

COUNCIL PENDING ORDINANCE NO. 2024-62
ORDINANCE NO. _____
AS AMENDED _____
CERTIFICATION DATE _____
CERTIFIED BY _____
FAVORABLY _____
UNFAVORABLY _____

AN ORDINANCE REVIEWING A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 3573, 3581-83, 3585 AND 3595 BROADWAY GARY IN TO BE USED AS AN AUTOMOTIVE SALES AND SERVICE BUSINESS BY PETITIONER GRISELDA FLORES MONTANO

WHEREAS, zoning regulations for the City of Gary under Chapter 123 of the Zoning Code requires a Special Use Permit for the use of an automotive sales and service business in a commercial district (B5-1); and

WHEREAS, Petitioner GRISELDA FLORES MONTANO has submitted an application and presented plans and specifications to the Board of Zoning Appeals on September 12, 2024 to operate an automotive sales and service business located at four contiguous parcels known as 3573 BROADWAY, 3581-83 BROADWAY, 3585 BROADWAY, and 3595 BROADWAY, all located in GARY IN 46409, within the aforementioned zoning districts in accordance with Sec. 123-196; and

WHEREAS, the Board of Zoning Appeals held a public hearing on September 12, 2024, and by a unanimous vote favorably recommended the Special Use Permit, adopting the recommendation of the Zoning Administrator that:

1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare.
2. The special use will not be injurious to the use and enjoyment of other properties in the immediate vicinity for the purposes already permitted.
3. The establishment of the special use will not impede or substantially alter the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide for access management, ingress and egress so designed as to minimize traffic congestion on the public roads.
6. The special use will be located in a district where such a use is authorized and all other requirements set forth in this chapter which are applicable to such special use will be met.
7. The petitioner did document and present to the board that proposed special use provides for the implementation of sustainable growth principles and initiatives as approved by the board; and

WHEREAS, the granting of this Special Use Permit requires that a site improvement plan including landscaping, fencing, lighting and other site improvements must be acceptable to Gary City staff; and

WHEREAS, the granting of this Special Use Permit requires approval by the Gary Common Council; and

WHEREAS, having reviewed the plans for the proposed development as submitted and the recommendation of Board of Zoning Appeals, the Gary Common Council deems it is in the best interest of the health, safety and welfare of the city that the Special Use Permit be granted.

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

SECTION 1. Chapter 123 entitled "Zoning Ordinance" of the Code of Ordinances of the City of Gary, Indiana, 1982, and particularly the Zoning Maps, which are made a part thereof, be, and the same as hereby amended as follow: By Establishing a Special Use Permit for the use of automotive sales and service business for the property described as to-wit:

Address Parcel 1:

3573 BROADWAY, GARY, IN 46409

Parcel No.:

45-08-22-351-009.000-004

Legal Description:

**SOUTH BROADWAY ADD. EX. W. 17 FT. ST. L.29 BL.1 EX. W. 17 FT.
L.30 BL.1**

Address Parcel 2:

3581-81 BROADWAY, GARY, IN 46409

Parcel No.:

45-08-22-351-010.000-004

Legal Description:

SOUTH BROADWAY ADD. EX. W. 17 FT. ST. L.28 BL.1

Address Parcel 3:

3585 BROADWAY, GARY, IN 46409

Parcel No.:

45-08-22-351-011.000-004

Legal Description:

SOUTH BROADWAY ADD. EX. W. 17 FT. ST. L.27 BL.1

Address Parcel 4:

3595 BROADWAY, GARY, IN 46409

Parcel No.:

45-08-22-351-012.000-004

Legal Description:
SOUTH BROADWAY ADD. EX. W. 17 FT. ST. L.25 BL.1 EX. W. 17 FT.
ST. L.26 BL.1

The following conditions are required for the granting of the Special Use Permit:

Petitioner shall submit a site improvement plan including landscaping, fencing, lighting and other site improvements which must be acceptable to Gary City staff.

The Petition is forwarded with a favorable recommendation by the Gary Board of Zoning Appeals at its meeting held on September 12, 2024.

SECTION 2. 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 3. This Ordinance shall be in full force and effect from and after the date of passage and publication according to law.

FAVORABLY RECOMMENDED BY: THE BOARD OF ZONING APPEALS

Adopted this ___ day of _____, 2024, by a vote of all members present and voting.

ATTEST:

Suzette Raggs, City Clerk

Presiding Officer

Presented by me to the Mayor for his approval and signature this _____ day of _____ 2024.

Suzette Raggs, City Clerk

APPROVED AND SIGNED by me this _____ day of _____ 2024.

Eddie Melton, Mayor - City of Gary, Indiana

PETITIONER: GRISELDA FLORES MONTANO
3595 BROADWAY
GARY, IN 46409

PREPARED BY: MARCO A. MOLINA - THE CITY OF GARY LAW DEPARTMENT

SPONSORED BY: MAYOR EDDIE MELTON

COMMITTEE ASSIGNMENT _____ REPORTED-OUT DATE ___/___/___

1ST READING DATE ___/___/___/COMMITTEE HEARING/DAT ___/___/___

2ND READING DATE ___/___/___ PUBLIC HEARING/DATE ___/___/___

3RD READING/DATE ___/___/___ FINAL HEARING/DATE ___/___/___

PASSED/DATE

___/___/___ DEFEATED/DATE ___/___/___

TABLED/DATE

___/___/___ OVERDUE/DATE ___/___/___/ADOPTED/DATE ___/___/___