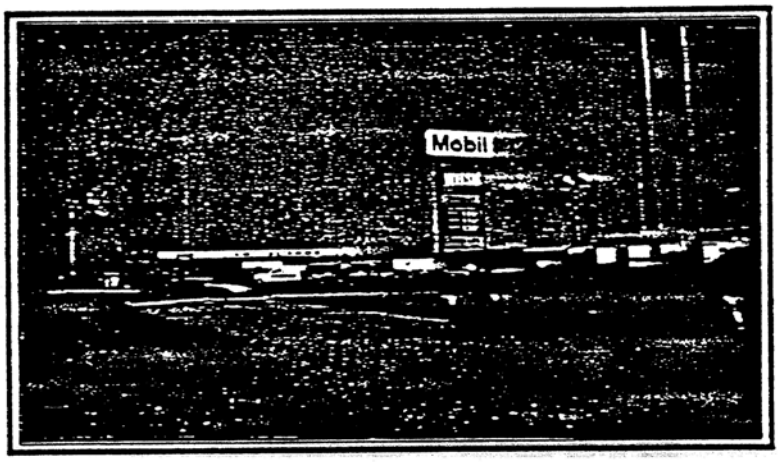
Action Step I

Update the current zoning map to represent the geographic guidelines established by the target areas.

Action Step 2

Publish brochures detailing zoning map changes to landowners and developers discussing the merits of pro-active, performance-based zoning and an explanation of local changes.

The Dinwiddie Interchange - Site of Future Commercial Development



Northwest Lowell - Residential Target Area

Objective Two: Alternative Land Use Controls

Action Step

The following action step options represent increasingly intense and progressive land use and development management strategies. They provide options for pro-active measures which, in many cases, are not applied simultaneously. Each is appropriate for conditions in Lake County but differs from the others in the scope of control placed of new development.

Option 1

Expand the scope of residential, commercial and industrial planned unit developments and cluster developments as provided for in the current Lake County Zoning Ordinance. These zones could provide a basis for the establishment of design standards on sites in the target area, while minimizing curb cuts and limiting unnecessary land consumption.

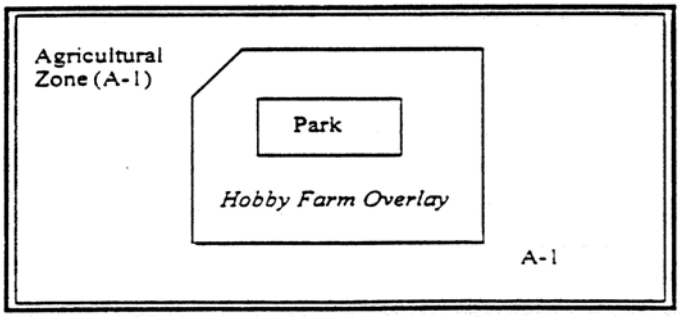
Option 2

Establish hobby farm overlay districts in areas zoned for agriculture. These districts would be located around parks or nature preserves for access to trails and large natural areas providing communal space for hobby farm owners to ride horses, for example. Also, amend the Lake County Zoning Ordinance to prohibit residential subdivisions in areas zoned for agriculture unless the subdivisions are located in the hobby farm districts and meet the minimum size requirements for hobby farms. Subdividers wishing to have a residential subdivision in an area zoned agricultural would have two options:

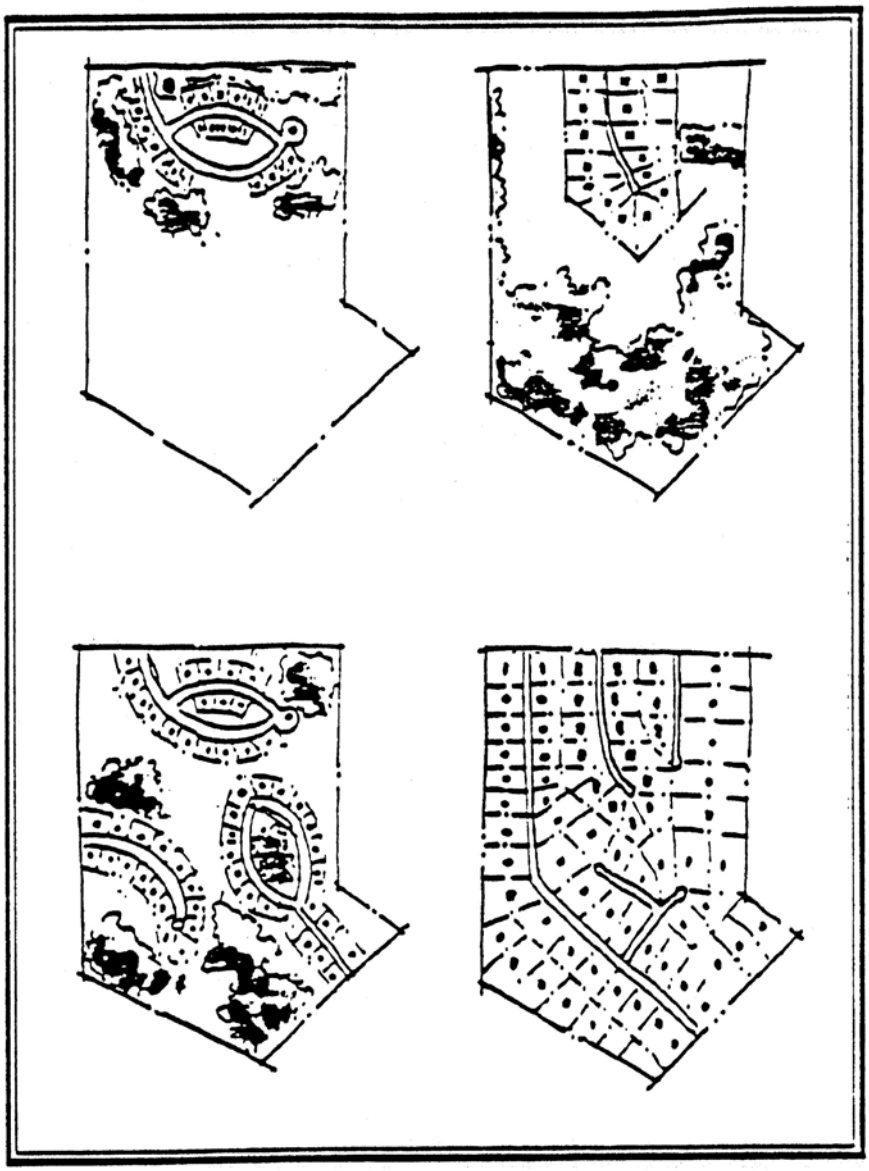
1) locate in a hobby farm district, or

2) petition for a zone change to residential (R-1, R-2, etc.)

The purpose of the hobby farm district overlays and the limitations to residential subdivisions in areas zoned for agriculture is to manage growth in Lake County's agricultural areas, preserving agricultural land while still allowing options for residential development.



The Advantages of Land Preservation Districts



Option 3

Establish land preservation districts (LPD) as overlays to existing zoning. The land preservation is a performance-based alternative to standard residential zoning which can also be applied to industrial or commercial clusters. The primary purpose of the land preservation district is to encourage development while protecting a rural, small town character. Characteristics include….

- requires that 75 percent of each site be used as open space - eliminates reliance on borrowed open space (farmland, woodlots) adjacent to development;

- includes smaller lots (typically 10,000 to 6,000 sq. ft.) grouped in "neighborhoods" of 5 to 25 dwelling units around a common open space;
- allows for the linkage of open spaces into a county open space system;
- setbacks/buffers are required between neighborhoods, each other, roads, and cropland;
- typically requires on-site sewage treatment;
- implementation requires in the zoning text establishing the setbacks and open space requirements, and changes in the map designating the areas to be over laid by the LPD.

Option 4

Establish an adequate public facilities ordinance (APFO) to limit or restrict growth in areas with incompatible infrastructure, or infrastructure systems at capacity. The APFO is applied as an overlay zone to areas which are prone to congestion or inadequate stormwater management. The APFO does not ban development, but rather requires greater private sector input into the updating of infrastructure. For Lake County, the establishment of these overlay districts would minimize the congestion and stormwater damage that is characterizing the increased development

- implementation requires the addition of appropriate text detailing the district to the zoning ordinance, and alterations of the zoning map to include the designated overlay areas; and

- the process of insuring that developers satisfy the increased infrastructure needs of the new development becomes a part of the Plan Commission review process.

Option 5

Establish impact zones to require private contribution to needed infrastructure updates that result for development. While similar to an adequate public facilities ordinance, the impact zone requires that developers financially contribute to infrastructure updates rather than provide the services themselves. Like APFOs, impact fees can be applied to any type of development. Funds received are earmarked directly for the appropriate improvements either by the county itself or a subcontractor. The impact fees are an alternative to APFO's and are not applied together. The impact zones are applied as overlays of existing zoning classifications.

- implementation requires the changing of zoning ordinance text and the establishment of geographic districts on the zoning map; and
- the fees to be paid by the developer are established during review of the project by the plan commission based on a pre-established fee schedule for designated areas.

Option 6

Establish a point system for the approval of proposed development. The establishment of a point system allows the county to create a set of development and design standards that govern the approval process. Each proposed development is evaluated based on criteria such as compatibility with existing development, compatibility with existing infrastructure, impacted natural systems, or location in a land use target area. In a point system the governing entity establishes a minimum number of points that must be compiled for approval of the development. It is recommended that the minimum points be that number equal to the value of points available minus the points to be received from locating in a target area. This would directly encourage

development of the specified districts without making growth outside of those areas impossible. If a development outside of a zone is able to reach the minimum point total it has essentially recreated the conditions used to establish the target areas.

- implementation requires the addition of *point system* provisions to the subdivision ordinance test, the establishment of criteria, and an increased role of the Plan Commission in its evaluation of developments prior to approval; and
- as growth continues in Lake County, the ordinance could be changed to the place ceilings on the maximum number of developments rather than approving all projects achieving the minimum requirements.

Sample of Points System Criteria

· adjacent use
· gross density
· open space ratio
· buffering
· massing of buildings
· building heights
· setbacks
· on-site circulation
· road quality
· pedestrian linkages/systems
· transit access
· intensity of surrounding uses
· distance to contiguous urban development
· recreational opportunity
· consumer opportunity
· historic preservation
· fire station proximity
· fire-fighting water source
· school proximity
· parking
· low-income housing
· traffic generation
· noise pollution
· glare
· odors
· air pollution
· surface water pollution
· groundwater runoff
· erosion
· wildlife habitat
· vegetation
· wetland loss
· prime cropland
· soil suitability
· flood hazard
· landslide hazard
· energy conservation
· building materials
· permanent foundations

Objective Three: Increased Public/Private Cooperation

Action Step 1

Create a "one-stop development shop" as a part of the central information center described in the organization and communication section. The facility will provide potential developers and land owners with a guide to Land-Use Target Areas and zoning regulations. The program could originate as a series of articles in local newspapers and also be made available as informational packets available through the branches of the Lake County Public Library.

Action Step 2

Assign the role of Hearing Officer to Planning Department staff to evaluate and resolve simple planning and zoning issues. This would reduce the time required for development to proceed, and would relieve some of the burden on the Plan Commission. The staff would also serve to coordinate the application of zoning overlay zones and infrastructure policies.

Land-Use Benchmarks

☐ The Lake County zoning map has been changed to reflect the Land-Use Target Areas.

☐ Pamphlets and brochures detailing zoning changes have been printed and placed in an easily accessible location (the Lake County Public Library) for the benefit of developers, property owners, and residents.

☐ The appropriate overlay method–land preservation districts, adequate public facilities ordinances, or impact zones–has been selected with the appropriate changes being made to the zoning map and text.

☐ The new Town of Winfield has established its own set of zoning designations and other land-use management techniques.

☐ Criteria has been established for a point system for approval of development.

(Prior Code, Comprehensive Plan)

COMMUNITY CHARACTER

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COMMUNITY CHARACTER

Lake County has undergone several significant changes during the past decade. Many of these changes have positively enriched the balance of community growth and development, while others represent only minimal contribution to the quality of life of the community as a whole. Consequently, the small town community environment, valued highly by the residents, is suffering from a loss of character or clear identity. The once vibrant rural atmosphere, which initially attracted residents to the county, is in many places nonexistent or at risk of losing its appeal.

Historic landmarks, open pastures, natural wetlands and woodlots, and farmland all contribute to the community character of unincorporated Lake County. Coupled with local community spirit, communication between residents, and a strong sense of pride, monitoring and maintaining the existence of the character displayed in Lake County is a vital necessity. Various development procedures and guidelines can be applied toward establishing a positive growth management plan for maintaining the character of the county's rural communities while allowing and even encouraging community growth and development.

Key points addressing the Lake County goals toward establishing a growth plan reflective of maintaining community character include….

- maintaining the identification of cultural resources
- encouraging innovative development patterns sensitive to the rural environment
- establishing design review guidelines

Objective One: Identification of Rural Resources

Action Step 1

Include an expanded environmental review by the planning staff for the plan commission prior to development approval. A community whose development approval process includes environmental review requires the developer to submit an environmental impact assessment specifying the resources on the site and the impacts of planned development on those resources. For Lake County this assessment would include issues of community character and could be included in a points system review process.

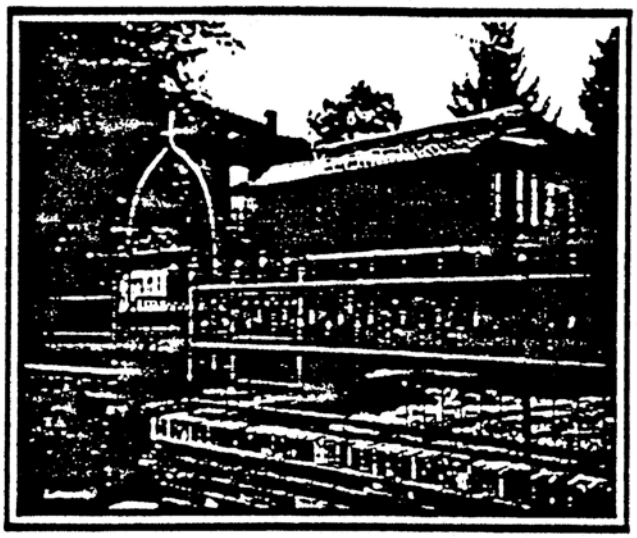
Action Step 2

Develop and maintain a listing of historic sites and potential historic landscapes and scenes. The identification of such sites can lead to the inclusion of provisions for their protection in zoning ordinances.

Action Step 3

Encourage community education programs sponsored by local businesses and schools through the CIC or Lake County Public Library promoting the cultural identity of the county and the importance of its natural, scenic, and character resources.

A Contributor to Lowell Community Character



Objective Two: Encourage Sensitive Development Patterns

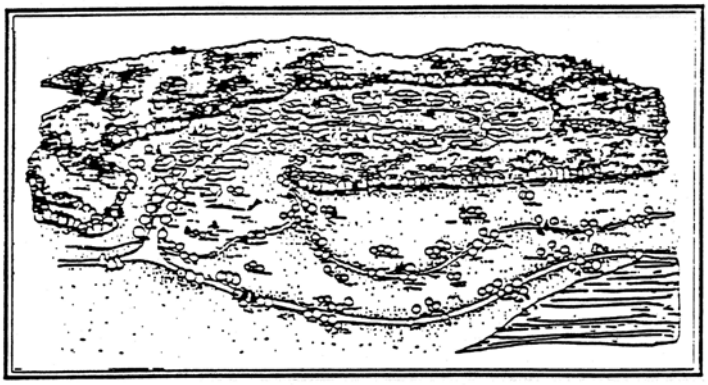
Action Step 1

Promote cluster development in coordination with land use policies. The grouping of structures that results minimizes impacts on the land and rural character while preserving open space.

Action Step 2

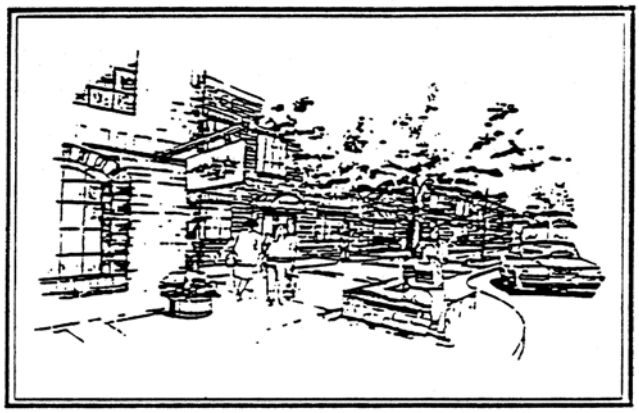
Apply the provisions for reflective development established for housing to all development types. New structures should reflect the architectural and natural qualities of adjacent development, farmsteads, and residences.

An Example of Cluster Developments

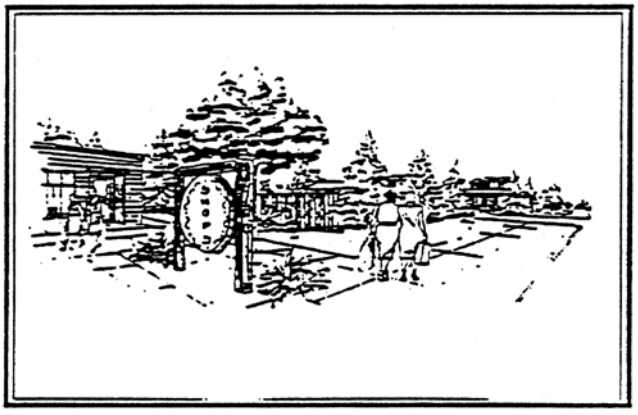


Reflective Development

Reflective Development



An Example of Positive Design



Objective Three: Establish Design Guidelines

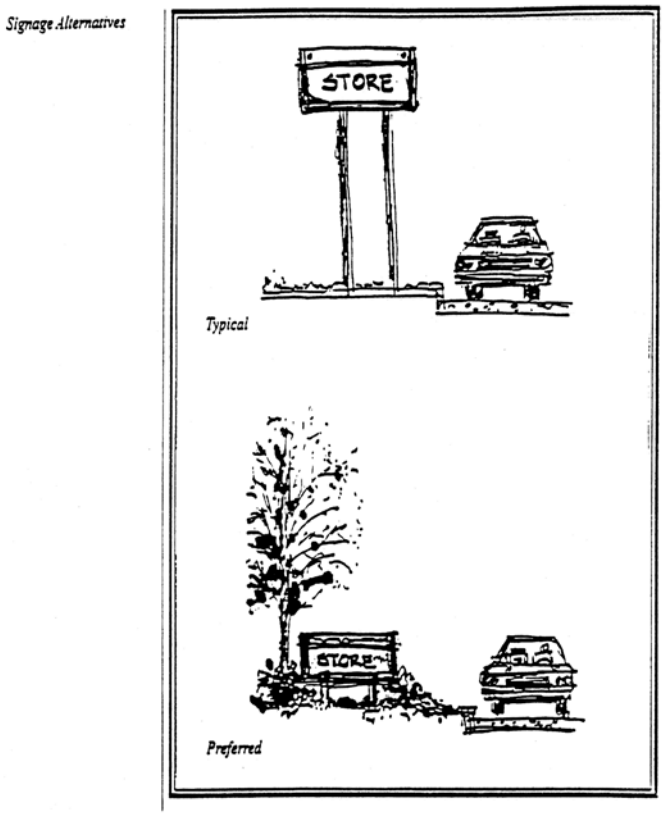
Action Step 1

Develop and implement a design review procedure as an element of the development approval process (possibly as an element of the points system). Included as issues in the review should be building scale, building design (architectural sensitivity), vegetative buffering, location on the site, and character of place (response to surrounding features). The design guidelines should be clear, concise and illustrated. Experience has shown that if given the choice most developers will comply with design guidelines. At first the design guidelines can be voluntary. If voluntary guidelines achieve the desired results, there is no need to formalize them. If, however, developers and property owners are not following the guidelines, steps should be taken to enforce the guidelines.

Action Step 2

Establish a signage ordinance to compliment subdivision and zoning ordinances, or as an element of either. The ordinance will promote continuity in design of advertising signs with regard to size, scale, character, and overall attractiveness in its context.

Signage Alternatives



Community Character Benchmarks

General Benchmarks

☐ A listing of sites of natural, scenic, and historic significance has been created.

☐ Community character elements such as scenic quality, building scale, and character of place have been added to points system approval process criteria.

☐ A signage ordinance has been created either as a separate document or an addition to the zoning or subdivision ordinance.

(Prior Code, Comprehensive Plan)

HOUSING

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HOUSING

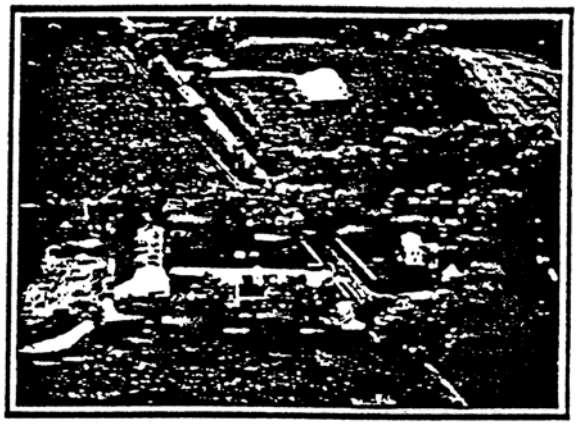
A majority of the development that has occurred in unincorporated portions of Lake County over the last 10 years has been residential, including a substantial number of large homes sited on large lots. This type of development is land consuming and typically compromises the rural small town character that originally made the area appealing. The sprawl and congestion, excess curb cuts, increasing demands on services and rising costs of living associated with increasing populations and numbers of homes were of great concern to participants at the township forums. Many people feared the congestion that already characterizes incorporated portions of the county.

Another issue identified through the community forums was the lack of quality, affordable housing, particularly in the unincorporated areas of Calumet Township. In other parts of the county, finding housing within 80% of median home value (the typical measure of affordability) is becoming an issue. In some cases, the long time residents of the unincorporated townships are experiencing difficulty with increasing building permit prices and the availability of opportunities for first-time ownership for their grown children. At this time it is necessary to introduce flexible provisions for affordable housing in anticipation of growing needs. A third housing issue present in the developing portions of the county is the contrast between newer larger homes and the original farm houses and older subdivisions.

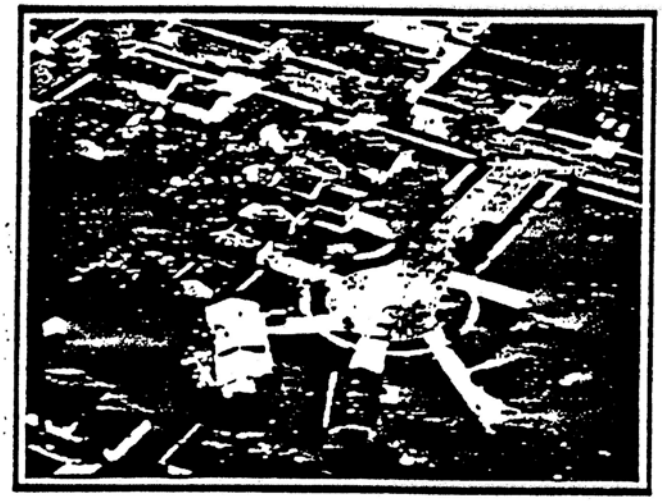
The housing programs for unincorporated Lake County are based on the objectives of....

- limiting sprawl and avoiding unnecessary land consumption
- providing diverse, affordable housing options
- reducing visual conflict between new and existing homes and subdivisions

Lake County Farm House and Outbuildings



Typical Lake County Residential Subdivision



Home in Lake County

Objective One: Limit Sprawl

Action Step 1

Promote cluster developments through tax and infrastructure incentives, encouraging builders to develop smaller lots and retaining the overall density and character of the area.

Action Step 2

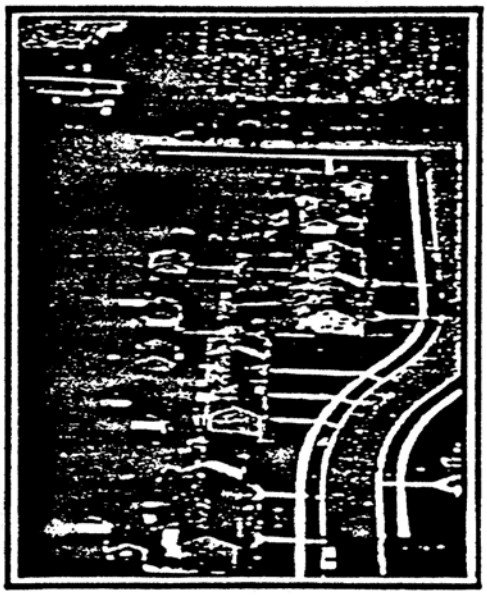
Encourage housing agencies and developers to take advantage of established residential target areas.

- utilize Land Preservation Districts
- enforce a points-system for grading and approving residential development
- encourage diversity of siting concepts such as semi-attached, and
- attached units with common open spaces.

Action Step 3

Assess new housing projects based upon infrastructure, service and school capacity, visual character and potential for adding to road congestion. The developer should be responsible for providing infrastructure and service capacity they utilize.

Semi-Attached Homes in Lake County



Objective Two: Provide Diverse Housing Options

Action Step 1

Perform a regular housing analysis which will address the condition, affordability, and quality of the housing stock. The results of the housing survey will determine the need for and extent of remedy programs.

Action Step 2

Develop and adopt inclusionary zoning ordinances that require developers to build a certain percentage of low-to-moderate income units as a condition of approval. The percentage is set on a case by case basis, depending on the current needs as revealed by the annual housing survey. The county would assume flexibility in requiring developers to provide affordable housing on a case-by-case basis from zero to forty percent of their proposed units.

- requires a change in the zoning ordinance calling for the creation of inclusionary zones and a change in the zoning map as inclusionary overlay zones or as a conditional use.
- alternatives:
  - *Off-Site Development:* the developer is permitted to construct the lower income units on a separate, unrelated site;
  - *Payments in Lieu of Development:* the developer can make a payment to an appropriate public or non-profit entity which will use the proceeds to further affordable housing in some manner, in lieu of constructing any low income units;
  - *Transfer Credit:* the developer can purchase credits from other developers who have produced an excess of affordable units;
  - *Donation of Land:* the developer is permitted to donate a parcel of land within his development to a public or nonprofit entity, on which the agency will have the required lower-income units built.
- prior to the preliminary approval of the development, the Plan Commission will establish the percentage of units that should be low-to-moderate income. If the developer has not made any provisions and construction is completed, then the county requires that the development make a payment in lieu of construction prior to the sale of the units.

Action Step 3

Offer density bonuses to developers to encourage the construction of affordable housing. The bonuses will increase the allowable density for developers that include affordable housing in their developments.

Action Step 4

Encourage the maintenance of the existing housing stock by offering programs and grants to low-to-moderate income home owners for repairs and routine maintenance. These programs will aid senior citizens and the residents of unincorporated Calumet Township in particular in maintaining their homes and continuing general paint-up and fix-up.

Action Step 5

Establish a non-profit *Community Development Corporation* (CDC) based on the Calumet Township residential *Land-Use Target Areas* (LUTA) as the facilitating instrument for tax incentives for development, home maintenance programs, and housing subsidies.

Typical Housing in Calumet Township

Objective Three: Reduce Visual Conflict

Action Step 1

Include provisions in the development points system (land use) allowing the builder to gain points for construction that follow the themes/basic architectural characteristics of adjacent developments.

Action Step 2

Adopt the design method termed "reflective design." The new development must pick up on at least part of the character of the surrounding neighborhoods. This can be a reflection of the style or exterior materials. Encouragement of this could also be included in the points system. Developments will earn or lose points depending on how compatible they are to the surrounding environment, both built and natural.

Housing Benchmarks

General Benchmarks

☐ Complete the first of the regular housing surveys

☐ Inclusionary zoning provisions are added to county ordinances and the official zoning map

☐ The *Calumet Community Development Corporation* is established.

(Prior Code, Comprehensive Plan)

TRANSPORTATION AND CORRIDORS

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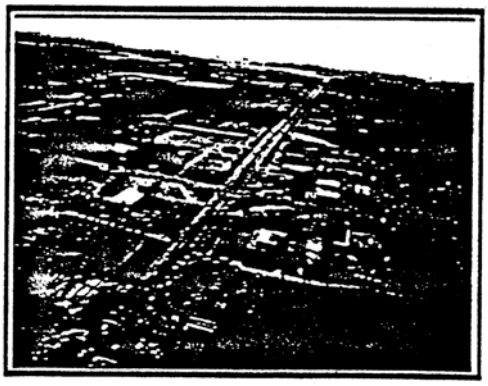
TRANSPORTATION AND CORRIDORS

Labeled the "Crossroads of America" Lake County has been experiencing increasing volumes of vehicular traffic, particularly on the county roads in developing areas. The increasing demands placed on the current transportation system have resulted in a number of problems. To address these concerns, the county must examine the broad issue of transportation, circulation and access, in its broadest definition, and develop an integrated program which includes public transportation, recreational opportunities, and corridor enhancement.

The overall mission of the transportation programs is to improve accessibility and circulation patterns through Lake County, while minimizing the community, environmental, and social impacts that may result. This section of the Comprehensive Plan examines Lake County's transportation routes from a county-wide, regional perspective. In other words, unincorporated Lake County is not the sole focus of this section. The reason for this broader perspective is based principally on the realization that many of unincorporated Lake County's main thoroughfares also pass through independent municipalities. Thus, the transportation recommendations attempt to place unincorporated Lake County in the larger regional context. Programs for improving the Lake County's transportation system are based on the objectives of:

- reducing the impact on the natural environment;
- improving circulation and accessibility;
- improving character and sense of community along corridors;
- reducing congestion; and
- improving and maintaining the condition of existing roads

Intersection of I-65 and U.S. 30



Objective One: Reduce the Impact on the Natural Environment

Action Step 1

Increase incentives to those persons who utilize rideshare programs (such as reducing toll rates on toll roads to higher occupancy vehicles, creating park and ride areas at major intersections along U.S. 41 and 1-65, and creating high occupancy vehicle lanes).

Action Step 2

Develop new limited access corridors between targeted residential, industrial, and commercial growth areas.

Action Step 3

Educate residents on ways to limit auto emissions (maintain pollution equipment, frequent tune-ups, align wheels, properly inflate tires, and car pool).

Action Step 4

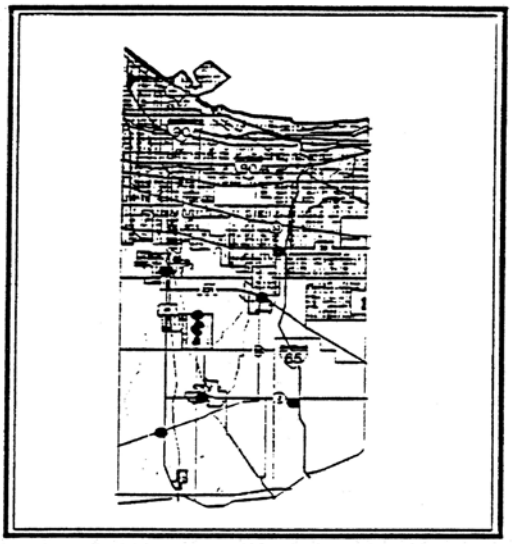
Increase roadside vegetation and sign ordinances to improve the aesthetic environment of the county and improve sense of community and character between municipalities.

Action Step 5

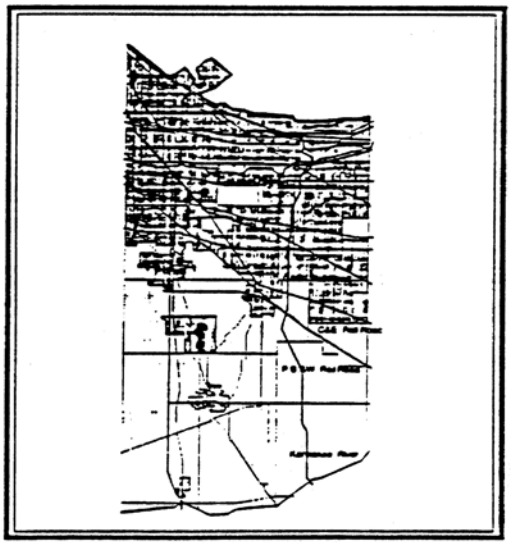
Preserve and develop abandoned or natural corridors into separate bikeways to encourage bicycle use, discourage automobile travel, and reduce the impact on the environment. Some potential sites include….

- Erie Lackawana Railroad Corridor - Little Calumet River to Crown Point to Lomax (41 miles);
- Penn Central Railroad Corridor - Schererville to Crown Point to Hebron (25 miles);
- Chesapeake & Ohio Railroad Corridor - Merrillville to Malden in Porter County (25 miles);
- Kankakee River Wide Levees - Illinois State Line to LaPorte/Starke County Line (60 miles); and
- Little Calumet River Levees - Illinois State Line to Martin Luther King Drive (20 miles).

Park-and-Ride Locations



Proposed Bikeways



Objective Two: Improve Circulation and Accessibility

Action Step 1

Encourage the establishment of interlocal agreements and joint planning for highways between Lake County and its cities and towns as well as with adjacent counties. Such coordination is essential where corridors overlap both unincorporated Lake County and independent municipalities (for example, 109th Avenue which runs east-west through Crown Point and Winfield).

Action Step 2

Create/enhance East/West links within Lake County.

- upgrade 181st Avenue west of U.S. 41, link to Will County, Illinois;
- complete and improve 129th Avenue from Marshall Street east to Winfield, including bridge over 1-65;
- upgrade/extend 153.rd Avenue corridor;
- upgrade 109th Avenue from Broadway east through Winfield; obtain additional right-of-way in Winfield for future widening to three lanes;
- extend 133rd Avenue from State Route 55 east to Delaware Street;
- extend 53rd Avenue east to Taft Street;
- upgrade 101st Avenue from Crown Point to Winfield, including new cloverleaf intersection at I-65.

Action Step 3

Develop a direct route from southern Lake County into Illinois.

- extend/improve 109th Avenue westward into Illinois;
- construct a limited access expressway linking 1-394 in Illinois with Porter County or upgrade existing state/county roads within the east-west corridor.

Action Step 4

Reduce traffic congestion in Lowell.

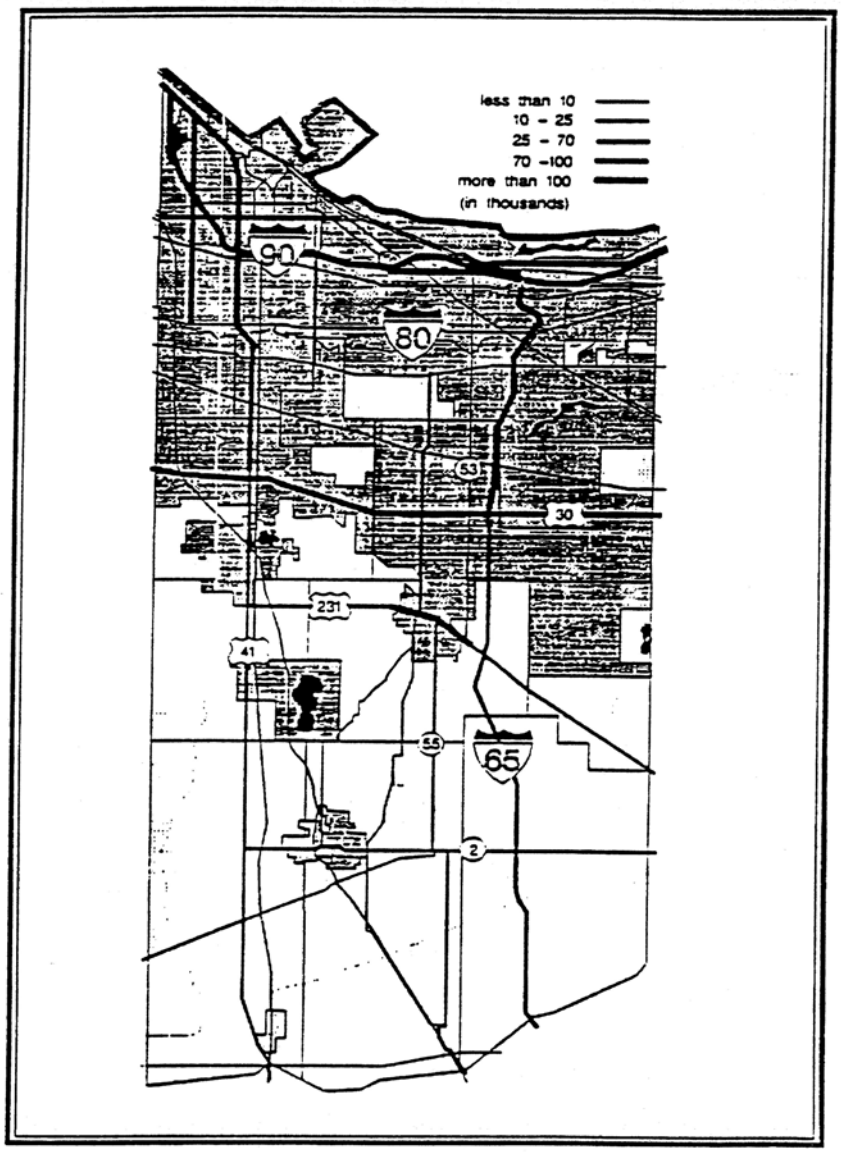
- connect county roads 169th, 171st, 173rd north of Lowell;
- utilize Belshaw Avenue as a bypass, link Clark Street to bypass;
- create a left turn lane on Indiana 2 in Lowell.

Action Step 5

Coordinate abandoned rail corridors as part of the existing *Bikeway Network* of Northwest Indiana and link with other Lake County recreational opportunities and *Land-Use Target Areas*.

[Image follows on next page]

Average Daily Traffic Counts



Action Step 6

Improve existing North/South roads in the vicinity of St. John and Illinois.

- pave and improve Marquette Street just outside of St. John;
- upgrade White Oak Avenue north of 109th;
- improve Cline Avenue north of State Route 8 (231);
- improve Calumet Avenue north of 109th.

Action Step 7

Improve more heavily traveled roads to include a “Class II type” bikeway (bike lane) or a “Class I” (separated bikeway) such as adjacent/abandoned rail corridors.

Action Step 8

Coordinate a region-wide bus service that is accessible to all major cities and towns. Some of the participants in the system will include….

- Gary Public Transportation Corporation, with connecting routes in Gary, East Chicago, and Hammond;
- East Chicago Bus Transit, neighborhood routes that connect with commercial, medical, and service facilities throughout East Chicago, including steel mills;
- Hammond Transit System, connect with Pace and CTA in Illinois;
- Hammond Yellow Coach Lines, provide taxi service to almost every city and town in Lake County;
- Tri-State Coaches, provide airport bus services from Midway/O’Hare to Hammond, Gary, and Merrillville.

Action Step 9

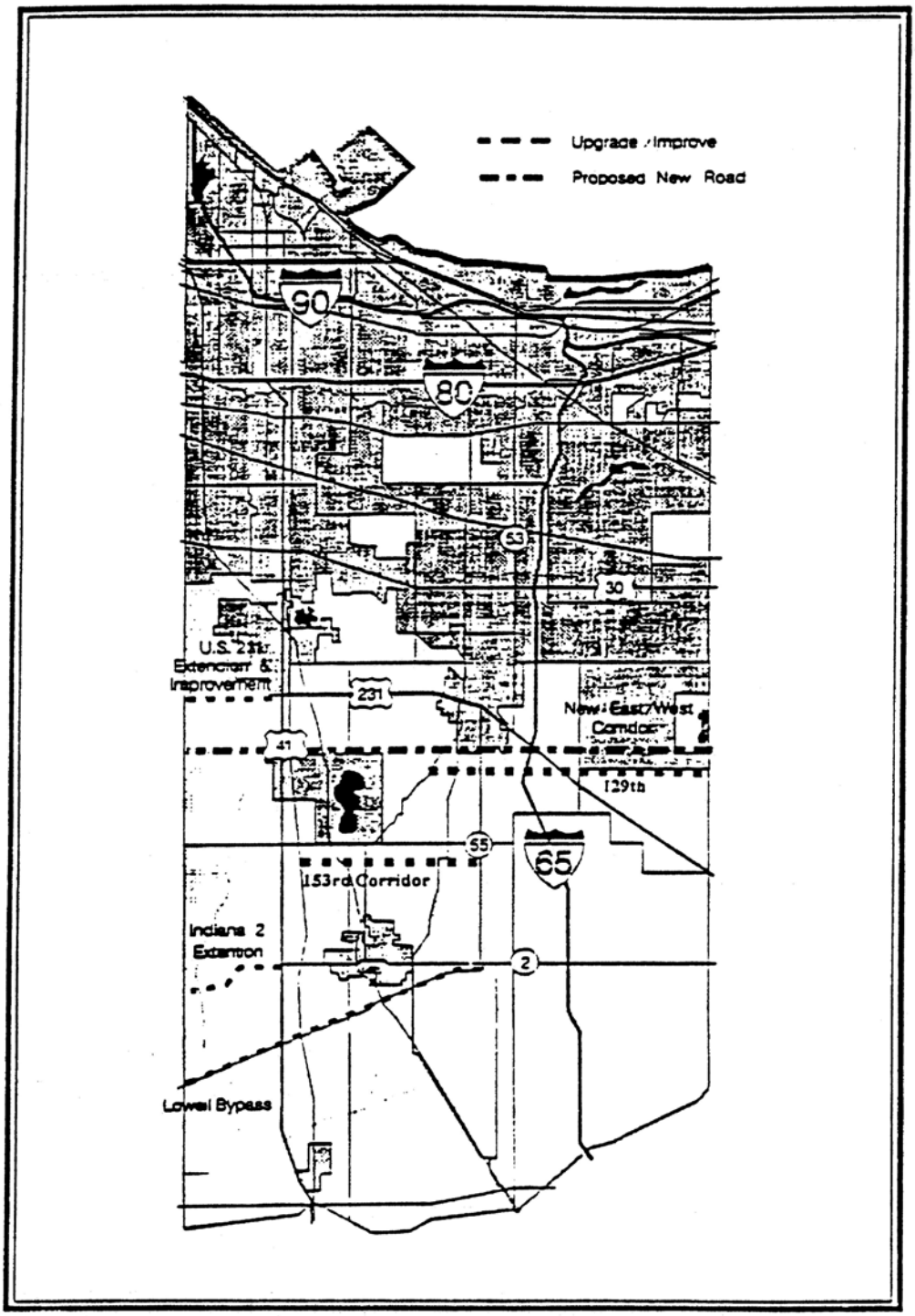
Coordinate bikeways and other transportation methods with transfer stations in existing communities, new subdivisions, and new Land-Use Target Areas, encourage sidewalks and bike paths in new subdivisions.

Action Step 10

Begin commuter rail service on the Amtrak Line with the location of rail stations in Valpraiso, Hobart, and Gary and the old Seaboard System with stations in Lowell, St. John, and Dyer.

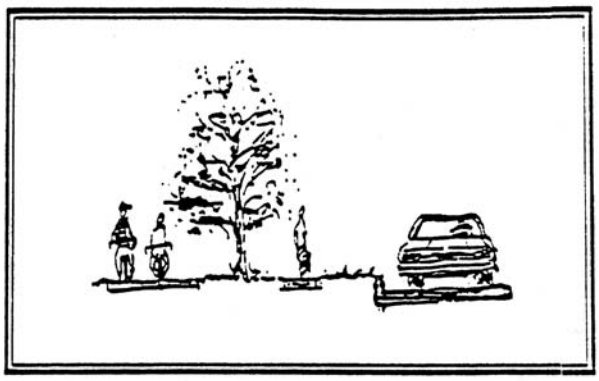
Proposed Corridor Enhancements

[Images follow on next two pages]


Upgrade / Improve
Proposed New Road
90
80
53
30
U.S. 231
Extension &
Improvement
231
New East/West
Corridor
41
129th
55
65
153rd Corridor
Indiana 2
Extension
2
Lowell Bypass

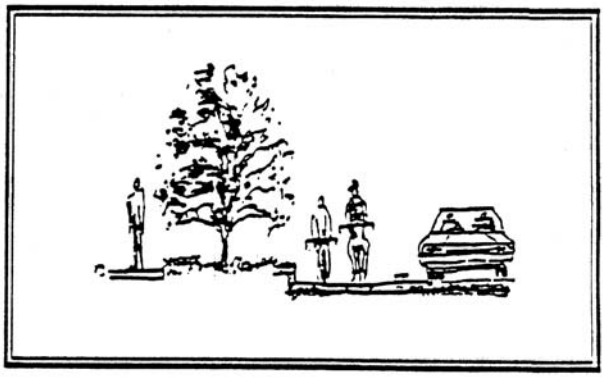
Class I Bikeway:

- a completely separated right-of-way exclusively for bicycles
- minimizes traffic conflicts with pedestrians and motorists
- ideal in rural areas, watersheds, and rights-of-way



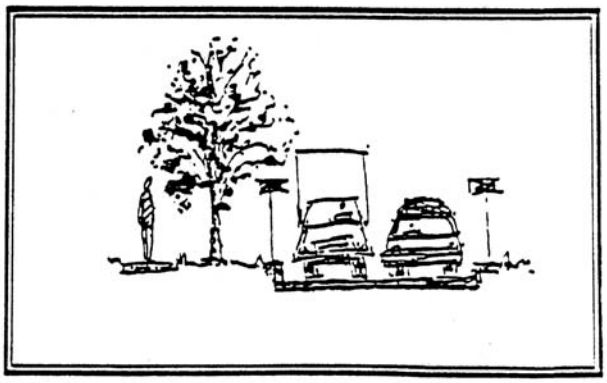
Class II Bikeway:

- semi-exclusive use by bicycles
- painted line separates bike and vehicle lanes
- appropriate in long developed areas



Class III Bikeway:

- shared right-of-way with pedestrians or motorists
- designated bicycle signage
- appropriate as secondary, neighborhood orientated systems



Objective Three: Reduce Congestion

Action Step 1

Improve at-grade railroad crossings or convert to over- and underpasses where feasible to encourage high speed rail transit and reduce congestion. Trouble locations include….

- Conrail Rail Corridor running north/south through Schneider and Schererville and east/west through Schneider;
- Seaboard System Rail corridor running through Lowell, St. John, and Dyer;
- Grand Trunk Western Railroad corridor running parallel with U.S. 30.

Action Step 2

Utilize synchronized lights, eliminate access points (curb cuts), expand use of frontage roads, limit left turns, designate truck routes, and reduce toll rates.

- improve and signalize the intersection of 109th and Randolph in Winfield.

Action Step 3

Upgrade county roads based on designated *Land-Use Target Areas* to accommodate future growth before congestion occurs.

Objective Four: Improve Character and Sense of Community Along Corridors

Action Step 1

Use design review ordinances to encourage consistent design.

Action Step 2

Use signage, landscaping, and icons to identify the entrance to a county, township, community, or district.

Action Step 3

Increase roadside vegetation and sign ordinances to improve the aesthetic environment of the county and improve sense of character in municipalities. Plans should include elements of

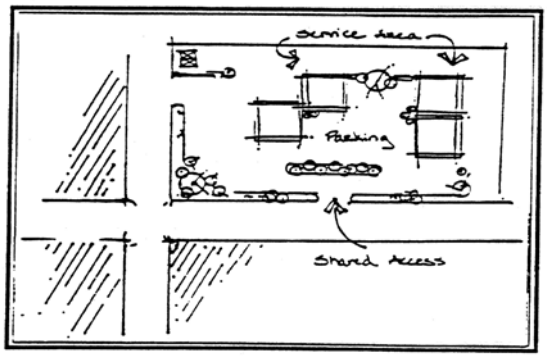
- signage
- vehicular access
- pedestrian setbacks
- vegetation buffers

Intersection of U.S. 41 and SR 2

Vehicular Access

Typical Lake County Access Standards

Proposed Access Designs



Objective Five: Improve and Maintain the Condition of Existing Roads

Action Step 1

Review and revise the functional classification system for roads based on changes in land use development, traffic volumes, and roadway design in order to obtain additional state and/or federal funding for roadway improvements. This action step would require an up to date inventory of existing roadway conditions throughout Lake County keeping in mind the effects that continued urbanization, population growth and changing commuting patterns have had on the road system. In particular, formerly rural roads which now handle more suburban or urban commuter traffic need serious attention.

Action Step 2

Establish an adequate public facilities ordinance for county roads requiring the developer to make any improvements necessary to match the deficit in roadway capacity or condition that would be caused by the new development. This ordinance could be for all types of development or just specific categories of development (for example, any developments which generate substantial heavy truck traffic).

Action Step 3

Establish transportation impact fees which would require developers to contribute their fair share for roadway improvements that would be needed for their development. Zone improvement districts would have to be established, and amendments to the zoning ordinance would have to be done to meet the requirements of the Indiana enabling legislation for impact fees.

Transportation and Corridors Benchmarks

Bus Service

- ☐ Establish a roundtable discussion of all local and regional service providers to explore additional/coordinated service in unincorporated areas.
- ☐ Establish connecting routes in Gary, Hammond, East Chicago, and Highland.
- ☐ Institute county-wide bus service with connecting routes to Crown Point, Merrillville, Lowell, Cedar Lake, St. John, Schererville, Dyer, Griffith, Hobart, and new *Land-Use Target Areas*.

Existing Bikeways

- ☐ Form a regional bicycle club of enthusiasts to promote the use of routes.
- ☐ Increase signage and bicycle orientated services (i.e., benches, water fountains) on existing routes.
- ☐ Establish a priority list of current routes to be upgraded to separate bicycle lanes.
- ☐ Coordinate bikeways with other transit methods by establishing bicycle lockers at railroad stations and bus terminals.

Proposed Bikeways

- ☐ Form greenway organizations of interested citizens, bicycle clubs, business leaders, and elected officials
- ☐ Acquisition of abandoned rail corridors by county or non-profit bikeway development agency/committee.
- ☐ Link new routes with existing bikeways, rail stations, bus terminals, and new *Land-Use Target Areas*.

Transportation and Corridors Benchmarks

Railroads

- ☐ Improved at-grade crossings on all state and U.S. highways.
- ☐ Institution of commuter rail service on the Amtrack and Seaboard lines.
- ☐ Establishment of new, or rehabilitated rail stations at Lowell, Cedar Lake, St. John, and Dyer.

Automobile Traffic

- ☐ Annually measure and incrementally reduce automobile emissions.

- ☐ Maintain or reduce current levels of Average Annual Daily Traffic.
- ☐ Increase the number, capacity of roads while reducing county expenditure through public/private partnerships.
- ☐ Develop a direct access road to Illinois in the southern portion of the county.
- ☐ Develop a north-south route through Winfield Township.
- ☐ Establish a county-wide truck route plan.
- ☐ Adopt an adequate public facilities ordinance or impact fees for roadway improvements needed as a result of new development.
- ☐ Obtain an up to date inventory of county-wide roadway conditions to be used in the revision of the functional classification system for roads.

(Prior Code, Comprehensive Plan)

INFRASTRUCTURE

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INFRASTRUCTURE

Infrastructure is the foundation for all development. Typically, infrastructure is defined to include sanitary sewers, storm sewers, roads, and utilities. For the unincorporated portions of Lake County, sanitary sewers are the major limiting factor of development. Under conditions of rapid development, such as those that currently exist in southern Lake County, the provision of infrastructure has the potential to become a significant tool for managing growth and change. Ultimately, municipalities and the county have the ability to control the basic needs of every development–access to roads, water, electricity, and sewage treatment. The mission of infrastructure programs is to manage the current infrastructure system to obtain optimal results and to efficiently provide development with working alternatives for the future that are both environmentally, financially, and structurally sound.

Although water and electricity consumption and road usage are also significant infrastructure issues, they are addressed in the environment and transportation program sections respectively. Actions steps designed to utilize the sewage system more efficiently as a source of development controls can likewise be applied to roads, water, and electricity.

The programs for guiding Lake County's infrastructure are based on the objectives of….

- increasing the efficiency of the sewage treatment systems; and
- improving stormwater management.

Objective One: Increase Sewage Treatment Efficiency

Action Step 1

Focus the addition or sewage treatment facilities to the target zones to encourage development in those areas and direct growth to soils capable of sustaining sewage treatment. Roads and water and electricity supply should also be directed in this manner.

Action Step 2

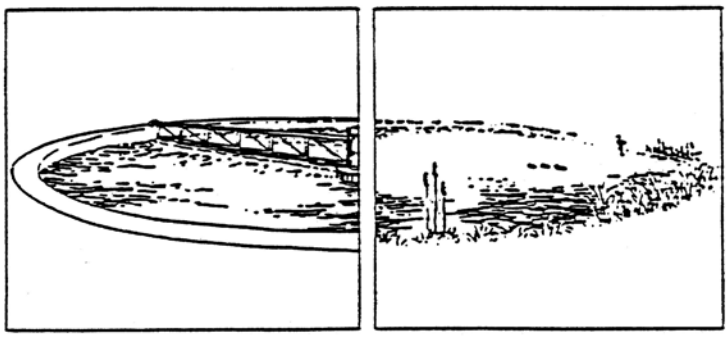
Encourage the use of "non-traditional" methods as alternatives for sewage treatment in areas of non-compatible soil types. Potential alternatives include

- flee-flow constructed wetlands;
- small package sewage treatment plants;
- clustered subsurface disposal;
- septic tank with effluent pumped into a constructed wetland, for further treatment.

Action Step 3

Include the provision or sewage treatment as an element or the points system for development as described in land use. The appropriateness of soil types and designs for sewage treatment would count against/for the development of particular projects.

Conventional Sewage Treatment versus Constructed Wetland



Objective Two: Improve Stormwater Management

Action Step 1

Conduct an inventory and assessment of Lake County drainage systems, establishing a framework for evaluating new developments for impact and adjusting existing developments to minimize impact and maintain minimum efficiency and level of service.

Action Step 2

Increase provisions for stormwater management in areas outside designated *Land-Use Target Areas* to encourage development in geographic areas of least impact.

Action Step 3

Encourage modifications in existing developments that are currently poorly drained through tax incentives to operators and land owners.

Action Step 4

Establish a set of regulations and enforcement procedures regarding stormwater accommodation systems in new developments in the ordinances of the county.

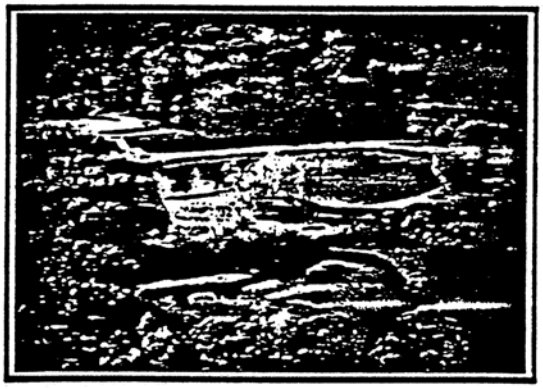
- require all drainage from developments to be of equal force as existed prior to development;
- build in consideration of existing topography and drainage patterns on the site;
- include original vegetation in design plans;
- avoid the creation of large impervious surfaces without the provision of holding and catch basins for the increased runoff;
- encourage partnerships between developers and government agencies to share costs of increased stormwater drainage capacity.

Action Step 5

Establish an erosion minimization policy listing alternatives for stormwater management and encouraging pro-active measures following state and federal guidelines.

- coordinate educational workshops, lectures, and informational publications with the proposed county environmental center:
- encourage the use of vegetation as a means of slowing down run-off and absorbing precipitation:
- require on-site storage of runoff in either wet or dry ponds;
- use vegetated sales to control runoff while maintaining the rural characters of the landscape:
- install a leak-off area adjacent to roads to temporarily store the first 1/2 hour of runoff from a storm, which contains the most toxins;
- include crushed stone or gravel around stormwater inlets or on banks of drainage ditches.

A Pending Area in Lake County



Infrastructure Benchmarks

General Benchmarks

☐ Conventional treatment plants are operating at less than or equal to 85% of capacity.

☐ On-site treatment facilities (i.e. constructed wetlands, etc.) are operating at less than or equal to 90 percent of capacity.

☐ Guidelines have been established for the completion of stormwater and drainage impact statements for new developments.

☐ An erosion control alternatives booklet has been created and is available through the Lake County Public Libraries or an alternative central information center.

☐ Lake County has drafted and adopted an ordinance directing the accommodation of issues of runoff, erosion, and stormwater by new development.

(Prior Code, Comprehensive Plan)

ECONOMIC DEVELOPMENT

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ECONOMIC DEVELOPMENT

Economic development can be defined as an active policy to retain existing business, attract firms from other locations, and foster the creation of new business. Truly effective economic development efforts involve a planned, thematic approach to attract the type of development that would benefit the community. The long term health and vitality of a community depends on the borough analysis of that community, coupled with the development and implementation of a strong economic development strategy. The focus of this policy is the sustainability of development in the local economy. Rapidly developing communities like Lake County need to seek out the type of development that best fits the skills and talents of the local workforce, the available and proposed infrastructure, and the desired community character.

These concerns must be addressed in the economic development strategy to enable a community to adjust and prosper. The basic ideas of the economic development strategy are to create jobs for community residents, diversify and enrich the community's economic base, enhance community character, and provide consumer opportunity. New economic development initiatives must compliment the existing business attraction techniques used by the Lake County Community Development Department, the Northwest Indiana Forum, Inc., and other area agencies of economic change.

The economic development programs for Lake County are based on the objectives of….

- establishing and managing a comprehensive and workable economic development plan;
- support and encourage existing businesses;
- encouraging the creation of new businesses;
- attract compatible new businesses;
- encouraging the creation of businesses that are locally sustainable;
- developing a marketing framework based on the county's Land-Use Target Areas.

Objective One: Establish a Comprehensive Development Plan

Action Step 1

Designate an agency or task force which will be responsible for the development and implementation of the economic development program. The agency should be an extension of the Lake County Community Development Department and coordinating public, private and non-profit ventures.

Action Step 2

Establish the proper lines of communication/interaction for building partnerships for development between all players in county economic development.

Action Step 3

Develop a instrument/agency for assisting in business incubation and start-up, as well as follow-up support services for aiding county businesses.

Action Step 4

Establish a networking system of agencies involved in public and private financing of local community and economic development programs.

- pursue sources of state funding such as….
  Community Focus Fund: focuses on long range community development areas such as infrastructure, commercial revitalization, housing, and day care;
  Enterprise Development Fund: revolving loan fund;
  Indiana Strategic Development Fund: encourages companies to form economic sector based clusters by common product group or geographic region;
- utilize state assistance programs such as Main Street, etc.
- capitalize on regional and state sources of private sector financing through private foundations and corporate giving programs

Objective Two: Encourage New Businesses

Action Step 1

Establish a business support center as an element of the Lake County Central Information Center responsible for providing new businesses with technical and financial support.

Action Step 2

Establish job training programs through the business support center that give local workers the skills to work in the new businesses.

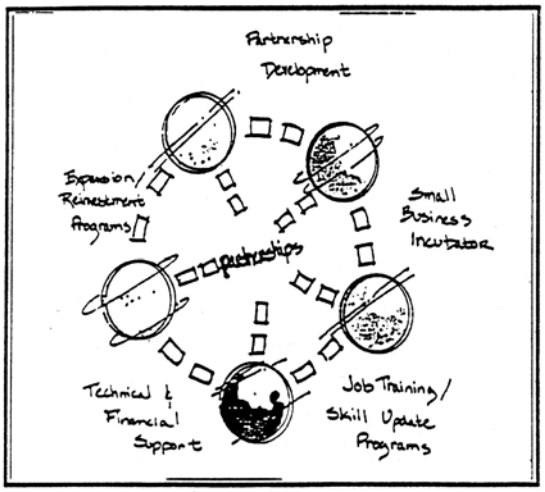
Action Step 3

Create a small business incubator as a part of the business support center to encourage and protect infant businesses. Included as elements of the incubator are a council of retired business executives and links to successfully existing businesses.

Action Step 4

Encourage the development of partnerships between the agencies and the businesses in the county.

Elements of the Business Support Center



1997 S-5

Objective Three: Encourage Reinvestment in Existing Businesses

Action Step 1

Prepare an annual survey of the needs of existing businesses (i.e., cultural activities, particular labor force skills, printing services, etc.) to direct development strategies and encourage discussion of community/business relationships and needs.

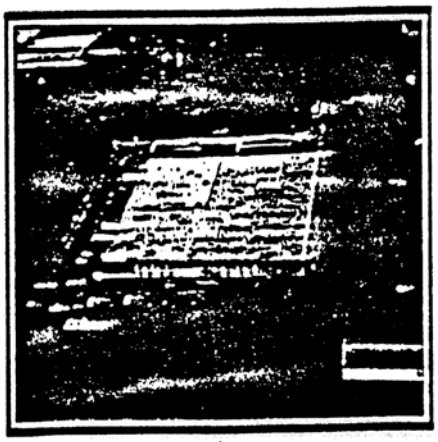
Action Step 2

Include programs for supporting existing businesses at the Central Information Centers Business Support Center. Programs would focus on locating sources of funding for expansion and reinvestment.

Action Step 3

Encourage the development of public private partnerships between the agencies, and the businesses in the county that would establish a commitment to the community from the business and a commitment to the business from the community.

Ashland Products: A Recent Addition to the Lowell Business Community



Business Development along U.S. 30 in Lake County

1997 S-5

Objective Four: Encourage Sustainable Business

Action Step 1

Prepare, maintain and distribute current business information packets for potential new or expanding businesses providing the general characteristics of the community as they pertain to that business' needs. The information should be distributed as widely as possible, including on-line service (such as the InterNet®).

- current trends in labor force participation and educational attainment:
- available businesses support centers (communications, copy centers, etc);
- local tax, financing policies.

Action Step 2

Sponsor, through the Business Support Center, workshops and skill update programs for local employees and the unemployed to expand the value of the local labor force and meet the needs of a diverse business community.

Action Step 3

Develop programs, policies and support materials to assist Lake County businesses to become more energy efficient and environmentally sensitive. These programs can be coordinated with state, federal and private programs (i.e., EPA's Green Lights, etc.).

A New Addition to the Lake County Business Community

Objective Five: Market the Possibilities of the Land-Use Target Areas

Action Step 1

Provide signage in commercial and industrial and *Land-Use Target Areas* and advertisements in regional publications promoting the on-site zoning and designation as a "target area."

Action Step 2

Prepare promotional brochures and information packages marketing and detailing the characteristics of each commercial and industrial target area.

- local labor force and educational attainment;
- regional cultural and natural amenities;
- transportation options available;
- details of the local market and consumer needs.

Action Step 3

Direct all expansion and new development inquiries to the appropriate *Land-Use Target Area* as a primary choice for development.

Economic Development Benchmarks

General Benchmarks

☐ Promotional brochures detailing the population (education, age), natural (water features, topography), built (transportation, utilities), and cultural (museums) features of each commercial and industrial target zone have been prepared.

☐ A collection of business support documents (i.e., promotions, financing source catalogs, etc.) has been established at local libraries, chambers of commerce as a basis for a county-wide business support center.

☐ The Town of Winfield has established a Chamber of Commerce/Department of Economic Development to direct its business and industrial growth.

☐ A questionnaire regarding business and employee needs including culture infrastructure, financing, and education has been developed and circulated to evaluate county shortcomings.

☐ A catalog of available local, state, federal, and private funding sources for expansion and start-up has been created and made available.

(Prior Code, Comprehensive Plan)

ENVIRONMENT

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ENVIRONMENT

In Lake County, several issues are at the heart of environmental programs and policies. Information and resources about the environment are not easily accessible resulting in a lack of awareness and poor education about local environmental issues. Important and valued physical features are threatened by rapid growth and development as activities such as construction, transportation, and manufacturing are having dramatic effects on local environment conditions. The growth in population and development has put added strain on the environmental quality of the county as a whole.

Protecting and caring for the environment involves not only reacting to problems as they develop, but taking pro-active measures to prevent problems from occurring. The environment is very sensitive to human influence, therefore, creating and maintaining a quality environment requires knowledge, cooperation, and education. Lake County's officials, representatives, and residents need to be empowered to improve the quality of their environment and the quality of their lives.

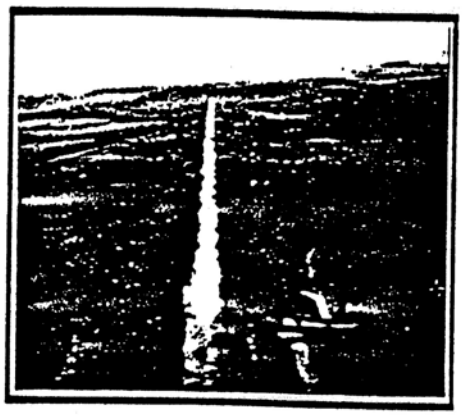
The programs for Lake County's environment are based on the objectives of….

- increasing awareness of environmental issues;
- increasing energy efficiency and demand-side alternatives;
- providing incentives for participation in conservation programs;
- guiding land use in an environmentally sensitive manner;
- providing activities to educate all age groups about environmental issues;
- increasing awareness of recycling and alternative methods of waste disposal;
- minimizing the impact of new development;
- coordinating governmental approaches to environmental quality.

Lake County Wetland Area

Lake County Farmland

The Kankakee River



Objective One: Increase Awareness of Environmental Issues

Action Step 1

Create a Lake County Environmental Canter as a partnership between the Planning Department. Community Development Department, the county school corporations, and Cooperative Extension Office. Local utility companies and industries could be approached for financial support.

- include a display of flyers on different environmental issues and activities such as how to compost, dispose of toxic wastes, weatherize the home, and evaluate the effects of herbicides and pesticides on water quality, etc;

- provide a weekly newspaper column and/or monthly newsletter;
- create a community bulletin board in which programs and activities can be displayed. This could be located outside the environmental center, with the assumption that other means of advertising such as television ads, newsletters, flyers, electronic bulletin boards, and newspaper ads would be used;
- organize lectures, workshops, and demonstrations given by qualified individuals to provide more in-depth education about the environment.
- develop demonstration projects using "best practices" for environmentally sensitive development, procedures, etc. These can be with local businesses, industries, farms and/or homes.

Action Step 2

Create a county sponsored and supported *Arbor Day* program possibly coordinated by the environmental center during which residents would plant trees throughout their communities. This can be coordinated with the help of the National Arbor Day Foundation and other groups.

Action Step 3

Create monthly *Tox-Away Days* during which citizens can bring household toxic materials to a handling/separation/processing center so they can be disposed of properly. One such location could be the local fire departments and could be coordinated with materials safety programs.

Action Step 4

Provide free, or "at cost" compost bins to residents of Lake County in order to increase awareness and participation in composting programs.

Objective Two: Energy and Environmental Efficiency and Sensitivity

Action Step 1

Provide and distribute energy-saving devices, such as hot water heater insulation, window caulking, and compact fluorescent light bulbs with the cooperation of local hardware stores, NIPSCO, and general contractors.

Action Step 2

Establish home weatherization workshops to educate residents on how to make their homes, both inside and outside, more energy efficient. Workshops would be held biannually, once for the winter months and again for the summer months.

Action Step 3

Initiate load management/Time-of-Use programs to be coordinated and administered by NIPSCO. Such programs include the use of switches to control energy consumption in large areas and the application of alternative rates for those who use the bulk of their daily energy consumption at off-peak hours.

Action Step 4

Offer incentives for the replacement or improvement of high energy-consuming appliances, such as refrigerators and water heaters. Possibilities include rebates for purchasing new appliances and improvement materials (i.e., insulation) and free disposal of old, less efficient appliances.

Action Step 5

Establish a tree planting program to educate residents about the energy-saving benefits of planting the right types of trees in the right places and improve the aesthetics of the participating businesses, homes and communities.

Action Step 6

Develop a county-wide composting program. This program should encourage household composting, but curbside pickup of yard waste could increase the participation in the program. Special composting "trash" bags should be distributed to facilitate the program. Educational programs should also be developed to encourage participation.

Objective Three: Encourage Participation in Environmental Programs

Action Step 1

Develop and implement a Lake County Environment Awards program (possibly including tax incentives) to those businesses and industries that make an effort to improve and/or protect the environment. Requirements for receiving a Lake County Environmental Award may include….

- certain percent energy consumption reduction or demand-side management program:
- use of alternative energy sources;
- effective carpool programs for employees;
- alternative waste management/recycling programs;
- offer rebate programs or other special offers for environmentally-sensitive items and/or procedures;
- sponsoring lectures, workshops, and demonstrations through the environmental center;
- making community donations (i.e., money and services).

Action Step 2

Provide resident Lake County Environmental Awards for citizens taking an active role in protecting/improving the environment. Eligibility for such awards may be achieved by

- volunteering at the environmental center;
- participating in environmental programs (i.e., tree planting);
- certain percent energy consumption reduction;
- use of alternative energy sources;
- composting yard/kitchen waste;
- carpooling to work, school, etc…

Objective Four: Environmentally Sensitive Land-Use and Development

Action Step 1

Develop and implement a program to increase the awareness of the possibilities of conservation easements. The conditions of the easement are written in the deed of the property, therefore providing permanent protection of the land. Owners may decide to continue farming their property, allow the harvesting of firewood, or even build a house on it, while possibly receiving tax incentives for their environmental allowances.

Action Step 2

Encourage local citizen groups to establish land trusts in the effort to protect productive farmland, open space, recreational resources, etc. Lake County could contribute to a project of this type by purchasing the land and transferring the ownership to the land trust organization.

Action Step 3

Provide forestry assistance for woodland owners. At times in cooperation with the County Extension Service, this type of program is designed to provide management assistance to private foresters, such as technical information, alternative forestry practice, and advice about maintaining and regenerating a woodlot, fence rows, wildlife habitat improvement, recreational uses, harvesting, and marketing. Field demonstrations, workshops, and other programs may be included as part of the County Environmental Center.

Action Step 4

Provide programs offering education and demonstrations on alternative agriculture practices. Farmers taking advantage of such alternatives as contour farming, no-till farming, and/or not using hazardous pesticides and herbicides may be offered tax credits or other incentives. A program of demonstration projects could be established in cooperation with the Cooperative Extension Service, Farm Bureau, FFA, or other local groups.

Action Step 5

Require environmental impact assessments for proposed development projects providing an overview of the potential environmental hazards associated with various developments in the county.

Objective Five: Provide Education on Critical Environmental Issues

Action Step 1

Develop environmental labs in schools in which students could receive hands-on participation concerning environmental issues. The lab would demonstrate the importance of environmental issues, how they are affected by each person, how to manage solutions–proactively and reactively.

Action Step 2

Create recycling contests between schools, neighborhoods, and/or communities providing rewards for recycling and making recycling more socially acceptable.

Action Step 3

Create a smart shopper program to create awareness among shoppers of the waste problems within the county and provide residents with the opportunity to make conscious choices of which brands to purchase.

Action Step 4

Create a booklet of environmental resources that offers teachers a wide range of ideas on what to teach in the classroom. The booklet could have ideas on how to create bulletin boards, student activities, and environmental fairs. The booklet should be updated periodically and made available to schools, organizations, and individuals.

A parallel educational program could be developed for the community at large. Newspapers, cable television, etc., can be used to help distribute information about programs and environmental sensitivity.

Action Step 5

Implement an educational program to increase the awareness of farmers about the use of pesticides/herbicides and their effects on water. Alternative farming techniques, the proper use of chemicals, pest resistance crop varieties, and different types of companion plants should be included in this program. Demonstration projects should also be established in cooperation with the Cooperative Extension Service and the Farm Bureau. FFA and similar organizations should also be actively involved in such programs.

Objective Six: Alternative Methods of Waste Disposal

Action Step 1

Combine existing recycling programs to generate a new county wide recycling program. In areas where curbside pick up is not feasible, this program could be implemented by placing collection bins in a centralized location (possibly the local schools, grocery stores, etc.) in each community so citizens could deposit their recyclable materials.

Action Step 2

Create one centrally located separation center where all community recyclables would be taken. The materials would then be sorted, processed, and transported to the proper distribution companies. Coordination with a trucking company or the trash service could be utilized to transport materials to the separation center and distribution companies.

Action Step 3

Create a smart shopper program to help residents reduce the waste stream by buying products that are packaged more efficiently. A supermarket (or other high visibility/high use business) could be encouraged to volunteer to implement the program, and be the model store for the county. Categories should be developed to determine which type of products should be emphasized. These categories of products to be emphasized would include least-waste packaging and recyclable products. Flyers, labels, and brochures would be printed that would point out these products to residents.

Action Step 4

Establish workshops to encourage individual residents to compost. The compost they produce could be used around their home for gardening purposes and mulching; reducing the waste stream. This program could be augmented by county maintenance crews providing mulch from “chipped” tree branches, etc.

Action Step 5

Establish a program where citizens would donate their time and tools to an equipment lending program. The program could be handled through a community facility like a library or community center. The tools could be checked out for a period of time, and fees assessed if a tool is returned late or damaged. The fees could be used to purchase new tools to add to the collection.

Objective Seven: Reduce Impact of New Development

Action Step 1

Encourage the individual testing of wells. A list of sources where residents can send their water samples should be provided to residents. To the extent possible county support should be provided for this service to encourage participation.

Action Step 2

Implement regular ditch maintenance programs that would free all drainage channels of obstructions (i.e., grass clippings, leaves, etc.) and construct additional drainage channels to help provide additional drainage to flood prone areas.

Action Step 3

Establish standards that would require developers/contractors to use appropriate erosion control practices and drainage management systems to minimize drainage and other environmental problems. Such standards could include temporary runoff diversion, grading plans that coincide with the *208 Water Quality Study,* and encouraging developers to work with the physical characteristics of the site.

Action Step 4

Amend the zoning ordinance so as to create policies that increase energy efficiency through the placement and design of new developments. The policies should include such techniques as encouraging mixed-use development, creating higher densities in new development, orientating the buildings on the lot so as to maximize southern exposure, and preserving clusters of trees and open space by clustering development.

Action Step 5

Develop and implement programs that would encourage residents to carpool.

- on certain days, only residents with even number license plates can drive while on the other days, only residents with odd number license plates can drive;
- establish commuter lanes;
- establish mandatory inspections for emission control.

Objective Eight: Intergovernmental Coordination

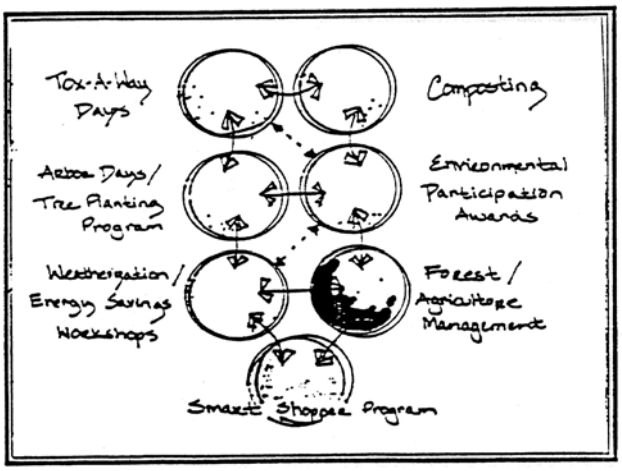
Action Step 1

Encourage participation in developing and implementing environmental actions, activities and policies by ail communities in Lake County. Positive impacts on the community are magnified by expanding the resources put into the recommendations.

Action Step 2

Coordinate strategies, actions, programs and policies used in Lake County into the neighboring counties of Porter and LaPorte and Illinois and vice versa. NIRPC should be called on to provide advice, assistance, and resources to improve the environment of Northwest Indiana.

Elements of the Lake County Environmental Center



Environment Benchmarks

General Benchmarks

☐ Increased participation in energy conservation programs.

☐ Reduced energy consumption as displayed by reduced energy bills for businesses and residents.

- ☐ Annual establishment of community or school based recycling programs. Reduction of the waste stream to county landfills.

- ☐ Greater than 60 percent participation in county-wide recycling efforts. County-wide air pollution level below the national standard.

- ☐ Adoption of coordinated environmental working agreements and plans by the communities of greater Chicago, Lake, Porter, and LaPorte Counties and NIRPC.

- ☐ Establishment of a county-wide composting program.

(Prior Code, Comprehensive Plan)

COMMUNICATION AND ORGANIZATION

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COMMUNICATION AND ORGANIZATION

Communication and organization amongst the stakeholders in the community—residents, leaders, and public, private, and non-profit agencies—is of increasing importance in the so called "information age." While in the past more physical factors such as location, access, and natural resources were of primary significance, trends now point to communication as key to growth, development and quality of life. The major issues facing the county in terms of communication are the efficiency of agencies and programs, the specific roles for governmental agencies and community organizations, and community advocacy.

In the case of Lake County, communication and organization programs include both information management and the building of partnerships. Efficient information management requires the creation of a "hub" of data from all portions and aspects of the county. The purposes of this hub would be to encourage information sharing and informed decision making. The building partnerships aspect focuses on bringing area residents together to discuss "community" and to formulate ideas and goals for the future.

The programs for improving organization and communication in Lake County are based on the key objectives of….

- increasing the efficiency with which information is managed;
- improving local leadership;
- encouraging multi-community collaborations.

Objective One: Information Management

Action Step

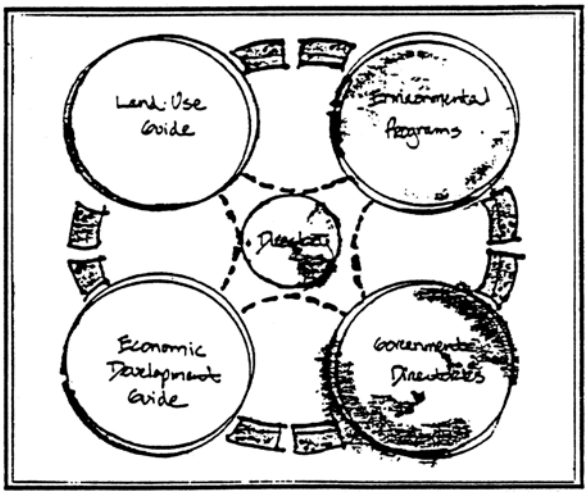
Establish and maintain a *Lake County Central Information Center* (CIC) to expand the quantity and quality of information readily available, allow for more efficient transfer of information, and foster citizen and inter-agency awareness. The CIC will be responsible for the maintenance of a series of annually updated resource guides in the areas of human services, amenities, and government directories. The CIC will also become the organizational base of environmental programs, economic development activities, and land-use management.

- alternative structures….

  New agency: establish an agency specifically assigned with information collection, organization, management and distribution;

  Expansion: increase the role of an existing facility, such as the Lake County Library, or other county agency
- the importance of the new center lies in the ability to efficiently direct individuals and other agencies to needed information. This could also be accomplished through the development of a reference/directory section at the county library with subdivisions at the appropriate county agencies.

Elements of the Central Information Center



Objective Two: Leadership Training

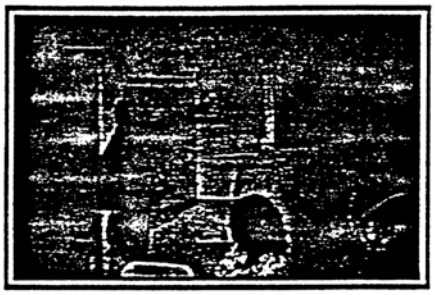
Action Step 1

Establish a series of leadership training workshops to educate local leaders and activists on efficient representation and interaction with other individuals and agencies. Some benefits of the workshops should include

- the development of leadership skills for current and future leaders:
- the creation of advocates for certain policies:
- the improvement of leadership in all aspects of the community (business, civic, government, religious, and social);
- the improvement of communication between residents and county policy makers.

Leadership Development at Township Meetings

[Images follow on next page]



Objective Three: Multi-Community Collaboration

Action Step 1

Establish a framework for inter-governmental cooperation, evolving to intergovernmental coordination, to more clearly define the roles and interactions of government agencies and programs and encourage the more efficient use of county resources.

- Intergovernmental cooperation options…

  County Administrator: The county administrator would be the facilitator of programs and policies, taking care of the day to day business of the county and making sure that the decisions for the county are carried out in the most efficient way. The administrator would have an advisory role to each county agency and municipality, providing technical support and organizational council. The administrator would also coordinate the continued updating of the strategic plan.

  Circuit Riding Planner: The creation of a county circuit-riding planner is similar in function to the county administrator option with the exception that the circuit rider position would be within the planning department. The planner would be working for each of the communities in the county on a rotating basis, consulting on local issues, providing technical assistance, and coordinating activities between different groups who are working toward the same goal.
- Intergovernmental collaboration options…

  Council of Governments: Municipalities in Lake County, as well as county agencies develop a structure for discussing community issues and developing and monitoring policies to resolve county-wide issues.

Regional Districts: A group of communities creates one new governmental structure to govern one specific issue of the combined area (for example, a regional water district, regional transportation authority, etc.).

Action Step 2

Encourage the inclusion of non-profit and private groups in the structure of intergovernmental collaboration and coordination through consultation and referrals by the circuit-riding planner or county administrator.

Communication and Organization Benchmarks

General Benchmarks

☐ A central information reference area has been established at the Lake County Public Library and its branches providing pamphlets on environmental programs and workshops, economic development policies, land-use controls, and a referral index by subject area for all county and county-based agency activities.

☐ A consultant has been hired to develop a format for and conduct the first of the township based leadership and issue development workshops.

☐ County municipalities have been surveyed regarding interest in the council of governments, circuit riding planner, county administrator, and regional district options.

☐ County agencies have been surveyed regarding possible interest in in-house leadership and communication workshops.

(Prior Code, Comprehensive Plan)

THE NEAR FUTURE

THE NEAR FUTURE

The future of Lake County hinges strongly on its ability to adapt to the existing trends with which it is faced. The recommendations included in this document serve as an aid to the county during this process. Therefore, within the next five to ten years, the county should see alterations of policies that will affect primarily the future physical development, intergovernmental communication, and citizen behaviors for the purpose of improving the quality of life in Lake County.

Physical Development

Perhaps most important in the planning of the future of Lake County will be its ability to adapt to existing development pressures. Crucial to this planning will be the county's ability to focus development within the designated *Land-Use Target Areas*. The first indication of this process should be changes in the zoning ordinance and land use plan to reflect the desired development types. Marketing also should have begun to encourage these locations as the primary sites for development. Development under the new programs and geographic areas should be well under way within ten years. At the same time, the county should have sought out alternative sources of funding and operating infrastructure systems and other capital projects. One source of financing these improvements should be the requiring of the creation of impact statements and the dedication of private funds for public facilities improvements. Alternative programs for accommodating solid waste and increased traffic flows should also have gained momentum. One important alternative available to residents at this stage should be a county wide bus system linking the various rural communities with the northern portion of the county, Greater Chicago, and the land use target areas. Design review should be playing an increasing role in the development approval and permit process with increased land use compatibility and aesthetic quality as the result. In addition, the first inventories of rural, scenic, and historic value, as well as housing conditions should have been performed providing a basis for further growth management and community character preservation.

In the near future special attention should be paid to two particular geographic areas within the county. The first area is unincorporated Calumet where social and development environment conditions differ from those in the remainder of the county. As the urban problems facing this area demand special attention, the formation of a local non-profit community development corporation is the most likely first step in planning efforts. Within ten years, the CDC should be seeking out financing for infill development and organizing local clean up and home maintenance programs for area residents. The new town of Winfield will also undergo significant changes as it adopts its own comprehensive plan, zoning ordinances, and strategies for community development.

Intergovernmental Communication

In addition to the increased coordination of physical development process the agencies of the county will be acting on the realized need for improved interaction and communication. This should begin through the designation of a central information center for the collection of county-wide data. The center will be in its early stages of development, most probably a display area and pamphlet section at the Lake County Public Library and its branches.

Citizen Behaviors

The adaptation of some of the behavior patterns of the county residents as a whole should also be very significant in the near future. The environmental center, central information center, and one stop development center should play important roles in the lives of citizens as the development process changes, environmental concerns grow, and the need for immediate answers to concerns becomes more pressing. Recycling, reducing, and reusing programs, as well as those of public transportation should grow in usage and application to the county's conditions.

(Prior Code, Comprehensive Plan)

APPENDIX A: PUBLIC FINANCING

FINANCING

An important aspect of community planning and service is the acquisition of funding or other resources of project implementation. This section of the report describes some of the state supported programs available to communities.

This is a very limited list, and should be used only as a preliminary guide to some of the financial options available. The programs described here include…

- Community Planning Fund (CPF)
- Community Development Action Grant (CDAG)
- Special Improvement Districts (SID)
- Economic Improvement Districts (EID)
- Tax Increment Finance (TIF) Districts
- Sales Tax Increment Finance (STIF) Districts
- General Obligation Bonds
- Tax Revenue Notes
- The Barrett Law
- Cumulative Capital Development Funds (CCDF)
- Economic Development Income Tax (EDIT)
- County Option Income Tax (COIT)
- County Adjusted Gross Income Tax (CAGIT)
- Impact Fees

Community Planning Fund

The Community Planning Fund (CPF) Planning Grant from the Indiana Department of Commerce is intended to help areas which want to focus on community-based planning. This grant money could help to expand the scope of these recommendations, if there is one area of interest which deserves a more in depth view. Like most grants offered by IDOC, it helps if the focus area is either socially or economically distressed (or both). Any county, incorporated city or town, or a not-for-profit organization is eligible to apply for this grant. Based on a one-to-one match (which means that for every dollar of grant money the applicant must provide one dollar of local support) the CPF applicant may request up to $10,000 or 50% of eligible costs, whichever is less.

To make this process easier, IDOC provides a number of grant workshops and seminars which focus on how to fill out the applications. Also, a Community Development Field Staff person is on hand to answer any questions which might arise in any part of the process. That person can be reached at (219) 881-6711. There are also several pre-determined projects which IDOC generally funds and they are as follows:

- market studies targeting specific geographic areas, industries, or workforce segments;
- site or area redevelopment and feasibility studies;
- development strategies (i.e. for small business, industry, real estate, housing, Main Street revitalization, or tourism);

- strategic/comprehensive development studies;
- targeted and comprehensive land-use planning studies;
- engineering studies for water, wastewater and solid waste treatment systems;
- other community-economic development planning not fundable through other state sponsored planning programs.

Community Development Action Grant

A Community Development Action Grant (CDAG) from the Indiana Department of Commerce assists communities when they are ready to start development or soon after. The basis of this particular grant program is to support the administration and/or program development of not-for-profits (i.e. Community Development Corporations) or multi-organizational alliances (such as the one proposed in this document).

Because the expenses targeted with this particular grant are usually much higher than those targeted with the CPF, the CDAG applicant may request up to $50,000 or one-third of eligible cost, whichever is less. Also, because this grant is administered by IDOC, the same types of workshops and seminars are available.

To help foster any ideas about what this money could be applied for, IDOC has provided that the following activities would usually be eligible CDAG projects:

- micro-enterprise/small business development technical assistance programs targeting disadvantaged business owners or business districts:
- leadership/stewardship or technical training for board members staff, residents and/or elected officials:
- rural community development corporations supporting socioeconomic renewal programs:
- business training for at-risk youth;
- community land trusts;
- community organizing for the purposes of community education and relationship-building leading to greater collective and personal power in the community;
- comprehensive downtown or neighborhood development programs;
- redevelopment commissions.

Special Improvement Districts, or SIDs, were established under I.C. 36-7-21. The specific formation of these districts come from approval of the local legislative body upon request of an established Redevelopment Commission (see Appendix). These districts are set up strictly for the redevelopment of an area; which will then benefit the property owners in the SID. These districts must, however, be set up according to the procedures for the formation of a Tax Increment Allocation Area (see Appendix).

Once established, the governmental unit may assess individual property taxes as they see fit. This assessment, however, must be based on the property owner's direct benefit of the improvement. In addition, the established Redevelopment Commission may issue notes and/or bonds which will be payable from the assessments made on the individual property owners. (Please note that a Redevelopment Commission is required for the development of a Special Improvement District, and if one does not exist, then one must be formed).

Economic Improvement District

Unlike Special Improvement Districts, does not rely on the existence of a Redevelopment Commission. Rather, an Economic Improvement Board must be established. This board usually consists of three members who are appointed by the governmental unit. At least two of these board members must own real property within the proposed EID. Once established, a special tax assessment within the district can provide for any number of economic development projects.

Similar to the SID, the Economic Improvement District tax assessment must show direct benefit to the assessed property owner. Upon assessment, the acquired funds are then paid into the Economic Improvement Fund; whereas, the board may only use these monies for the specified purposes in the establishing ordinance. The Economic Improvement Board, however, may not issue notes or bonds which are backed by the money in the fund.

Tax Increment Finance

In general, Tax Increment Finance (TIF) districts provide for the temporary allocation of money to designated redevelopment districts. These monies come from the increased tax proceeds from this district, which are generated by the increases in the district's assessed valuation due to the initial redevelopment investment. In short, TIF districts permit municipalities to use increased tax revenues, which are stimulated by redevelopment, to pay for the capital improvements needed to induce the redevelopment. (Please note that as with SIDs, the formation of a Redevelopment Commission will be required for the usage of a Tax Increment Finance district).

The designated area, an allocation area, does not require the finding of blight, but the area must provide evidence of new job opportunities. Property assessment are froze at pre-development level, in the allocation area. Municipal bonds are then issued to finance a portion of the redevelopment. As property values, and assessments, in the allocation area increase, the municipality uses the "increment" in tax revenues to meet debt service on issued bonds. TIF districts are highly flexible because no petition approval is necessary (unless other "special" taxes are to be levied as well), there is local control, and no debt limitation applies (unless other "special" taxes are to be levied, in which case the debt limit, by statute, is 2% of the net assessed valuation). TIF district monies are commonly, and most easily allocated, for infrastructure improvements; although, infrastructure improvements are not the only possibility for such monies.

Sales Tax Increment Finance

The purpose of establishing a Sales Tax Increment Finance (STIF) district is to provide municipalities with a means of financing local public improvements needed in connection with retail projects that would hopefully generate a significant amount of sales tax to pay for the improvements. STIF districts work just like TIF districts, but rather the "increment" in sales taxes, rather than property taxes, would be used. In other words, all of the increased sales taxes generated in the district would be used to pay for the bonds or notes issued which paid for the initial improvements.

The original version of this piece of legislation was repealed, but the overall concept intrigued many local governments and was later adopted as I.C. 36-7-26. This code was established for a trial community (Hammond) to set up an economic development project district, and use the STIF ideals. In order to establish this type of district, a municipality would follow the same guidelines for declaring an area blighted but an additional

requirement, of getting approval from the State Board of Finance, was added. The fundamentals for the formation of a STIF district lies in the fact that the established Redevelopment Commission must be able to prove that the district has….

- attracted new business enterprises and/or retained or expanded existing businesses in the district;
- benefitted the public health and welfare by serving as a public utility or benefit;
- protected and increased state and local tax bases or revenues;
- resulted in a substantial increase in temporary and/or permanent job opportunities and private sector investment.

General Obligation Bonds

The issuance of general obligation bonds is an option to any municipality for the funding of public improvements. In general, general obligation bonds are a form of public debt which are payable out of *ad valorem* taxes (or taxes which are based on the price of goods) levied and collected on all of the taxable property located within the proposed redevelopment area. These bonds, however, are subject to state statute and must be administered carefully. The following requirements must be satisfied before the issuance of any general obligation bond:

- the total indebtedness of the municipality (including the proposed general obligation bonds) may not exceed 2% of the net assessed valuation of taxable property. This is based on the last complete and final assessment for the municipality;
- the issuance of these GO bonds is completely subject to a petition/remonstrance process;
- the whole process is also subject to approval from the State Board of Tax Commissioners;
- general obligation bonds usually must be sold at public sale.

Tax Revenue Notes

Rather than issuing general obligation bonds, cities, towns, or counties may opt for the issuance of the revenue notes (which are repayable in five years). Just like GO bonds, these tax revenue notes may be used for a wide variety of public improvement projects (so long as it's for a valid public purpose). There is, however, a limit to how much money can be raised by the issuance of such notes and the general rule is usually 5% of the municipality's total tax levy for the current year.

Although this limit to the amount may discourage some municipalities from issuing tax notes, the fact that there is not petitioning/remonstrating process or because they are not subject to the State Board of Tax Commissioners, makes the use of this option a lot more popular than that of issuing general obligation bonds.

The Barrett Law

The Indiana Barrett Law, as provided by IC 36-9-18, allows municipalities to construct or repair infrastructure by assessing only those landowners who directly benefit from the improvements. The legality of the Barrett Law lies in the fact that the municipality which uses this option holds a lien against each individual property owner and may foreclose on any individual who defaults on their payment. In order to assist in the actual improvements, the municipality may issue notes or bonds in anticipation of the collection of the tax revenue.

Each individual property owner, however, has two chances to remonstrate against this action. First they may remonstrate against the initial decision to make these improvements and the amount to be charged to "benefitting" landowners. Secondly, they may remonstrate against the specific amount being charged to them. Although it is a fair way to raise money to make needed improvements, the Barrett Law is not the most preferred method.

Cumulative Capital Development Funds

If the project which needs funding is for infrastructure or parks and recreation facilities, municipalities have another option by using Cumulative Capital Development Funds (CCDF). A CCDF, which is a special tax rate, can be established for a period up to three years, and may thereafter be reestablished every three years. The establishment and/or reestablishment does, however, require public hearings as well as approval from the State Board of Tax Commissioners. (Please note that if the proposed taxing district has more than 50 objecting petitioners, the State Board of Tax Commissioners will, more than likely, hold special hearing specifically for the objections).

The basis behind what rate the municipality may charge for this special tax lies in whether or not the county is an adopting county and the time period they have had the CCDF in effect. The term "adopting county" refers to whether or not the county has adopted either the County Adjusted Gross Income Tax (CAGIT) or the County Option Income Tax (COIT).

Economic Development Income Tax

The Economic Development Income Tax (EDIT) may be imposed by the county income tax council by passing an ordinance which imposes EDIT. The formalities behind this ordinance (see the Appendix) lies public hearings and a majority vote by the county income tax council. There are also certain restrictions to how much the tax rate can increase. EDIT may be imposed at the rate of 0.1%, 0.2 %, 0.25% 0.3%, 0.35%. 0.4%, 0.45%, or 0.5% on the adjusted gross income of county taxpayers.

One thing that needs to be kept in mind are the two other county income taxes available to counties. These are the County Option Income Tax (COIT) and the County Adjusted Gross Income Tax (CAGIT). This is important because if another one of these county income taxes are imposed within the adopting county, then the overall tax rate for the county will be held at a maximum. If CAGIT is in effect, then the total county income tax rate may not exceed 1.25%; and if COIT is in effect, then the total county income tax rate may not exceed 1%. One last item of interest for the legalities behind EDIT, COIT, or CAGIT, is how a "county taxpayer" is defined. The state defines a county taxpayer as a "resident of the county or one who maintains a principal place of business or employment in the county and does not reside in another county in which EDIT, COIT, or CAGIT are in effect."

The one requirement for how these monies can be spent is that the adopting county must have a capital improvement plan identifying each and every project which EDIT funds will be funding. The capital improvement plan must deal with a time period of no less than two years and must deal with projects that cost at last 75% of the EDIT revenue received by the county.

County Option Income Tax

The County Option Income Tax (COIT), however, is used primarily for the repayment of any notes or bonds which the municipality might have issued. By following nearly the same guidelines as for the Economic Development Income Tax, COIT may easily be established within a county. The ordinance imposing COIT must, however, be passed after January 1 or a year but before April 1.

The basis of COIT (Appendix), is for the monies generated by the tax (a homestead credit up to 8%) to replace any revenue lost due to this increased homestead credit, and then any money left over in this "coffer" can be used to pay off any outstanding notes and/or bonds. The term the state uses to describe this action is "fixing one's budget."

County Adjusted Gross Income Tax

The County Adjusted Gross Income Tax (Appendix), as compared to the County Option Income Tax, can only be imposed if the COIT has not already been imposed in the county. The opposite holds true for the County Option Income Tax. Once again, the use of the CAGIT is for a completely different purpose than that of EDIT or COIT. When CAGIT monies are received by the county then the monies are distributed to civil taxing units as property tax replacement credits or to school corporations as property tax replacement credits.

This certain county income may only be imposed at a rate of either 0.5%, 0.75%, or 1%. Similarly to both the EDIT and COIT, the County Adjusted Gross Income Tax must follow the guidelines as established by the state for passing the appropriate ordinance describing the CAGIT. Unlike both the EDIT and the COIT, the CAGIT may not result in immediate monies for the county. At least not in the first year of its imposition. For the most part the CAGIT monies, as authorized by IC 8-18-22, repay notes or bonds for the construction of county highways and/or bridges.

Impact Fees

The impact fees, as mentioned several times throughout this document, are not only a prime way to help restrict growth but also a great way to help get infrastructure, and other such public improvements, completed. The purpose of the impact fee is to offset the cost of infrastructure improvement to a new development. The fees are in fact charged to this new development. Their manner is left up to agreement between the municipality and the developer.

There are certain restrictions, however, that dictate how the establishing ordinance must be set up, and by when. For a municipality to use an impact fee ordinance the municipality must establish two separate "impact zones," and must incorporate the usage of a "zone improvement plan." This ZIP reviews the current infrastructure status, what that status might be in ten years, and what it will take to improve these conditions.

(Prior Code, Comprehensive Plan)

APPENDIX B: DEMOGRAPHICS

Population Statistics

Population Growth by Township	1980	1990	Change	%
North	185,736	166,928	(18,808)	-10.13%
Hobart	42,548	38,942	(3,606)	-8.48%
Calumet	176,901	141,875	(35,026)	-19.80%
Ross	34,842	34,683	(159)	-0.46%
Northern Twps.	440,027	382,428	(57,599)	-13.09%
Hanover	7,101	7,365	264	3.72%
St. John	33,718	41,782	8,064	23.92%
Center	24,017	24,396	379	1.58%
Winfield	3,661	4,987	1,326	36.22%
Central Twps.	68,497	78,530	10,033	14.65%
Eagle Creek	1,421	1,431	10	0.70%
Cedar Creek	8,704	9,009	305	3.50%
West Creek	4,223	4,316	93	2.20%
Southern Twps.	14,348	14,756	408	2.84%
Total	522,872	475,714	(47,158)	-9.02%

Population Pyramid	Female	Male
Under 5	16,660	(17,379)
5-9	18,304	(19,198)
10-14	19,151	(19,791)
15-19	18,197	(18,573)
20-24	15,963	(14,939)
25-29	18,898	(17,025)
30-34	21,091	(18,980)
35-39	19,164	(17,762)
40-44	16,469	(15,722)
45-49	13,745	(12,725)
50-54	11,850	(10,965)
55-59	11,371	(10,523)
60-64	12,032	(10,438)
65-69	11,390	(9,279)
70-74	9,289	(6,761)
75+	13,951	(8,009)
Total	247,525	228,069

Lake County Age Distribution		
under 5	41,281	8.7%
age 6 to 17	91,886	19.3%
age 18 to 24	44,988	9.5%
age 25 to 34	75,994	16.0%
age 35 to 54	118,402	24.9%
age 55 to 64	44,364	9.3%
over 65	58,679	12.3%
Total	475,594	100.0%

Population by Portion of the County	
Urban Areas	340,263
Suburban Towns	57,360
County Towns	38,291
Unicorporated	39,680
Total	475,594

Ethnicity (by %)	Unicorporated	Small Towns	Suburbs	North	Total
Caucasian Housholds	95.2	98.6	95.6	63.3	72.3
African-American Houselholds	3.1	0.0	2.3	31.0	23.1
Asian Households	0.2	0.4	0.6	0.4	0.4
Other Households	1.5	1.0	1.4	4.9	3.9

Educational Attainment (in %)	Unicorporated	Small Towns	Suburbs	North	Total
< 9th Grade Education	6.8	6.6	6.5	10.6	9.4
High School - No Diploma	13.0	12.6	10.5	19.2	17.1
High School Graduate	42.3	41.4	38.8	37.6	38.5
Some College - No Degree	17.3	17.1	20.1	16.9	17.3
Associate Degree	6.1	5.8	6.3	4.4	4.9
Bachelors Degree	9.3	9.7	11.1	6.9	7.9
Graduate or Professional Degree	5.2	6.8	6.6	4.4	4.9

Household Statistics

Households	Unincorporated	Small Towns	Suburbs	North	Total
Households	13,161	13,263	20,277	123,714	170,395
Families	10,683	10,364	15,934	89,553	126,534
Median Household Income (1989)	$ 44,631	$ 34,425	$ 40,718	$ 30,292	$ 37,517
Average Household Income	$ 41,266.21	$ 36,963.08	$ 44,711.39	$ 34,215.68	$ 39,789.09
Per Capita Income	$ 14,372.74	$ 14,118.39	$ 154,483.94	$ 12,599.85	$ 14,136.98
Average Household Size	2.57	2.54	2.89	2.72	2.83
MedianHome Value (Owner Occupied)	$ 74,532.00	$ 62,086.00	$ 82,465.00	$ 53,566.00	$ 68,162.00
Householder - age 15-24	2.8%	2.6%	2.2%	3.9%	3.5%
Householder - age 25 - 34	21.7%	22.3%	18.7%	19.1%	19.5%
Householder - age 35 - 44	25.3%	22.5%	26.1%	20.8%	22.0%
Householder - age 45 - 54	19.7%	17.5%	18.4%	16.2%	16.8%
Householder - age 55 - 64	14.3%	13.8%	14.7%	16.1%	15.8%
Householder - age 65 - 74	10.7%	12.4%	12.3%	15.2%	14.3%
Householder - age 75+	5.4%	8.8%	7.7%	8.7%	8.3%
Household Income: <$10,000	6.9%	8.5%	5.5%	20.2%	16.5%
Household Income: $10,000 - $14,999	5.6%	6.5%	5.8%	9.0%	8.2%
Household Income: $15,000 - $24,999	14.6%	16.2%	13.7%	17.6%	16.8%
Household Income: $25,000 - $34,999	14.8%	17.3%	16.0%	15.7%	15.8%
Household Income: $35,000 - $49,999	23.1%	22.6%	24.0%	18.7%	20.0%
Household Income: $50,000 - $74,999	25.7%	20.6%	24.0%	13.8%	16.5%
Household Income: $75,000 - $99,999	5.6%	5.4%	7.0%	3.5%	4.2%
Household Income: >$100,000	3.6%	2.9%	4.0%	1.6%	2.1%

Housing	Unincorporated	Small Towns	Suburbs	North	Total
Median Year Structure Built	1963	1959	1966	1954	1960
Total Occupied Housing Units	13,287	13,197	20,205	124,059	170,748
1 Unit / Structure - Detached	80.0%	78.7%	73.6%	67.0%	69.7%
1 Unit / Structure - Attached	3.2%	1.8%	4.3%	3.1%	3.2%
2 Units / Structure	1.3%	5.4%	2.1%	7.1%	5.9%
3 or 4 Units / Structure	2.9%	3.1%	3.7%	6.1%	5.3%
5 to 9 Units / Structure	1.3%	2.9%	3.1%	4.6%	4.1%
10 to 19 Units / Structure	4.1%	4.1%	6.7%	4.0%	4.4%
20 to 49 Units / Structure	3.4%	1.7%	4.6%	3.5%	3.5%
50+ Units / Structure	0.0%	0.0%	0.6%	1.7%	1.3%
Occupied Mobile Home or Other Unit	2.8%	1.8%	0.4%	2.0%	1.9%
Household Other Than Unit Structure	0.7%	0.6%	0.9%	0.8%	0.8%
Owner Occupied Housing Units	79.7%	75.3%	76.3%	64.3%	67.8%
Vacant Housing Units	4.2%	4.5%	2.9%	7.8%	6.7%
Units Built: after 1989	3.6%	2.1%	2.5%	0.3%	1.0%
Units Built: 1985 - 1988	8.3%	6.1%	8.7%	1.0%	2.9%
Units Built: 1980 - 1984	8.8%	6.4%	7.0%	2.5%	3.8%
Units Built: 1970 - 1979	29.2%	26.1%	34.4%	13.6%	18.2%
Units Built: 1960 - 1969	14.4%	15.4%	23.2%	18.1%	18.2%
Units Built: 1950 - 1959	15.8%	16.2%	14.6%	25.5%	22.7%
Units Built: 1940 - 1949	9.0%	10.1%	5.9%	17.3%	14.8%
Units Built: before 1939	10.7%	17.6%	3.7%	21.7%	18.4%
Householder Moved In: after 1989	11.0%	9.9%	10.5%	19.7%	16.8%
Householder Moved In: 1985 - 1988	24.0%	24.8%	24.5%	31.8%	29.5%
Householder Moved In: 1980 - 1984	13.2%	13.5%	10.4%	18.0%	16.1%
Householder Moved In: 1970 - 1979	27.5%	27.9%	31.7%	32.6%	31.6%
Householder Moved In: 1960 - 1969	13.5%	13.6%	15.0%	20.1%	18.3%
Householder Moved In: before 1959	10.8%	10.2%	7.9%	21.9%	18.0%
Owner Occupied Households: No Vehicles	1.9%	1.8%	1.4%	7.8%	5.9%
Owner Occupied Households: 1 Vehicle	20.7%	24.1%	19.9%	33.2%	29.5%
Owner Occupied Households: 2 Vehicles	49.4%	49.2%	50.8%	40.3%	43.3%
Owner Occupied Households: 3 Vehicles	20.5%	17.3%	19.9%	14.1%	15.2%
Owner Occupied Households: 4 Vehicles	5.4%	5.2%	5.8%	3.4%	4.1%
Owner Occupied Households: 5+ Vehicles	2.2%	2.4%	2.1%	1.2%	1.5%

Housing Statistics

Housing	Owner	Renter	Total	%Own	%Rent
North	40,645	21,714	62,359	65%	35%
Hobart	10,746	3,236	13,982	77%	23%
Calumet	30,228	20,143	50,371	60%	40%
Ross	9,370	3,099	12,469	75%	25%
Northern Twps.	90,989	26,478	117,467	77%	23%
Hanover	1,894	606	2,500	76%	24%
St John	10,792	3,160	13,952	77%	23%
Center	6,574	2,043	8,617	76%	24%
Winfield	1,528	107	1,635	93%	7%
Central Twps.	20,788	5,916	26,704	78%	22%
Eagle Creek	451	73	524	86%	14%
Cedar Creek	2,359	623	2,982	79%	21%
West Creek	1,133	224	1,357	83%	17%
Southern Twps.	3,943	920	4,863	81%	19%
Lake County	115,720	55,028	170,748	68%	32%

Workforce Statistics

Labor Force - by Area	Unincorporated	County Towns	Suburban Towns	Urban Areas	Total
Population age 16+	29,791	28,714	44,456	254,948	357,909
Population in Labor Force	20,218	18,893	30,209	154,097	223,507
Labor Force - Armed Forces	-	-	38	369	407
Civilian Labor Force	20,218	18,893	30,261	153,728	223,100
Labor Force - Employed	94.98%	93.82%	96.19%	89.48%	91.26%
Labor Force - Unemployed	5.02%	6.18%	3.68%	10.28%	8.56%
Population not in Labor Force	32.13%	34.20%	31.84%	39.56%	37.55%

Labor Force - by Township	>16 Years Old in Labor Force	% Unemployed
North	61%	8%
Hobart	64%	6%
Calumet	59%	14%
Ross	64%	5%
Northern Twps.	62%	8%
Hanover	68%	4%
St. John	72%	3%
Center	66%	6%
Winfield	69%	5%
Central Twps.	69%	5%
Eagle Creek	71%	7%
Cedar Creek	68%	7%
West Creek	64%	6%
Southern Twps.	68%	7%
Lake County	62%	9%
Indiana	66%	6%

Employment by Occupation		
Managerial/ Pro Spc	42,985	21%
Tech. Sales. Adm	64,336	32%
Service	28,531	14%
Farm. Fish. Forest	1,264	1%
PrecProd. Craft. Repair	28,528	14%
Oper. Fab. Lab	38,322	19%
Total	203,966	

Employment by Industry		
Agriculture. Mining	1,617	1%
Construction	10,824	5%
Manufacturing	50,977	25%
Trans. Comm. Utilities	14,674	7%
Whlse Trade	8,559	4%
Retail Trade	38,023	19%
FIRE	11,244	6%
Services	60,799	30%
Public Adm	7,249	4%
Total	203,966	

Employment by Industry - Detailed	
Agriculture - Forest - Fishing	1.9%
Mining	0.0%
Construction	7.1%
Manufacturing -- Non Durables	3.9%
Manufacturing -- Durables	15.0%
Transportation	4.5%
Communications and other Public Utilities	1.8%
Wholesale Trade	4.4%
Retail Trade	16.9%
Finance - Insurance - Real Estate	4.2%
Business and Repair Services	3.8%
Personal Services	2.0%
Entertainment and Recreation Services	0.5%
Professional and Related Industry	17.0%
Health Services	7.0%
Educational Services	6.5%
Other Professional Related Services	3.5%
Public Administration	1.9%
Managerial - Professional Specialty	22.1%
Executive - Administrative - Managerial	9.9%
Professional Specialty	12.3%
Technical - Sales - Administrative Support	31.4%
Technicians and Related Support	2.8%
Sales Occupations	13.7%
Administrative Support. Including Clerical	15.0%
Services	12.1%
Private Household	0.0%
Protective Services	1.6%
Services. except Protective and Household	10.4%
Farming - Forestry - Fishing	2.0%
Precision Production - Craft - Repair	19.2%
Operator - Fabricator - Laborer	19.3%
Machine Operators -Assemblers - Inspectors	7.7%
Transport and Material Moving Occupations	6.5%

(Prior Code, Comprehensive Plan)

CHAPTER 159: SIGNS

Section

159.01 Definitions
159.02 Filing
159.03 Erection of signs
159.04 Repair and preservation
159.05 Removal by candidate or political party
159.06 Removal by county
159.07 Removal costs
159.08 Constitutionality and severability

159.99 Penalty

§ 159.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTION. All primary, general, and special elections.

POLITICAL SIGN. A sign announcing, supporting, or opposing a candidate or issue in connection with any national, state, or local election.

SIGN. Any visual medium (including, when applicable, its structure and component parts) which is used (or intended to be used) to announce, declare, demonstrate or attract the attention of the public. Examples of ***SIGNS*** include, but are not limited to, any sign, display board, handbill, poster, banner, pennant, streamer, whirligig, valance or advertising display constructed of paper, cloth, canvas, light fabric, cardboard, wallboard, or other light materials (with or without structural frame). ***SIGN*** does not include commercial billboards.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004)

§ 159.02 FILING.

Although permits and any related fees are not required, any person or organization wanting to erect political signs permitted under this chapter for any election must first provide to the County Plan Commission the name, address, and telephone number of a person(s) who will be responsible for the proper erection and timely removal of the signs.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004) Penalty, see § 159.99

§ 159.03 ERECTION OF SIGNS.

(A) Political signs permitted under this chapter shall not be erected earlier than 30 days prior to the applicable election day.

(B) No political sign shall exceed 48 square feet.

(C) No political sign shall be placed in a county easement.

(D) Notwithstanding the above, signs exceeding 16 square feet may be erected 45 days prior to applicable election day.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004) Penalty, see § 159.99

§ 159.04 REPAIR AND PRESERVATION.

Political signs permitted under this chapter shall be kept in repair and proper state of preservation or face removal by the county under § 159.06.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004) Penalty, see § 159.99

§ 159.05 REMOVAL BY CANDIDATE OR POLITICAL PARTY.

Removal of political signs permitted under this chapter shall be the responsibility of the candidate or political party advertised and shall be removed within ten days after the election. The county may cause removal of the signs remaining after expiration of the appropriate ten-day period.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004) Penalty, see § 159.99

§ 159.06 REMOVAL BY COUNTY.

Any political sign permitted under this chapter summarily removed shall be stored for at least ten days at the county's public works garage. The Director of the Plan Commission, or designee, will attempt to notify the responsible party, as provided under § 159.02 of the removal and advise them of the location of the removed sign(s). The responsible party, as provided under § 159.02, will be responsible for the actual cost(s) of the sign removal, as provided under § 159.07, prior to retrieval of the removed signs.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004)

§ 159.07 REMOVAL COSTS.

The cost(s) for removal for political signs permitted under this chapter shall be deemed a civil debt due and owing the county which may be collected by the appropriate legal means. The cost of removal shall be calculated on an hourly basis of $25 per hour per Lake County worker needed to remove the signs.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004)

§ 159.08 CONSTITUTIONALITY AND SEVERABILITY.

If any section, division, sentence, clause, phrase, or word of this chapter is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, the decision shall not affect the validity of the remaining portions of the chapter. The County Council hereby declares that it would have passed this chapter and each section, division, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), division(s), sentence(s), clause(s), phrase(s) or word(s) be declared invalid.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004)

§ 159.99 PENALTY.

The responsible party, as provided under § 159.02 of this chapter, failing to remove a political sign permitted under this chapter after expiration of the appropriate ten-day period shall be fined $25 for each sign not removed.
(Ord. 1239A, passed 5-13-2003; Ord. 1249C, passed 3-9-2004)

TABLE OF SPECIAL ORDINANCES

Table

I. ACCEPTANCES

II. ANNEXATIONS; DISANNEXATIONS

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VIII. ZONING MAP CHANGES

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XII. TAXATION

XIII. FINANCES, FUNDS AND OTHER MONEY MATTERS

TABLE I: ACCEPTANCES

Ord. No.	*Date Passed*	*Description*
–	6-24-1963	Acceptance of 126th Court of Holiday Creek Subdivision in Center Township.
-	3-16-1970	Acceptance of 89th Place, 90th Lane, and Bryan Street in High Point Acres, Unit 3 Subdivision, Lake County.

(Prior Code, T.S.O. I)

TABLE II: ANNEXATIONS; DISANNEXATIONS

Ord. No.	*Date Passed*	*Description*
–	7-18-1914	Annexing Section 23 and 26, Township 36 north, Range 9 west, to the Town of Griffith.
57	6-1-1915	Disannexing the northeast quarter of Section 13, Township 36 north, Range 8 west from the Town of East Gary.
830	2-24-1920	Disannexing all of the northeast quarter of Section 33, Township 37 north, Range 7 west from the City of Gary.
–	7-3-1928	Annexing all of Sections 5 and 8 and north half of Section 17, Township 35 north, Range 8 west to the Township of Calumet, and disannexing from the Township of Ross.
669	1-21-1963	Annexing the southeast quarter of the northwest quarter of Section 25, Township 36 north, Range 8 west to the City of Hobart.
670	1-21-1963	Annexing the northeast quarter of the northeast quarter of Section 28, Town 36 north, Range 7 west to the Town of Hobart.
671	1-21-1963	Annexing the northwest quarter of Section 6, Township 35 north, Range 7 west to the City of Hobart.
74-15	2-27-1975	Annexing all of Section 1, Township 35 north, Range 9 west to the Town of Griffith.

(Prior Code, T.S.O. II)

TABLE III: EASEMENTS

Ord. No.	*Date Passed*	*Description*
–	- -	Granting on easement to the county over and across property owned by Edward and Mary Hansen for highway purposes.
–	7-27-1970	Granting a right-of-way for road purposes to the County upon property owned by Leo and Ruth Nuerenberg.
–	9-14-1970	Granting an easement to the county over and across property owned by Charles Laubman for highway purposes.
–	5-13-1974	Granting an easement to the county over and across property owned by Thomas and Nancy Egbert for highway purposes.
–	2-4-1980	Granting an easement to Gary-Hobart Water Corporation from the county to lay water mains and pipes.
1384B	5-12-2015	Granting a petition for easement vacation by Daniel Frederick and Megan Frederick.
1384C	5-12-2015	Granting a petition for easement vacation by Thomas and Kathleen Hruby.

(Prior Code, T.S.O. III)

TABLE IV: INCORPORATIONS

Ord. No.	*Date Passed*	*Description*
22	11-1-1967	Incorporating the town of Cedar Lake, Indiana, and dividing into wards.
1	12-30-1971	Incorporating the town of Merrillville and dividing into wards.
–	7-30-1973	Incorporating Ross Park, Calumet Township, Indiana.

(Prior Code, T.S.O. IV)

TABLE V: REAL ESTATE TRANSACTIONS

Ord. No.	*Date Passed*	*Description*
-	- -	Conveyance of property from Geraldine Rhea to the county.
–	12-2-1946	Appropriation of Lots 14, 15, and 16, Block 4, of Chicago Tolleston Land Investment's Third Addition to Tolleston commonly known as the Serbke Dome Building.
–	7-28-1969	Conveyance of property from Paul and Marjorie Surdey to the county.
–	5-25-1970	Conveyance of property from Julius and Marcella Petersen to the county.
–	7-27-1970	Conveyance of property from Lake County Trust Company to the county.
	9-14-1970	Conveyance of property from Irene Cox to the county.
878A	12-23-1974	Committing land acquired by the county for reason of non-payment of property taxes to park and recreation purposes.
1104A	6-9-1992	Transferring a vacated right-of-way to Aldo Iten.
1105D	7-14-1992	Transferring a portion of Myoma Street to Jeffrey H. Devine and Rhonda S. Devine.
1177C	3-17-1998	Transferring title of Kosciusko Place south of 173rd Street to Raymond G. Dewes and Doree J. Dewes.
1184B	10-13-1998	Transferring real estate in An-Jay Acres to Raymond A. Buikema and Mary A. Buikema.
1229B	7-9-2002	Conveyance of county-owned real estate to Indiana Department of Transportation.

Ord. No.	*Date Passed*	*Description*
1344B	2-14-2012	Approving the renewal of a lease between the county and the Lake County 2000 Building Corporation by execution of a second amendment to lease.

(Prior Code, T.S.O. V)

TABLE VI: STREET NAME CHANGES

Ord. No.	*Date Passed*	*Description*
–	3-5-1951	Renaming a road identified as B-3, at the intersection of U.S. Highway 30, in the Town of Schererville, to Lincolnwood Road.

(Prior Code, T.S.O. VI)

TABLE VII: VACATIONS

Ord. No.	*Date Passed*	*Description*
–	- -1972	Vacating alley in Gail Scharbach's Subdivision, City of Hobart.
–	5-13-1974	Vacating a road in Section 1, 35, and 8, in the City of Hobart.
–	- -1978	Vacating Garfield, Hayes, and Arthur streets and 20-foot alleys in Third Subdivision of Oakington Park.
1207	3-13-1984	Vacating Plat G of the Shades.
1213	5-15-1984	Vacating Lots 1 and 2 of Lakeview Ranchetters.
1222	9-4-1984	Vacating Tracts 2 through 8 and the 48th Avenue right-of-way within Bishop Homestead Subdivision.
1241	9-3-1985	Vacating Lots 8 and 9 in Kankakee Acres Third Addition.
1015D	11-12-1985	Vacating real estate commencing where Taft Street intersects the south right-of-way line of W. 44th Avenue, in Gary.
1019A	3-11-1986	Vacating real estate commencing at the northwest corner of Lot 22, Block 2, Orchard Hill Addition to Gary.
1019A-1	3-11-1986	Vacating real estate commencing at the northwest corner of Lot 22, Block 2, Orchard Hill Addition to Gary.
1046A	3-9-1988	Vacating part of Jay Street in Creston.
1063C	6-13-1989	Approving the platted easement vacation of PTY Trust No. 1, Earl R. Yoho.

Ord. No.	*Date Passed*	*Description*
1081A	10-9-1990	Vacating part of Lake View Drive in Lake Dalecarlia.
1089A	5-14-1991	Vacating real estate commencing at Lot 1, Block 52, Shelby, and Lot 3, Block 52, Shelby.
1089B	5-14-1991	Vacating real estate in West-Long Subdivision.
1094A	10-8-1991	Vacating a portion of Creston Street in Creston.
1095A	11-12-1991	Vacating a portion of Sheffield Avenue.
1149A	11-14-1995	Vacating the north 5 feet of the east 100 feet of the west 150 feet of Lot 1, Rolling Meadows Unit 2.
1149B	11-14-1995	Vacating real estate commencing at a ten-foot drainage easement lying with the eastern part, and 50 feet of Lot 2, running N. and S. and that part running north and south along the common lot line of Lots 1 and 2, and that part along the common E. and W. lot line of Lots 2 and 3, all in Lake Point Estates.
1149C	11-14-1995	Vacating a parcel of land located in the east one-half of the southwest quarter of Section 28, Township 32 North, Range 8 West of the 2nd Principal Meridian, and being a 20-foot alley vacated lying west of Lots 1 through 5 and east of Lots 6 through 9 and south of 234th Place and North 235th Street.
1149D	11-14-1995	Vacating the north 20 feet of first addition to Cedar Lake, lying between the northerly extension of the westerly line of Lot 9 and the easterly line of Lot 10 all in Lake County.
1161A	10-15-1996	Vacating real estate beginning at the northeast corner of Lot 2 in An-Jay Acres in Crown Point.
1161B	10-15-1996	Vacating real estate beginning at the northeast corner of Lot 2 in An-Jay Acres in Crown Point.
1163A	1-14-1997	Vacating Lots 15, 16, 17, 18, 19, 20, 21, 22, 23, the east 12 feet of Lot 24, and 25, First Broadway Addition to Cedar Lake.

Ord. No.	*Date Passed*	*Description*
1165B	3-11-1997	Vacating the south 20 feet of the east five feet of Lot 6 in Creston Acres.
1178A	4-14-1998	Vacating certain underlying plats, roadways, utility, drainage, access easements, and a west retention area.
1180A	6-9-1998	Partially vacating Fifth Street, commencing at the southwest corner of Lot 12.
1180A-1	1-12-1999	Amending Ord. 1180A.
1191A	5-11-1999	Vacating no access easement on Lot Three of Hilltop Heights.
1192E	6-28-1999	Vacating no access easement on Lot Eleven of Whitetail Acres.
1194A	8-5-1999	Vacating easement on Lots 1, 2, and 3 of Valleywood Subdivision.
1194C	8-10-1999	Vacating platted easement on Lot Six, Block 29, Village of Shelby, Indiana.
1199A	1-10-2000	Ordinance granting petition for road and alley vacation by Louis Christopher.
1200B	2-8-2000	Granting petition to vacate right-of-way by Lawrence Crowe and Linda Crowe.
1202A	4-11-2000	Granting petition for platted easement vacation by Welsh, Inc.
1207J	9-12-2000	Granting petition for public way vacation Donald and Barbara Stone.
1213A	3-13-2001	Granting petition to vacate easement by Thomas H. Williams and Dorothy Williams.
1228B	6-11-2002	Granting petition to vacate easement by Janice Budack, Eli Budack, and Robert Budack.
1236A	2-13-2003	Petitioners Golfview Partners file their petition to vacate the right-of-way portion of a platted easement. The L.C. Council on 2-12-2003 granted the petition.

Ord. No.	*Date Passed*	*Description*
1238B	4-8-2003	Granting petition for road vacation by Ernest E. Palagyi and Virginia G. Palagyi.
1248B	2-10-2004	Granting petition to vacate right-of-way by Richard Pendleton and Vernon Walls and Sybil Walls.
1254A	8-10-2004	Granting petition for alley vacation by Faith Assembly of God, Inc.
1264B	6-13-2005	Granting petition for platted easement vacation by Arnold H. Kiran and Susan M. Kiran.
1266A	8-9-2005	Granting petition to vacate right-of-way by KMW Prop., LLC.
1268B	10-11-2005	Granting petition to vacate easement by Donna J. Ratkovich, Ben Dunifer, and Robert L. Bydalek.
1269A	11-8-2005	Granting petition for road vacation by William G. Born and Ethel L. Born, Walter Gronkiewicz and Carol Gronkiewicz, Joseph Vukodimovich and Helen Moise, Ryan Thomas and Heather Thomas, Anthony Pampalone and Jamie Pampalone and Shelley Kelby.
1282A	12-12-2006	Granting petition for road vacation by Demotte State Bank.
1283A	1-9-2007	Granting petition for road vacation by James L. Ponzanio.
1292C	10-9-2007	Granting petition for alley vacation by Earl Westforth.
1301A	7-8-2008	Vacating four parcels of platted but unimproved public ways: all recorded in Plat Book 21, page 19 in the Office of the Recorder of Lake County.
1340A	10-11-2012	Granting petition for easement by Ralph and Dorothy Bosetti.
1356B	1-8-2013	Granting petition for easement vacation by Wildwood Trust, Gianna Gierczyk, Trustee.

Ord. No.	*Date Passed*	*Description*
1384B	5-12-2015	Granting a petition for easement vacation by Daniel Frederick and Megan Frederick.
1384C	5-12-2015	Granting a petition for easement vacation by Thomas and Kathleen Hruby.

(Prior Code, T.S.O. VII)

TABLE VIII: ZONING MAP CHANGES

Ord. No.	*Date Passed*	*Description*
Res. 607-A	–	Rezoning a tract of land owned by Lowell Land Co., Inc.
Res. 124	9-12-1960	Rezoning the southwest quarter of Section 32, Township 33 north, Range 9 west, from A-l District to M-2 District.
Res. 125	9-12-1960	Rezoning the south half of Section 21, Township 35 north, Range 7 west of the 2nd P.M. from R-2 District to B-2 District.
Res. 270	8-5-1963	Rezoning the west half of the southeast quarter of Section 24, Township 36 north, Range 9 west of the 2nd P.M. from C-l District to R-3 District.
Res. 282	9-30-1963	Rezoning Lots 3 and 4, Block 21, in Tolleston Club Property from C-l District to R-3 District.
Res. 28l	10-7-1963	Rezoning the southeast quarter of Section 3, Township 33 north, Range 9 west from R-3 District to M-l District.
Res. 389	1-3-1966	Rezoning Lot 1, Block 1, in Meadowland Estates Part 2, Unit 2, from R-2 District to B-l Business District.
Res. 393	1-3-1966	Rezoning the following property. (A) Part of the southwest quarter, Section 5, Township 35 north, Range 8 west, from R-2 District to R-5 District. (B) Part of the northwest quarter of Section 8, Township 35 north, Range 8 west, from R-2 District to R-5 District.

Ord. No.	*Date Passed*	*Description*
Res. 394	1-3-1966	Temporary industrial zoning permit granted to Gilbert Sterner.
Res. 415	8-15-1966	Rezoning the southwest quarter of Section 25, Township 36 north, Range 9 west from R-3 and C-l Districts to M-2 District.
21	3-17-1969	Reclassifying certain lands pertaining to the shopping center planned by J.C. Penny Co. to BP-3 District and R-5 District.
Res. 610	5-8-1970	Temporary Industrial Permit granted to Stonehinge Mining Co., Inc. to mine dolomite rock.
Res. 612	5-8-1970	Rezoning property located on the northeast corner of Madison Street and U.S. 30 from R-2 District to B-2 District.
Res. 636	10-13-1970	Rezoning the southwest quarter of Section 36, Township 36 north, Range 9 west from M-l and M-2 Districts to C-1 District.
24	11-1-1971	Rezoning certain parcels A and B from R-2 District to B-P3 District.
Res. 682	11-15-1971	Rezoning the northeast quarter of Section 9, Township 35 north, Range 8 west from R-3 and B-l Districts to B-2 Districts.
Res. 703-A	3-7-1972	Rezoning property located at 1006 W. 203rd Avenue of Cedar Creek Township From A-l District to M-l District.
Res. 716	6-5-1972	Rezoning Lots 6, 22 - 27, Block 8, Woodlawn Subdivision and Lots 13, 14, and 15, Block 4, Woodlawn Subdivision from R-3 and B-2 Districts to B-3 District.
25	3-5-1973	Rezoning the southeast quarter of Section 23, Township 35 north, Range 8 west in Ross Township from BP-3 and R-5 District to BP-3 District.

Ord. No.	*Date Passed*	*Description*
Res. 774	5-7-1973	Rezoning part of Lot 4, Section 24, Township 36 north, Range 9 west from R-3 District to B-2 District.
Res. 840	5-13-1974	Rezoning the southwest quarter of Section 30, Township 36 north, Range 8 west from R-3 District to B-2 District.
Res. 879	11-4-1974	Rezoning certain parcels of land.
Res. 922	- -1977	Rezoning property located on the north side of U.S. 30, one-quarter mile west of intersection of Cavy Street and U.S. 30 from R-2 District to B-2 District.
Res. 992	5-9-1977	Rezoning the following real property. (A) Part of Tracts 6, 5, and 4, Plat C Artesian Wells from R-3 District to B-2 District. (B) Part of the northwest quarter of Section 9, Township 34 North, Range 9 west, from R-3 District to B-2 District.
1084	5-14-1979	Rezoning part of the southwest quarter of Section 24, Township 35 north, Range 8 west, from BP-3 District to M-1 District.
108	6-22-1979	Rezoning the southeast quarter of Section 20, Township 35 north, Range 7 west from R-2 District to M-1 District.
1082	6-22-1979	Rezoning part of the northeast quarter of Section 20, Township 35 north, Range 7 west from Temporary Zoning Permit to HS-2 District.
1085	6-22-1979	Rezoning the northwest quarter of Section 16, Township 34 north, Range 7 west, from A-1 District to R-1 District.
1086	6-22-1979	Rezoning the southwest quarter of Section 20, Township 35 north, Range 7 west, from A-1 District to R-1 District.

Ord. No.	*Date Passed*	*Description*
1088	6-22-1979	Rezoning the west 330 feet of the north 660 feet of the east half of the west half of the northwest quarter of Section 11, Township 35 north, Range 8 west, from R-3 District to PO District.
1093	8-27-1979	Rezoning part of the southeast quarter of Section 33, Township 33 north, Range 9 west, from A-1 District to R-1 District.
1094	8-27-1979	Rezoning the southeast quarter of Section 12, Township 33 north, Range 8 west, from A-1 District to R-1 District.
1101	8-27-1979	Rezoning the northeast quarter of Section 9, Township 34 north, Range 7 west, from R-5 District to BP-1 District.
1096	12-3-1979	Rezoning Lots 1 and 2 in Block 2 in Orchard Hill Addition from R-3 District to BP-1 District.
1100	12-3-1979	Rezoning the northeast quarter of Section 26, Township 35 north, Range 9 west, from A-1 District to R-2 District.
1102	12-3-1979	Rezoning the southeast quarter of Section 34, Township 35 north, Range 9 west, from A-1 District to R-1 District.
1106	1-21-1980	Rezoning the northwest quarter of Section 23, Township 33 north, Range 8 west, from A-1 District to R-1 District.
1107	1-21-1980	Rezoning the southeast quarter of Section 20, Township 35, Range 7 west, from A-l District to R-1 District.
1109	1-21-1980	Rezoning the northeast quarter of Section 12, Township 34 north, Range 9 west from R-2 District to C.D.D. District.
1114	2-4-1980	Rezoning the southwest quarter of Section 12, Township 35 north, Range 9 west, from M-2 District to A-1 District.

Ord. No.	*Date Passed*	*Description*
1111	3-10-1980	Rezoning the southeast quarter of Section 5, Township 32 north, Range 9 west, from A-1 and B-2 Districts to B-2 District.
1113	3-10-1980	Rezoning the southeast quarter of Section 25, Township 36 north, Range 9 west, from C-1 District to HS-2 District.
1115	3-10-1980	Rezoning the northeast quarter of Section 18, Township 33 north, Range 9 west, from A-1 District to R-2 District.
1117	6-2-1980	Rezoning the north half of Section 1, Township 34 north, Range 10 west, from R-3 District to B-2 District.
1123	6-2-1980	Rezoning the northeast quarter of Section 2, Township 33 north, Range 9 west from R-2 District to C.D.D. District.
1124	6-2-1980	Rezoning the northwest quarter of Section 24, Township 32 north, Range 9 west, from Temporary Zoning Permit to C.D.D. District.
1126	6-2-1980	Rezoning the southwest quarter of Section 4, Township 33 north, Range 8 west, from A-1 District to R-1 District.
1133	10-27-1980	Rezoning the following real property from R-3 District to C.D.D. District. (A) The south half of the south half of the north half of the southwest quarter of the northwest quarter of Section 4, Township 33 north, Range 9 west. (B) The north half of the south half of the southwest quarter of the northwest quarter of Section 4, Township 33 north, Range 9 west. (C) The north half of the south half of the south half of the southwest quarter of the northwest quarter of Section 4, Township 33 north, Range 9 west.

Ord. No.	*Date Passed*	*Description*
1134	12-15-1980	Rezoning a portion of tract “G” in Artesian Wells Plat “A” from R-B District to M-l District.
1136	12-15-1980	Rezoning part of the west half of the southwest quarter of Section 16, Township 34 north, Range 9 west from R-3 and B-2 Districts to B-2 District.
1145	3-30-1981	Rezoning part of the southeast quarter of the southeast quarter of Section 5, Township 33 north, Range 9 west, from R-3 District to B-l District.
1146	3-30-1981	Rezoning part of the north half of the northeast quarter of Section 2, Township 33 north, Range 9 west, from R-2 and R-3 District to R-3 District.
1148	3-30-1981	Rezoning part of the northwest quarter of the northeast quarter of Section 17, Township 34 north, Range 9 west, from A-l District to R-2 District.
1145A	6-1-1981	Correcting legal description of Ord. 1145.
1146A	6-1-1981	Correcting legal description of Ord. 1146.
1153	6-1-1981	Rezoning the west 110 feet of the east 400 feet of the north 510 feet of the northeast quarter of the northwest quarter of the northwest quarter of Section 25, Township 33 north, Range 8 west, from BP-2 District to BP-3 District.
1151	8-3-1981	Rezoning the southeast quarter of Section 20, Township 36 north, Range 7 west, from R-3 District to R-1 District.
1154	8-3-1981	Rezoning part of the south half of Section 36, Township 36 north, Range 9 west, from R-3 District to R-1 District.
1156	8-3-1981	Rezoning Lot 1 in Isakon Square Subdivision from B-1 District HS-1 District.
1160	8-31-1981	Rezoning Lot 27 from R-3 District to R-1 District.
1161	8-31-1981	Rezoning the southwest quarter of Section 23, Township 35 north, Range 8 west, from B-1 District to BP-3 District.

Ord. No.	*Date Passed*	*Description*
1162	8-31-1981	Rezoning the northwest quarter of Section 30, Township 34 north, Range 8 west, from A-2 District to A-1 District.
1163	8-31-1981	Rezoning the southwest quarter of Section 14, Township 33 north, Range 9 west, from A-l District to R-1 District.
1169	9-14-1981	Rezoning the northwest quarter of Section 25, Township 33 north, Range 8 west, from BP-2 District to BP-3 District.
1170	1-4-1982	Rezoning a tract of land owned by Edith Luthy from R-3 to R-2.
1171	1-4-1982	Rezoning a tract of land owned by Wayne J. Szany from A-1 to B-1.
1172	1-4-1982	Rezoning part of the east 260 feet of Tracts 4 and 5 in Hillcrest Subdivision from R-3 to P.O.
1173-A	2-22-1982	Rezoning a tract of land owned by James J. Ruwaldt from R-3, C-1, and C-2 to C.D.D.
1177	5-17-1982	Rezoning Lots 4 and 5, Block 5, Third Subdivision to Oakington Park, from R-3 to A-1.
1179	8-16-1982	Rezoning part of the northwest quarter of Section 18, Township 35 north, Range 7 west, from R-3 to A-1.
1180	8-16-1982	Rezoning part of the west half of the southwest quarter of Section 19, Township 35 north, Route 7 west, from B-2 and R-2 to B-2.
1184	1-10-1983	Rezoning the east nine acres of the northeast quarter of the southeast quarter of Section 5, Township 32 north, Range 8 west from A-1 to C.D.D.
1186	4-12-1983	Rezoning part of the northeast quarter of the southeast quarter of Section 24, Township 35 north, Range 8 west, from R-2 to B-2.

Ord. No.	*Date Passed*	*Description*
1187	4-12-1983	Rel remain in full force and effect with the following modifications:
1185	5-10-1983	Rezoning Lots 1, 2, 3, 4, 5, and 6, Abbenseth's Subdivision, from R-3 to B-2.
1190	6-14-1983	Rezoning part of the northwest quarter of Section 3, Township 33 north, Range 9 west, from A-1 to B-2.
1191	6-14-1983	Rezoning part of the southeast quarter of Section 28, Township 35 north, Range 9 west, from A-1 to C.D.D.
1192	6-14-1983	Rezoning part of the northern half, southwest quarter of Section 12, Township 35 north, Range 9 west from M-2 to R-1.
1193	7-12-1983	Rezoning part of the east half of the east half of the northwest quarter of Section 14, Township 34 north, Range 9 West from R-3 to R-1.
1195	8-24-1983	Rezoning part of the northwest quarter of Section 18, Township 35 north, Range 7 west from R-3 to R-1.
1196	10-11-1983	Rezoning the south 340 feet of the east 496.47 feet of the west 512.47 feet of the northeast quarter of the northwest half of Section 30, Township 34 north, Range 8 west, from A-1, C-1, and C-2 to R-1, C-1, and C-2.
1197	10-11-1983	Rezoning Lot 2 in Winfield Estates from A-1 to R-1.
1198	10-11-1983	Rezoning part of the northwest quarter of Section 28, Township 33 north, Range 7 west from A-1 to R-1.
1199	10-11-1983	Rezoning part of the northeast quarter of the northwest quarter of Section 34, Township 34 north, Range 8 west, from A-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1200	10-11-1983	Rezoning part of the northeast quarter of the southwest quarter of Section 12, Township 34 north, Range 10 west, from A-1 to R-1.
1201	11-9-1983	Rezoning three parcels of property owned by Carl A. Corey from A-1 and B-2 to C.D.D.
1202	11-9-1983	Rezoning part of the west 260 feet of the east 310 feet of Tracts 4 and 5 in Hillcrest Subdivision, from P.O. to B-2.
1203	11-9-1983	Rezoning part of the east half of the southwest quarter of Section 24, Township 35 north, Range 8 west, from BP-1 to BP-2.
1204	12-13-1983	Rezoning part of the northwest quarter of the northwest quarter of Section 3, Township 34 north, Range 8 west, from A-1 to B-2.
1205	12-13-1983	Rezoning parcels of property owned by John Plaskota, from A-1, C-1 and C-2 to C.D.D.
1206	1-3-1984	Rezoning parcels of property petitioned by Harold Fowler from B-2 to M-1.
1229	1-11-1984	Rezoning part of the southeast quarter of the northeast quarter of Section 24, Township 35 north, Range 8 west, from R-2 to B-2.
1230	1-11-1984	Rezoning Lots 1 and 2 in Armond's Addition from B-2 to M-2.
1208	3-13-1984	Rezoning part of the south half of the southeast quarter of the northeast quarter of Section 11, Township 35 north, Range 8 west from R-3 to C.D.D.
1209	4-24-1984	Rezoning Lots 7 and 8, Block E, Fern-Oaks from R-2 to B-2.
1210	4-24-1984	Rezoning Lots 7 and 8, Block E, Fern-Oaks from R-2 to B-1.

Ord. No.	*Date Passed*	*Description*
1211	4-24-1984	Rezoning part of the northwest quarter of the northwest quarter of Section 28, Township 33 north, Range 9 west from B-2 to M-1.
1212	5-15-1984	Rezoning part of the southwest quarter of Section 6, Township 34 north, Range 7 west, from A-1 to R-1.
1218	7-24-1984	Rezoning the north half of the east half of the northeast quarter of the northeast quarter of Section 24, Township 33 north, Range 9 west, from A-1 to R-2.
1219	7-24-1984	Rezoning the west 330 feet of the east 990 feet of the southwest quarter of the northwest quarter of Section 27, Township 34 north, Range 8 west, from A-1 to R-1.
1221	7-24-1984	Rezoning the east 15.137 acres of the north 30.274 acres of the east half of the southeast quarter of Section 28, Township 34 north, Range 7 west, from A-1 to C.D.D.
1223	9-4-1984	Rezoning the north 1,164 feet of the northeast quarter of the northwest quarter of the northwest quarter of Section 1, Township 34 north, Range 8 west, from A-1 to R-1.
1224	9-4-1984	Rezoning part of the southeast quarter of the northeast quarter of Section 6, Township 33 north, Range 9 west, from A-1 to R-1.
1225	11-13-1984	Rezoning part of the north half of the northeast quarter of Section 25, Township 34 north, Range 8 west, from A-1 to C.D.D.
1227	11-13-1984	Rezoning the south 190 feet of the east 110 feet of the west 902 feet of the southwest quarter of the southwest quarter of Section 21, Township 36 north, Range 7 west, from R-3 to B-2.
1228	11-13-1984	Rezoning the south 190 feet of the east 110 feet of the west 902 feet of the southwest quarter of the southwest quarter of Section 21, Township 36 north, Range 7 west, from R-3 to B-1.

Ord. No.	*Date Passed*	*Description*
1232	4-8-1985	Rezoning Lot 3 except the north two feet thereof and all of Lots 4 and 5, South Gary Home Investments Co.'s 1st Addition, from B-1 to B-2.
1233	4-8-1985	Rezoning the east two acres of that part of the south half of the southwest quarter of the northwest quarter of Section 19, Township 35 north, Range 7 west, from R-2 to P.O.
1235	5-14-1985	Rezoning part of Tract 14, of Lakes of the Four Seasons, Unit 2, from P.U.D. to C.U.P.
1236	6-11-1985	Rezoning part of the northwest quarter of the southwest quarter of Section 25, Township 32 north, Range 9 west, from A-1 and C-3 to C.D.D.
1237	7-9-1985	Rezoning parcels of property owned by Partnership Theta, from A-1, C-1, and C-2 to C.D.D.
1238	7-9-1985	Rezoning Lots 42, 43 and 44, Block 4, Hosford's Park Addition, from B-1 to M-1.
1240	9-3-1985	Rezoning part of the Lots 1 and 2 in Block 4 in third Subdivision to Oakington Park.
1242	9-3-1985	Rezoning Lots 6, 7, 8, and 9 of Block 2 of South Gary Home Investment Company's 1st Addition, from B-1 to B-2.
1245	10-8-1985	Rezoning the south 35 feet of Lot 2, all of Lot 3, and the north 60 feet of Lot 4, Block 8, Mid Western Real Estate Company's Third Addition, from B-1 to B-2.
1246	10-8-1985	Rezoning part of the west half of the northwest quarter of the northeast quarter of Section 25, Township 36 north, Range 9 west, from B-2 to R-2.
1247	10-8-1985	Rezoning parts of the west half of the southwest quarter of Section 15, Township 32 north, Range 9 west, from A-1 to C.D.D.

Ord. No.	*Date Passed*	*Description*
1248	11-12-1985	Rezoning parts of Lots 2 and 3 in Block 4 in Third Subdivision to Oakington Park, from B-1 to B-2.
1249	11-12-1985	Rezoning part of the southwest quarter of Section 21, Township 36 north, Range 7 west, for approval for entrance on St. Joseph Street.
1250	1-14-1986	Rezoning Lot 2 of Seasons Shoppes from B-2 to BP-3.
1253	6-10-1986	Rezoning the north five acres of the south 60 acres of the west half of the northwest quarter of Section 12, Township 33 north, Range 8 west, from A-1 to R-1.
1252	7-8-1986	Rezoning part of the southwest quarter of the southwest quarter of Section 24, Township 35 north, Range 8 west, from BP-2 to M-1.
1254	7-8-1986	Rezoning part of the southwest quarter of Section 24, Township 35 north, Range 8 west, from BP-3 to M-1.
1255	9-2-1986	Rezoning Lot 31, Grant Acres Subdivision, from HS-2 to M-1.
1256	9-2-1986	Rezoning Lot 2 of Todd Park Subdivision from R-2 to B-2.
1259	11-12-1986	Rezoning part of the southwest quarter of the southwest quarter of Section 21, Township 36 north, Range 7 west, from R-3 to B-1.
1264	1-13-1987	Rezoning part of the south 60 acres of the west half of the northwest quarter of Section 21, Township 33 north, Range 8 west, from A-1 to C.D.D.
1265	2-10-1987	Rezoning part of the west half of the north half of the southwest quarter of the northwest quarter of Section 19, Township 35 north, Range 7 west, from R-2 to M-1.

Ord. No.	*Date Passed*	*Description*
1268	5-12-1987	Rezoning part of the southwest quarter of Section 23, Township 34 north, Range 8 west, from A-1 to M-1.
1269	6-9-1987	Rezoning part of Lot 12, or part of the west half of the southwest quarter of Section 16, Township 34 north, Range 9 west, from B-2 to B-3.
1271	6-9-1987	Rezoning part of the southwest quarter of the southwest quarter of Section 9, Township 33 north, Range 8 west, from A-1 to R-1.
1272	6-9-1987	Rezoning part of the south half of the southwest quarter of Section 19, Township 35 north, Range 7 west, from R-2 to B-3.
1273	7-15-1987	Rezoning part of the northeast quarter of Section 22, Township 34 north, Range 8 west, from M-1 to B-2.
1274	7-15-1987	Rezoning Lot 11 in Pon and Company's Highway Acres from R-3 to HS-2.
1276	8-11-1987	Rezoning part of the northeast quarter of the northwest quarter of Section 25, Township 36 north, Range 9 west, from B-2/R-2 to BP-2.
1277	9-8-1987	Rezoning property beginning at a point on the north line of right-of-way of U.S. Highway 30, from R-2/B-2 to B-2.
1278	9-8-1987	Rezoning part of Section 27, Township 34 north, Range 8 west, from A-1 to R-1.
1279	9-8-1987	Rezoning part of Tract 11 in Lakes of Four Seasons, Unit 2, from C.U.P. to BP-3.
1281	10-13-1987	Rezoning part of the north half of Section 23, Township 35 north, Range 8 west, from B-2 to BP-3.
1282	10-13-1987	Rezoning part of the south half, northwest quarter of Section 30, Township 33 north, Range 9 west, from A-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1283	10-13-1987	Rezoning Lot 1 of Estate Mick Subdivision from A-1 to R-1.
1284	10-13-1987	Rezoning property commencing at the northwest corner of the southwest quarter of Section 17, Township 35 north, Range 7 west, from R-3 to B-1.
1288	1-12-1988	Rezoning Lots 9 and 10 of the First Broadway Addition to Cedar Lake, from R-3 to B-3.
1289	2-9-1988	Rezoning parcels of land in Section 11, Township 35 north, Range 9 west, from R-3 to M-1.
1290	2-9-1988	Rezoning a parcel of land in the south half of the southwest quarter of Section 9, Township 33 north, Range 8 west, from A-1 to R-1.
1286	3-9-1988	Rezoning the north 2,145 feet of the west half of the northwest quarter of Section 17, Township 34 north, Range 7 west, from A-1 to P.U.D.
1287	4-12-1988	Rezoning part of the east half of the northeast quarter of the southeast quarter of Section 36, Township 36 north, Range 9 west, from M-1 to R-2.
1292	4-12-1988	Rezoning part of Section 20, Township 33 north, Range 9 west, from A-1 to M-1.
1294	6-14-1988	Rezoning part of Section 36, Township 35 north, Range 10 west, from R-3 to A-1.
1295	6-14-1988	Rezoning parts of the southeast quarter of the southwest quarter of Section 30, Township 36 north, Range 8 west, from R-3 to M-1.
1297	6-14-1988	Rezoning part of the west half of the northwest quarter of Section 21, Township 36 north, Range 7 west from R-3 to A-1.
1298	6-14-1988	Rezoning the west half of the southwest quarter of Section 7, Township 34 north, Range 8 west, from R-2 to R-1.

Ord. No.	*Date Passed*	*Description*
1299	6-14-1988	Rezoning the west half of the southwest quarter of Section 7, Township 34 north, Range 8 west, from A-1 to R-1.
1300	6-14-1988	Rezoning part of the northeast quarter of the northeast quarter of Section 27, Township 33 north, Range 8 west, from BP-2 to A-1.
1293	8-16-1988	Rezoning part of Section 21, Township 33 north, Range 9 west, from M-2 to R-2.
1301	8-16-1988	Rezoning part of the northwest quarter of the southeast quarter of Section 29, Township 36 north, Range 8 west, from R-3 to B-2.
1302	9-6-1988	Rezoning part of the southeast quarter of the northwest quarter of Section 19, Township 35 north, Range 7 west, from R-2 to B-2.
1303	9-6-1988	Rezoning part of the southwest quarter of Section 23, Township 34 north, Range 8 west, from A-1 to B-2.
1304	9-6-1988	Rezoning parts of the north half of Section 23, Township 35 north, Range 8 west, from B-2 to BP-3.
1305	10-11-1988	Rezoning Lots 4 and 5 of Eastlake Industrial Park from M-1 to B-3.
1306	11-1-1988	Rezoning parts of Section 34, Township 32 north, Range 9 west, from A-1 and T.I.Z.P. to C.D.D.
1307	11-1-1988	Rezoning the southwest quarter of the southeast quarter of Section 35, Township 32, Range 9 west, from A-1 and T.I.Z.P. to C.D.D.
1308	12-13-1988	Rezoning parts of Section 25, Township 36 north, Range 9 west, from R-3 and B-2 to B-3.
1309	1-10-1989	Rezoning Lots 4 and 5 of Block 7 of Mid-Western Real Estate Company's First Addition, from C-1 to M-1.

Ord. No.	*Date Passed*	*Description*
1311	1-10-1989	Rezoning the northeast quarter of the southeast quarter of Section 18, Township 33 north, Range 9 west, from A-1 to R-1.
1312	2-14-1989	Rezoning the southeast quarter of the northeast quarter of Section 11, Township 35 north, Range 8 west, from R-3 to R-2.
1313	4-11-1989	Rezoning parts of Section 29, Township 36 north, Range 8 west, from B-1 to BP-3.
1314	4-11-1989	Rezoning the east half of the southwest quarter of Section 7, Township 34 north, Range 8 west, from R-2 to R-1.
1315	4-11-1989	Rezoning part of the west half of the north half of the east half of the southwest quarter of Section 20, Township 34 north, Range 9 west, from M-2 to A-1.
1316	5-9-1989	Rezoning the east half of the south half of the north half of the southwest quarter of the northwest quarter of Section 19, Township 35 north, Range 7 west, from R-2 to M-1.
1317	5-9-1989	Rezoning part of the northeast quarter of the southeast quarter of Section 19, Township 35 north, Range 7 west, from R-2 to HS-1.
1318	5-9-1989	Rezoning part of the southwest quarter of the northeast quarter of Section 19, Township 34 north, Range 8 west, from B-1 to R-3.
1320	6-13-1989	Rezoning the west half of the south half of the north half of the southwest quarter of the northwest quarter of Section 21, Township 34 north, Range 8 west, from R-2 to R-1.
1321	6-13-1989	Rezoning part of the northeast quarter of the northwest quarter of Section 25, Township 36 north, Range 9 west, from BP-2 to R-2.
1322	6-13-1989	Rezoning part of the west half of the northeast quarter of Section 28, Township 33 north, Range 9 west, from M-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1323	7-10-1989	Rezoning parts of Section 25, Township 36 north, Range 9 west, from R-3 and B-2 to B-3.
1324	7-10-1989	Rezoning part of the southeast quarter of Section 6, Township 34 north, Range 7 west, from A-1 to R-1.
1325	7-10-1989	Rezoning parts of Section 23, Township 35 north, Range 35 north, from R-2, R-3, B-1, and M-1 to BP-3.
1328	8-8-1989	Rezoning the south half of the northeast quarter of the northwest quarter of Section 26, Township 35 north, Range 9 west, from A-1 to R-2.
1329	9-5-1989	Rezoning property owned by Dale and Mary Ann Weitbrock from A-1 to R-1.
1331	10-10-1989	Rezoning Lots 7, 8, 9, 10, and 11 of the Dalecarlia Subdivision, from R-2 to B-1.
1332	10-10-1989	Rezoning part of the northeast quarter of the southeast quarter of Section 29, Township 34 north, Range 9 west, from HS-2 to B-3.
1337	11-7-1989	Rezoning all of Lot 22 and the north half of Lot 23 in Block 5 of Hosford's Park Subdivision, from B-1 to R-3.
1338	11-7-1989	Rezoning a portion of Tract G in Artesian Wells Plat A from R-3 to M-1.
1339	11-7-1989	Rezoning parts of the northwest quarter of the southeast quarter of Section 20, Township 35 north, Range 7 west, from A-1 to R-1 and B-3.
1340	11-7-1989	Rezoning part of the southwest quarter of Section 36, Township 36 north, Range 9 west, from B-3 and M-2 to BP-3.
1345	12-12-1989	Rezoning the east half of the southeast quarter of the southwest quarter of Section 5, Township 34 north, Range 7 west, from A-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1350	2-13-1990	Rezoning the south 1112.96 feet of the east 532 feet of the southwest quarter of the northwest quarter of Section 23, Township 34 north, Range 8 west, from A-1 to R-1.
1351	3-13-1990	Rezoning property owned by J & M Hooseline, from A-1 to R-1, R-2, R-3, R-5, B-3, and HS-1.
1352	3-13-1990	Rezoning Lots 5 and 6 of Standard Industrial Park Unit 3 from M-1 to B-3.
1366	6-12-1990	Rezoning property owned by First National Bank of East Chicago, Trust #10.0328, from A-1 to R-1.
1367	6-12-1990	Rezoning the northwest quarter of the northwest quarter of Section 25, Township 33 north, Range 8 west, from BP-3 to B-3.
1368	6-12-1990	Rezoning the northeast quarter of the southeast quarter of Section 30, Township 34 north, Range 8 west, from A-1 to R-1.
1369	6-12-1990	Rezoning the north 200 feet of the east 160 feet of the west 370 feet of Tract 14, Lakes of the Four seasons, Unit 2, from B-2 to B-3.
1374	7-10-1990	Rezoning the west 225 feet of the east 820.47 feet of the north 352 feet of the northwest quarter of the northeast quarter of Section 8, Township 34 north, Range 7 West, from A-1 to B-2.
1381	8-14-1990	Rezoning Lots 1 through 5, 8 through 9, and 39 through 48, Block 20, Hosford Park Subdivision, from R-3 to B-3.
1382	8-14-1990	Rezoning part of the northeast quarter of Section 22, Township 33 north, Range 8 west, from A-1 to R-1.
1390	10-9-1990	Rezoning the south half of the southeast quarter of Section 9, Township 22 north, Range 8 west, from A-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1391	10-9-1990	Rezoning the west half of the southeast quarter of Section 21, Township 34 north, Range 8 west, from A-1 to R-1.
1392	10-9-1990	Rezoning part of the west half of the southwest quarter of Section 10, Township 34 north, Range 8 west, from M-1 to R-1.
1393	10-9-1990	Rezoning part of Section 15, Township 34, Range 8 west, from M-1 to R-1.
1397	11-13-1990	Rezoning part of Section 29, Township 33 north, Range 8 west, from A-1 to R-1.
1401	11-13-1990	Rezoning Lots 1 and 2 of Block 2 in South Gary Home and Investment Company's 1st addition to Gary, from B-1 to B-3.
1404	11-13-1990	Rezoning part of the west half of the west half of the northwest quarter of Section 11, Township 35 north, Range 8 west, from R-3 to B-1.
1417	4-9-1991	Rezoning Thiel's Estates, a subdivision of the northwest quarter of the northeast quarter of the southeast quarter of Section 6, Township 33 north, Range 8 west, from A-1 to R-1.
1418	4-9-1991	Rezoning part of the west half of the southeast quarter of Section 24, Township 35 north, Range 8 west, from A-1 and R-2 to R-3.
1419	4-9-1991	Rezoning part of the west half of the northwest half of Section 22, Township 33 north, Range 9 west, from A-1 to R-1.
1420	4-9-1991	Rezoning part of the southeast quarter of the southeast quarter of Section 16, Township 33 north, Range 9 west, from A-1 to R-1.
1421	4-9-1991	Rezoning the east 34-1/2 acres off the east end of the north half of the northeast quarter of Section 29, Township 34 north, Range 8 west, from A-1 and R-2 to R-1.

Ord. No.	*Date Passed*	*Description*
1433	8-13-1991	Rezoning the north 220 feet of the south 330 feet of the east 190 feet of the southeast quarter of Section 32, Township 33 north, Range 9 west, from A-1 to HS-1.
1434	8-13-1991	Rezoning part of the southeast quarter of Section 35, Township 35 north, Range 9 west, from A-1 to R-1.
1437	9-3-1991	Rezoning part of the west half of the northwest quarter of Section 3, Township 32 north, Range 9 west, from A-1 to R-1.
1438	9-3-1991	Rezoning part of the northeast quarter of the southwest quarter of Section 20, Township 35 north, Range 7 west, from R-2 to P.O.
1442	9-3-1991	Rezoning part of the northeast quarter of Section 22, Township 34 north, Range 8 west, from B-2 to B-3.
1447	11-12-1991	Rezoning the west 30 acres of the south half of the southwest quarter of Section 5, Township 32 North, Range 8 West, from A-1 to R-1.
1448	12-10-1991	Rezoning part of the southwest quarter of Section 29, Township 34 north, Range 7 west, from A-1 to R-1.
1451	12-10-1991	Rezoning part of the southwest quarter of the
1497	1-12-1992	Rezoning the west 120 feet of the east 530.79 feet of Lot 3, Colorado Square, from B-2 to B-3.
1452	1-14-1992	Rezoning part of the west hall of the southwest quarter of Section 19, Township 35 north, Range 7 west, from B-2 to HS-1.
1459	3-10-1992	Rezoning part of the northeast quarter of the northeast quarter of Section 25, Township 35 north, Range 10 west, from A-1 to R-2.
1464	4-14-1992	Rezoning part of the west hall of the northwest quarter of Section 19, Township 34 north, Range 8 west, from R-3 to C.D.D.

Ord. No.	*Date Passed*	*Description*
1451-A	6-9-1992	Northwest quarter of Section 24, Township 35 north, Range 8 west, from B-1 and R-2 to BP-2.
1466	6-9-1992	Rezoning parts of the southwest quarter of Section 23, Township 33 north, Range 8 west, from A-1 to MS-1.
1467	6-9-1992	Rezoning part of the southeast quarter of the southeast quarter of Section 11, Township 35 north, Range 9 west, from B-1 to B-2.
1468	6-9-1992	Rezoning Lot 5, except the west 70 feet thereof, in Block 1 in Trotman's Subdtvision, from R-3 to A-1.
1469	7-14-1992	Rezoning part of the southwest quarter of Section 17 north, Township 35 north, Range 7 west, from B-3, BP-3, and R-3 to M-1.
1470	7-14-1992	Rezoning Lot 32 of Grant Acres from A-1 to B-3.
1471	7-14-1992	Rezoning property owned by Sportmart/Merrillville Partners, Ltd. Partnership, from M-1 to B-3.
1472	7-14-1992	Rezoning parts of Section 36, Township 36 north, Range 9 west, from M-1 and R-3 to A-1.
1474	8-11-1992	Rezoning part of the west half of the northwest quarter of the northwest quarter of Section 16, Township 34 north, Range 7 west, from A-1 to R-1.
1475	8-11-1992	Rezoning part of the southwest quarter of Section 6, Township 34 north, Range 7 west, from A-1 to R-1.
1476	8-11-1992	Rezoning Niles Creek Addition of Center Township, from A-1 to R-1.
1477	8-11-1992	Rezoning part of the east hall of the east hall of Section 17, Township 35 north, Range 7 west, from R-2 to C.D.D.

Ord. No.	*Date Passed*	*Description*
1482	8-11-1992	Rezoning the south hall of the east 90 acres of the northwest quarter of Section 8, Township 34 north, Range 7 west, from A-1 to C.D.D.
1483	9-8-1992	Rezoning the north hall of the east 90 acres of the northwest quarter of Section 8, Township 34 north, Range 7 west, from A-1 to R-1.
1484	9-8-1992	Rezoning part of the south hall of the southeast quarter of the southwest quarter of the northwest quarter of Section 17, Township 33 north, Range 9 west, from A-1 to R-1.
1486	9-8-1992	Rezoning part of the north half of the southeast quarter of Section 23, Township 35 north, Range 8 west, from M-1 to B-3.
1489	10-13-1992	Rezoning the east 413.53 feet of the west 623,5 feet of the south 37-7/9 rods of the southeast quarter of the northwest quarter of Section 20, Township 34 north, Range 9 west, from A-1 to R-1.
1490	10-13-1992	Rezoning the west 500 feet of the east 875 feet, Lot 1 of Schnable Acres, from R-4 to C.D.D.
1491	10-13-1992	Rezoning property owned by Taubman Children's Trust from A-1 to C.D.D.
1493	11-10-1992	Rezoning part of the northwest quarter of the southwest quarter of Section 20, Township 35 north, Range 7 west, from BP-1 to B-1.
1496	12-8-1992	Rezoning parts of Section 25, Township 35 north, Range 9 west, from A-1 to R-2.
1498	12-8-1992	Rezoning part of the southeast quarter of the northeast quarter of Section 6, Township 33 north, Range 8 west, from A-1 to R-2.
1501	1-12-1993	Rezoning part of the southwest quarter of Section 15, Township 32 north, Range 9 west from A-1 to C.D.D.

Ord. No.	*Date Passed*	*Description*
1502	1-12-1993	Rezoning property owned by Lake County Trust Co. in Block 4 in third subdivision in Oakington Park from B-1 and B-2 to B-3.
1504	1-12-1993	Rezoning property owned by Betty Schneider and Charles H. Bohn, from R-2 to B-3.
1507	2-9-1993	Rezoning part of the east half of the northwest quarter of Section 35, Township 35 north, Range 9, from A-1 to R-1.
1508	2-9-1993	Rezoning the south 295.16 feet of the east 295.16 feet of the northeast quarter of the northeast quarter of Section 5, Township 33 north, Range 9 west, from HS-2 to B-3.
1515	4-13-1993	Rezoning part of the southwest quarter of Section 17, Township 33 north, Range 9 west from A-1 to R-1.
1517	5-11-1993	Rezoning part of the southeast quarter of the northeast quarter of Section 30, Township 34 north, Range 8 west from A-1 to R-1.
1518	5-11-1993	Rezoning a parcel of land in the southwest half, southwest quarter of Section 20, Township 35 north, Range 7 west from A-1 to R-1.
1520	5-11-1993	Rezoning part of the northeast quarter of Section 4, Township 32 north, Range 9 west from B-2 to R-1.
1521	6-8-1993	Rezoning part of the north half of the west half of the northwest quarter of the southeast quarter of Section 19, Township 34 north, Range 8 west, from R-3 to R-2.
1522	6-8-1993	Rezoning Lots 43, 44, 45, 46, 47 and 48 in Block 4 in Hosford Park Addition from B-1 to B-3.
1523	6-8-1993	Rezoning a parcel of land lying in Section 8, Township 33 north, Range 9 west from A-1 to R-1.

Ord. No.	*Date Passed*	*Description*
1524	6-8-1993	Rezoning a parcel of land lying in Section 17, Township 33 north, Range 9 west from A-1 to R-1.
1525	6-8-1993	Rezoning part of the south half of the northwest quarter of the north half of the southwest quarter of Section 30, Township 33 north, Range 9 west from A-1 to R-1.
1526	6-8-1993	Rezoning part of the east half of the northwest quarter of the northeast quarter of Section 25, Township 36 north, Range 9 west from B-2 to R-2.
1530	6-8-1993	Rezoning Lots 9 and 10 in Pon and Company's Highway Acres from R-3 to HS-2.
1531	6-8-1993	Rezoning past of the northwest quarter of the northeast quarter of Section 11, Township 34 north, Range 9 west from R-3 to B-3.
1538	8-10-1993	Rezoning the northeast quarter of the northeast quarter of Section 22, Township 33 north, Range 9 west from A-1 to R-1.
1539	8-10-1993	Rezoning the southeast quarter of the northeast quarter of Section 22, Township 33 north, Range 9 west from R-2 to R-1.
1540	8-10-1993	Rezoning the northeast quarter of Section 1, Township 34 north, Range 8 west from A-1 to R-1.
1542	9-7-1993	Rezoning a parcel of land lying in the south half of the southeast quarter of Section 16, Township 34 north, Range 7 west from A-1 to R-2.
1543	9-7-1993	Rezoning an undivided one-half interest in part of the north half of Section 10, Township 33 north, Range 9 west from A-1 to R-1.
1544	9-7-1993	Rezoning the south 105 feet of the west 256 feet of the north 656.45 feet of the northwest quarter of the fractional southwest quarter of Section 24, Township 32 north, Range 10 west from A-1 to M-2.

Ord. No.	*Date Passed*	*Description*
1545	9-7-1993	Rezoning part of the west half of the southwest quarter of the southeast quarter of Section 20, Township 34 north, Range 9 west from R-3 to R-1.
1546	10-12-1993	Rezoning part of the southeast quarter of the southeast quarter of Section 19, Township 33 north, Range 9 west from A-1 to R-1.
1549	10-12-1993	Rezoning part of the northeast quarter of the northeast quarter of the southeast quarter of Section 6, Township 33 north, Range 8 west from A-1 to R-1.
1551	11-9-1993	Rezoning parts of Section 8, Township 32 north, Range 9 west from A-1 to B-3.
1553	12-14-1993	Rezoning part of the east half of the northwest quarter of Section 31, Township 34 north, Range 7 west from B-1 and R-3 to A-1.
1554	12-14-1993	Rezoning part of the fractional west half of the southwest quarter of Section 18, Township 34 north, Range 8 west from R-2 to R-1.
1560	1-11-1994	Rezoning part of the north half of the southeast quarter of Section 36, Township 35 north, Range 10 west of the 2nd P.M. located approximately three-tenths of a mile north of 101st Avenue on the East side of Sheffield Street in St. John Township from A-1 to R-1.
1561	1-11-1994	Rezoning part of the south half of the northeast quarter of Sec. 8, Twp. 34 N., Range 9 West of the 2nd P.M., in Hanover Township containing 18.10 acres, more or less, from A-1 and R-3 to R-1.
1562	1-11-1994	Rezoning 3525 W. Ridge Road in Calumet Township from B-1 to B-3.
1565	2-8-1994	Rezoning land located at the northwest corner at the intersection of 109th Avenue and White Oak Avenue in Hanover Township from A-1 to B-2.

Ord. No.	*Date Passed*	*Description*
1566	2-8-1994	Rezoning a parcel of land located at the southwest corner of 113th Avenue and Iowa Street in Center Township from A-1 to R-1.
1568	2-8-1994	Rezoning a parcel of land located approximately three-tenths mile west of Colfax St. on the south side of Highway #330, also known as 1103 Highway 330, in St. John Township from B-2 to B-3.
1569	2-8-1994	Rezoning land located approximately two-tenths mile east of Colorado St. on the north side of Southgrove Rd., in Eagle Creek Township from A-1 to R-1.
1570	2-8-1994	Rezoning land located approximately three-tenths mile east of Randolph St. on the north side of 123rd Avenue in Winfield Township from A-1 to C.D.D.
1572	4-12-1994	Rezoning from B-1 to B-3 a parcel of land located approximately one-tenths mile north of 53rd Avenue on the east side of Cleveland Street in Calumet Township.
1573	4-12-1994	Rezoning from A-1 to P.U.D. the property located approximately three-tenths mile west of Burr Street on the south side of 85th Avenue in St. John Township.
1576	5-10-1994	Rezoning from B-2 and R-3 to B-3, two lots located approximately one-tenths mile east of Calhoun Street on the south side of Ridge Road in Calumet Township.
1577	5-10-1994	Rezoning land located approximately two-tenths mile north of 157th Avenue on the east side of U.S. #41 (Wicker Blvd.) in West Creek Township from A-1 to B-3.
1582	7-12-1994	Rezoning from A-1 to R-1 a parcel of land located approximately three-tenths mile south of 85th Avenue on the East side of Marquette Street in St. John Township.

Ord. No.	*Date Passed*	*Description*
1583	7-12-1994	Rezoning lots located approximately nine-tenths mile west of Grand Blvd. on the north side of 109th Avenue in Winfield Township from A-1 To R-1.
1586	9-6-1994	Rezoning from A-1 to B-3 a lot located approximately three-tenths mile south Belshaw Road on the west side of Wicker Blvd., also known as 20410 Wicker Avenue in West Creek Township.
1587	9-6-1994	A zoning change for property located approximately one-half mile west of Grand Blvd. on the north side of 109th Avenue, immediately north of Trees II, Unit II, in Winfield Township from A-1 to R-1.
1588	10-11-1994	Rezoning 4 lots located approximately one-half mile south of 85th Avenue on the west side of Cline Street, in St. John Township from A-1 to R-1.
1589	10-11-1994	Rezoning lots located approximately two-tenths mile south of 45th Avenue on the west side of Arthur Street, also known as 4686 Arthur St., Calumet Township, from B-2 to B-3.
1586A	11-15-1994	Rezoning another part of the lot on 20410 Wicker Ave. in West Creek Township from A-1 to B-3. Refer to Ord. 1586 for a previous zoning change on this property.
1590	11-15-1994	Rezoning from A-1 to B-3, property located approximately four-tenths mile west of Georgia Street on the north side of State Road #2 (181st Avenue), also known as 204 E. 181st Avenue, in Eagle Creek Township.
1591	11-15-1994	Rezoning an area from P.U.D. to Revision of P.U.D., which is located approximately three-tenths mile west of Burr Street on the south side of 85th Avenue in St. John Township.
1594	12-13-1994	Rezoning from M-1 to R-1, property located approximately one-half mile south of 113th Avenue on the west side of Delaware Street in Center Township.

Ord. No.	*Date Passed*	*Description*
1596	1-10-1995	Rezoning from A-1 to R-1, property located approximately one-half mile west of White Oak Street on the south side of 185th Avenue also known as 13295 W. 185th Avenue in West Creek Township.
1597	2-14-1995	Rezoning from B-3 to M-1, property located approximately one-half mile south of 133rd Ave. on the west side of U.S. #41 (Wicker Blvd.) also known as 13628 Wicker Ave. in Hanover Township.
1598	2-14-1995	Rezoning from B-3 to C.D.D., property located approximately one-half mile south of 133rd Avenue on the west side of U.S. #41 (Wicker Blvd.) also known as 13628 Wicker Ave. in Hanover Township.
1599	2-14-1995	Rezoning from P.U.D. Class 1 to B-3 property located approximately one-tenths mile west of Mississippi St. on the north side of St. Rd. #2 in Eagle Creek Township.
1600	2-14-1995	Rezoning from P.U.D. Class 1 to B-3, property located approximately one-tenths mile west of Mississippi St. on the north side of St. Rd. #2 in Eagle Creek Township.
1601	2-14-1995	Rezoning from P.U.D. Class 1 to R-3, property located approximately three-tenths mile north of State Rd. #2 on the west side of Mississippi St. in Eagle Creek Township.
1603	3-14-1995	Rezoning from A-1 to R-1, property located approximately two-tenths mile west of Arizona St. on the south side of St. Rd. #2 in Winfield Township.
1604	3-14-1995	Rezoning from B-1 to R-1, property located approximately two-tenths mile east of U.S. #41 (Wicker Blvd.) on the north side of 141st Avenue in Hanover Township.
1605	3-14-1995	Rezoning from B-1 to B-3, property located at the northwest quadrant at the intersection of Cleveland Street and 45th Avenue in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1606	3-14-1995	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection of 205th Avenue and Colfax Street in Cedar Creek Subdivision.
1609	4-11-1995	Rezoning from A-1 to R-1, property located approximately four-tenths mile south of 143rd Avenue on the west side of Magoun St., in Hanover Township.
1610	4-11-1995	Rezoning from R-1 to B-1, property located approximately one-half mile west of Randolph St. on the south side of 109th Avenue in Winfield Township.
1611	4-11-1995	Rezoning from R-1 to PO, property located approximately one-half mile west of Randolph St. on the south side of 109th Avenue in Winfield Township.
1612	4-11-1995	Rezoning from A-1 to BP-2, property located at the northeast corner at the intersection of 109th Avenue and Randolph Street in Winfield Township.
1613	4-11-1995	Rezoning from A-1 to R-5, property located at the northeast quadrant at the intersection at 109th Avenue and Randolph Street in Winfield Township.
1614	4-11-1995	Rezoning from A-1 to R-1, property located approximately four-tenths mile north of 109th Ave. on the west side of County Line Rd. in Winfield Township.
1615	5-9-1995	Rezoning from A-1 to R-1, property located approximately two-tenths mile west of Holtz Rd. on the north side of 173rd Ave. in Cedar Creek Township.
1616	5-9-1995	Rezoning from A-1 to R-1, property located approximately one-half mile east of Mississippi St. on the south side of 163rd Ave. in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
1617	5-9-1995	Rezoning from C.D.D. to R-1, property located approximately three-fourths mile west of Randolph Street on the south side of 109th Avenue in Winfield Township.
1618	5-9-1995	Rezoning from R-3, B-2, and B-3 to B-2, property located at the southwest quadrant at the intersection at Ridge Rd. and Calhoun St. in Calumet Township.
1619	5-9-1995	Rezoning from B-2 to B-3, property located at the southwest quadrant at the intersection at Ridge Road and Ross Roads, also known as 6150 W. Ridge Road, in Calumet Township.
1625	6-13-1995	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection of Belshaw Road and Austin Street in West Creek Township.
1629	7-11-1995	Rezoning from R-1 and R-5 to P.U.D., property located at the southeast quadrant at the intersection of 101st Avenue and Randolph Street in Winfield Township.
1631	8-8-1995	Rezoning from R-3 to B-3, property located at the southwest quadrant at the intersection of Ridge Road and Ross Roads, in Calumet Township.
1632	8-8-1995	Rezoning from A-1 to B-1, property located approximately 200 feet east of Mississippi Street on the north side of State Road 2 (181st Avenue) in Eagle Creek Township.
1633	8-8-1995	Rezoning from A-1 to B-1, property located approximately three-tenths of a mile east of Mississippi Street on the north side of State Road 2 (181st Avenue) in Eagle Creek Township.
1636	8-8-1995	Rezoning from A-1 to R-1, property located approximately one-half mile south of 157th Avenue on the west side of Clay St. in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
1639	10-10-1995	Rezoning from A-1 to R-1, property located approximately one-half mile west of Clark Street on the south side of Belshaw Road in Cedar Creek Township.
1640	10-10-1995	Rezoning from A-1 to R-1, property located at the SW quadrant at the intersection of 181st Avenue and White Oak Street, in West Creek Township.
1641	12-12-1995	Rezoning from A-1 to R-1, property located approximately six-tenths of a mile west of Grand Street on the north side of 153rd Avenue in Cedar Creek Township.
1642	12-12-1995	Rezoning from A-1 to R-1, property located approximately 1 mile south of 141st Avenue on the west side of Clark Street in Center Township.
1643	12-12-1995	Rezoning from R-2 to B-1, property located at the northeast quadrant at the intersection at Cleveland Street and 50th Place, Lots 3, 4 and 5, Block A, Fern Oaks, a/k/a 4925 Cleveland Street in Calumet Township.
1644	12-12-1995	Rezoning from R-3 to B-3, property located approximately one-tenths of a mile west of Lake Park Street on the north side of 36th Avenue in Hobart Township.
1645	12-12-1995	Rezoning from A-1 to R-1, property located approximately four-tenths of a mile north of 91st Avenue on the east side of Colfax Street in St. John Township.
1646	12-12-1995	Rezoning from R-3 to A-1, property located approximately four-tenths of a mile west of Cline on the north side of 85th Avenue, a/k/a 8620 W. 85th Avenue in St. John Township.
1647	12-12-1995	Rezoning from A-1 to R-1, property located approximately one-fourth mile south of 163rd Avenue on the east side of State Road 55 in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1649	2-13-1996	Rezoning from A-1 to R-1, property located approximately seven-tenths mile north of 197th Avenue on the east side of White Oak in West Creek Township.
1650	2-13-1996	Rezoning from P.U.D. Class 1 to R-2, property located approximately three-tenths of a mile north of State Road 2 on the west side of Mississippi Street in Eagle Creek Township.
1654	2-13-1996	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile south of 153rd Avenue on the west side of Harrison Street in Cedar Creek Township.
1658	4-9-1996	Rezoning from R-3 to B-3, property located approximately one-half mile north of 141st Avenue on the east side of Wicker Boulevard, a/k/a 13733 Wicker Boulevard in Hanover Township.
1659	4-9-1996	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection of Belshaw Road and Clark Street in Cedar Creek Township.
1660	4-9-1996	Rezoning from A-1 to C.D.D., property located at the southwest quadrant at the intersection at Belshaw Road and Clark Street in Cedar Creek Township.
1661	4-9-1996	Rezoning from B-3 to HS-1, property located at the southeast quadrant at the intersection at Ridge Road and Ross Road in Calumet Township.
1663	5-14-1996	Rezoning from A-1 and R-2 to R-1, property located approximately one-fourth mile north of 173rd Ave. on the west side of Holtz Road in Cedar Creek Township.
1664	5-14-1996	Rezoning from A-1 to R-1, property located approximately one-tenths of a mile south of 173rd Ave. on the west side of Parish Street in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1665	5-14-1996	Rezoning from R-3 to B-3, property located at the southeast and southwest quadrants as the intersection of 47th Ave. and Taft St. located at 47th Ave. and Taft Street in Calumet Township.
1666	5-14-1996	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile south of 185th Ave. on the east side of Calumet St. in West Creek Township.
1667	5-14-1996	Rezoning from A-1 to B-3, property located approximately one-half mile south of 77th Ave. on the west side of Wicker Boulevard (U.S. 41) a/k/a 8126 Wicker Boulevard in St. John's Township.
1669	5-14-1996	Rezoning from A-1 to B-3, property located at the northwest quadrant at the intersection at Grant St. (Indiana 55) and State Road 2 in Cedar Creek Township.
1668	6-11-1996	Rezoning from A-1 to BP-3, property located at the southwest quadrant at the intersection of 101st Ave. and Calumet St. in Hanover Township.
1671	6-11-1996	Rezoning from R-2 to R-3, property located at the northeast quadrant at the intersection at 159th Ave. and Morse Street in Cedar Creek Township.
1672	6-11-1996	Rezoning from R-3 to R-2, property located at the northeast quadrant at the intersection at 159th Ave. and Morse Street in Cedar Creek Township.
1673	6-11-1996	Rezoning from A-1 to R-1, property located approximately one-half mile south of 159th Ave. on the west side of Morse Street in Cedar Creek Township.
1675	7-9-1996	Rezoning from A-1 to R-1, property located approximately one-half mile east of Montgomery St. on the north side of 165th Ave. in Winfield Township.

Ord. No.	*Date Passed*	*Description*
1676	7-9-1996	Rezoning from R-3 to R-1, property located approximately one-fourth mile west of Cline St. on the north side of 159th Ave. in West Creek Township.
1677	7-9-1996	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 173rd Ave. and Parrish St. in West Creek Township.
1678	7-9-1996	Rezoning from A-1 to R-1, property located approximately one-half mile south of 197th on the east side of Calumet St. in West Creek Township.
1679	7-9-1996	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile east of White Oak St. on the south side of 185th Ave. in West Creek Township.
1680	7-9-1996	Rezoning from A-1 to R-1, property located approximately one-half mile east of U.S. 41 (Wicker Blvd.) on the north and south side of 124th Ave. in Hanover Township.
1684	8-13-1996	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection of 153rd Ave. and Broadway in Eagle Creek Township.
1685	8-13-1996	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile east of Gibson St. on the south side of 125th Ave. in Winfield Township.
1686	8-13-1996	Rezoning from A-1 to R-1, property located approximately one-half mile west of White Oak St. on the north side of 185th Ave. in West Creek Township.
1687	8-13-1996	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection of 161st Ave. and Hendricks St. in Cedar Creek Township.
1689	8-13-1996	Rezoning from R-2 to R-1, property located at the southwest quadrant at the intersection at Clark St. and 161st Ave. in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1690	8-13-1996	Rezoning from P.U.D./C.U.P.-2 to Revised P.U.D., property located approximately three-tenths of a mile east of Randolph St. on the south side of 109th Ave. in Winfield Township.
1694	9-3-1996	Rezoning from A-1 to B-3, property located approximately three-tenths of a mile east of Calumet St. on the north side of 109th Ave. in Hanover Township.
1696	10-15-1996	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection of 85th Ave. and Cline St. in St. John's Township.
1698	10-15-1996	Rezoning from P.U.D. to BP-1, property located approximately two-tenths of a mile north of 109th Ave. on the east side of Randolph St. in Winfield Township.
1702	10-15-1996	Rezoning from A-1 to R-1, property located approximately four-tenths of a mile north of 93rd Ave. on the west side of Cline St., a/k/a 9012 Cline St. in St. John Township.
1703	10-15-1996	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at 185th Ave. and White Oak St. in West Creek Township.
1704	10-15-1996	Rezoning from P.U.D. to Revised PUD, property located on the south side of 101st Ave. between Randolph St. and County Line Rd. in Winfield Township.
1705	11-19-1996	Rezoning from R-3 to P.U.D., property located approximately one-half mile north of State Rd. 2 (181st Ave.) on the west side of Mississippi St. in Eagle Creek Township.
1706	12-10-1996	Rezoning from A-1 to R-1, property located approximately 660 feet south of 169th Ave. on the west side of State Rd. 55 (Grant St.) in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1707	12-10-1996	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile east of Colorado St. on the north side of 173rd Ave. in Eagle Creek Township.
1708	12-10-1996	Rezoning from A-1 to R-1, property located approximately one-tenths of a mile east of Colorado St. on the south side of 101st Ave. in Winfield Township.
1711	1-14-1997	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile north of 173rd Ave. on the east side of Parrish St. in West Creek Township.
1712	3-11-1997	Rezoning from R-3 to R-5, property located approximately one mile south of 61st Ave. on the east side of Broad St., a/k/a 1737 S. Broad St. in St. John Township.
1713	3-11-1997	Rezoning from A-1 to R-3, property located approximately seven-tenths of a mile west of Grand Boulevard on the north side of 109th Ave. in Winfield Township.
1714	3-11-1997	Rezoning from M-2 to R-1, property located approximately six-tenths of a mile west of Wicker Park Boulevard on the south side of 129th Ave. in Hanover Township.
1715	3-11-1997	Rezoning from A-1 to B-2, property located at the southwest quadrant at the intersection at State Road 2 and Clay St. in Eagle Creek Township.
--	5-13-1997	Amending Ordinance 1467, passed 5-12-92, by rezoning from B-1 to B-3, property located in the northeast quadrant of the intersection of Old Lincoln Highway (U.S. #30) and Arbogast (Fairbanks) in St. John Township.
1717	5-13-1997	Rezoning from A-1 to R-1, property located approximately one-fourth mile east of Colfax Street on the north side of 91st Avenue in St. John Township.

Ord. No.	*Date Passed*	*Description*
1721	6-10-1997	Rezoning from C.U.P. and P.U.D. Class 2 to Revised P.U.D. Class 2, located approximately two-tenths of a mile south of 109th Avenue on the east side of Randolph Street in Winfield Township.
1718	7-8-1997	Rezoning from A-1 and R-3 to R-1, property located approximately three-tenths of a mile north of 101st Avenue on the east side of Sheffield Street in St. John Township.
1719	7-8-1997	Rezoning from A-1 to M-1, property located approximately eight-tenths of a mile east of U.S. 41 (Wicker Boulevard) on the north side of Belshaw Road in West Creek Township.
1720	7-8-1997	Rezoning from A-1 to B-3, property located approximately three-tenths of a mile west of Iowa Street on the south side of 129th Avenue in Center Township.
1722	7-8-1997	Rezoning from R-3 to R-1, property located approximately one-tenths of a mile north of 101st Avenue on the east side of Sheffield Street in St. John Township.
1723	7-8-1997	Rezoning from P.U.D. Class 2 to R-1, property located approximately three-tenths of a mile south of 117th Avenue on the east side of Randolph Street in Winfield Township.
1724	7-8-1997	Rezoning from R-2 to R-1, property located at the northwest quadrant at the intersection at Grant Street and 133rd Avenue in Center Township.
1725	7-8-1997	Rezoning from PO to R-2, property located at the northeast quadrant at the intersection at 159th Avenue and Morse Street in Cedar Creek Township.
1726	7-8-1997	Rezoning from PO, R-2 and R-3 to P.U.D. Class II, property located at the northeast quadrant at the intersection at 159th Avenue and Morse Street in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1727	7-8-1997	Rezoning from R-2, R-3 and C.D.D. to R-2, property located approximately 500 feet west of Clark Street on the south side of 125th Avenue in Center Township.
1730	10-14-1997	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at 141st Avenue and State Road 55 in Center Township.
1731	10-14-1997	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile east of Clark Street on the north side of 153rd Avenue in Cedar Creek Township.
1736	11-21-1997	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at Belshaw Road and Austin Street in West Creek Township.
1737-A	11-21-1997	Rezoning from R-3 to B-1, property located at the northeast quadrant at the intersection at Broad Street and Joliet Street (Old Lincoln Highway) in St. John Township.
1738	11-21-1997	Rezoning from A-1 to R-1, property located approximately three-fourths of a mile north of State Road 2 on the west side of State Road 55 (Grant Street) in Cedar Creek Township.
1739	11-21-1997	Rezoning from R-3 to B-3, property located approximately six-tenths of a mile south of 77th Avenue on the east side of U.S. 41 (Wicker Avenue), also known as 8167 Wicker Avenue in St. John Township.
1747	2-10-1998	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 205th Avenue and Colfax Street in Cedar Creek Township.
1753	5-26-1998	Rezoning from B-1 to R-3, property located approximately three-tenths of a mile north of 53rd Avenue on the east side of Colfax Street in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1754	5-26-1998	Rezoning from A-1 to R-1, property located approximately one-tenths of a mile south of 125th Avenue on the west side of Magoun Street in Hanover Township.
1755	5-26-1998	Rezoning from A-1 to R-1, property located approximately seven-tenths of a mile west of U.S. 41 on the north side of 129th Avenue in Hanover Township.
1762	9-8-1998	Rezoning from A-1 to B-2, property located approximately two-tenths of a mile east of Sheffield Street on the north side of 101st Avenue in St. John Township.
1763	9-8-1998	Rezoning from R-1 and R-3 to R-1, property located approximately one-tenths of a mile east of Clark Street on the south side of 125th Avenue in Center Township.
1767	10-13-1998	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile north of 153rd Avenue on the west side of Chase Street in Cedar Creek Township.
1768	10-13-1998	Rezoning from A-1 to R-2, property located approximately three-tenths of a mile east of Randolph Street on the south side of 123rd Avenue in Winfield Township.
1769	10-13-1998	Rezoning from A-1 to R-1, property located at the southeast quadrant at the intersection at 153rd Avenue and Clark Street in Cedar Creek Township.
1771	11-10-1998	Rezoning from R-3 to R-1, property located approximately one-tenths of a mile north of 124th on the east side of Kennedy Street in Hanover Township.
1772	12-15-1998	Rezoning from A-1 to C.D.D., property located at the southeast quadrant at the intersection of 205th Avenue and Austin Street in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1773	12-15-1998	Rezoning from A-1 to B-3, property located at the northeast quadrant at the intersection at Colorado Street and Indiana State Road 2 (181st Avenue) in Eagle Creek Township.
1776	4-13-1999	Rezoning from A-1 to B-3, property located at the northwest quadrant at the intersection at State Road 2 and Grant Street, a/k/a 17918 Grant Street in Cedar Creek Township.
1777	4-13-1999	Rezoning from R-2 to R-1, property located at the northeast quadrant at the intersection at 125th Avenue and Clark Street in Center Township.
1778	5-11-1999	Rezoning from A-1 to R-1, property located approximately one-half mile north of 133rd avenue on the east side of White Oak Street in Hanover Township.
1779	5-11-1999	Rezoning from A-1 to R-1, property located approximately 400 feet east of Colfax Street on the north side of 91st Avenue in St. John Township.
1780	5-11-1999	Rezoning from M-1 to R-3, property located at the northwest quadrant at the intersection of 35th Avenue and Lake Park (Grand Boulevard) in Hobart Township.
1782	5-11-1999	Rezoning from R-3 to B-3, property located approximately two-tenths of a mile west of Gibson Street on the north side of 141st Avenue, a/k/a 5300 E. 141st Avenue in Winfield Township.
1781	6-8-1999	Rezoning from A-1 to R-1, property located approximately one-half mile south of 133rd Avenue on the west side of Marshall Street in Center Township.
1788	7-13-1999	Rezoning from R-3 to R-1, property located approximately three-tenths of a mile north of 53rd Avenue on the west side of Whitcomb Street in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1788-A	8-10-1999	Rezoning from R-3 to R-1, property located approximately three-tenths of a mile north of 53rd Avenue on the west side of Whitcomb Street in Calumet Township.
1789	8-10-1999	Rezoning from A-1 to R-1, property located approximately ¼ mile east of Chase Street on the north side of Belshaw Road in Cedar Creek Township.
1790	8-10-1999	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at 153rd Avenue and Hendricks Street in Cedar Creek Township.
1791	8-10-1999	Rezoning from P.U.D. to Revised P.U.D., property located approximately two-tenths of a mile south of 109th Avenue on the east side of Randolph Street in Winfield Township.
1795	9-14-1999	Rezoning from A-1 to B-3, property located at the northwest quadrant at the intersection at 165th Avenue and Wicker Boulevard (U.S. 41) in West Creek Township.
1792	10-4-1999	Rezoning from A-1 to B-1, property located at the northeast quadrant at the intersection at Cline Street and 93rd Avenue in St. John Township.
1793	10-4-1999	Rezoning from A-1 to R-2, property located at the northeast quadrant at the intersection at Cline Street and 93rd Avenue in St. John Township.
1799	10-12-1999	Rezoning from A-1 to B-3, property located at the northeast quadrant at the intersection at Colorado Street and Indiana State Road 2 (181st Avenue) in Eagle Creek Township.
1801	10-12-1999	Rezoning from A-1 to R-3, property located approximately one-half mile north of 157th Avenue on the west side of Wicker Boulevard (U.S. 41), a/k/a 15306 Wicker Boulevard in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1800	11-9-1999	Rezoning from R-1 to B-2, property located approximately one-half mile west of Grant Street on the north side of 48th Place, a/k/a 2268 W. 48th Place in Calumet Township.
1805	11-9-1999	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 101st Avenue and Cline Street in St. John Township.
1807	12-14-1999	Rezoning from A-1 to R-2, property located approximately three-tenths of a mile west of Burr Street on the north side of 85th Avenue in St. John Township.
1808	1-10-2000	Rezoning from PO to B-1, property located approximately one-half mile south of 109th Ave. on the west side of Wicker Blvd. (U.S. 41), a/k/a 11218 Wicker Ave. in Hanover Township.
1811	2-8-2000	Rezoning from A-1 to R-1, property located approximately one-half mile west of White Oak St. on the north side of 185th Ave. in West Creek Township.
1816	3-14-2000	Rezoning from R-3 to R-1, property located approximately one-half mile west of Burr St. on the north side of 117th Ave., a/k/a 5938 W. 117th Ave. in Center Township.
1720-A	4-11-2000	Rezoning from A-1 to B-3, property located approximately three-tenths of a mile west of Iowa St. on the south side of 129th Ave. in Center Township.
1814	4-11-2000	Rezoning from R-3 to R-3 P.U.D., property located at the northeast quadrant at the intersection at 81st Ave. and Patterson St. in St. John Township.
1815	4-11-2000	Rezoning from A-1 to B-3, property located approximately three-tenths of a mile west of Iowa St. on the south side of 129th Ave. in Center Township.

Ord. No.	*Date Passed*	*Description*
1819	5-9-2000	Rezoning from A-1 to R-1, property located approximately one mile north of State Rd. 2 on the east side of Grant St. (State Rd. 55) in Cedar Creek Township.
1820	5-9-2000	Rezoning from P.U.D. to Revised P.U.D., property located approximately one-tenth of a mile south of 109th Ave. On the east side of Randolph St. in Winfield Township.
1822	5-9-2000	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 206th Ave. and Woodmar St. in West Creek Township.
1823	5-9-2000	Rezoning from A-1 to R-1, property located approximately one-half mile south of 133rd Ave. on the east side of Chase St. in Center Township.
1824	5-9-2000	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile north of 181st Ave. (State Rd. 2) on the east side of Union St., a/k/a 17813 Union St. in Eagle Creek Township.
1825	5-9-2000	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile west of White Oak on the north side of 185th Ave. in West Creek Township. DENIED.
1826	5-9-2000	Rezoning from A-1 to C.D.D., property located approximately three-tenths of a mile east of Chase St. on the north side of 203rd Ave., a/k/a 2214 W. 203rd Ave. in Cedar Creek Township.
1831	7-11-2000	Rezoning from A-1 to R-1, property located approximately one-half mile west of Cline St. On the north side of 159th Ave. in West Creek Township.
1832	7-11-2000	Rezoning from A-1 to R-2, property located at the northeast quadrant at the intersection of Cline St. and 93rd Ave. in St. John Township.
1835	8-8-2000	Rezoning from A-1 to C.D.D., property located at the southwest quadrant at the intersection of 153rd Ave. and Clark St. in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1839	10-10-2000	Rezoning from B-1 to R-3, property located approximately two-tenths of a mile north of 45th Ave. on the west side of Cleveland St., a/k/a 4382 Cleveland St. in Calumet Township.
1846	12-19-2000	Rezoning from A-1 to B-2, property located approximately one-tenth of a mile north of State Rd. 2 on the west side of Colorado St., in Eagle Creek Township.
1850	1-9-2001	Rezoning from R-2 to R-3, property located at the southwest quadrant at the intersection of 159th Ave. and Morse St., in Cedar Creek Township.
1851	1-9-2001	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile west of Hendricks St. on the north side of 153rd Ave., in Cedar Creek Township.
1852	1-9-2001	Rezoning from CCD to A-1, property located at the southeast and southwest quadrants at the intersection of 165th Ave. and Grand Blvd., in Eagle Creek Township.
1856	2-13-2001	Rezoning from M-2 and A-1 to B-3, property located approximately four-tenths of a mile east of Wicker Blvd. (U.S. 41) on the south side of 181st Ave., a/k/a 10653 W. 181st Ave., in Cedar Creek Township.
1860	3-13-2001	Rezoning from M-2 to R-1 property located approximately three-tenths of a mile east of White Oak St. on the south side of 129th Ave., in Hanover Township.
1861	4-10-2001	Rezoning from R-3 to B-2, property located approximately one-half mile south of 117th Ave. on the east side of Wicker Blvd. (U.S. 41), a/k/a 12029 Wicker Blvd., in Hanover Township.
1862	4-10-2001	Rezoning from R-3 to B-3, property located approximately four-tenths of a mile east of Chase St. on the south side 47th Ave., a/k/a 2505 W. 49th Ave., in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1866	5-8-2001	Rezoning from M-2 to A-1, property located three-eighths of a mile south of Reder Rd. (58th Ave.) and one-quarter mile east of Arbogast St., in St. John Township.
1867	6-12-2001	Rezoning from A-1 to R-2, property located approximately three-tenths of a mile south of 161st Ave. on the west side of Holtz Rd., in Cedar Creek Township.
1873	7-10-2001	Rezoning from R-3 to R-1, property located approximately two-tenths of a mile north of 91st Ave. on the west side of Sheffield St., in St. John Township.
1874	7-10-2001	Rezoning from A-1 to RR, property located at the southeast quadrant at the intersection at 163rd Ave. and Mississippi St., in Eagle Creek Township.
1875	7-10-2001	Rezoning from A-1 to R-1, property located approximately one-tenth of a mile west of Parrish St. on the south side of 173rd Ave., in West Creek Township.
1876	7-10-2001	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile south of 169th Ave. on the west side of State Rd. 55 (Grant St.), in Cedar Creek Township.
1880	8-14-2001	Rezoning from A-1 and R-3 to B-3, property located approximately three-tenths of a mile south of 151st Ave. on the west side of Wicker Blvd. (U.S. 41), a/k/a 15306 Wicker Blvd., in West Creek Township.
1881	8-14-2001	Rezoning from A-1 to RR, property located approximately two-tenths of a mile east of Mississippi St. on the south side of 173rd Ave. in Eagle Creek Township.
1882	8-14-2001	Rezoning from A-1 to R-2, property located approximately two-tenths of a mile north of 165th Ave. on the east side of State Line Rd., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1883	8-14-2001	Rezoning from CCD to R-2, property located approximately two-tenths of a mile north of 171st Ave. on the west side of Morse St., in Cedar Creek Township.
1884	8-14-2001	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection at 155th Ave. and Parrish St., in Cedar Creek Township.
1885	8-14-2001	Rezoning from A-1 to R-1, property located approximately four-tenths of a mile south of 153rd Ave. on the west side of Harrison St., in Cedar Creek Township.
1886	8-14-2001	Rezoning from A-1 to B-3, property located at the southeast quadrant at the intersection at Indiana St. Rd. 2 and Interstate 65, in Eagle Creek Township.
1890	10-16-2001	Rezoning from A-1 to R-2, property located approximately one-quarter mile south of 153rd Ave. on the east side of Clark St., in Cedar Creek Township. DENIED.
1893	10-16-2001	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection at 137th Ave. and Montgomery St., in Winfield Township. DENIED.
1894	10-16-2001	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile north of 169th Ave. on the east side of Mount St., in Cedar Creek Township.
1889-A	11-13-2001	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at 153rd Ave. and Clark St., in Cedar Creek Township.
1895	11-13-2001	Rezoning from A-1 to R-1, property located approximately one-quarter mile south of Belshaw Rd. on the west side of Woodmar St., a/k/a 20482 Woodmar St., in West Creek Township.
1896	11-13-2001	Rezoning from A-1 to RR, property located at the southwest quadrant at the intersection at 151st Ave. and Magoun St., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1897	11-13-2001	Rezoning from A-1 to R-1, property located approximately one-tenths of a mile north of 161st Ave. on the west side of Hendricks St., a/k/a 16006 Hendricks St., in Cedar Creek Township.
1898	11-13-2001	Rezoning from R-3 to B-3, property located at the southwest quadrant at the intersection at 45th Ave. and Hayes St., a/k/a 4520 Hayes St., in Calumet Township.
1899	11-13-2001	Rezoning from A-1 to B-3, property located approximately two-tenths of a mile south of 165th Ave. on the west side of U.S. 41 (Wicker Blvd.), in West Creek Township.
1901	12-11-2001	Rezoning from A-1 to RR, property located approximately one-half mile east of Whitcomb St. on the north side of 231st Ave., in Cedar Creek Township.
1902	12-11-2001	Rezoning from A-1 to B-2, property located approximately three-tenths of a mile east of Calumet Ave. on the south side of 109th Ave., in Hanover Township.
1903	12-11-2001	Rezoning from A-1 to RR, property located approximately one-half mile south of 169th Ave. on the east of Grant St., in Cedar Creek Township.
1904	12-11-2001	Rezoning from A-1 to B-3, property located approximately one-tenth of a mile east of Sheffield St. on the north side of 101st Ave., in St. John Township.
1905	12-11-2001	Rezoning from R-1 to R-2, property located at the southwest quadrant at the intersection at 155th Ave. and Parrish St., in Cedar Creek Township. DENIED.
1907	1-8-2002	Rezoning from A-1 to RR, property located at the southeast quadrant at the intersection at 169th Ave. and Holtz Rd., in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1908	1-8-2002	Rezoning from A-1 to RR, property located approximately one-tenth of a mile south of 197th Ave. on the west side of Calumet Ave., in West Creek Township.
1909	2-12-2002	Rezoning from A-1 to B-2 property located approximately three-tenths of a mile east of Sheffield St. on the north side of 101st Ave., in St. John Township.
1910	2-12-2002	Rezoning from A-1 to R-2 property located approximately four-tenths of a mile east of Cline Ave. on the south side of 87th Ave., a/k/a 7231 W. 87th Ave., in St. John Township.
1911	2-12-2002	Rezoning from A-1 and R-3 to R-1 property located approximately one-quarter mile south of 93rd Ave. on the east side of Sheffield St., in St. John Township.
1912	2-12-2002	Rezoning from A-1 to RR property located at the northeast corner of State Rd. #55 and 137th Ave., in Center Township.
1917	4-9-2002	Rezoning from A-1 to R-1 property located approximately three-tenths of a mile north of 109th Ave. on the east side of State Line Rd., in Hanover Township.
1918	4-9-2002	Rezoning from A-1 to R-2, property located at the southeast quadrant at the intersection at 123rd Ave. and Randolph St., in Winfield Township.
1919	4-9-2002	Rezoning from P.U.D. to A-1 property located approximately one-half mile south of 109th Ave. on the east side of Randolph St., in Winfield Township.
1924	5-14-2002	Rezoning from A-1 to R-1 property located approximately one-tenth of a mile east of Clark St. on the north south of Belshaw Rd., a/k/a 4520 Belshaw Rd., in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1927	6-11-2002	Rezoning from A-1 to RR property located approximately two-tenths of a mile west of White Oak Ave. on the north side of 185th Ave., in West Creek Township.
1926	7-9-2002	Rezoning from A-1 to B-2 property located approximately one-half mile east of Iowa St. on the north south of U.S. 231 in Belshaw Rd., a/k/a 4520 Belshaw Rd., in Center Township.
1929	7-9-2002	Rezoning from R-2 to B-1 property located approximately three-tenths of a mile south of Lewis St. on the west side of Main St., in Center Township.
1930	7-9-2002	Rezoning from A-1 to R-1 property located approximately eight-tenths of a mile north of 109th Ave. on the east side of Cline Ave., in Center Township.
1931	7-9-2002	Rezoning from A-1 to RR property located approximately one-half mile south of 145th Ave. on the west side of Hancock St., in Winfield Township.
1932	7-9-2002	Rezoning from A-1 to R-1 property located approximately four-tenths of a mile south of 173rd Ave. on the west side of Wicker Blvd., in West Creek Township.
1936	9-10-2002	Rezoning from A-1 to B-3 property located approximately three-tenths of a mile east of Harrison St. (State Rd. 55) on the south side of State Rd. 2, in Cedar Creek Township. DENIED.
1937	9-10-2002	Rezoning from A-1 to P.U.D. property located approximately two-tenths of a mile south of 151st Ave. on the east side of Sheffield St., in West Creek Township.
1938	9-10-2002	Rezoning from R-3 to B-1 property located at the northeast quadrant at the intersection of 101st Ave. Sheffield St., in St. John Township.

Ord. No.	*Date Passed*	*Description*
1943	9-10-2002	Rezoning from A-1 to RR property located approximately two-tenths of a mile west of U.S. 41 on the north side of 165th Ave., in West Creek Township.
1944	9-10-2002	Rezoning from A-1 to B-3 property located at the northwest quadrant at the intersection at 165th Ave. and Wicker Blvd., in West Creek Township.
1945	9-10-2002	Rezoning from A-1 to R-1 property located at the southwest quadrant at the intersection at 205th Ave. and Colfax St., in Cedar Creek Township. REMANDED.
1946	9-10-2002	Rezoning from A-1 to RR property located at the southwest quadrant at the intersection of 205th Ave. and Colfax St., in Cedar Creek Township.
1955	10-8-2002	Rezoning from A-1 to RR property located at the southwest quadrant at the intersection of 137th Ave. and Montgomery St., in Winfield Township.
1956	10-8-2002	Rezoning from A-1 to RR property located approximately one-half mile south of 165th Ave. on the east side of Grand Boulevard, in Eagle Creek Township.
1957	10-8-2002	Rezoning from A-1 to RR property located approximately two-tenths of a mile west of U.S. 41 on the north side of 181st Ave., in West Creek Township.
1958	10-8-2002	Rezoning from A-1 to M-1 property located approximately two-tenths of a mile west of U.S. 41 on the north side of 181st Ave., in West Creek Township. DENIED.
1959	10-8-2002	Rezoning from A-1 to B-3 property located approximately two-tenths of a mile west of U.S. 41 on the north side of 181st Ave., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1960	11-12-2002	Rezoning from A-1 to RR property located approximately one-quarter mile south of 145th Ave. on the west side of Hancock St., in Winfield Township. DENIED.
1963	11-12-2002	Rezoning from A-1 to R-1 property located at the southwest quadrant at the intersection of 205th Ave. and Colfax St., in Cedar Creek Township. DENIED.
1964	11-12-2002	Rezoning from A-1 to RR property located at the southwest quadrant at the intersection of 205th Ave. and Colfax St., in Cedar Creek Township.
1965	11-12-2002	Rezoning from A-1 to RR property located approximately seven-tenths of a mile east of State Line Road on the south side of Belshaw Rd., in West Creek Township.
1966	11-12-2002	Rezoning from A-1 to RR property located approximately one-half mile south of 129th Ave. on the east side of White Oak St., a/k/a 13445 White Oak St., in Hanover Township.
1967	11-12-2002	Rezoning from A-1 to R-1 property located approximately one mile east of Grant St. on the south side of 129th Ave., in Center Township.
1973	1-14-2003	Rezoning from A-1 to R-1 property located approximately two-tenths of a mile west of Wicker Blvd. (U.S. 41) on the south side of 206th Ave., a/k/a 11303 W. 206th Ave., in West Creek Township.
1974	1-14-2003	Rezoning from A-1 to RR property located at the southeast quadrant at the intersection of 153rd Ave. and State Rd. 55, in Cedar Creek Township.
1975	1-14-2003	Rezoning from R-3 to B-1 property located approximately two-tenths of a mile south of Elm St. on the west side of Main St., a/k/a 1207 N. Main St., in Center Township.

Ord. No.	*Date Passed*	*Description*
1980	2-12-2003	Rezoning from A-1 to R-1 property located at the southwest quadrant at the intersection of 151st Ave. and Parrish St., in West Creek Township.
1981	2-12-2003	Rezoning from A-1 to R-1 property located approximately one mile east of Grant St. on the south side of 129th Ave., in Center Township.
1982	2-12-2003	Rezoning from A-1 to RR property located at the southwest quadrant at the intersection of 151st Ave. and Parrish St., in West Creek Township.
1985	3-11-2003	Rezoning from A-1 to RR property located approximately two-tenths of a mile north of 165th Ave. on the west side of Arizona St., in Eagle Creek Township.
1987	4-8-2003	Rezoning from A-1 to RR property located approximately three-tenths of a mile east of Wicker Blvd. on the south side of 141st Ave., a/k/a 10741 W. 141st Ave., in Hanover Township.
1988	4-8-2003	Rezoning from B-1 to B-2 property located approximately one-tenth of a mile east of Fairbanks St. on the north side of Old Lincoln Hwy. (330), a/k/a 1114 Hwy. 330, in St. John Township.
1989	4-8-2003	Rezoning from B-2 to M-1 property located at the northwest quadrant at the intersection at 181st Ave. and Wicker Blvd., a/k/a 18030 Wicker Blvd., in West Creek Township.
1991	5-13-2003	Rezoning from A-1 to R-1 property located approximately one-half mile north of U.S. 231 (Route 8) on the east side of Cline Ave., a/k/a 10421 Cline Ave., in Center Township.
1992	5-13-2003	Rezoning from A-1 to R-1 property located approximately two-tenths of a mile south of 85th Ave. on the west side of Cline Ave., a/ka 8710 Cline Ave., in St. John Township.

Ord. No.	*Date Passed*	*Description*
1994	6-10-2003	Rezoning from A-1 to RR property located approximately one-half mile east of Iowa St. on the north side of 153rd Ave., a/k/a 2906 E. 153rd Ave., in Eagle Creek Township.
1995	6-10-2003	Rezoning from B-3 to RR property located approximately two-tenths of a mile west of U.S. 41 (Wicker Blvd.) on the north side of 181st Ave. in West Creek Township.
2004	9-9-2003	Rezoning from A-1 to R-2 property located approximately two-tenths of a mile south of 93rd Ave. on the west side of Blaine St., in St. John Township.
2005	9-9-2003	Rezoning from A-1 to RR property located approximately one-half mile east of Chase St. on the south side of 141st Ave., in Center Township.
2007	10-14-2003	Rezoning from R-3 to B-1 property located approximately one-tenth of a mile north of Birch St. on the west side of N. Main St., a/k/a 1205 N. Main St., in Center Township.
2015	12-9-2003	Rezoning from A-1 to RR, property located at the southwest quadrant at Belshaw and Cline Ave., in West Creek Township.
2016	12-9-2003	Rezoning from A-1 to RR property located approximately three-tenths of a mile south of 129th Ave. on the west side of Delaware St., in Center Township.
2017	12-9-2003	Rezoning from A-1 to RR property located approximately three-tenths of a mile west of Montgomery St. on the north side of 145th Ave., in Winfield Township.
2019	1-13-2004	Rezoning from A-1 to RR, property located approximately four-tenths of a mile north of State Rd. 2 (Belshaw Rd.) on the east side of Calumet Ave., a/k/a 20505 Calumet Ave. in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2020	2-10-2004	Rezoning from A-1 to R-1, property located at the southeast and southwest quadrant at the intersection at 165th Ave. and Grand Blvd. in Eagle Creek Township.
2021	2-10-2004	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection at 153rd Ave. and Chase St. Cedar Creek Township.
2022	2-10-2004	Rezoning from A-1 to R-1, property located approximately one-quarter mile east of Iowa St. on the south side of 153rd Ave. in Eagle Creek Township.
2023	2-10-2004	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile west of Wicker Blvd. (U.S. 41) on the south side of 119th Ave. In Hanover Eagle Creek Township.
2024	2-10-2004	Rezoning from A-1 to B-3, property located approximately one-half mile east of Colorado on the north side of State Route 2 in Eagle Creek Township.
2025	2-10-2004	Rezoning from A-1 to RR, property located approximately three-tenths of a mile west of Tapper St. on the north side of 169th Ave. in West Creek Township.
2026	2-10-2004	Rezoning from A-1 to R-1, property located approximately one-tenth of a mile north of 133rd Ave. on the east side of Calumet Ave. in Hanover Township.
2028	3-9-2004	Rezoning from A-1 to R-2, property located at the southeast corner of 133th Ave. and Marshall St. in Center Township.
2029	3-9-2004	Rezoning from A-1 to RR, property located approximately one-quarter mile south of 145th Ave. on the west side of Hancock St. in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2030	3-9-2004	Rezoning from A-1 to RR, property located at the northwest quadrant at Belshaw Rd. and Clark St. in Cedar Creek Township.
2037	4-13-2004	Rezoning from A-1 to RR, property located at the southwest quadrant at the intersection of 153rd Ave. and Hendricks St. in Cedar Creek Township.
2038	4-13-2004	Rezoning from R-3 to B-3, property located approximately one-tenth of a mile north of 125th Ave. on the east side of U.S. 41 (Wicker Ave.), a/k/a 12415 Wicker Ave. in Hanover Township.
2041	5-11-2004	Rezoning from A-1 to RR, property located approximately three-tenths of a mile east of Sheffield St. on the north side of 151st Ave. in West Creek Township.
2042	5-11-2004	Rezoning from A-1 to RR, property located approximately three-tenths of a mile north of 221st Ave. on the west side of Austin St. in West Creek Township.
2043	5-11-2004	Rezoning from R-1 to R-2, property located approximately one mile north of 109th Ave. on the west side of Parrish Ave., in Hanover Township.
2047	6-8-2004	Rezoning from A-1 to R-1, property located at the southeast quadrant at the intersection at 197th Ave. and State Line Rd. in West Creek Township.
2048	6-8-2004	Rezoning from A-1 to B-3, property located at the southeast quadrant at the intersection at 197th Ave. and State Line Rd. in West Creek Township.
2049	6-8-2004	Rezoning from A-1 to RR, property located approximately two-tenths of a mile south of 141st Ave. on the west side of Chase St., in Center Township.
2050	6-8-2004	Rezoning from BP-3 to revised BP-3, property located approximately one-tenth of a mile west of Calumet St. on the south side of 101st Ave., in Hanover Township.

Ord. No.	*Date Passed*	*Description*
2058	9-14-2004	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile east of Sheffield St. on the south side of 93rd Ave., in St. John Township.
2062	10-14-2004	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at Belshaw Rd. and Clark St. a/k/a 18715 Clark St., in Cedar Creek Township.
2065	11-9-2004	Rezoning from C.U.P./P.U.D. to P.O., property located approximately four-tenths of a mile south of 109th Ave. on the east side of Randolph St., in Winfield Township.
2070	12-14-2004	Rezoning from BP-3 to revised BP-3, property located at the northeast quadrant at 43th Ave. and Cleveland St., a/k/a 4285 Cleveland St., in Hanover Township.
2072	1-11-2005	Rezoning from A-1 to B-3, property located at the northwest quadrant at the intersection at State Rd. 2 and Georgia St., in Eagle Creek Township.
2073	1-11-2005	Rezoning from A-1 to R-3, property located approximately one-tenth of a mile north of 181st Ave. and State Rd. 2 on the west side of Georgia St., in Eagle Creek Township.
2074	1-11-2005	Rezoning from C.U.P. to R-1, property located at the northeast quadrant at the intersection at 117th Ave. and Randolph St., in Winfield Township.
2075	1-11-2005	Rezoning from A-1 to R-1, property located approximately one-tenth of a mile east of State Line Rd. on the south side of 113the Ave., in Hanover Township.
2076	1-11-2005	Rezoning from A-1 to RR, property located approximately two-tenths of a mile east of Montgomery St. on the north side of 157th Ave., in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2077	1-11-2005	Rezoning from A-1 to RR, property located approximately two-tenths of a mile east of Montgomery St. on the north side of 157th Ave., in Winfield Township.
2081	2-8-2005	Rezoning from A-1 to RR, property located approximately two-tenths of a mile south of 161st Ave. on the west side of Hendricks St., in Cedar Creek Township.
2082	2-8-2005	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 153rd Ave. and Chase St., in Cedar Creek Township.
2083	3-15-2005	Rezoning from A-1 to RR, property located at the northwest quadrant at the intersection at 219th Ave. and Austin St., in West Creek Township.
2080	4-12-2005	Rezoning from B-2 to B-3 (with conditions in Exhibit A), property located at the southeast quadrant at the intersection at State Rd. 2 and Clay St., in Eagle Creek Township.
2089	4-12-2005	Rezoning from A-1 to RR, property located approximately three-tenths of a mile north of 213th Ave. on the east side of Colfax St., in Cedar Creek Township.
2092	5-10-2005	Rezoning from R-2 to R-3, property located approximately three-quarter mile north of State Rd. 2 on the west side of Mississippi St., in Eagle Creek Township.
2093	5-10-2005	Rezoning from A-1 to R-1, property located at the northwest quadrant at the intersection at 163rd and Mississippi St., in Eagle Creek Township.
2097	6-13-2005	Rezoning from A-1 to B-2, property located at the southwest quadrant at the intersection at State Rd. 2 and I-65 in Eagle Creek Township.
2098	6-13-2005	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile south of 93rd Ave. on the east side of Blaine St., in St. John Township.

Ord. No.	*Date Passed*	*Description*
2099	6-13-2005	Rezoning from A-1 to RR, property located approximately three-tenths of a mile west of Calumet St. on the south side of 133rd Ave., a/k/a 14831 W. 133rd Ave., in Hanover Township.
2101	7-12-2005	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile south of 153rd Ave. on the west side of Harrison St., in Cedar Creek Township.
2104	8-9-2005	Rezoning from A-1 to RR, property located approximately six-tenths of a mile south of 157th Ave. on the west side of Parrish St., in West Creek Township.
2105	8-9-2005	Rezoning from A-1 to R-1, property located approximately one-half mile east of U.S. 41 (Wicker Blvd.) on the north side of 173rd Ave., in West Creek Township.
2106	8-9-2005	Rezoning from A-1 to R-1, property located approximately one-quarter mile south of 93rd Ave. on the east side of Sheffield St., in St. John Township.
2107	9-26-2005	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile south of 197th Ave. on the west side of Calumet Ave., in West Creek Township.
2108	9-26-2005	Rezoning from A-1 to R-2, property located approximately one-half mile south of 197th Ave. on the west side of Calumet St., in West Creek Township.
2109	9-26-2005	Rezoning from A-1 to RR, property located approximately three-tenths mile east of Chase St. on the north side of 141st Ave., in Center Township.
2110	9-26-2005	Rezoning from A-1 to R-1, property located approximately one-half mile south of 173rd Ave. on the east of White Oak St., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2111	9-26-2005	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection at 173rd Ave. and White Oak Ave., in West Creek Township.
2113	10-11-2005	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile east of Iowa St. on the south side of 129th Ave., in Center Township.
2114	10-11-2005	Rezoning from A-1 to RR, property located approximately one-half mile south of 157th Ave. on the west side of Parrish Ave., in West Creek Township.
2115	10-11-2005	Rezoning from A-1 to RR, property located approximately two-tenths of a mile south of 153rd Ave. on the east side of Hendricks St., a/k/a 15455 Hendricks St., in Cedar Creek Township.
2117	11-8-2005	Rezoning from A-1 to RR, property located approximately four-tenths of a mile north of 145th Ave. on the east side of State Line Rd., a/k/a 13979 State Line Rd., in Hanover Township.
2118	11-8-2005	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile east of Wicker Blvd. on the south side of 151st Ave. in West Creek Township.
2119	11-8-2005	Rezoning from A-1 to R-1, property located approximately six-tenths of a mile south of 141st Ave. on the west side of Clark St., a/k/a 14611 Clark St., in Center Township. DENIED.
2120	11-8-2005	Rezoning from A-1 to RR, property located at the southwest quadrant at the intersection at 205th Ave. and State Rd. 55 in Cedar Creek Township.
2122	12-13-2005	Rezoning from R-2 to P.U.D. property located at the southeast quadrant at the intersection at 121st Ave. and Chase St., in Center Township.

Ord. No.	*Date Passed*	*Description*
2124	1-10-2006	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile south of 129th Ave. on the east side of Iowa St., a/k/a 13221 Iowa St., in Center Township.
2125	1-10-2006	Rezoning from A-1 to RR, property located approximately two-tenths of a mile east of Grant St. on the south side of 203rd Ave., a/k/a 1403 W. 203rd Ave., in Cedar Creek Township.
2126	1-10-2006	Rezoning from A-1 to RR, property located approximately four-tenths of a mile south of 153rd Ave. on the west side of Hendricks St., in Cedar Creek Township.
2127	1-10-2006	Rezoning revised B-3 property located approximately one-quarter mile east of Colorado St. on the north side of State Rd. 2 in Eagle Creek Township.
2128	2-14-2006	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile east of Sheffield St. on the north side of 91st Ave., in St. John Township.
2131	3-14-2006	Rezoning from A-1 to R-1 (conditions: subdivision no to exceed four lots with no lot less than two acres), property located approximately two-tenths of a mile east of Sheffield St. on the north side of 91st Ave., in St. John Township.
2132	3-14-2006	Rezoning from A-1 to R-1, property located approximately one-half mile north of 153rd Ave. on the east side of Chase St., in Center Township.
2133	3-14-2006	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile east of Parrish St. on the north side of 173rd Ave., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2134	3-14-2006	Rezoning from R-1 with condition to RR property located at the northwest quadrant at the intersection at 163rd Ave. and Mississippi St., in Eagle Creek Township.
2136	3-14-2006	Rezoning from R-3 to B-2 property located at the southwest quadrant at the intersection at 35th Ave. and Lake Park Ave., in Hobart Township.
2138	3-14-2006	Rezoning from A-1 to B-1, property located approximately one-half mile south of 157th Ave. on the west side of U.S. 41 (Wicker Blvd.) three-tenths of a mile east of Parrish St. on the north side of 173rd Ave., in West Creek Township. DENIED.
2131-A	4-11-2006	Rezoning from A-1 to R-1, property located approximately one mile west of Clay St. on the south side of 153rd Ave., a/k/a 3449 E. 153rd Ave., in Eagle Creek Township.
2137	5-9-2006	Rezoning from A-1 to R-3, property located approximately one-half mile west of U.S. 41 (Wicker Blvd.) on the south side of 157th Ave., a/k/a 12003 W. 157th Ave., in West Creek Creek Township.
2145	5-9-2006	Rezoning from C.D.D. to R-2, property located approximately one-tenth of a mile northeast of Burr St. on the south side of 109th Ave., a/k/a 5511 W. 109th Ave., in Center Township.
2146	5-9-2006	Rezoning from R-1 to B-1, property located approximately three-tenths of a mile south of Lewis St. on the west side of Main St., a/k/a 1209 Main St., in Center Township. DENIED.
2149	6-13-2006	Rezoning from C-1 to R-3, property located approximately one-tenth of a mile south of 41st Ave. on the west side of Ross Rd., a/k/a 4136 Ross Rd., in Calumet Township.

Ord. No.	*Date Passed*	*Description*
2154	7-11-2006	Revised BP-3 for the purpose of renewing an expired BP-3 for construction of a church located at the northeast quadrant at 43rd Ave. and Cleveland St., a/k/a 4285 Cleveland St., in Calumet Township.
2163	8-9-2006	Rezoning from R-3 and A-1 to B-1, R-2, and R-3, property located at the southeast quadrant at the intersection at State Line Road and 101st Ave., in Hanover Township.
2164	8-9-2006	Rezoning from R-3 to B-2, property located approximately four-tenths of a mile west of Grand Blvd. on the south side of SR 231 (State Rd. 8, a/k/a 5627 E. State Rd. 8, in Winfield Township. DENIED.
2168	9-12-2006	Rezoning from RR to R-1, property located approximately six-tenths of a mile south of 165th Ave. on the east side of Grand Blvd., in Eagle Creek Township.
2169	9-12-2006	Rezoning from A-1 to RR, property located at the southwest quadrant at the intersection at 161st Ave. and Sheffield St., in West Creek Township.
2172	10-10-2006	Rezoning from A-1 to R-1, property located at the northeast quadrant at the intersection at 153rd Ave. and Clark St., in Cedar Creek Township.
2173	10-10-2006	Rezoning from A-1 to R-1, property located at the southeast quadrant at the intersection at 145th Ave. and Sheffield St., a/k/a 15049 W. 145th Ave., in Hanover Township.
2174	10-10-2006	Rezoning from A-1 to R-1, property located at the southwest quadrant at the intersection at 137th Ave. and Delaware St., a/k/a 13714 Delaware St., in Center Township.
2180	1-9-2007	Rezoning from A-1 to RR, property located approximately one-half mile west of Grant St. on the south side of State Rd. 2 in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2181	1-9-2007	Rezoning from R-5 to BP-2, property located approximately six-tenths of a mile east of Randolph St. on the south side of 109th Ave. in Winfield Township. DENIED.
2185	3-13-2007	Rezoning from A-1 to R-1, property located approximately three-tenths of a mile north of 93rd Ave. on the west side of Cline Ave., a/k/a 9034 Cline Ave. in St. John Township.
2186	3-13-2007	Rezoning from A-1 to RR, property located approximately three-tenths of a mile north of 153rd Ave. on the east side of Iowa St. in Eagle Creek Township.
2187	5-14-2007	Rezoning from A-1 to B-3, property located approximately one-tenth of a mile south of 173rd Ave. on the east side of Colorado St. in Eagle Creek Township.
2188	5-14-2007	Rezoning from A-1 to RR, property located approximately two-tenths of a mile north of 173rd Ave. on the east side of County Line Rd. in Eagle Creek Township.
2189	5-14-2007	Rezoning from R-5 to BP-1 property located approximately six-tenths of a mile east of Randolph St. on the south side of 109th Ave. in Winfield Township.
2191	7-10-2007	Rezoning from A-1 to R-2, property located at the northwest quadrant at the intersection at 101st Ave. and Blaine St. in St. John Township.
2192	7-10-2007	Rezoning from A-1 to R-2, property located at the northwest quadrant at the intersection at 101st Ave. and Blaine St. in St. John Township.
2194	8-14-2007	Rezoning from A-1 to RR, property located at the southeast quadrant at the intersection at 173rd Ave. and Colorado St. in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
2195	8-14-2007	Rezoning from A-1 to RR, property located approximately three-quarters mile north of State Rd. 2 on the east side of Colorado St. in Eagle Creek Township.
2196	8-14-2007	Rezoning from A-1 to RR, property located approximately two-tenths of a mile west of Cline Ave. on the north side of 241st Ave., a/k/a 8234 W. 241st Ave. in West Creek Township.
2197	8-14-2007	Rezoning from A-1 to RR, property located approximately seven-tenths of a mile north of 173rd Ave. on the east side of Colorado St. in Eagle Creek Township.
2106-A	9-11-2007	Rezoning from A-1 to R-1, property located approximately one-quarter mile south of 93rd Ave. on the east side of Sheffield St., in St. John Township.
2200	9-11-2007	Rezoning from R-1 to B-1, property located approximately three-tenths of a mile south of Lewis St. on the west side of Main St., a/k/a 1209 Main St. in Center Township.
2201	9-11-2007	Rezoning from A-1 to R-2, property located at the southwest quadrant at the intersection at 171st Ct. and Grant St., a/k/a 17202 Grant St. in Cedar Creek Township.
2202	10-9-2007	Rezoning from M-2 to C.D.D., property located approximately three-tenths of a mile west of Parrish Ave. on the north side of 181st Ave. (State Rd. 2), a/k/a 10204 W. 181st Ave., in West Creek Township.
2203	10-9-2007	Rezoning from A-1 to RR, property located approximately four-tenths of a mile north of 163rd Ave. on the east side of Harrison St., a/k/a 15959 Harrison St., in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2204	10-9-2007	Rezoning from A-1 to CCD, property located approximately six-tenths of a mile south of Belshaw Rd. on the west side of Wicker Ave., a/k/a 20606 Wicker Ave. in West Creek Township. DENIED.
2208	2-12-2008	Rezoning from A-1 to RR, property located at the southwest quadrant at the intersection at 145th Ave. and Sheffield St., in St. John Township.
2209	2-12-2008	Rezoning from P.U.D. Class II to B-3, property located at the northeast quadrant at the intersection at 159th Ave. and Morse St. in Cedar Creek Township.
2211	2-12-2008	Rezoning from R-3 to B-1, property located approximately one-tenth of a mile west of Roosevelt St. on the south side of 47th Ave., a/k/a/ 4704 Roosevelt St., in Calumet Township.
2212	3-11-2008	Rezoning from R-3 to B-1, property located approximately one-tenth of a mile north of 125th Ave. on the east side of Wicker Ave., a/k/a/ 12415 Wicker Ave., in Hanover Township.
2213	3-11-2008	Rezoning Parcel 1 from B-1 and R-3 to B-3 and Parcel 4 from B-1 to B-3, property located approximately three-tenths of a mile west of Chase St. On the south side of Ridge Rd., a/k/a/ 3635 W. Ridge Rd., in Calumet Township.
2214	3-11-2008	Rezoning from R-3 to B-1, property located approximately one-half mile south of 119th Ave. on the west side of Wicker Blvd. (U.S.41) in Hanover Township.
2215	5-21-2008	Rezoning from A-1 to R-2, property located approximately six-tenths of a mile east of Cline Ave. on the north side of 93rd Ave. in St. John Township.
2226	6-10-2008	Rezoning from A-1 to RR, property located approximately three-tenths of a mile south of 185th Ave. on the west side of Calumet in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2227	6-10-2008	Rezoning from A-1 to RR, property located approximately one-half mile west of White Oak on the south side of 151st Ave. in West Creek Township.
2230	7-8-2008	Rezoning from B-3 to C.D.D., property located approximately one-tenth mile west of U.S. 41 (Wicker Ave.) on the north side of 165th Ave. in West Creek Township. DENIED.
2231	7-8-2008	Rezoning from R-2 to B-1, property located approximately one-tenth of a mile south of 109th Ave. on the west side of U.S. 41 (Wicker Ave.), a/k/a 10928 Wicker Ave. in Hanover Township.
2234	8-12-2008	Rezoning from BP-2 to B-2, property located at the southwest corner of 119th Ave. and Wicker Blvd. in Hanover Township.
2235	8-12-2008	Rezoning from A-1 to R-1, property located approximately two-tenths of a mile north of 157th Ave. on the east side of Montgomery St., a/k/a 15525 Montgomery St. in Winfield Township.
2236	8-12-2008	Revised rezoning from R-3 to B-1, property located approximately one-half mile south of 119th Ave. on the west side of Wicker Blvd. (U.S. 41) in Hanover Township.
2255	1-13-2009	Rezoning from R-2 to B-1 to allow a restaurant and bar, property located approximately seven-tenths of a mile west of Clark St. on the south side of Main St., a/k/a 4665 Main St., in Cedar Creek Township.
2262	3-10-2009	Rezoning from A-1 to RR, property located at the northwest quadrant at the intersection at 173rd Ave. and Harrison St., a/k/a 17208 Harrison St., in Cedar Creek Township.
2264	5-12-2009	Rezoning from A-1 to CCD, property located at the southeast quadrant at the intersection at 205th Ave. and Chase St., in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2273	8-11-2009	Rezoning from R-3 to PO, property located at the northwest quadrant at the intersection at I-55 (Main St.) and Elm St., a/k/a 1301 N. Main St. in Center Township.
2278	10-13-2009	Rezoning from R-3 to B-2 for the purpose of commercial development located approximately two-tenths of a mile south of 113th Ave. on the east side of Wicker Ave. (U.S. 41), a/k/a 11429 Wicker Ave. in Hanover Township.
2247	11-10-2009	Rezoning from A-1 to R-1 for residential development, property located at the northwest quadrant at the intersection at Iowa and 113th Ave., a/k/a 11290 Iowa St. in Center Township.
2281	11-10-2009	Rezoning from CCD to A-1 for the purpose of constructing a two-acre pond located at the southwest quadrant at the intersection at 153rd Ave. and Clark St. in Cedar Creek Township.
2282	12-8-2009	Rezoning from C-1 to R-2 for the purpose of a future residential subdivision located approximately two-tenths of a mile north of 45th Ave. on the west side of Ross Rd., a/k/a Ross Rd. in Calumet Township.
2283	12-8-2009	Rezoning from C-1 to B-3 for the purpose of a future commercial development located approximately two-tenths of a mile north of 45th Ave. on the west side of Ross Rd., a/k/a Ross Rd. in Calumet Township.
2286	1-12-2010	Rezoning from A-1 to R-1 for the purpose of residential development located at the southwest quadrant at the intersection of 142nd and County Line Rd., a/k/a 9407 E. 142nd Ave. in Winfield Twshp.
2287	1-12-2010	Rezoning from A-1 to RR for the purpose of residential development located approximately three-quarter mile south of 159th Ave. on the east side of Cline Ave. in Cedar Creek Twshp.

Ord. No.	*Date Passed*	*Description*
2288	1-12-2010	Rezoning from A-1 to B-2 for the purpose of contractor storage for landscape business located approximately two-tenths mile east of State Line Rd. on the north side of 109th Ave. in Hanover Twshp. MOTION TO WITHDRAW (no decision made.)
2292	2-23-2010	Rezoning for RR to R-2 for the purpose of residential development located approximately two-tenths mile south of 153rd Ave. on the east side of Hendricks St. a/k/a 15455 Hendricks St. in Cedar Creek Twshp. DENIED.
2293	2-23-2010	Rezoning from R-2 to R-3 for the purpose of residential development located approximately three-tenths mile south of 159th Ave. on the west side of Morse St., a/k/a 16109 Morse St. in Cedar Creek Twshp.
2298	4-13-2010	Rezoning from A-1 to R-1 for the purpose of residential development, with conditions, located approximately three-tenths mile west of Chase St. on the south side of 141st Ave. in Center Twshp.
2299	4-13-2010	Rezoning from R-2 to A-1 for the purpose of animal hospital located approximately one-tenth mile north of 125th Ave. on the east side of Cedar Lake Rd., a/k/a 12419 Cedar Lake Rd. in Hanover Twshp.
2303	6-8-2010	Rezoning from A-1 to R-1 for the purpose of residential development located approximately one-tenth mile north or 137th Ave. on the east side of Delaware St. in Center Twshp.
2311	8-10-2010	Rezoning from B-2 to B-3 for the purpose of commercial development located approximately one-tenth mile west of Mississippi St. on the north side of State Rd. 2 in Eagle Creek Twshp.
2319	9-14-2010	Rezoning from P.U.D. to revised P.U.D for the purpose of a sixplex apartment building located at the southwest quadrant at the intersection of 121st Ave. and Chase St. in Center Twshp.

Ord. No.	*Date Passed*	*Description*
2324	12-14-2010	Rezoning from A-1 to C.D.D. for the purpose of a mineral (stone) quarry, with conditions, located approximately five-tenth mile south of 181st Ave. (State Rd. 2), a/k/a 10102 W. 181st Ave. in West Creek Twshp.
2335	2-9-2011	Rezoning from A-1 to RR for the purpose of residential development located approximately three-tenths mile south of 173rd Ave. on the west side of White Oak, a/k/a 17510 White Oak in West Creek Twshp.
2349	10-11-2011	Rezoning from A-1 to R-1 for the purpose of residential development on property located approximately one-half mile east of State Line Road on the north side of 109th Avenue in Hanover Township. Denied.
2378	10-9-2012	Revision to CUP Class 2 Zoning (Lake County Plan Commission recommended in favor 9/19/2012) to add a chemical feed building to an existing wastewater treatment plant of property located approximately seven-tenth mile east of Randolph Street on the south side of 123rd Avenue, a/k/a 9201 E. 123rd Avenue in Winfield Township.
2390	1-8-2013	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) for the purpose of residential development on property located approximately 4/10 of a mile east of Iowa Street on the south side of 109th Avenue, a/k/a 2931 E. 109th Avenue in Center Township.
2392	2-12-2013	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) for the purpose of residential development on property located approximately 2/10 of a mile west of Mount Street on the south side of 173rd Avenue, a/k/a 5509 W. 173rd Avenue in Cedar Creek Township.
2393	4-9-2013	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) for the purpose of residential development on property located approximately 6/10 of a mile east of White Oak on the north side of 129th Avenue, a/k/a 11710 W. 129th Avenue in Hanover Township.

Ord. No.	*Date Passed*	*Description*
2398	6-11-2013	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) for the purpose of residential development on property located at the northwest quadrant at the intersection of at 117th Avenue and Calumet Avenue in Hanover Township.
2399	5-14-2013	Rezoning from A-1 (Agricultural Zone) to RR (Rural Residential Zone) for the purpose of residential development on property located approximately 2/10 of a mile south of 145th Avenue on the west side of Sheffield in Hanover Township.
2404	8-13-2013	Rezoning from R-3 (One to Four-Family Zone) to B-2 (Rural Business Zone) for the purpose of contractor equipment and material storage on property located approximately 2/10 of a mile west of Whitcomb on the north side of 45th Avenue, a/k/a 4200 W. 45th Avenue in Calumet Township.
2405	8-13-2013	Rezoning from R-3 (One to Four-Family Zone) to B-3 (General Business Zone) for the purpose of utilizing the property for business purpose on property located approximately 3/10 of a mile west of Chase Street on the south side Ridge Road, a/k/a 3635 W. Ridge Road in Calumet Township.
2406	8-13-2013	Rezoning from A-1 (Agricultural Zone) to RR (Rural Business Zone) for the purpose of residential development on property approximately located 4/10 of a mile south of 117th Avenue on the west side of Hawthorne Place in Hanover Township.
2407	8-13-2013	Rezoning from A-1 (Agricultural Zone) to PUD (Planned Unit Development) for the purpose of residential development on property approximately located 3/10 of a mile west of U.S. 41 (Wicker Avenue) on the south side of 133rd Avenue, a/k/a 11651 W. 133rd Avenue in Hanover Township.
2411	11-12-2013	Revision to CUP – Class 2 Zoning to add a new 500,000 gallon possible water tank on property located approximately 7/10 of a mile east of Randolph Street on the south side of 123rd Avenue in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2412	11-12-2013	Rezoning from B-2 (Rural Business Zone) to R-3 (One to Four-Family Zone) to allow a personal usage garage on property located at the southwest quadrant at the intersection at U.S. 231 and Elkhart Place, a/k/a 5230 E. 142nd Avenue in Winfield Township.
2415	1-14-2014	Rezoning from A-1 (Agricultural Zone) to R-1 (One Family Zone) to allow a residential development on property located approximately 9/10 of a mile north of Belshaw Road on the east side of Austin Street in West Creek Township.
2416	1-14-2014	Rezoning from A-1 (Agricultural Zone) to RR (Rural Residential Zone) to allow a residential development on property located approximately 3/10 of a mile west of US 41 (Wicker Boulevard) on the south side of 206th Avenue in West Creek Township.
2417	1-14-2014	Rezoning from R-3 (One to Four-Family Zone) to B-2 (Rural Business Zone) to allow contractor's storage on property located approximately ½ of a mile north of 141st Avenue on the east side of US 41 (Wicker Boulevard) in Hanover Township.
2420	1-14-2014	Rezoning from M-1 (Light Industrial Zone) to RR (Rural Residential Zone) for the purpose of residential development on property located approximately 4/10 of a mile west of Burr Street on the north side of Phillips Road, a/k/a 142 Phillips Road, in St; John Township.
2421	1-14-2014	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) for the purpose of residential development on property located at the northwest quadrant at the intersection at 139th Avenue and Iowa Street, a/k/a 13890 Iowa Street in Center Township. Conditions: Zone Change approved with a maximum of 3 lots.
2433	6-10-2014	Rezoning from B-3 (General Business Zone) limited to cabinet shop to B-3 (General Business Zone) to allow the operation of a motorcycle repair shop on property located approximately 2/10 of a mile east of US 41 (Wicker Avenue) on

Ord. No.	*Date Passed*	*Description*
2433 (Cont'd)		the north side of 141st Avenue, a/k/a 10820 W. 141st Avenue in Hanover Township. Commitments pursuant to 36-7-4-1015: (1) That in the event the real estate is no longer used to operate a motorcycle repair shop, it shall revert to B-3 (limited to a cabinet shop); (2) That any type of car or motorcycle racing shall not be allowed on the real estate; (3) That any type of car or motorcycle rally shall not be allowed on the property; (4) That no business related outdoor activity shall occur on the real estate after 6:00 P.M.
2435	7-8-2014	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) to allow residential development on property located approximately 3/10 of a mile west of Hendricks Street on the south side of 161st Avenue in Cedar Creek Township.
2436	8-12-2014	Rezoning from A-1 (Agricultural Zone) to R-1 (One-Family Zone) to allow residential development on property located approximately 3/10 of a mile west of Grant Street (State Road 55) on the north side of 172nd Lane in Cedar Creek Township.
2451	12-9-2014	Rezoning from A-1 (Agricultural Zone) to RR (Rural Residential Zone) to allow residential development on property located approximately 5/10 mile north of 153rd Avenue on the west side of Clark Street, a/k/a 14804 Clark Street in Center Township.
2452	2-10-2015	Rezoning from A-l (Agricultural Zone) to RR (Rural Residential Zone) to allow residential development on property located approximately 5/10 of a mile east of Calumet Avenue on the south side of 135th Avenue in Hanover Township.
2457	3-10-2015	Rezoning from A-l (Agricultural Zone) to R-l (One-Family Zone) to allow for residential development on property located approximately 4/10 of a mile west of U.S. 41 (Wicker Boulevard) on the north side of 115th Place in Hanover Township.

Ord. No.	*Date Passed*	*Description*
2458	4-14-2015	Rezoning from R-3 (One to Four-Family Zone) to B-3 (General Business Zone) to allow the storage of trailers used by semi-trucks on property located approximately 2/10 mile of a mile west of Ross Road on the north side of 45th Avenue in Calumet Township.
2461	6-09-2015	Rezoning from R-3 (One to Four-Family Zone) to A-l (Agricultural Zone) to allow a Hobby Farm on property located approximately 6/10 of a mile south of 133rd Avenue on the west side of Wicker Boulevard, a/k/a 13650 Wicker Boulevard in Hanover Township.
2466	8-11-2015	Rezoning from R-3 (One to Four-Family Zone) and A-1 (Agricultural Zone) to R-l (One-Family Zone) for the purpose of residential development on property located approximately 2/10 of a mile north of 101st Avenue on the east side of Sheffield Street, a/k/a 9949 Sheffield in St. John Township.
2467	9-08-2015	Rezoning from A-l (Agricultural Zone) to RR (Rural Residential Zone) for the purpose of residential development on property located approximately 2/10 of a mile south of 153rd Avenue on the west side of Hendricks Street, a/k/a 15490 Hendricks Street in Cedar Creek Township.
2469	11-10-2015	Rezoning from CDD (Conditional Development District) to A-l (Agricultural Zone) for the purpose of residential development on property located approximately 3/10 of a mile east of Colfax Street on the south side of 221st Avenue, 5209 Colfax Street in Cedar Creek Township.

(Prior Code, T.S.O. VIII)

TABLE IX: CONTRACTS AND AGREEMENTS

Ord. No.	*Date Passed*	*Description*
1131A	6-14-1994	Approval of a lease between the Lake County Redevelopment Commission and the Lake County Redevelopment Authority for the acquisition and construction of sewers and also stormwater improvements.

(Prior Code, T.S.O. IX)

TABLE X: SPECIAL EXCEPTIONS

Ord. No.	*Date Passed*	*Description*
1556	1-11-1994	Making a special exception for a duplex in an A-1 zone owned by John and Judy Lurtz and part of the east one-half, northwest 1/4, Section 31, Township 34 North, Range 7 west of the 2nd P.M., more commonly known as 5507 East State Road 231 in Winfield Township.
1557	1-11-1994	Making a special exception for a commercial stable in an A-1 zone owned by John and Judy Lurtz and part of the east one-half, northwest 1/4, Section 31, Township 34 North, Range 7 west of the 2nd P.M., more commonly known as 5507 East State Road 231 in Winfield Township.
1558	1-11-1994	Making a special exception for placement of a mobile home in an A-1 zone owned by John and Judy Lurtz and part of the east one-half, northwest 1/4, Section 31, Township 34 North, Range 7 west of the 2nd P.M., more commonly known as 5507 East State Road 231 in Winfield Township.
1559	1-11-1994	Making a special exception for placement of a mobile home for agricultural pursuits on land owned by Ervin Brandau and located approximately seven-tenths mile south of 145th Avenue on the east side of Sheffield St., also known as 15029 Sheffield St., in West Creek Township.
1574	4-12-1994	Making a special exception class C for the purpose of allowing additional recreational uses on the following described property. Located at the SE quadrant of the intersection of 161st and Holtz Rd., also known as 3599 W. 161st Ave. in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1575	4-12-1994	Making a special exception for the construction of a women's shelter on property owned by St. Jude House, St. Anthony Medical Center, Inc., located at the northwest quadrant at the intersection of 125th Avenue and Marshall Street in Center Township.
1581	6-14-1994	Making a special exception for placement of a mobile home on land owned by Vernon Childress, Jr. (Timber Ridge Farms, Inc.) and located approximately one and one-tenths mile South of Indiana State Road #2 on the West side of Union Street, also known as 19016 Union Street, in Eagle Creek Township.
1584	7-12-1994	Making a special exception for a church and related facilities on property owned by Grace Baptist Church of Gary, Inc., and located approximately one-tenths mile south of Ridge Rd. on the east side of Cleveland St., also known as 3935 Cleveland St. in Calumet Township.
1585	8-9-1994	Making a special exception for Donald McBroom to build a pond for wildlife use and fishing on the property located approximately two-tenths mile east of Parrish Street on the south side of 173rd Avenue, also known as 9269 W. 173rd Avenue in West Creek Township.
1608	4-11-1995	Making a special exception for Hyles-Anderson College to place a historic church on their property and use it as a museum for visitors on the property located at the northwest quadrant at the intersection of 85th Avenue and Burr St. in St. John Township.
1620	5-9-1995	Making a special exception for the purpose of a cellular tower and equipment building, located approximately one-tenths mile east of State Rd. #55 (Grant St.) on the north side of State Rd. #2, also known as 1450 W. 180th Lane, in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1622	5-9-1995	Making a special exception for the purpose of a public elementary school located approximately seven-tenths mile west of Wicker Blvd. on the south side of 109th Avenue, also known as 12245 W. 109th Ave., Cedar Lake, in Hanover Township.
1623	5-9-1995	Making a special exception for a two-family dwelling unit located approximately four-tenths of a mile south of 101st Avenue on the west side of Arizona Street, also known as 10422 Arizona Street in Winfield Township.
1624	5-9-1995	Making a special exception for a two-family dwelling unit located approximately three-tenths of a mile north of 109th Avenue on the west side of Arizona Street, also known as 10422 Arizona Street in Winfield Township.
1627	7-11-1995	Making a special exception for the purpose of storage and living quarters, located approximately one-half mile south of 77th Ave. on the west side of U.S. 41 (Wicker Blvd.), also known as 8126 Wicker Blvd., St. John Township.
1630	7-11-1995	Making a special exception for the purpose of constructing an always open gas station and mini-mart on property located approximately four-tenths mile east of State Line Road on the south side of 101st Avenue in Hanover Township.
1635	8-8-1995	Making a special exception for the purpose of constructing a church on a five acre parcel located one-fourth mile east of Sheffield Avenue on the north side of 101st Street in St. John Township.
1653	2-13-1996	Making a special exception for the purpose of a veterinarian clinic on property located approximately four-tenths of a mile north of 109th Avenue on the west side of Randolph Street in Winfield Township.

Ord. No.	*Date Passed*	*Description*
1656	4-9-1996	Making a special exception for the purpose of commercial stables on property located approximately two-tenths of a mile south of 129th Ave. on the east side of Iowa Street, a/k/a 12935 Iowa Street in Center Township.
1657	4-9-1996	Making a special exception for the purpose of a gas station and convenience store on property located at the northeast quadrant at the intersection at Cleveland Street and 50th Place, Lots 3, 4, and 5, Block A, Fern Oaks, a/k/a 4925 Cleveland Street in Calumet Township.
1662	5-14-1996	Making a special exception for the purpose of an executive golf center on property located approximately one-quarter mile east of U.S. 41 (Wicker Boulevard) on the south side of 109th Ave. (U.S. 231), a/k/a 10483 W. 109th Ave. in Hanover Township.
1693	9-3-1996	Making a special exception for the purpose of a private air strip on property located approximately nine-tenths of a mile west of Clark St. on the south side of 125th Ave., a/k/a 6119 W. 125th Ave. in Center Township.
1695	10-15-1996	Making a special exception for the purpose of locating a government building in a BP-1 Zone on property located approximately two-tenths of a mile north of 109th Ave. on the east side of Randolph St. in Winfield Township.
1699	10-15-1996	Making a special exception for the purpose of allowing construction of a service station on property located at the northeast quadrant at the intersection at 101st Ave. and Sheffield St. in St. John Township.
1701	10-15-1996	Making a special exception for the purpose of allowing an educational development in an R-2 Zone on property located approximately 600 feet south of 121st Ave. on the west side of Marshall St., a/k/a 12300 Marshall St. in Center Township.

Ord. No.	*Date Passed*	*Description*
1710	1-14-1997	Making a special exception for the purpose of allowing a church in an R-2 Zone on property located at the southwest quadrant at the intersection at 47th Ave. and Harrison St., a/k/a 901 W. 47th Ave. in Calumet Township.
1729	10-14-1997	Making a special exception for the purpose of allowing a wireless communications facility on property located approximately two-tenths of a mile east of Wicker Boulevard (U.S. 41) on the south side of Route 231 (U.S. 8) in Hanover Township.
1732	10-14-1997	Making a special exception for a purpose of allowing a dog kennel in an A-1, on property located approximately eight-tenths of a mile west of Wicker Boulevard (U.S. 41) on the north side of Belshaw Road, also known as 12104 Belshaw Road in West Creek Township.
1733	11-21-1997	Making a special exception for the purpose of allowing a wireless internet tower, on property located at the southeast quadrant at the intersection at Colfax Street and Ridge Road, also known as 6111 W. Ridge Road in Calumet Township.
1734	11-21-1997	Making a special exception for the purpose of allowing a wireless internet tower, on property located approximately three-tenths of a mile west of Chase Street on the south side of 41st Avenue, also known as 3601 W. 41st Avenue in Calumet Township.
1735	11-21-1997	Making a special exception for the purpose of allowing a wireless internet tower, on property located approximately 140 feet south of 45th Avenue on the west side of Calhoun Street, also known as 4500 Calhoun Street in Calumet Township.
1749	3-17-1998	Making a special exception for the purpose of constructing a telecommunications facility, on property located two-tenths of a mile south of 41st Avenue on the east side of Whitcomb Street in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1756	6-9-1998	Making a special exception for the purpose of allowing a driving range in a R-2 Zone on property located approximately two-tenths of a mile east of Clark Street on the south side of 101st Avenue in Center Township.
1759	8-11-1998	Making a special exception to allow for an existing school facility to be added and remodeled in an A-1 Zone on property located approximately two-tenths of a mile west of Wicker Boulevard (U.S. 41) on the south side of 181st Avenue in West Creek Township.
1774	2-9-1999	Making a special exception for the purpose of an automobile and truck fuel station and restaurant on property located at the northeast quadrant at the intersection at Colorado Street and Indiana State Road 2 (181st Avenue) in Eagle Creek Township.
1775	2-9-1999	Making a special exception for the purpose of an automobile and truck fuel station and restaurant on property located approximately four-tenths of a mile south of 61st Avenue on the west side of Broad Street in St. John Township.
1802	10-12-1999	Making a special exception for the purpose of an automobile and truck fuel stop on property located at the northeast quadrant at the intersection at Colorado Street and Indiana State Road 2 (181st Avenue) in Eagle Creek Township.
1803	11-9-1999	Making a special exception for the purpose of a wireless cellular tower and automated equipment building on property located approximately four-tenths of a mile south of 61st Avenue on the west side of Broad Street in St. John Township.
1809	2-8-2000	Making a special exception to allow a church in a R-1 located approximately two-tenths of a mile north of 165th Ave. on the west side of Parrish St., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1812	3-14-2000	Making a special exception to install a public utility fiber optic network amplifier located approximately one-half mile north of 133rd Ave. on the west side of Grant Street (Rt. 55), in Center Township.
1813	3-14-2000	Making a revised special exception to upgrade future gas station improvements located at the northeast quadrant at the intersection at Cleveland St. and 50th Place, a/k/a 4925 Cleveland St., in Calumet Township.
1817	5-9-2000	Making a special exception to install a 254 ft. wireless telecommunication service facility located approximately six-tenths of a mile north of 173rd Ave. on the east side of Mississippi St., a/k/a 16715 Mississippi St., in Eagle Creek Township.
1818	5-9-2000	Making a special exception to allow expansion of Ridgelawn Cemetery in an R-3 located approximately two-tenths of a mile west of Whitcomb St. on the south side of Ridge Road, a/k/a 4401 W. Ridge Rd., in Calumet Township.
1827	6-13-2000	Making a special exception to allow a kennel for the purpose of breeding dogs in an R-1 located approximately two-tenths of a mile west of Delaware St. on the north side of 137th Ave., a/k/a 150 E. 137th Ave., in Center Township.
1828	7-11-2000	Making a revised special exception for the purpose of a truck plaza and family travel center located approximately nine-tenths of a mile west of Clay St. on the south side of State Rd. 2, in Eagle Creek Township.
1836	9-12-2000	Making a special exception for a church in a R-3 located approximately one-tenth of a mile east of Alexander St. on the north side of 85th Ave., in St. John Township.
1838	10-10-2000	Making a special exception to upgrade community utility service located approximately one-tenth of a mile east of Sheffield St. on the south side of 93rd Ave., in St. John Township.

Ord. No.	*Date Passed*	*Description*
1863	5-8-2001	Making a special exception to bring the use of the property into compliance with the zoning ordinance located approximately two-tenths of a mile west of Morse St. on the north side of 155th Ave., a/k/a 7608 W. 155th Ave. in Cedar Creek Township.
1865	5-8-2001	Making a special exception for a church in an A-1 zone located approximately three-eights of a mile south of Reder Rd. (58th Ave.) and one-quarter mile east of Arbogst St., in St. John Township.
1872	7-10-2001	Making a special exception for an expansion and upgrade of an existing pipe station located at the southwest quadrant at the intersection at 91st Ave. and Moraine St., in St. John Township.
1877	8-14-2001	Making a special exception for a pond in an A-1 zone located approximately eight-tenths of a mile south of 205th Ave. on the east side of Wicker Blvd. (U.S. 41), in West Creek Township.
1878	8-14-2001	Making a special exception for a church in an A-1 zone located approximately one-quarter mile east of Hendricks St. On the south side of 181st Ave. (State Rd. 2), in Cedar Creek Township.
1879	8-14-2001	Making a special exception for a service station and fast food restaurant in a B-3 zone located at the northwest quadrant at the intersection at Grant St. (Indiana 55) and State Rd. 2, in Cedar Creek Township.
1900	12-11-2001	Making a special exception for relocation of founder's old birthplace home located at the northwest quadrant at the intersection at 85th Ave. and Burr St., a/k/a 8400 Burr St., in St. John Township.

Ord. No.	*Date Passed*	*Description*
1920	4-9-2002	Making a special exception for the purpose of allowing elementary school in an A-1 zone located approximately one-half mile south of 109th Ave. on the east side of Randolph St., in St. John Township.
1923	5-14-2002	Making a special exception for the purpose of allowing an additional building on a previously approved Special Exception located approximately two-tenths of a mile west of Whitcomb St. On the south side of Ridge Rd., a/k/a 4401 W. Ridge Rd., in Calumet Township.
1941	9-10-2002	Making a special exception for the purpose of allowing a church in an A-1 (Agricultural) Zone located approximately one-tenth of a mile east of Calumet Ave. on the south side of 109th Ave., in Hanover Township.
1952	10-8-2002	Making a special exception for the purpose of allowing a pond located approximately three-tenths of a mile east of Clark St. on the south side of 153rd Ave., a/k/a 4473 W. 153rd Ave., in Cedar Creek Township.
1953	10-8-2002	Making a special exception for the purpose of allowing a pond located approximately three-tenths of a mile east of 125th Ave. on the east side of Clark St., a/k/a 12687 Clark St., in Center Township.
1976	3-11-2003	Making a special exception for the purpose of allowing a commercial stable located approximately three-tenths of a mile south of 93rd Ave. on the east side of Sheffield St., in St. John Township.
1990	5-13-2003	Making a special exception for the purpose of allowing an educational facility in an R-3 zone located at the southeast quadrant at the intersection at 121st Ave. and Chase St. (Lake St.), in Center Township.

Ord. No.	*Date Passed*	*Description*
1997	6-10-2003	Making a special exception for the purpose of allowing a fire station in an R-3 zone located at the northwest quadrant at the intersection at Michigan Central Railroad and Whitcomb St., a/k/a 4736 Whitcomb, in Calumet Township.
2012	12-9-2003	Making a special exception for the purpose of allowing the storage of fire trucks and fire equipment in an R-3 zone, on property located at the northeast quadrant at the intersection at Crescent Ave. and (234th) and Pierce St., in Cedar Creek Township.
2034	4-13-2004	Making a special exception to construct a pond on property located at the southeast quadrant at the intersection at 145th Ave. and Grand Blvd., a/k/a 6601 E. 145th Ave. in Winfield Township.
2036	4-13-2004	Making a special exception to construct a housing facility for college students on property located at the intersection at 85th Ave. and Burr St. in St. John Township.
2039	6-8-2004	Making a special exception to construct a 60 ft. By 100 ft. building for Fraternal Organization in an A-1 zone located approximately one mile north of 101st Ave. on the west side of Clark St., a/k/a 9342 Clark St. in St. John Township.
2044	6-8-2004	Making a special exception of a therapeutic riding facility on property located approximately four-tenths of a mile east of Grand Blvd. on the north side of 145th Ave., a/k/a 7010 E. 145th Ave. in Winfield Township.
2045	6-8-2004	Making a special exception of a telephone cabinet to upgrade community service located approximately two-tenths of a mile east of State Line Rd. on the north side of 101st Ave., a/k/a 14864 W. 101st Ave. in St. John Township.
2056	8-10-2004	Making a special exception of an educational facility in an R-3 zone located approximately three-tenths of a mile west of Chase St. on the south side of 41st Ave., a/k/a 3601 W. 41st Ave. in Calumet Township.

Ord. No.	*Date Passed*	*Description*
2054	9-14-2004	Making a special exception of a paintball field located at the southwest quadrant at the intersection at State Rd. 2 and Clay St., a/k/a 18178 Clay St., in Eagle Creek Township. DENIED.
2059	10-12-2004	Making a special exception of a pond located approximately two-tenths of a mile west of Austin St. on the south side of Belshaw Rd. in West Creek Township.
2064	11-9-2004	Making a special exception of an existing gas station and proposed car wash in a B-1 zone located at the northeast quadrant at the intersection of 101st Ave. and Sheffield St., a/k/a 10061 Sheffield St. in St. John Township.
2066	11-9-2004	Making a special exception of an educational institution in an A-1 zone, located approximately three-tenths of a mile east of Parrish St. on the north side of 109th Ave. in Hanover Township.
2068	12-14-2004	Making a revised special exception of a commercial riding stable in an A-1 zone located approximately four-tenths of a mile east of Grand Blvd. on the north side of 145th Ave., a/k/a 7010 E. 145th Ave., in Winfield Township.
2078	2-8-2005	Making a special exception of a dog kennel in an R-3 zone located approximately two-tenths of a mile north of 85th Ave. on the west side of Austin St., a/k/a 8306 Anna St., in St. John Township.
2085	4-12-2005	Making a special exception of an apartment for residential use above a day care facility, located approximately one-tenth of a mile east of State Line Rd. on the north side of 101st Ave., in St. John Township.
2088	4-12-2005	Making a special exception of a church facility in an A-1 zone located at the northeast quadrant at the intersection at State Rd. 2 and Clay St., in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
2112	10-11-2005	Making a revised special exception of a wastewater treatment facility in an A-1 zone located approximately one-quarter mile west of Colfax St. on the south side of Belshaw Rd., in Cedar Creek Township.
2123	2-14-2006	Making a revised special exception of an educational facility for adolescents 13 to 18 years of age located approximately three-tenths of a mile east of Parrish St. On the south side of 155th Ave., a/k/a 9015 and 9053 W. 155th Ave., in West Creek Township. DENIED.
2129	3-14-2006	Making a special exception of a pond on Lot 2 Peaceful Acres Subdivision, located approximately four-tenths of a mile east of Clay St. on the south side of 145th Ave., a/k/a 5459 E. 145th Ave., in Winfield Township.
2139	5-9-2006	Making a special exception of a dog kennel in an A-1 zone, located approximately four-tenths of a mile north of 173rd Ave. on the west side of Colorado St., in Eagle Creek Township. DENIED.
2139-A	5-9-2006	Making a special exception of a dog kennel in an A-1 zone, located approximately four-tenths of a mile north of 173rd Ave. on the west side of Colorado St., in Eagle Creek Township. DENIED.
2141	5-9-2006	Making a special exception of a soccer field in an HS-1 zone, HS-2, B-2 and A-1 zones located at the southwest quadrant at the intersection at State Rd. 2 and I-65, in Eagle Creek Township.
2142	5-9-2006	Making a special exception of an emergency warning system tower in a P.U.D. zone, located approximately three-tenths of a mile east of Randolph Rd. on the north side of 123rd Ave., in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2143	5-9-2006	Making a special exception of co-locating communications equipment on an existing tower, located approximately one mile south of 141st Ave. on the west side of Clark St., in Center Township.
2147	6-13-2006	Making a special exception of an educational facility in a residential zone, located approximately two-tenths of a mile west of Chase St. on the south side of Ridge Rd., a/k/a 3421 Ridge Rd., in Calumet Township.
2148	6-13-2006	Making a special exception of an advertising sign in an agricultural zone, located approximately three-tenths of a mile north of State Rd. 2 on the west side of Grant St., a/k/a 17918 Grant St., in Cedar Creek Township.
2150	7-11-2006	Making a special exception of a educational facility in an agricultural zone, located at the northwest quadrant at the intersection at 109th Ave. and Calumet St., in Hanover Township.
2151	7-11-2006	Making a revised special exception of co-locating a cellular antenna to an existing tower and accessory equipment cabinet in an agricultural zone, located approximately three-tenths of a mile south of 181st Ave. between Cline and Colfax St., in Cedar Creek Township.
2152	7-11-2006	Making a revised special exception of co-locating a cellular antenna to an existing tower and accessory equipment cabinet, located approximately three-tenths of a mile north of 117th Ave. on the west side of Burr St., a/k/a 11404 Burr St., in Center Township.
2153	7-11-2006	Making a special exception of an educational institution in an R-3 zone located at the southwest quadrant at the intersection at Burr St. and County Rd. 330, in St. John Township.
2160	8-9-2006	Making a special exception of an advertising sign in an A-1 zone located approximately one mile south of 93rd Ave. on the west side of Main St., a/k/a 1401 N. Main St., in Ross Township.

Ord. No.	*Date Passed*	*Description*
2162	8-9-2006	Making a special exception of a church in an R-3 zone located approximately one-tenth of a mile south of 93rd Ave. on the east side of Sheffield St., a/k/a 15001 W. 93rd Ave., in St. John Township.
2178	1-9-2007	Making a special exception of constructing a pond located approximately one-half mile north of 173rd Ave. on the west side of Colorado St., a/k/a 16680 Colorado St., in Eagle Creek Township.
2179	1-9-2007	Making a special exception of a pet crematory in an R-3 zone located approximately two-tenths of a mile west of Whitcomb St. on the south side of Ridge Rd., a/k/a 4401 Ridge Rd. in Calumet Township.
2182	2-20-2007	Making a special exception of a target range in an A-1 zone located approximately four-tenths of a mile north of 197th Ave. on the east side of State Line Rd., a/k/a 19205 State Line Rd. in West Creek Township. DENIED.
2183	2-20-2007	Making a special exception of replacing existing telecommunications antennas at 250 ft. located at the southeast quadrant at the intersection at 173rd Ave. and I-65 in Eagle Creek Township.
2184	3-13-2007	Making a special exception of constructing a pond located approximately seven-tenths of a mile south of 157th Ave. on the west side of Parrish Ave., a/k/a 16240 Parrish Ave. in West Creek Township.
2193	8-14-2007	Making a special exception of a well and water treatment plant in an R-1 located approximately three-tenths of a mile south of 117th Ave. on the east side of Randolph St. in Winfield Township.
2206	1-8-2008	Making a special exception of correcting the square footage to an existing 60-foot by 37-foot accessory structure and to amend the Special Exception for the purpose of allowing 16 horses located approximately four-tenths of a mile east of Grand Blvd. on the north side of 145th Ave., a/k/a 7010 E. 145th Ave., in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2207	2-12-2008	Making a special exception of a 0.9-acre pond for personal use located at the southwest quadrant at the intersection at Burr St. and 125th Ave. in Center Township.
2217	4-8-2008	Making a special exception of an addition to existing AT&T telephone switch facility located approximately one-tenth of a mile south of 231st Ave. on the east side of Colfax St., a/k/a 23131 Colfax St., in Cedar Creek Township.
2219	4-8-2008	Making a special exception of a new middle school and future elementary school in an A-1 Zone located approximately four-tenths of a mile north of Belshaw Rd. on the west side of Cline Ave. in West Creek Township.
2220	4-8-2008	Making a special exception of an addition to existing school located approximately one-tenth of a mile west of Grant St. on the south side of 41st Ave. in Calumet Township.
2224	6-10-2008	Making a revised special exception of a second warehouse for storage of caskets located approximately one-tenth of a mile west of Grant St. on the south side of 41st Ave. in Calumet Township.
2228	7-8-2008	Making a special exception of a fast food restaurant in a B-3 located approximately one-quarter mile east of I-65 on the south side of State Rd. 2 (181st Ave.) in Eagle Creek Township.
2225	8-12-2008	Making a revised special exception of two 32-foot by 152-foot additions along the north and south sides of an existing pole barn located approximately three-tenths of a mile south of 93rd Ave. on the east side of Sheffield, a/k/a 9521 Sheffield Ave. in St. John Township.
2237	9-9-2008	Amending a revised special exception of allowing co-location of wireless communication equipment on an existing 950 ft. tower located approximately one mile south of 141st Ave. on the west side of Clark St. in Center Township.

Ord. No.	*Date Passed*	*Description*
2239	9-9-2008	Making a revision to a special exception of expanding an existing kennel located approximately one-tenth of a mile west side of Mississippi St. on the south side of 221st Ave. in Eagle Creek Township.
2241	10-14-2008	Making a special exception of allowing construction of a pond located approximately four-tenths of a mile east of Clark St. on the south side of 153rd Ave., a/k/a 4345 W, 153rd Ave. in Cedar Creek Township.
2256	2-10-2009	Making a special exception of construction of a pond located approximately four-tenths of a mile north of 137th Ave. on the west side of Georgia St., a/k/a 13394 Georgia St., in Eagle Creek Township.
2257	2-10-2009	Making a revision to a special exception of co-locating additional antennas and ground equipment on an existing wireless telecommunications tower located approximately three-tenths of a mile north of 117th Ave. on the west side of Burr St., a/k/a 11404 Burr St., in Center Township.
2259	3-10-2009	Making a revision to a special exception of allowing a 500-foot radio tower in an A-1 zone located approximately one-half mile south of 159th Ave. on the west side of State Rd. 55 in Cedar Creek Township.
2261	3-10-2009	Making a special exception of a limit of 40 animals including lambs and llamas in an RR located at the southwest quadrant at the intersection at 219th Ave. and Austin St., a/k/a 9202 W. 219th Ave. in West Creek Township. DENIED.
2265	5-12-2009	Making a special exception of allowing a carnival and ice skating rink for seasonal events at the southeast quadrant at the intersection at 41st Ave. and Cleveland St., a/k/a 4121 Cleveland St. in Center Township.

Ord. No.	*Date Passed*	*Description*
2265-1	6-9-2009	Amending a special exception of allowing a carnival and ice skating rink for seasonal events located at the southeast quadrant at the intersection at 41st Ave. and Cleveland St., a/k/a 4121 Cleveland St. in Calumet Township incorrectly identified in original ordinance as Center Township.
2266	6-9-2009	Making a special exception of allowing a used car lot in an HS-2 (Highway Service Extensive Zone) located approximately four-tenths of a mile north of 197th Ave. on the west side of U.S. 41 (Wicker Ave.), a/k/a 19404 Wicker Ave. in West Creek Township. DENIED.
2267	6-9-2009	Making a special exception of exceeding the permitted number of animals allowed on a hobby farm located at the northeast quadrant at the intersection at 219th Ave. and Parrish St., a/k/a 9474 W. 219th Ave. in West Creek Township.
2268	6-9-2009	Making a special exception of allowing an expansion of an existing regional waste district located approximately six-tenths of a mile west of Clark St. on the south side of 161st Ave. in Cedar Creek Township.
2269	7-14-2009	Making a special exception of constructing a pond for personal use located approximately one-half mile east of Chase St. on the north side of 153rd Ave., a/k/a 2450 W. 153rd Ave. in Cedar Creek Township.
2271	7-14-2009	Making a special exception of allowing more horses than permitted located at the northeast quadrant at 125th Ave. and Crown Point-Cedar Lake Rd., a/k/a 12431 Cedar Lake Rd. in Center Township.
2272	8-11-2009	Making a special exception of allowing a two-family dwelling in an A-1 (Agricultural Zone) located approximately seven-tenths of a mile south of 181st Ave. (State Rd. 2) on the east side of Harrison St., a/k/a 18663 Harrison St. in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2275	9-8-2009	Making a revision to a special exception of co-locating wireless communications equipment on an existing 950 ft. tower located approximately one mile south of 141st Ave. on the west side of Clark St. in Center Township.
2276	10-13-2009	Making a revision to a special exception to construct an additional 50-foot by 64-foot storage building located approximately four-tenths of a mile east of Grand Blvd. on the north side of 145th Ave., a/k/a 7010 E. 145th Ave. in Winfield Township. DENIED.
2279	11-10-2009	Making a special exception of allowing a pond located at the southwest quadrant at the intersection of 203rd Ave. and Grant St., a/k/a 1605 W. 203rd Ave. in Cedar Creek Township.
2280	11-10-2009	Making a special exception of constructing a two-acre pond in a C.D.D. District located at the southwest quadrant at the intersection at 153rd Ave. and Clark St. in Cedar Creek Township.
2291	2-23-2010	Making a special exception to allow expansion of an existing cemetery on property located in three parcels of land.
2295	4-13-2010	Revision of special exception to add a portable modular classroom and building a garage on property located approximately one-tenth mile of Sheffield Avenue on the south side of 93rd Avenue, a/k/a 14849 W. 93rd Avenue in St. John Township.
2301	6-8-2010	Making a special exception to allow an animal hospital in an A-1 (Agricultural Zone) on property located approximately one-tenth mile north of 125th Avenue on the east side of Cedar Lake Road, a/k/a 12419 Cedar Lake Road in Center Township.
2302	6-8-2010	Making a special exception to construct a .4-acre pond on an A-1 (Agricultural Zone) parcel on the property located at the southeast quadrant at the intersection at 157th Avenue and Colorado Street in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
2306	7-13-2010	Revision of special exception to bring into conformance an existing tech lab on the property located at the southwest quadrant at the intersection at Ridge Road and Calhoun Street, a/k/a 6111 W. Ridge Road in Calumet Township.
2307	7-13-2010	Making a special exception to construct a two-third-acre pond on thee property located approximately four-tenths mile south of 93rd Avenue on the east side of Sheffield Avenue, a/k/a 9601 Sheffield Avenue in St. John Township.
2320	10-12-2010	Making a special exception to allow an advertising device in an A-1 (Agricultural Zone) on property located approximately two-tenths mile south of 153rd Avenue on the northeast side of South Grove Road, a/k/a 15428 Grove Road in Eagle Creek Township.
2321	10-12-2010	Making a special exception to allow a church in an A-1 (Agricultural Zone) on property located approximately one-half mile east of Calumet Avenue on the south side of 109th Avenue, a/k/a 13501 W. 109th Avenue in Hanover Township.
2322	10-12-2010	Making a special exception to allow for an accessory building and expand a church property under an existing special exception development plan on property located approximately tow-tenths mile east of Parrish Avenue on the south side of 85th Avenue, a/k/a 9209 W. 8th Avenue in St. John Township.
2325	11-9-2010	Amending existing special exception for a church in an A-1 (Agricultural Zone) on property located approximately three-tenths mile west of Calumet on the north side of 113th Avenue, a/k/a 14804 W. 113th Avenue in Hanover Township.
2326	11-9-2010	Making a special exception to construct a pond on the property located at the southwest quadrant at the intersection at Hendricks Street and 153rd Avenue, a/k/a 15340 Hendricks Street in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2329	12-14-2010	Making a special exception to allow a fast food restaurant on property located approximately three-tenths mile west of Clark Street on the south side of Ridge Road, a/k/a 3535 W. Ridge Road in Calumet Township.
2331	1-12-2011	Making a special exception to allow a church in an R-1 (One-Family Zone) on the property located at the northeast quadrant at the intersection at 133rd Lane and Taney Street in Center Township.
2333	1-12-2011	Revising a special exception to allow a Class C Recreational Special Exception for rodeo events on property located approximately seven-tenths mile south of 197th Avenue on the east side of State Line Road, a/k/a 20407 State Line Road in West Creek Township.
2340	6-4-2011	Making a special exception to allow an advertising device in an A-1 (Agricultural Zone) on property located approximately one-tenth mile north of 125th Avenue on the east side of Cedar Lake Road, a/k/a 12419 Cedar Lake Road in Hanover Township. Condition: illuminated business sign to be turned off by 7:00 p.m.
2342	7-12-2011	Making a recreational special exception to allow a Class A Recreational Special Exception for a pumpkin patch and related activities on property located approximately two-tenths mile east of Cline Avenue on the south side of 159th Avenue, a/k/a 7705 W. 159th Avenue in Cedar Creek Township.
2343	7-12-2011	Making a revision to a special exception to place a sign on exterior of school building on property located at the southwest quadrant at the intersection of Colfax Street and Ridge Road, a/k/a 6111 W. Ridge Road in Calumet Township.
2347	9-13-2011	Making a special exception to allow an addition to an existing radio tower equipment building on property located approximately one-half mile south of 159th Avenue on the west side of State Road 55 in Cedar Lake Township.

Ord. No.	*Date Passed*	*Description*
2348	10-11-2011	Making a revision to a special exception to construct a caretaker's apartment on the second level of an existing building on property located approximately two-tenths mile west of Whitcomb Street on the south side of Ridge Road, a/k/a 420l W. Ridge Road in Calumet Township.
2353	1-10-2012	Making a special exception to modify an existing sign on property located at the northwest quadrant at the intersection at 41st Avenue and Whitcomb Street, a/k/a 3900 W. 41st Avenue in Calumet Township.
2354	2-14-2012	Making a special exception to co-locate a microwave antenna at 270 feet on an existing tower on property located at the southeast quadrant at the intersection at 173rd Avenue and I-65 in Eagle Creek Township.
2357	3-13-2012	Making a revision to a special exception to modify an existing wastewater treatment facility on property located approximately one-fourth mile west of Colfax Street on the south side of Belshaw Road in Cedar Creek Township.
2359	4-10-2012	Making a revision to a special exception to install an LED messaging sign for a public school on property located approximately four-tenth mile north of Belshaw Road on the west of Cline Avenue in West Creek Township.
2361	6-12-2012	Making a special exception to allow more than two large animals on a five acre parcel on property located approximately one-tenth mile north of 125th Avenue on the east side of Crown Point Cedar Lake Road, a/k/a 12419 Cedar Lake Road in Center Township.
2364	6-12-2012	Making a special exception to allow a McDonald's restaurant in a B-3 (General Business Zone) on property located at the northwest quadrant at 181st Place and Colorado Street, a/k/a 3150 E. 181st Place in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
2365	6-12-2012	Making a special exception to upgrade an existing wireless communication facility on property located approximately four-tenth mile south of 61st Avenue on the west side of Broad Street in St. John Township.
2366	6-12-2012	Making a special exception to allow a one-half acre pond on property located approximately one-half mile east of State Road 55 (Grant Street) on the north side of 137th Avenue in Center Township.
2369	6-12-2012	Making a revision to a special exception to co-locate an additional antenna to an existing 190 ft. monopole tower on property located approximately one-tenth mile east of State Road 55 (Grant Street) on the north side of State Road 2, a/k/a 1450 W. 180th Lane in Cedar Creek Township.
2370	7-10-2012	Making a revision to special exception to construct a 12 feet by 28 feet storage shed on property located approximately three-tenth mile south of 231st Avenue on the west side of Shelby Road, a/k/a 23318 Shelby Road in Cedar Creek Township.
2372	7-10-2012	Making a revision to a special exception to install an advertising sign for Fish a While Lakes on property located approximately one-half mile south of 61st Avenue on the east side of Broad Street, a/k/a 1447 Broad Street in St. John Township.
2375	7-10-2012	Making a revision to a special exception to construct an additional warehouse for storage of caskets on property located approximately two-tenth mile west of Whitcomb Street on the south side of Ridge Road, a/k/a 4201 W. Ridge Road in Calumet Township.
2377	10-9-2012	Making a special exception to allow a related living (duplex) in an A-1 (Agricultural Zone) on property located approximately four-tenth mile south of 85th Avenue on the east side of Deodor Street in St. John Township.

Ord. No.	*Date Passed*	*Description*
2381	12-11-2012	Making a revision to a special exception to add a concession building, and make improvements to the Lowell Middle School athletic filed on property located approximately four-tenth mile north of Belshaw Road on the west side of Cline Avenue in West Creek Township.
2384	12-11-2012	Making a revision to a special exception to allow a double-wide modular unit for a day care facility on property located approximately four-tenth mile north of 85th Avenue on the west side of Burr Street, a/k/a 8200 Burr Street in St. John Township.
2387	12-11-2012	Making a special exception to construct a pond on property located approximately six-tenth mile west of While Oak Avenue on the south side of south of 151st Avenue, a/k/a 14291 W. 151st Avenue in West Creek Township.
2394	5-14-2013	Making a special exception to construct a new building and parking lot expansion and sign on located approximately 1/10 mile east of Sheffield Avenue on the south side of W. 93rd Avenue in St. John Township.
2402	8-13-2013	Making a special exception to allow a pet cemetery in a B-3 (General Business Zone) on property located approximately 1/2 mile north of 117th Avenue on the east side Wicker Avenue, a/k/a 11401 Wicker Avenue in Hanover Township.
2403	8-13-2013	Making a special exception to allow a fire station in an R-3 (One to Four-Family Zone) on property located 7/10 mile west of Cline on the south side of 85th Avenue, a/k/a 9105 W. 85th Avenue in St. John Township.
2409	9-10-2013	Making a special exception to allow a small wind energy conversion system on property located at the southwest quadrant at the intersection at Belmont Place and Walsh Court, a/k/a 14924 Belmont Place in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2410	9-10-2013	Making a special exception to allow a fire station in an R-3 (One to Four-Family Zone) on property located 7/10 mile west of Cline on the south side of 85th Avenue, a/k/a 9105 W. 85th Avenue in St. John Township.
2418	1-14-2014	Making a special exception to allow a hobby farm with 11 horses on 10.13 acres on property located approximately 2/10 mile west of White Oak Street on the north side of 117th Avenue, a/k/a 13020 W. 117th Avenue in Hanover Township. Conditions: 1) Maximum of 11 horses on property, and 2) special exception runs with the current owner not the land.
2437	8-12-2014	Making a special exception to allow a commercial stable on property located approximately 5/10 mile north of 163rd Avenue on the east side of Harrison Street, a/k/a 15911 Harrison Street in Cedar Creek Township. Conditions: 1) A maximum of 8 horses on property, and 2) Upon the sale of the property, or termination of the current business, the special exception use is removed from the property.
2438	8-12-2014	Making a revision to a special exception to allow a free-standing sign with illuminated information panel on property located approximately 2/10 mile west of Whitcomb Street on the south side of Ridge Road in Calumet Township.
2440	9-9-2014	Making a special exception to allow a walk-in cooler in an existing gas station on property located at the southeast quadrant at the intersection at 43rd Avenue and Cleveland Street, a/k/a 4301 Cleveland Street in Calumet Township.
2441	9-9-2014	Making a special exception to allow a transportation facility for school buses on property located approximately 4/10 mile north of Belshaw Road on the west side of Cline a/k/a 19250 Cline in West Creek Township.
2444	10-14-2014	Making a special exception to allow a personal motocross track on property located approximately 1/2 mile north of 165th Avenue on the east side of White Oak, a/k/a 16103 White Oak in West Creek Township. Conditions:

Ord. No.	*Date Passed*	*Description*
2444 (Cont'd)		1. Hours of operation to be 9:00 a.m. to 7:30 p.m.; 2. Exclusively for private and personal use of family members living on property; 3. Owner to submit plan to mitigate any noise or dust pollution that may be produced by activity to protect adjacent properties; 4. Special exception to run with the current property owner. Any change in ownership will repeal the Class B Recreational Special Exception; 5. Motorcycles on the track shall maintain a good operating muffler/exhaust system. If the motorcycle is older or if the exhaust system has been altered, a US Forest Service approved muffler and spark arrestor system (quiet muffler system) shall be installed. If it is newer, the original stock muffler system must be maintained; and 6. The Lake County Board of Zoning Appeals shall review this application in 5 years.
2445	10-14-2014	Making a revision to a special exception to allow an addition to an existing fire station on property located approximately 5/10 mile north of 237th Avenue on the west side of State Road 55 (Shelby Road), a/k/a 23318 Shelby Road in Cedar Creek Township.
2447	11-13-2014	Making a special exception to allow an educational institution in an A-1 (Agricultural Zone) on property located at the southwest quadrant at the intersection at 109th Avenue and Calumet, except the north 295 feet in Hanover Township.
2456	3-10-2015	Making a special exception to allow a school with grade K to 8 in an A-l (Agricultural Zone) on property located approximately 3/10 of a mile north of 121st Avenue on the west side of Calumet in Hanover Township. DENIED. Condition: when they come back to the County, their fees should be waived.
2463	6-09-2015	Making a special exception to allow an addition to an existing building on the church property on property located approximately 8/10 of a mile west of Cline Street on the south side of 85th Avenue, a/k/a 9209 W. 85th Avenue in St. John Township.

Ord. No.	*Date Passed*	*Description*
2464	7-07-2015	Making a special exception to allow expansion of an existing cemetery in an R-3 (One to Four-Family Zone) on property located approximately 2/10 of a mile south of Ridge Road on the east side of Ross Road, a/k/a 4055 Ross Road in Calumet Township.

(Prior Code, T.S.O. X)

TABLE XI: VARIANCES

Ord. No.	*Date Passed*	*Description*
1580	6-14-1994	Making a variance of use for placement of a mobile office on property located approximately three-tenths mile West of Chase Street on the south side of Ridge Road also known as 3525 Ridge Road, in Calumet Township.
1578	7-12-1994	Making a variance of use for the purpose of constructing an accessory building to store materials prior to constructing the main residence on the property located approximately three-tenths mile north of 133rd Avenue on the east side of State Line Road, also known as 131 State Line Road, in Hanover Township.
1579	7-12-1994	Making a variance of use for the placement of a temporary residence (mobile home) prior to construction of a residence on property located approximately three-tenths mile north of 133rd Avenue on the east side of State Line Road, also known as 131 State Line Road, in Hanover Township.
1592	11-15-1994	Making provisions for a variance of use for temporary placement of a mobile home on property located approximately one-quarter mile north of 163rd Avenue on the East side of Broadway, also known as 16015 Broadway, in Eagle Creek Township.
1593	11-15-1994	Making provisions for a variance of use for the assembly of trophies as a hobby and for profit in an accessory building on property located approximately one-sixth mile south of 117th Avenue on the East side of Burr Street in Center Township.

Ord. No.	*Date Passed*	*Description*
1602	3-14-1995	Making provisions for a variance for temporary placement of a mobile home for ill parent on property located approximately six-tenths mile west of Chase Street on the north side of 51st Avenue in Calumet Township.
1607	4-11-1995	Making provisions for a variance for temporary placement of a mobile home for ill parent on property located approximately three-tenths mile south of 145th Ave. on the west side of Hancock St., also known as 14710 Hancock St., in Winfield Township.
1621	5-9-1995	Making provisions for a variance for the purpose of a nursery, located approximately one-tenths of a mile north of 121st Ave. on the east side of Burr St., also known as 11975 Burr St. in Center Township.
1637	10-10-1995	Making a variance of use for the purpose of a temporary living unit located approximately three-tenths of a mile north of 165th Avenue on the west side of Wicker Blvd. (U.S. 41), a/k/a 16222 Wicker Avenue, West Creek Township.
1638	10-10-1995	Making a variance of use for the purpose of constructing an addition to an existing residence located approximately 725 feet south of 117th Ave. on the east side of Wicker Blvd. in Hanover Township.
1648	2-13-1996	Making a variance of use for the purpose of placing three temporary hooped polyhouse structures for a nursery, located approximately four-tenths of a mile west of Cline on the north side of 85th Avenue, a/k/a 8620 W. 85th Avenue in St. John Township.
1655	3-12-1996	Making a variance of use for the purpose of allowing two residences on one lot, on property located approximately three-fourths of a mile east of Wicker Boulevard on the south side of 219th Ave. in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1683	8-13-1996	Making a variance of use for the purpose of allowing two residences on one lot, located approximately four-tenths of a mile east of Randolph St. on the south side of 109th Ave., a/k/a 8611 E. 109th Ave. in Winfield Township.
1700	10-15-1996	Making a variance of use for the purpose of allowing horses in an R-1 (One-Family Zone) on property located approximately four-tenths of a mile north of 93rd Ave. on the west side of Cline St., a/k/a 9012 Cline St. in St. John, Township.
1745	2-10-1998	Making a variance of use for the purpose of allowing a residence in a business zone, located approximately six-tenths of a mile south of 77th Avenue on the east side of U.S. 41 (Wicker Avenue), also known as 8167 Wicker Avenue in St. John Township.
1750	5-26-1998	Making a variance of use for the purpose of allowing for a mobile home to be temporarily parked on property located approximately four-tenths of a mile east of Colfax Street on the east side of King Street, also known as 14723 King Street in Center Township.
1751	5-26-1998	Making a variance of use for the purpose of allowing for a mobile home to be temporarily parked on property located at the southeast quadrant at the intersection at 161st Avenue and Mount Street in Cedar Creek Township.
1752	5-26-1998	Making a variance of use for the purpose of allowing an overhead door business in a R-2 (One-Family Zone) on property located approximately one-tenths of a mile south of 121st Avenue on the west side of Chase Street, also known as 12120 Chase Street in Center Township.
1751-A	8-11-1998	Making a variance of use for the purpose of a U-Lock self storage buildings with general office and apartment on property located at the southeast quadrant at the intersection at 161st Avenue and Mount Street in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
1757	8-11-1998	Making a variance of use to allow parking of semi-trailer in an R-3 Zone on property located approximately two-tenths of a mile south of 141st Avenue on the east side of Wicker Boulevard (U.S. 41), a/k/a 14225 Wicker Avenue in Hanover Township.
1760	8-11-1998	Making a variance of use to allow a 60' x 104' pole barn for contractor's storage in an R-3 Zone on property located approximately two-tenths of a mile north of 101st Avenue on the east side of Sheffield Street, a/k/a 9949 Sheffield Street in St. John Township.
1761	8-11-1998	Making a variance of use to allow animal hospital in an R-2 Zone on property located approximately one-tenths of a mile west of Lane Street on the north side of 109th Avenue, a/k/a 4516 W. 109th Avenue in Center Township.
1764	9-18-1998	Making a variance of use to allow cabinet manufacturing business in an A-1 Zone on property located approximately one-half mile north of 173rd Avenue on the east side of Mississippi Street, a/k/a 16855 Mississippi Street in Eagle Creek Township.
1765	10-13-1998	Making a variance of use to sell snowmobile parts on part-time basis in an A-1 Zone on property located approximately three-tenths of a mile south of 159th Avenue on the east side of Parrish Street, a/k/a 16105 Parrish Street in West Creek Township.
1766	10-13-1998	Making a variance of use to allow hobby farms on 10+ acre lots in an R-1 Zone on property located at the southeast quadrant at the intersection at 153rd Avenue and Clark Street in Cedar Creek Township.
1770	11-10-1998	Making a variance of use to allow parking semi-trucks in an R-3 Zone on property located at the southeast quadrant at the intersection at 50th Lane and Chase Street, a/k/a 5035 Chase Street in Calumet Township.

Ord. No.	*Date Passed*	*Description*
1783	6-8-1999	Making a variance of use to allow parking semi-trailer in an A-1 Zone on property located approximately one-half mile south of 137th Avenue on the east side of Grand Boulevard, a/k/a 14091 Grand Boulevard in Winfield Township.
1784	6-8-1999	Making a variance of use to allow two horses on less than 4.5 acres on property located approximately one-tenths of a mile east of Burr Street on the north side of 121st Avenue, a/k/a 5320 W. 121st Avenue in Center Township.
1785	6-8-1999	Making a variance of use to allow parking of commercial vehicle in an R-1 Zone on property located approximately one-tenths of a mile west of Broadway on the south side of 156th Court, a/k/a 295 W. 156th Court in Cedar Creek Township.
1786	6-8-1999	Making a variance of use to raise pheasants on hobby farm on property located approximately one-half mile west of Cline Street on the east side of 81st Avenue, a/k/a 10505 Baker Place in St. John Township.
1787	6-8-1999	Making a variance of use to allow storage of contractors supplies in an R-3 Zone on property located approximately two-tenths of a mile west of Gibson Street on the north side of 141st Avenue, a/k/a 5300 E. 141st Avenue in Winfield Township.
1794	9-14-1999	Making a variance use to allow parking of semi-trailer in an R-3 Zone on property located approximately two-tenths of a mile east of White Oak Street on the north side of 157th Avenue, a/k/a 12304 W. 157th Avenue in West Creek Township.
1796	10-12-1999	Making a variance use to allow parking of tractor-trailer in an R-3 Zone on property located at the northeast quadrant at the intersection at Clark Street and 133rd Avenue, a/k/a 4714 W. 133rd Avenue in Center Township.

Ord. No.	*Date Passed*	*Description*
1798	10-12-1999	Making a variance of use to allow livestock on less than five acres on property located approximately three-tenths of a mile south of 165th Avenue on the west side of Broadway in Cedar Creek Township.
1797	11-9-1999	Making a variance use to operate business and store equipment in an R-3 Zone on property located approximately two-tenths of a mile north of 49th Avenue on the west side of Oak Lane, a/k/a 4710 Oak Lane in Calumet Township.
1804	11-9-1999	Making a variance of use to construct an accessory structure without a main building on the property located approximately seven-tenths of a mile east of U.S. 41 (Wicker Boulevard) on the north side of 113th Avenue, a/k/a 10108 W. 113th Avenue in Hanover Township.
1806	12-14-1999	Making a variance of use to allow parking of semi-trucks in an A-1 Zone on property located approximately one-half mile north of 163rd Avenue on the east side of State Road 55 (Grant Street), a/k/a 15915 Grant Street in Cedar Creek Township.
1810	2-8-2000	Making a variance of use to allow parking of semi-truck in an R-1 on property located approximately one-tenth of a mile west of Chase Street on the north side of 41st Ave., a/k/a 3232 W. 41st Ave., in Calumet Township.
1829	7-11-2000	Making a variance of use to operate a travel agency in residence located at the northwest quadrant at the intersection of 109th Ave. and Hanley St., a/k/a 10890 Hanley St., in Center Township.
1830	7-11-2000	Making a variance of use to allow a wireless communications facility, tower and equipment shelter located approximately one mile east of Colfax St. on the north side of 53rd Ave., in Calumet Township. DENIED.

Ord. No.	*Date Passed*	*Description*
1834	8-11-2000	Making a variance of use to co-locate Sprint antennas at a height of 250 ft. on an existing Ameritech cellular lattice tower on property located approximately two-tenths of a mile south of 173rd Ave. on the west side of Colorado St., in Eagle Creek Township.
1833	9-12-2000	Making a variance of use of a wireless communications facility, tower and equipment shelter on property located approximately three-tenths of a mile south of 181st Ave. between Cline and Colfax St., in Cedar Creek Township.
1840	11-14-2000	Making a variance of use to allow parking of semi-truck in an R-1 on property located approximately three-tenths of a mile east of Holtz Rd. on the north side of 169th Ave., a/k/a 3450 W. 169th Ave., in Cedar Creek Township.
1841	11-14-2000	Making a variance of use to co-locate antennas at a height of 200 feet on an existing 270-foot cellular lattice tower, on property located approximately one-tenth of a mile south of 173rd Ave. on the east of I-65, in Eagle Creek Township.
1842	11-14-2000	Making a variance of use of a wireless communications facility, tower and equipment shelter, on property located approximately three-tenths of a mile east of Mississippi St. on the south side of 217th Ave., a/k/a 2101 E. 217th Ave., in Eagle Creek Township.
1843	12-19-2000	Making a variance of use of a hobby farm on Lots 13 and 14 Pon & Co's Oak Hill Subdivision, on property located approximately two-tenths of a mile west of Burr St. on the south side of 117th Ave., a/k/a 6001 W. 117th Ave., in Center Township.
1844	12-19-2000	Making a variance of use of an installation of a natural gas meter station, on property located approximately four-tenths of a mile south of 185th Ave. on the east side of State Line Rd., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1845	12-19-2000	Making a variance of use of an installation of a Lake County natural gas meter station, on property located approximately two-tenths of a mile south of 113th Ave. on the west side of Burr St., a/k/a 11404 Burr St., in Center Township.
1848	1-9-2001	Making a variance of use of an accessory structure without a main building, on property located approximately three-tenths of a mile west of Chase St. on the north side of 153rd Ave., a/k/a 3690 W. 153rd Ave., in Cedar Creek Township.
1849	1-9-2001	Making a variance of use of wireless antennas at a height of 95 ft. on an existing 110 ft. Sprint cellular monopole tower, on property located approximately one-tenth of a mile South of 41st Ave. on the east side of Whitcomb St., a/k/a 4325 Whitcomb St., in Calumet Township.
1853	2-13-2001	Making a variance of use of occupying an existing home during construction of the new residence, on property located approximately three-tenths of a mile east of Burr St. on the south side of 113th Ave., a/k/a 5107 W. 113th Ave., in Center Township.
1854	2-13-2001	Making a variance of use of an accessory structure without a main building for personal use only, on property located at the northwest quadrant at the intersection at 47th Ave. and Roosevelt St., in Calumet Township.
1855	2-13-2001	Making a variance of use of a Sprint PCS wireless communication facility, on property located approximately one-tenth of a mile north of 205th Ave. on the west side of Wicker Ave. (U.S. 41), a/k/a 20410 Wicker Ave., in West Creek Township.
1864	5-8-2001	Making a variance of use of a mobile home for dependent family member, on property located approximately two-tenths of a mile east of Chase St. on the south side of 153rd Ave., a/k/a 2831 W. 153rd Ave., in Cedar Creek Township. DENIED.

Ord. No.	*Date Passed*	*Description*
1869	7-10-2001	Making a variance of use of an accessory structure without a main dwelling, on property located approximately three-tenths of a mile north of 93rd Ave. on the west side of Robinson St., a/k/a 9040 Robinson St., in St. John Township.
1870	7-10-2001	Making a variance of use of occupying an existing home during construction of the new residence, on property located approximately three-tenths of a mile south of 85th Ave. on the west side of Marquette St., in St. John Township.
1871	7-10-2001	Making a variance of use of a nursery in an R-1 zone, on property located approximately one-half mile east of Holtz Rd. on the north side of 169th Ave., a/k/a 3242 W. 169th Ave., in Cedar Creek Township.
1906	1-8-2002	Making a variance of use to bring an existing hobby farm into compliance with the Lake County Zoning Ordinance, on property located approximately three-tenths of a mile north of 93rd Ave. on the east side of Henry St., a/k/a 9091 Henry St., in St. John Township.
1915	4-9-2002	Making a variance of use to co-locate a telecommunications antenna to an existing tower, on property located approximately one-half mile east of Cline Ave. on the south side of Oakley Ave., in Cedar Creek Township.
1916	4-9-2002	Making a variance of use of a wireless telecommunications facility, on property located approximately eight-tenths of a mile south of 93rd Ave. on the west side of Taft St., in Ross Township.
1913	5-14-2002	Making a variance of use of a bed and breakfast in an R-1 zone, on property located approximately three-tenths of a mile east of White Oak Ave. on the south side of 185th Ave., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
1922	5-14-2002	Making a variance of use of an accessory structure without a main dwelling, on property located approximately one-tenth of a mile north of 161st Ave. on the west side of Hendricks St., a/k/a 16006 Hendricks St., in Cedar Creek Township.
1925	6-11-2002	Making a variance of use to co-locate a telecommunications antenna on an existing tower, on property located approximately six-tenths of a mile south of 109th Ave. on the west side of Burr St., a/k/a 11404 Burr St., in Center Township.
1928	6-11-2002	Making a variance of use of an accessory structure without a main dwelling on property located approximately four-tenths of a mile north of 161st Ave. on the east side of Colfax St., a/k/a 15627 Colfax St., in Cedar Creek Township.
1939	9-10-2002	Making a variance of use of a wireless communications facility in an A-1 zone on property located approximately three-tenths of a mile south of 231st Ave. on the west side of Whitcomb St., in Cedar Creek Township.
1940	9-10-2002	Making a variance of use of a wireless communications facility in an A-1 zone on property located approximately one mile north of 221st Ave. on the west side of Chestnut St., in West Creek Township.
1942	9-10-2002	Making a variance of use of a wireless communications facility in an P.U.D. (Planned Unit Development), on property located approximately the N. one-half of the S.W. quarter of Sec. 16, Twshp. 34 N., Range 7 W. of the 2nd Principal Meridian and part of the S. one-half of the N.W. quarter of Sec. 16, Twshp. 34 N., Range 7 W. of the 2nd Principal Meridian, in Lake County. DENIED.
1947	9-10-2002	Making a variance of use of a wireless communications facility in an A-1 zone on property located at the southwest quadrant at the intersection at 163rd Ave. and I-65, in Eagle Creek Township.

Ord. No.	*Date Passed*	*Description*
1949	10-8-2002	Making a variance of use of a wireless telecommunications facility in an R-3 zone on property located approximately one mile east of Cline Ave. on the south side of 122nd Ave., in Center Township.
1950	10-8-2002	Making a variance of use of a wireless telecommunications tower in an A-1 zone on property located approximately one-half mile west of U.S. 41 on the north side of 165th Ave., a/k/a 12304 W. 165th Ave. in West Creek Township.
1951	10-8-2002	Making a variance of use of a wireless internet tower in an R-2 zone on property located at the southwest quadrant at the intersection at 47th Ave. and Garfield St. in Calumet Township.
1962	11-12-2002	Making a variance of use of a wireless telecommunications facility in an M-1 zone on property located approximately four-tenths of a mile south of 49th Ave. on the west side of Cleveland St., in Calumet Township.
1977	2-12-2003	Making a variance of use of parking of business equipment on property located approximately one-quarter mile west if Montgomery St, on the south side of State Rd. 53, a/k/a 6801 E. Route 231, in Winfield Township.
1978	2-12-2003	Making a variance of use of a telecommunications facility in a B-3 zone on property located at the northeast corner of 157th Ave. and U.S. 41 (Wicker Blvd.), in West Creek Township.
1979	2-22-2003	Making a variance of use of a telecommunications facility in a P.U.D. zone on property located approximately three-tenths of a mile north of 123rd Ave. on the east side of Randolph St., in Winfield Township.
1983	3-11-2003	Making a variance of use of occupying an existing home during construction of the new home, on property located approximately two-tenths of a mile north of 133rd Ave. on the west side of Clark St., a/k/a 13210 Clark St., in Center Township.

Ord. No.	*Date Passed*	*Description*
1984	3-11-2003	Making a variance of use of temporary storage of roadway debris during I-65 construction, on property located approximately three-tenths of a mile west of Iowa St. on the south side of 129th Ave., a/k/a 1715 E. 129th Ave., in Center Township. DENIED
1986	4-8-2003	Making a variance of use of a mobile service business to be operated in an A-1 zone, on property located approximately seven-tenths of a mile east of Cline St, on the south side of 101st. Ave., a/k/a 6811 W. 101st Ave., in Center Township.
1993	6-10-2003	Making a variance of use of utilizing an existing building for RV rental storage on property located approximately eight-tenths of a mile south of 125th Ave. on the east side of Calumet St., a/k/a 13217 Calumet St., in Hanover Township.
1998	7-8-2003	Making a variance of use of a co-location of a telecommunications antenna to an existing tower on property located approximately one-half mile west of U.S. 41 on the north side of 165th Ave., in West Creek Township.
1999	7-8-2003	Making a variance of use of a telecommunications facility in an A-1 zone on property located approximately six-tenths of a mile north of State Rd. 2 on the west side of Marshall St., in Cedar Creek Township.
2000	7-8-2003	Making a variance of use of a telecommunications facility in an A-1 zone on property located at the southeast quadrant at the intersection at 221st Ave. and State Rd. 55, in Cedar Creek Township.
2001	8-12-2003	Making a variance of use of roofing contractor business facility in an A-1 zone on property located approximately four-tenths of a mile east of State Line Rd. on the north side of 113th Ave., a/k/a 15340 W. 113th Ave., in Hanover Township. REMANDED.

Ord. No.	*Date Passed*	*Description*
2002	8-12-2003	Making a variance of use of a concrete, asphalt and tire recycling plant in a C.D.D. zone on property located approximately one-half mile east of U.S. 41 (Wicker Blvd.) on the south side of 205th Ave., in West Creek Township.
2003	9-9-2003	Making a variance of use of a telecommunications facility in an R-3 zone in a C.D.D. on property located approximately one-half mile east of Cline Ave. on the south side of 122nd Ave., in Center Township.
2006	10-14-2003	Making a variance of use of a mobile home in an A-1 zone on property located at the southwest quadrant at the intersection at 235th Ave. and Maple St., in Cedar Creek Township.
2009	12-9-2003	Making a variance of use of co-locating a wireless telecommunications antenna to an existing water tower and install ground equipment in a P.U.D. on property located at the southeast quadrant at 109th Ave. and Lake Shore Dr., in Winfield Township.
2010	12-9-2003	Making a variance of use of a placement of a recreational vehicle for seasonal use only (April 1 to November 1) on property located approximately four-tenths of a mile south of 153rd Ave. on the west side of Harrison St., a/k/a 15690 Harrison St., in Cedar Creek Township.
2011	12-9-2003	Making a variance of use of operating a worm farm in an A-1 zone on property located approximately seven-tenths of a mile west side of State Rd. 55 (Grant St.) on the north side of 153rd Ave., a/k/a 2718 W. 153rd Ave., in Cedar Creek Township.
2013	12-9-2003	Making a variance of use of allowing a storage of plumbing contractor's vehicles on property located approximately six-tenths of a mile east of Colfax St. on the south side of Elm St. (49th Ave.), a/k/a 1707 W. Elm St., in Calumet Township.

Ord. No.	*Date Passed*	*Description*
2014	12-9-2003	Making a variance of use of a wireless telecommunications facility in an R-3 zone on property located approximately one mile east of Cline Ave. on the south side of 122nd Ave., in Center Township.
2018	1-13-2004	Making a variance of use of a sale and storage of fire wood in an A-1 Zone and R-2 Zone located approximately three-tenths of a mile south of 159th Ave. on the east side of Morse St., a/k/a 16109 Morse St., in Cedar Creek Township.
1248C	2-10-2004	Waving application fee for the Lake County Highway Department for a variance.
2031	4-13-2004	Making a variance of use to continue operating a tool and die shop for the purpose of repairing farm equipment located approximately three-tenths of a mile east of Colorado St. on the south side of 157th Ave., a/k/a 3629 E. 157th Ave., in Eagle Creek Township.
2032	4-13-2004	Making a variance of use of a general contractor's business in a residential zone located approximately four-tenths of a mile east of Calumet Ave. on the south side of 77th Ave., a/k/a 13713 W. 77th Ave., in St. John Township.
2033	4-13-2004	Making a variance of use of storage of work related equipment in an agricultural zone located approximately one-half mile north of 198th Ave. on both sides of Parrish Ave., a/k/a 10179 Parrish Ave., in Hanover Township.
2035	4-13-2004	Making a variance of use of equipment in an agricultural zone located approximately two-tenths of a mile south of 141st Ave. on the east side of Main St., in Winfield Township.

Ord. No.	*Date Passed*	*Description*
2040	5-11-2004	Making a variance of use of storage of contractor's related business equipment in an A-1 zone located approximately three-tenths of a mile north of 153rd Ave. on the west side of Iowa St., in Eagle Creek Township.
2046	6-8-2004	Making a variance of use to co-locate a wireless telecommunications antenna to an existing monopole located approximately two-tenths of a mile west of Marquette St. on the south side of 85th Ave., in St. John Township.
2014-A	7-13-2004	Making a variance of use of a wireless telecommunications facility in an R-3 located approximately one mile east of Cline Ave. on the south side of 122nd Ave., in Center Township.
2051	8-10-2004	Making a variance of use to continue operating a well drilling business in an A-1 zone, located approximately one-half mile south of 129th Ave. on the west side of Delaware St., a/k/a 13416 Delaware St., in Center Township.
2052	8-10-2004	Making a variance of use to co-locate a wireless telecommunications antenna to an existing cellular tower and ground equipment in a Planned Unit District, located approximately two-tenths of a of a mile east of Randolph St. on the north side of 123rd Ave., in Winfield Township.
2053	8-10-2004	Making a variance of use to continue operating an auto repair business in an A-1 zone, located at the southwest quadrant at the intersection at 171st Ave. and Mount St., a/k/a 17102 Mount St., in Cedar Creek Township.
2055	9-14-2004	Making a variance of use to continue operating an auto repair business in an R-3 zone, located approximately two-tenths of a of a mile west of Cline Ave. on the south side of 159th Ave., a/k/a 8303 W. 159th Ave., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2057	9-14-2004	Making a variance of use of parking of a semi-tractor and trailer in an A-1 zone, located at the southwest quadrant at the intersection at 153rd Ave and Broadway, in Cedar Creek Township.
2060	10-12-2004	Making a variance of use of two additional beef cattle, located at the northwest quadrant at the intersection at 141st Ave and Grand Blvd., a/k/a 6360 E. 141st Ave. in Winfield Township.
2061	10-12-2004	Making a variance of use of an operation of a landscaping business in a residential zone, located approximately three-tenths of a of a mile west of Clark St. on the south side of 101st Ave., a/k/a 5303 W. 101st Ave., in Center Township.
2063	11-9-2004	Making a variance of use of a wireless telecommunications tower in an M-2 zone, located at the northeast quadrant at the intersection at 41st Ave. and Cleveland St., in Calumet Township.
2067	11-9-2004	Making a variance of use of an auto sales business in a M-2 zone, located approximately two-tenths of a mile east of U.S. 41 on the south side of State Road 2 (181st Ave.), a/k/a 10805 W. 181st Ave., in West Creek Township.
2071	1-11-2005	Making a variance of use of parking of commercial vehicles in an A-1 zone, located approximately one-half mile north of 163rd Ave. on the east side of Grant St., a/k/a 15915 Grant St., in Cedar Creek Township. DENIED.
2079	2-8-2005	Making a variance of use of co-locating a wireless telecommunications antenna to an existing cellular tower and ground equipment in a P.U.D., located at the northeast quadrant at the intersection at 123rd Ave. and Randolph St., in Winfield Township.
2084	4-12-2005	Making a variance of use of a children's daycare nursery in a B-1 zone, located approximately one-tenth of a mile east of State Line Rd. on the north side of 101st Ave., in St. John Township.

Ord. No.	*Date Passed*	*Description*
2086	4-12-2005	Making a variance of use of entrance and monument signs in a residential zone, located approximately two-tenths of a mile south of 93rd Ave. on the west side of Blaine St., in St. John Township.
2087	4-12-2005	Making a variance of use of expansion of existing green houses in a residential zone, located approximately one-half mile east of Holtz Rd. on the north side of 169th Ave., a/k/a 3242 W. 169th Ave., in Cedar Creek Township.
2090	5-10-2005	Making a variance of use of a component adjustment facility in an A-1 zone, located approximately three-tenths of a mile east of Grant St. (Rt. 55) on the south side of 163rd Ave., a/k/a 105 W. 163rd Ave., in Cedar Creek Township.
2091	5-10-2005	Making a variance of use of a wireless communication facility in a B-3 zone, located approximately two-tenths of a mile north of 45th Ave. on the west side of Ross Rd., in Calumet Township.
2094	6-13-2005	Making a variance of use of a culinary facility in an existing accessory structure for personal use, located at the southeast quadrant at the intersection at 159th Ave. and Parrish St, a/k/a 9549 W. 159th Ave. in West Creek Township.
2095	6-13-2005	Making a variance of use of a contractor's business and storage in an A-1 zone, located approximately one-half mile south of 173rd Ave. on the east side of State Line Rd., a/k/a 17609 State Line Rd., in West Creek Township.
2096	6-13-2005	Making a variance of use of a culinary facility in an existing accessory structure, located approximately one-half mile south of 173rd Ave. on the east side of State Line Rd., a/k/a 17609 State Line Rd., in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2100	7-12-2005	Making a variance of use of a sales/construction trailer for temporary use, located at the northeast quadrant at the intersection at 109th Ave. and Parrish St, in Hanover Township.
2102	8-9-2005	Making a variance of use of construction of a second residence prior to demolition of existing residence, located approximately one-half mile west of White Oak St. on the south side of 169th Ave., a/k/a 13607 W. 169th Ave., in West Creek Township.
2103	8-9-2005	Making a variance of use of co-locating a wireless telecommunications antenna to an existing cellular tower and ground equipment, located at the northeast quadrant at the intersection at 41st Ave. and Cleveland St., a/k/a 1920 W. 41st Ave., in Calumet Township.
2116	11-8-2005	Making a variance of use of a mini-warehouse and recreational vehicle storage in a M-1 zone, located approximately three-tenths of a mile west of Taft St. on the south side of 45th Ave., in Calumet Township.
2140	5-9-2006	Making a variance of use of a wind turbine for utility interconnected electrical generation, located approximately two-tenths of a mile north of 85th Ave. on the west side of Cline Ave., a/k/a 8305 Cline Ave., in St. John Township.
2144	5-9-2006	Making a variance of use of a wireless telecommunications facility in a residential zone, located approximately three-tenths of a mile north of 53rd Ave. on the east side of Chase St., in Calumet Township.
2161	8-9-2006	Making a variance of use of a wireless telecommunications facility in an HS-2 district, located approximately three-tenths of a mile west of Parrish St. on the south side of 109th Ave. in Hanover Township.

Ord. No.	*Date Passed*	*Description*
2170	10-10-2006	Making a variance of use of residing in existing home during construction of new residence, located approximately one-half mile south of 77th Ave. on the west side of Austin St., a/k/a 8030 Austin St., in St. John Township.
2171	10-10-2006	Making a variance of use of co-locating a wireless telecommunications antenna to an existing tower, located approximately one-half mile east of Cline Ave. on the south side of Oakley Ave., in Cedar Creek Township.
2176	1-9-2007	Making a variance of use of a telecommunications tower and equipment cabinet in a B-3 district, located approximately six-tenths of a mile south of 109th Ave. on the east side of U.S. 41 (Wicker Blvd.), a/k/a 11407 Wicker Blvd. in Hanover Township.
2177	1-9-2007	Making a variance of use of co-locating a wireless telecommunications antenna to an existing tower, located at the northeast quadrant at the intersection at 41st Ave. and Cleveland St, in Calumet Township.
2190	6-12-2007	Making a variance of use of an accessory structure prior to construction of main building, located approximately two-tenths of a mile east of Montgomery St. on the north side of 157th Ave., a/k/a 7556 E. 157th Ave. in Winfield Township.
2198	9-11-2007	Making a variance of use of a 48-foot by 20-foot, four-inch existing accessory structure as a dwelling unit, located approximately seven-tenths of a mile south of 157th Ave. on the east side of Sheffield St., a/k/a 16215 Sheffield St. in West Creek Township.
2199	9-11-2007	Making a variance of use of a second story of a 50-foot by 50-foot, two-inch existing accessory structure as a dwelling unit, located approximately seven-tenths of a mile south of 157th Ave. on the east side of Sheffield St. in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2205	11-13-2007	Making a variance of use of a an accessory building prior to construction of the main residence, located approximately four-tenths of a mile west of Wicker Ave. on the south side of 165th Ave. in West Creek Township. DENIED.
2210	2-12-2008	Making a variance of use of a 10-foot by 30-foot by 35-foot advertising structure in a BP-3, located approximately three-tenths of a mile south of 101st Ave. on the west side of Calumet Ave. in Hanover Township.
2216	4-8-2008	Making a variance of use of three temporary storage containers in a residential zone for a period of one year, located approximately two-tenths of a mile northeast of Burr St. on the south side of 109th Ave. (U.S. 231) a/k/a 5511 W. 109th Ave. in Center Township.
2218	4-8-2008	Making a variance of use of residing in residence until completion of new home, located approximately one mile east of Calumet Ave. on the south side of 81st Ave., a/k/a 12713 W. 81st Ave., in St. John Township.
2221	4-8-2008	Making a variance of use of a Hobby Farm with lots less than five acres, located approximately two-tenths of a mile north of 85th Ave. on the east side of Alexander St., a/k/a 8321 Alexander in St. John Township.
2223	6-10-2008	Making a variance of use of a warehouse for the storage of caskets in an R-3 Zone, located approximately three-tenths of a mile east of Clark St. on the south side of Ridge Road, a/k/a 4401 W. Ridge Rd. in Calumet Township.
2229	8-12-2008	Making a variance of use of a radio communications tower in an A-1 zone, located at the northwest corner of the intersection of 85th Ave. and Burr St. in St. John Township. DENIED.

Ord. No.	*Date Passed*	*Description*
2232	8-12-2008	Making a variance of use of a greenhouse and nursery in an R-2 Zone, located approximately one-tenths of a mile west of Burr St. on the south side of 109th Ave. (U.S. 231), a/k/a 5707 W. 109th Ave. in Center Township.
2233	8-12-2008	Making a variance of use of two temporary buildings that will serve as classrooms located approximately two-tenths of a mile west of U.S. 41 (Wicker Ave.) on the south side of 181st Ave., a/k/a 11601 W. 181st Ave. in West Creek Township.
2240	10-14-2008	Making a variance of use of allowing a second culinary facility in a single-family residence located at the northwest quadrant at the intersection of 85th Ave. and Morse Pl., a/k/a 8504 Morse Pl. in St. John Township.
2242	11-10-2008	Making a variance of use of constructing an accessory building before preliminary residence located at the northwest quadrant at the intersection at 163rd Ave. and Mississippi St. in Eagle Creek Township.
2243	11-10-2008	Making a variance of use of co-locating wireless telecommunication antennae to an existing tower located approximately two-tenths of a mile north of 45th Ave. on the west side of Ross Rd. in Calumet Township.
2244	11-10-2008	Making a variance of use of allowing a second culinary facility in a single-family residence located approximately three-tenths of a mile north of 117th Ave. on the east side of Calumet Ave., a/k/a 11441 Calumet Ave. in Hanover Township.
2245	11-10-2008	Making a variance of use of residing in residence until completion of new home, located approximately six-tenths of a mile east of State Line Rd. on the south side of Belshaw Rd., a/k/a 14905 Belshaw Rd. in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2246	11-10-2008	Making a variance of use of allowing a daycare center in an A-1 zone located approximately four-tenths of a mile north of 85th Ave. on the west side of Burr St., a/k/a 8400 Burr St. in St. John Township.
2248	1-13-2009	Making a variance of use of allowing a church retreat center that specializes in marriage counseling/leadership training located approximately nine-tenths of a mile west of US 41 (Wicker Ave.) on the south side of Belshaw Rd., a/k/a 12107 Belshaw Rd., in West Creek Township.
2249	1-13-2009	Making a variance of use of residing in an existing residence during construction of a new residence located approximately nine-tenths of a mile west of US 41 (Wicker Ave.) on the south side of Belshaw Rd., a/k/a 12107 Belshaw Rd., in West Creek Township.
2250	1-13-2009	Making a variance of use of a second culinary facility in a single-family residence located at the northwest corner at 97th Court and Forest St., a/k/a 9782 Forest St., in St. John Township.
2252	1-13-2009	Making a variance of use of a hobby farm in subdivision with lots being less than five acres in size located approximately four-tenths of a mile north of 141st Ave. on the east side of US 41 (Wicker Ave.) in Hanover Township.
2253	1-13-2009	Making a variance of use of one storage container for personal use for a period of one year located approximately two-tenths of a mile northeast of Burr St. On the south side of 109th Ave., (US 231), a/k/a 5511 W. 109th Ave. in Center Township.
2254	1-13-2009	Making a variance of use of a hobby farm in a subdivision with lots being less than five acres in size located approximately one-tenth of a mile south of 85th Avenue on the west side of Marquette St., a/k/a 8578 Marquette St. in St. John Township.

Ord. No.	*Date Passed*	*Description*
2251	2-10-2009	Making a variance of a hobby farm in a subdivision with 80% of lots being less than five acres located approximately one-half mile south of 117th Avenue on the west side of Lee St., a/k/a 12026 Lee St., in Center Township.
2258	2-10-2009	Making a variance of use of a single-family residence on a partial lot located approximately one-tenth of a mile north of 125th Ave. on the east side of White Oak Dr., a/k/a 12411 White Oak Dr., in Center Township.
2260	3-10-2009	Making a variance of use of a gas and electric hook-up to an existing accessory building on property without a primary structure located at the southwest quadrant at the intersection at 50th Ave. and Calhoun St, in Calumet Township.
2263	4-14-2009	Making a variance of use of allowing a wireless telecommunications facility in an HS-2 (Highway Service Zone) located approximately three-tenths of a mile west of Parrish Ave. on the south side of 109th Ave., a/k/a 9961 W. 109th Ave. in Hanover Township.
2270	7-14-2009	Making a variance of use of co-locating a wireless telecommunications antennas to an existing 180 ft. monopole tower located approximately three-tenths of a mile north of 123rd Ave. on the east side Randolph St. in Winfield Township.
2274	9-8-2009	Making a variance of use of allowing the parking of a semi in an RR (Rural Residential Zone) for personal use located at the northeast quadrant at the intersection at 219th Ave. and Parrish St., a/k/a 9474 W. 219th Ave. in West Creek Township.
2277	10-13-2009	Making a variance of use of residing in a current residence during construction of a new residence located approximately four-tenths of a mile east of Calumet Ave. on the south side of 77th Ave., a/k/a 13801 W. 77th Ave. in St. John Township.

Ord. No.	*Date Passed*	*Description*
2284	1-12-2010	Making a variance of use to reconfigure existing telecommunications facility, co-locate two additional carriers, and move existing tower to new site within existing lease area located approximately three-tenths mile north of 117th Avenue on the west side of Burr Street, a/k/a 11404 Burr Street in Center Township.
2285	1-12-2010	Making a variance of use to add a bathroom facility to an existing building located at the northeast quadrant at the intersection of East Drive and White Oak Terrace, a/k/a 4902 White Oak Terrace in Cedar Creek Township.
2290	2-23-2010	Making a variance of use to allow advertising sign in an A-1 (Agricultural Zone) located approximately one-half mile west of US 41 (Wicker Avenue) on the south side of 109th Avenue in Hanover Township.
2294	4-13-2010	Making a variance of use to allow a residential wind turbine in an R3 (One to Four-Family Zone) on property located approximately two-tenths mile north of 117th Avenue on the west side of Parrish, a/k/a 11512 Parrish in Hanover Township.
2296	4-13-2010	Making a variance of use to allow five horses on Hobby Farm on the property located approximately one-tenth mile west of Austin on the north side of 219th Avenue, a/k/a 9474 W. 219th Avenue in West Creek Township.
2297	4-13-2010	Making a variance of use to allow parking of semi-truck in an RR (Rural Residential Zone) on the property located approximately one-tenth mile west of Austin on the north side of 219th Avenue, a/k/a 9474 W. 219th Avenue in West Creek Township.
2300	5-11-2010	Making a variance of use to allow an accessory building on a lot without a primary residence on the property located at the northeast quadrant at the intersection at 49th Avenue and Wright Street, a/k/a 4817 Wright Street in Calumet Township.

Ord. No.	*Date Passed*	*Description*
2304	7-13-2010	Making a variance of use to erect a temporary 196-foot meteorological tower in an A-1 (Agricultural Zone) on property located at the northeast quadrant at the intersection at State Road 2 and Clay Street in Eagle Creek Township.
2305	7-13-2010	Making a variance of use to allow a Hobby Farm on less than two and one-half acres for one donkey on property located approximately four-tenths mile west of Burr Street on the north side of Highway 330, a/k/a 1226 E. Highway 330 in St. John Township.
2308	7-13-2010	Making a variance of use to allow a substance abuse recovery home on property located approximately eight-tenths mile east of Calumet Avenue on the south side of 77th Avenue, a/k/a 13205 W. 77th Avenue in St. John Township.
2309	8-10-2010	Making a variance of use to allow construction of a new home on a lot with an existing residence on property located approximately three-tenths mile south of 197th Avenue on the east side of Calfax Street, a/k/a 20009 Calfax Street in Cedar Creek Township.
2310	8-10-2010	Making a variance of use to allow sporting goods (firearms, ammo, fishing and camping sales) in an A-1 (Agricultural Zone) on property located approximately one-half mile north of 173rd Avenue on the west side of Broadway in Cedar Creek Township.
2314	9-14-2010	Making a variance of use to allow a wind turbine in an A-1 (Agriculture Zone) on property located at the southwest quadrant at the intersection of 161st Avenue and Marshall Street, a/k/a W. 161st Avenue in Cedar Creek Township.
2315	9-14-2010	Making a variance of use to allow collecting, importing and trading firearms in an A-1 (Agricultural Zone) on property located att the southwest quadrant at the intersection of 161st Avenue and Marshall Street, a/k/a 2854 W. 161st Avenue in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2316	9-14-2010	Making a variance of use to allow an accessory building prior to main residence on property located approximately three-fourths mile south of 159th Avenue on the east side of Cline Avenue in Cedar Creek Township.
2317	9-14-2010	Making a variance of use to allow an accessory building on a lot without a primary residence on property located at the northwest quadrant at the intersection of 125th Avenue and Burr Street, a/k/a 12444 Burr Street in Center Township.
2318	9-14-2010	Making a variance of use to allow parking of a semi-truck trailer in an A-1 (Agricultural Zone) on property located approximately two-tenths mile south of 181st Avenue (State Road 2) on the east side of Clay Street in Eagle Creek Township.
2327	11-9-2010	Making a variance of use to co-locate wireless telecommunications antennas to an existing 130-foot monopole tower on property located approximately two-tenths mile north of 45th Avenue on the west side of Ross Road in Calumet Township.
2330	1-12-2011	Making a variance of use to allow interstate transfer, trading and collecting of firearms on property located approximately one-half mile north of 173rd Avenue on the west side of Broadway in Cedar Creek Township.
2332	1-12-2011	Making a variance of use to allow a Hobby Farm in Calumet Farms Unit #2 on property located approximately 2/10-mile north of 8th Avenue on the east side of Austin Avenue, a/k/a 8233 Austin Avenue in St. John Township.
2334	2-9-2011	Making a variance of use to continue residing in existing residence until new home is completed on property located approximately one-half mile east of Clark Street on the north side of 133rd Avenue, a/k/a 4106 W. 133rd Avenue in Center Township.

Ord. No.	*Date Passed*	*Description*
2337	4-12-2011	Making a variance of use to allow a storage and sale of firewood and storage of commercial vehicles on property located approximately three-tenths of a mile east of Crown Point Cedar Lake Road on the north side of 133rd Avenue, a/k/a 4204 W. 133rd Avenue in Center Township. Denied.
2338	5-10-2011	Making a variance of use to remain in an existing home during the construction of a new residence; and upon completion, existing home will be demolished on property located approximately six-tenths of a mile east of U.S. 41 (Wicker Avenue) on the north side of 117th Avenue, a/k/a 10212 W. 117th Avenue in Hanover Township. Condition: Existing home to be demolished within 90 days of completion of new home.
2339	5-10-2011	Making a variance of use to allow two residential dwelling units in an A-l (Agricultural Zone) on property located approximately one-half mile south of 125 th Avenue on the east side of White Oak, a/k/a 12881 White Oak in Hanover Township. Condition: Existing living quarters in accessory building limited to owner's use only; not to be used as a rental unit.
2341	7-12-2011	Making a variance of use to reside in existing home during construction of new home on property located approximately three-tenths mile south of 135th Avenue on the east side of Patterson Street, a/k/a 13541 Patterson Street in Hanover Township. Condition: Existing home to be demolished 60 days after a certificate of occupancy is obtained for new residence.
2344	7-12-2011	Making a variance of use to allow a hobby farm on a property without a primary residential use on property located approximately one-tenth mile north of 125 th Avenue on the east side of Crown Point Cedar Lake Road, a/k/a 12419 Cedar Lake Road in Center Township.

Ord. No.	*Date Passed*	*Description*
2346	8-9-2011	Making a variance of use to allow a landscaping business in an R-2 (One-Family Zone) on property located approximately two-tenths mile south of 121st Avenue on the west side of Chase Street, a/k/a 12202 Chase Street in Center Township. DENIED.
2350	11-22-2011	Making a variance of use to allow for storage and/or sale of firewood on property located approximately four-tenths mile east of Crown Point Cedar Lake Road on the north side of 133rd Avenue in Center Township. Commitments binding on petitioners: 1) variance of use for firewood production and sales will cease upon any transfer of ownership of property; 2) commercial vehicles will not be stored on property; 3) hours of operation will be from 8:00 a.m. to 8:00 p.m.; 4) a maximum of two part time sub-contractors will be utilized for stacking, storing, loading and delivering of firewood.
2355	2-14-2012	Making a variance of use to co-locate a microwave antennae at 154 feet on an existing tower on property located at the southeast quadrant at the intersection at Oakley Avenue and C.I.&L. Railroad, a/k/a Oakley Avenue in Cedar Creek Township.
2356	2-14-2012	Making a variance of use to allow a riding academy and commercial stable in an RR (Rural Residential Zone) on property located approximately one-fourth of a mile south of 129th Avenue on the west side of Delaware Street, a/k/a 1314 Delaware Street in Center Township.
2358	3-13-2012	Making a variance of use to allow expansion of a farming operation on a parcel less than 20 acres (locating an office building for farm staff on the property) on property located approximately one-fourth mile north of 173rd Avenue on the west side of Parrish Street, a/k/a 17108 Parrish Street in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2360	6-12-2012	Making a variance of use to allow free standing solar panels in an R-3 (One to Four-Family Zone) on a property located approximately four-tenth of a mile south of 45th Avenue on the west side of Cherry Street, a/k/a 4822 Cherry Street in Calumet Township.
2362	6-12-2012	Making a variance of use to allow a second residence on a 20 acre parcel under the condition the temporary dwelling unit to be removed within six months after obtaining a certificate of occupancy for the new residence on property located approximately two-tenth of a mile west of Grant Street (State Road 55) on the north side of 159th Avenue in Calumet Township.
2363	6-12-2012	Making a variance of use to allow modifications to an existing wireless telecommunications facility on property located approximately six-tenth of a mile south of 109th Avenue on the west side of Burr Street, a/k/a 11404 Burr Street in Center Township.
2367	6-12-2012	Making a variance of use to install an LP storage and distribution tank for local customers except on: (1) part of the East 30 acres of the Northeast Quarter of Section 25, Township 33, North Range 8 West of the 2nd P.M., and (2) a rectangular parcel being a part of the Northeast Quarter of Section 25, Township 33 North, Range 8 West of the Principal Meridian in Eagle Creek Township in Lake County, Indiana, on property located approximately two-tenth of a mile south of State Road 2 on the west side of Clay Street, a/k/a 18210 Clay Street in Eagle Creek Township.
2368	6-12-2012	Making a variance of use to add three additional antennas to an existing 190 feet monopole tower on property located approximately three-tenth of a mile south of 181st Avenue between Cline and Colfax Streets in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2371	7-10-2012	Making a variance of use to install a lavatory facility in an existing accessory building on property located approximately four-tenth of a mile south of 77th Avenue on the east side of Austin Street, a/k/a 8001 Austin Street in St. John Township.
2373	7-10-2012	Making a variance of use to allow a mobile hot dog truck on property located at the northwest quadrant at the intersection of U.S. 41 (Wicker Avenue) and Belshaw Road, a/k/a 20108 Wicker Avenue in West Creek Township.
2374	8-14-2012	Making a variance of use to install a bathroom facility in an existing accessory building on property located approximately one-tenth of a mile south of 81st Avenue on the west side of Calumet, a/k/a 8166 Calumet in St. John Township.
2379	12-11-2012	Making a variance of use to reside in an existing residence during construction of a new residence under the condition the existing residence be demolished within 90 days after obtaining an occupancy permit for the new residence on property located approximately three-tenth of a mile east of Mississippi Street on the north side of 163rd Avenue, a/k/a 2006 E. 163rd Avenue in Eagle Creek Township.
2380	12-11-2012	Making a variance of use to reside in an existing residence during construction of a new residence under the condition the existing residence be demolished within 90 days after obtaining an occupancy permit for the new residence on property located approximately six-tenth of a mile north of 165th Avenue on the west side of Chestnut Street, a/k/a 16002 Chestnut Street in West Creek Township.
2382	12-11-2012	Making a variance of use to install restrooms and a shower facility in an accessory building on property located approximately two-tenth of a mile west of Clark Road on the north side of 107th Court in Center Township.

Ord. No.	*Date Passed*	*Description*
2383	12-11-2012	Making a variance of use to install a solar panel on an A-1 (Agricultural Zoning) property on property located approximately four-tenth of a mile south of 231st Avenue on the east side of Whitcomb Street, a/k/a 23607 Whitcomb Street in Cedar Creek Township.
2385	12-11-2012	Making a variance of use to add an antenna to an existing tower and modify equipment to ground facility on property located approximately three-tenth of a mile south of 181st Avenue between Cline and Colfax Street in Cedar Creek Township.
2386	12-11-2012	Making a variance of use to construct an accessory building prior to construction of a main residence on property located approximately six-tenth of a mile west of White Oak Avenue on the south side of 151st Avenue, a/k/a 14291 W. 151st Avenue in West Creek Township.
2388	2-12-2013	Making a variance of use to construct an accessory building prior to construction of main residence on property located approximately 9/10 of a mile east of Grant Street on the south side of 129th Avenue in Center Township.
2391	2-12-2013	Making a variance of use to allow a detached garage on a lot without a main building on property located approximately 3/10 of a mile west of Clark Road on both the north and south side of S. Lakeview Drive, a/k/a 757 S. Lakeview Drive in Cedar Creek Township.
2395	5-14-2013	Making a variance of use to install free-standing solar panels on property located approximately 4/10 of a mile south of 221st Avenue on the west side of Harrison Street, a/k/a 2204 Harrison Street in Cedar Creek Township.
2396	5-14-2013	Making a variance of use to install free-standing solar panels on property located approximately 4/10 of a mile south of 221st Avenue on the east side of Harrison Street in Cedar Creek Township.

Ord. No.	*Date Passed*	*Description*
2397	6-11-2013	Making a variance of use to continue the use of an accessory building until primary residence is constructed, this request being an extension of Ordinance #2317 approved on September 14, 2010, on property located at the northwest quadrant at the intersection of 125th Avenue and Burr Street, a/k/a 12444 Burr Street in Center Township.
2401	8-13-2013	Making a variance of use to allow an existing mobile home for a new occupant in an A-1 (Agricultural Zone) on property located at the southeast quadrant at the intersection at 205th Avenue and Chase Street, a/k/a 20525 Chase in Cedar Creek Township.
2419	1-14-2014	Making a variance of use to reside during construction of new home on property located approximately 4/10 of a mile west of Parrish Street on the north side of 113th Avenue, a/k/a 10108 W. 113th Avenue in Hanover Township. Conditions: Owners have six months from issuance of Certificate of Occupancy on new residence to remove/demolish old residence.
2422	3-11-2014	Making a variance of use to reside during construction of new home on property located approximately 4/10 of a mile west of Parrish Street on the north side of 113th Avenue, a/k/a 10108 W. 113th Avenue in Hanover Township. Conditions: Sanitary sewer to be provided by the City of Gary; No hazardous materials allowed on site; and All business activity to be contained within the building.
2424	4-8-2014	Making a variance of use to allow a mobile home for elderly parent on property located approximately 1/2 mile south of 169th Avenue of the east side of State Line Road, a/k/a 17373 State Line Road in West Creek Township. Condition: Mobile home to be removed when no longer occupied by parent.

Ord. No.	*Date Passed*	*Description*
2426	5-13-2014	Making a variance of use to allow a subdivision in an A-1 (Agricultural Zone) on property located approximately 4/10 mile west of Calumet Avenue on the north side of 121st Avenue in Hanover Township. Condition: If premise is vacated, the Variance goes away.
2430	6-10-2014	Making a variance of use to allow an accessory building on a lot without a primary residence on property located approximately 1/10 mile north of 117th Avenue on the west side of Hawthorne Place, a/k/a 11650 Hawthorne Place in Hanover Township. Conditions: Lots to be combined into one tax key ID number and Property never to be split.
2431	6-10-2014	Making a variance of use to remain in existing residence during construction of new residence on property located approximately 2/10 mile south of 61st Avenue on the east side of Randolph Street, a/k/a 6235 Randolph Street in Ross Township. Condition: Existing residence to be demolished within 60 days after obtaining an occupancy permit for new residence.
2434	7-8-2014	Making a variance of use to allow a Hobby Farm in a subdivision where 80% of the lots are less than 5 acres on property located approximately 2/10 mile west of US 41 (Wicker Avenue) on the south side of 109th Avenue, a/k/a 11473 W. 109th Avenue in Hanover Township.
2439	9-9-2014	Making a variance of use to allow a wireless communication facility in an A-1 (Agricultural Zone) on property located at the southeast quadrant at the intersection of 109th Avenue and State Line Road, a/k/a 15409 W. 109th Avenue in Hanover Township. Condition: Erect a Fence around perimeter.
2446	11-13-2014	Making a variance of use to allow a church in a B-2 (Rural Business Zone) on property located approximately 1/10 mile east of US 41 (Wicker Boulevard) on the north side of 181st Avenue (State Road 2), a/k/a 11102 W. 181st Avenue in West Creek Township.

Ord. No.	*Date Passed*	*Description*
2448	11-13-2014	Making a variance of use to allow an accessory building on a lot without a main residence on property located approximately 2/10 mile west of State Road 55 (Harrison Street) on the north side of Island Drive, a/k/a 1317 Island Drive in Cedar Creek Township.
2449	11-13-2014	Making a variance of use to allow an accessory building on a lot without a main residence on property located approximately 2/10 mile south of 61st Avenue on the west side of Broad Street, a/k/a 1120 S. Broad Street in St. John Township.
2454	3-10-2015	Making a variance of use to allow an accessory building with sanitary facilities on property located approximately 2/10 of a mile north of 181st Avenue on the west side of Georgia Street in Eagle Creek Township.
2455	3-10-2015	Making a variance of use to reside in existing residence during construction of a new residence on property located approximately 2/10 of a mile south of 121st Avenue on the west side of Clark Street, a/k/a 12206 Clark Street in Center Township. Condition: Existing residence to be demolished within 90 days after obtaining an occupancy permit for new residence.
2453	5-12-2015	Making a variance of use to allow the processing of fire wood for charitable enterprise on property located on the east side of Austin Avenue, a/k/a 8001 Austin Avenue in St. John Township. DENIED.
2459	5-12-2015	Making a variance of use to allow the processing of fire wood for charitable enterprise on property located approximately 4/10 of a mile south of 77th Avenue on the east side of Austin Avenue, a/k/a 8001 Austin in St. John Township. Condition: If ownership changes, or this business is dissolved, this variance is then removed.

Ord. No.	*Date Passed*	*Description*
2460	5-12-2015	Making a variance of use to allow an E-911 telecommunication tower and ground equipment in an R-3 (One to Four-Family Zone) on property located approximately 1/2 mile east of U.S. 41 (Wicker Boulevard) on the south side of 109th Avenue (U.S. 231) in Hanover Township.
2465	7-7-2015	Making a variance of use to allow an accessory building on a lot without a main residence on property located approximately 2/10 of a mile east of Chase Street on the south side of 47th Avenue, a/k/a 3800 W. 47th Avenue in Calumet Township.

(Prior Code, T.S.O. XI)

TABLE XII: TAXATION

Ord. No.	*Date Passed*	*Description*
1255A	9-7-2004	Tax levies authorized for 2005.
1255B	9-7-2004	Appropriations and tax rates.
Res.	10-13-2004	Approving issuance of tax anticipation warrants.
1264I	6-28-2005	Credit for excessive residential property taxes for real estate taxes payable 2005.
1267A	9-8-2005	Tax levies authorized for 2006.
1267B	9-8-2005	Appropriations and tax rates.
1274C	4-11-2006	Credit for excessive residential property taxes for real estate taxes payable 2006.
1276B	6-13-2006	Establishing 2% credit for excessive residential property taxes for real estate taxes payable in 2007, 2008, and 2009 for homesteads only.
1279A	9-5-2006	Tax levies authorized for 2007.
1279B	9-5-2006	Appropriations and tax rates.
1291B	8-23-2007	Appropriations and tax rates.
1291A	9-4-2007	Tax levies authorized for 2008.
1305F	8-21-2008	Appropriations and tax rates approved.
1305C	11-10-2008	Authorizing the issuance and sale of bonds.
1305E	11-25-2008	Tax levies for 2009 approved.
1312B	7-8-2009	Tax rates adopted.
1316J	9-24-2009	Appropriations and tax rates approved.

Ord. No.	*Date Passed*	*Description*
1316I	10-13-2009	Tax levies for 2010 approved.
1328B	10-14-2010	Tax levies authorized for 2011.
1328C	10-14-2010	Appropriations and tax rates.
1339C	10-14-2011	Appropriations and tax rates.
1353E	10-9-2012	Authorizing tax levies for 2013.
1353F	10-9-2012	Appropriations and tax rates.
1364A	9-30-2013	Tax levies authorized for 2014.
1364B	9-30-2013	Appropriations and tax rates.
1364G	9-30-2013	Appropriations and tax rates.
1364H	9-30-2013	Appropriations and tax rates.
1377C	9-30-2013	Appropriations and tax rates.
1364A	10-14-2014	Tax levies authorized for 2014.
1377H	10-14-2014	Appropriations and tax rates.
1377I	10-14-2014	Appropriations and tax rates.
1389A	10-8-2015	Tax levies authorized for 2016.
1389B	- -2015	Appropriations and tax rates.
1389G	10-8-2015	Fire District tax rate, tax levy and proposed budget for 2016.
1389H	10-8-2015	Solid waste tax rate, tax levy, and proposed budget for 2016.

TABLE XIII: FINANCES, FUNDS AND OTHER MONEY MATTERS

Ord. No.	*Date Passed*	*Description*
1207M	- -2000	Appropriating earnings from the Lake County 2000 Building Corporation in connection with the sale of property upon the issuance of first mortgage bonds by the Building Corporation.
1210A	12-19-2000	Authorizing emergency temporary loans, temporary loan tax anticipation warrants and appropriating and pledging taxes.
1223A	1-8-2002	Lake County Board of Health to receive allocation of tobacco settlement funds.
1231K	9-20-2002	Transfer of specific amount of money in Liability Insurance Reserve Fund and the Riverboat Gaming Fund to the Reassessment Funds for reassessment activities.
1239D	6-2-2003	Authorizing emergency temporary loans, temporary loan tax anticipation warrants and appropriating and pledging taxes.
1240A	6-10-2003	Transfer of a specific amount of money from the Lake County Liability Insurance Reserve Fund and the Riverboat Gaming Fund to the Reassessment Fund.
1251A	5-11-2004	Accommodate payment of outstanding emergency temporary loans.
1253A	7-13-2004	Authorizing temporary loans, sale of temporary loan tax anticipation warrants and appropriating and pledging revenues.
1256D	10-12-2004	Authorizing temporary loans, sale of temporary loan tax anticipation warrants and appropriating and pledging revenues.

Ord. No.	*Date Passed*	*Description*
1258F	12-14-2004	Authorizing temporary loans to refinance warrants, issuance and exchange of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1258D	12-14-2004	Authorizing emergency temporary loans, temporary loan tax anticipation warrants and appropriating and pledging taxes.
1259A	1-11-2005	Authorizing temporary loans, issuance and sale of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1263A	5-10-2005	Accommodate payment of outstanding emergency temporary loans.
1264F	6-13-2005	Authorizing temporary loans, issuance and sale of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1264G	6-13-2005	Authorizing temporary loans to refinance warrants issued, issuance and exchange of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1266E	8-9-2005	Apply Lake County's portion of U.S. Steel settlement as a credit against property taxes due.
1266F	8-9-2005	Authorizing Lake County Treasurer to borrow money to compensate political subdivisions in the county for property tax reductions resulting from the application of the 2% property tax credit.
1270B	12-13-2005	Authorizing temporary loans to refinance warrants issued, issuance and exchange of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1278A	8-9-2006	Issuance and sale of general obligation bonds.
1278B	8-9-2006	Appropriating the proceeds derived from the sale of general obligation bonds.

Ord. No.	*Date Passed*	*Description*
1278C	8-9-2006	Issuance and sale of bonds in a certain sum for funding certain judgements and settlements entered against the county.
1284A	2-20-2007	Issuance and sale of bonds to provide funds to be used for the cost of the construction of energy conservation measures in various government buildings.
1285A	3-13-2007	Appropriation of proceeds of bonds.
1293B	11-13-2007	Issuance and sale of bonds for funding certain judgements and settlements entered against the county.
1294D	12-11-2007	Authorizing temporary loans, issuance and sale of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1294E	12-11-2007	Authorizing temporary loans, issuance and exchange of temporary loan tax anticipation warrants to evidence loans and appropriating and pledging revenues.
1297A	3-11-2008	Inner series transfers in budgets to be approved by County Council.
1223A-1	6-10-2008	Amending Ord. 1223A regarding allocation of tobacco settlement funds.
1306H	12-17-2008	Authorizing temporary loans, issuance and exchange of temporary loan tax anticipation warrants and appropriating and pledging revenues.
1306I	12-17-2008	Authorizing temporary loans, issuance and exchange of temporary loan tax anticipation warrants and appropriating and pledging revenues.

Ord. No.	*Date Passed*	*Description*
1169B-1	2-10-2009	Amending Ord. 1169B regarding use of Lake County matching funds.
1309A	3-10-2009	Authorizing temporary loans for parks and recreation, issuance and exchange of temporary loan tax anticipation warrants and appropriating and pledging revenues.
1320B	2-23-2010	Authorizing temporary loans for parks and recreation, issuance and exchange of temporary loan tax anticipation warrants and appropriating and pledging revenues.
1326A	8-10-2010	Authorizing issuance and sale of bonds.
–	4-12-2011	Authorizing temporary loans for parks and recreation, issuance and exchange of temporary loan tax anticipation warrants and appropriating and pledging revenues.
1334D	4-12-2011	Authorizing temporary loans to meet current running expenses for the use of the General Fund and the Parks and Recreation Operating Fund; authorizing the sale of temporary loan to anticipation warrants to evidence such loans.
1343G	1-10-2012	Authorizing the county to make temporary loans to meet current running expenses for the use of the General Fund and the Parks and Recreation Operating Fund of the county and the Parks and Recreation Department thereof.
1344A	2-14-2012	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds to pay judgments taken against the county.
1346A	4-10-2012	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds to pay the cost of improvements to roads and highways throughout the county.
1223A-1	6-12-2012	Amending Ord. No. 1223A, the ordinance distributing state tobacco lawsuit settlement funds.

Ord. No.	*Date Passed*	*Description*
1353B	10-9-2012	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds to pay the cost of improvements to the County Jail.
1354C	11-13-2012	Rescind and repeal Ord. No. 1353B, authorizing the issuance and sale of bonds of the county for the purpose of procuring funds to pay the cost of improvements to the County Jail.
1354D	11-13-2012	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds to pay the cost of improvements to the County Jail.
1354E	11-13-2012	Authorizing the issuance and sale of short term notes of the county for the purpose of procuring funds to pay operating costs of the county.
1354F	11-13-2012	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds for the payment or reimbursement of costs of improvements to the county facilities.
1355A	12-11-2012	Appropriation ordinance for General Obligation Bonds Series 2012B.
1355C	12-11-2012	Appropriation ordinance for General Obligation Bonds, Series 2012C.
1355E	12-11-2012	Appropriation ordinance for General Obligation Bonds, Series 2012D.
1333A-5	2-12-2013	Amending the ordinance establishing the distribution of monies from the Lake County Commissioners Tax Certificate Sales, Ordinance No. 1333A.
1359A	4-9-2013	Dedicating revenue from NACo Drug Card to County General Fund.
1359D	4-18-2013	Authorizing the county to make temporary loans to meet current running expenses.
1365B	10-8-2013	Funding capital improvement projects by the Board of Park and Recreation through the issuance and sale of general obligation bonds.

Ord. No.	*Date Passed*	*Description*
1370B	3-11-2014	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds
1370C	3-11-2014	Appropriation ordinance for Emergency 911 Services Bond.
1371B	4-8-2014	Approving issuance of Lake County Parks & Recreation District General Obligation Refunding Bonds of 2014.
1377J	10-14-2014	Granting the Recorder's request to use monies from the Recorder's Record Perpetuation Fund to supplement the Recorder's 2015 budget.
1379A	12-9-2014	Authorizing the issuance and sale of bonds of the county.
1379A	2-10-2015	Amending Ordinance No. 1379A authorizing the issuance and sale of bonds of the county.
1387A	8-11-2015	Authorizing the issuance and sale of bonds of the county for the purpose of procuring funds.
1388C	9-8-2015	Granting the Recorder's request to use monies from the Recorder's Record Perpetuation Fund to supplement the Recorder's 2016 budget.
1389I	10-21-2015	Authorizing the issuance and sale of bonds of the county in the aggregate principal amount not to exceed $6,300,000.