

COUNCIL PENDING ORDINANCE NO. 2023-18-  
ORDINANCE NO. \_\_\_\_\_  
AS AMENDED \_\_\_\_\_  
CERTIFICATION DATE \_\_\_\_\_  
CERTIFIED BY \_\_\_\_\_  
FAVORABLY \_\_\_\_\_  
UNFAVORABLY \_\_\_\_\_

**AN ORDINANCE TO APPROVE A REZONE FOR THE PROPERTY LOCATED AT  
8324-26 INDIAN BOUNDARY FOR PETITIONER KEITH RAMSEY**

WHEREAS, THE CITY OF GARY PLAN COMMISSION by a majority vote in the meeting held in December of 2022, recommended that its **Petition No. PC 2022-18** be adopted and that the Council rezone the defined properties.

WHEREAS, the real estate, 8324-26 Indian Boundary GARY IN 46403, parcel number: 45-05-33-152-021.000-004, legal description, Norcott's Add Indiana City BL.3 lots 43 to 48, is to be rezoned from R1 to R5 and recommended by the Commission,

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Gary, Indiana:

**SECTION 1.** That, the City Zoning Ordinance title 15 entitled "land usage", Chapter 123 entitled "zoning code" of the code of ordinances of, The City of Gary, Indiana, and particularly the zone maps which are made a part of said, be and the same is hereby amended by making certain changes as follows:

By changing the following described real estate on the zone maps from its established zoning district classification from R1 to R5.

**SECTION 2.** The City Council now finds that the above zone change will not be injurious to the public health, safety, morals and general welfare of the community and the use or value of the area adjacent to the property included in this Ordinance will not be affected in a substantially adverse manner and the need for the change in zoning herein arises from a condition peculiar to the property involved and the condition is not due to the general condition of the neighborhood. The Council further finds that the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property herein if this rezoning were not granted and this rezoning does not interfere substantially with the comprehensive plan.

**SECTION 3.** All buildings or uses permitted and placed upon said described real estate shall fully conform to all the provisions of the Zoning Ordinance of the City of Gary, Indiana and shall have obtained the proper permits.

**SECTION 4.** That the Zoning Administrator is hereby authorized and directed, upon enactment and Approval of this Ordinance, to cause a change to be made on the Zoning Map Sheet by making certain notations in ink thereon and to record the date of this Amendatory Ordinance.

**SECTION 5.** This Ordinance shall be in full force and effect from and after the date of passage and publication according to law.

**PASSED** by the Common Council of the City of Gary, Indiana, this \_\_\_\_ day of \_\_\_\_\_ 2023.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

Presented by me to the Mayor for approval and signature this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
CITY CLERK

**APPROVED** and **SIGNED** by me this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR, CITY OF GARY, INDIANA

PETITIONER: Keith Ramsey

PREPARED BY: Angela Lockett, Corporation Counsel  
SPONSORED BY: Carla McVea, Department of Zoning

COMMITTEE ASSIGNMENT _____	Reported-out/Date _____	
1st Reading/Date _____	Committee Hearing/Date _____	
2nd Reading/Date _____	Public Hearing/Date _____	
3rd Reading/Date _____	Final Reading/Date _____	
Passed/Date _____	Defeated/Date _____	Deferred/Date _____
Tabled/Date _____	Override/Date _____	Adopted/Date _____
Publication/Date _____	Community Hearing/Date _____	
Veto _____	Pocket Veto _____	Adopted _____

Petition # PC 2022-18

Meeting Date:

1-Dec-22

Variance:

Rezone R1 to R5

Criteria:

- 1) the comprehensive plan  
The immediate area is identified for residential development. The rezone would maintain a residential character.
- 2) current conditions and the character of current structures and uses in each  
While multifamily units are not consistent with the existing residential character of the immediate area, they are consistent with residential development in the comprehensive plan. Other multifamily residential is located at Maple and Shelby.
- 3) the most desirable use for which the land in each district is adapted  
The zoning map shows the parcel is at the end of a line of parcels along Shelby zoned business. Thus, there is justification for higher density residential in the border between residential and business.
- 4) the conservation of property values throughout the jurisdiction  
Development of multifamily residential is expected to have a positive impact upon neighboring property values.
- 5) responsible development and growth  
Higher density residential is a continuation of residential growth.

Petitioner:

owner and petitioner is Keith M. Ramsey

Address:

8324-26 Indian Boundary Rd

Parcel #:

45-05-33-152-021.000-004

Zoning:

R1

Municipal Code:

Sec. 1-12. Certain ordinances not affected by Code.

- (a) Nothing in this Code or the ordinance adopting this Code affects the validity of any ordinance or portion of an ordinance:
  - (14) Amending the zoning map or zoning atlas, or rezoning specific property. IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:
    - 1 the comprehensive plan
    - 2 current conditions and the character of current structures and uses in each
    - 3 the most desirable use for which the land in each district is adapted
    - 4 the conservation of property values throughout the jurisdiction
    - 5 responsible development and growth

Comprehensive Plan:

Aetna, Miller and Glen Ryan

- Stable Neighborhoods The City will continue to maintain services and provide targeted investments in stable residential areas, and along the thriving retail corridors.

Analysis of Impediments to Fair Housing Choice 2022-2026:

- Land Use Practices Actions to be Taken: 2. Ensure availability and development of diverse housing.

Neighbor Notification:

No. sent: 52 sent 11/17/22

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Variance:

Rezone R1 to R5

