

## **APPENDIX I**

### **ZONING REQUIREMENTS**

COUNCIL PENDING ORDINANCE 2016-34

ORDINANCE NO 9008

AS AMENDED \_\_\_\_\_

CERTIFICATION DATE \_\_\_\_\_

FAVORABLY \_\_\_\_\_

UNFAVORABLY \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 15 ENTITLED

"LAND USAGE" CHAPTER 123 ENTITLED

"Zoning Code" OF THE CODE OF ORDINANCES OF  
THE CITY OF GARY, INDIANA

BE IT ORDANIED by the Common Council of the CITY OF GARY, INDIANA as follows:

SECTION 1. Chapter 123 entitled "Zoning Ordinance" of the Code of Ordinance 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 Use Variance for the property described as to-wit:

**3600-3700 Chase (approximately)**

**Legal Description as follows**  
**(see attached)**

The Petition was favorably recommended by the Gary Board of Zoning Appeals at its meeting held on May 10, 2016.

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 its passage and publication according to law.

PASSED BY THE COMMON COUNCIL of the CITY OF GARY, INDIANA this 7<sup>th</sup> of

June 2016

  
PRESIDING OFFICER

ATTEST:

  
CITY CLERK

Presented by me to the MAYOR for her signature this 8th day of

June 2016

Suzette Lago

CITY CLERK

APPROVED and SIGNED by me this 13th day of June 2016

[Signature]

MAYOR, CITY OF GARY, INDIANA

NOT FAVORABLY RECOMMENDED BY: THE BOARD OF ZONING APPEALS

PETITIONER: Maya Energy, LLC

2115 W. Lincoln Hwy

Merrillville, IN 46410

PREPARED BY: THE CITY OF GARY LAW DEPARTMENT

SPONSORED BY: THE BOARD OF ZONING APPEALS

C.P.D. 16-34/9008  
COMMITTEE ASSIGNMENT

REPORTED-OUT DATE \_\_\_/\_\_\_/\_\_\_

1<sup>ST</sup> READING DATE \_\_\_/\_\_\_/\_\_\_/COMMITTEE HEARING/DAT \_\_\_/\_\_\_/\_\_\_

2<sup>ND</sup> READING DATE \_\_\_/\_\_\_/\_\_\_ PUBLIC HEARING/DATE \_\_\_/\_\_\_/\_\_\_

3<sup>RD</sup> READING/DATE \_\_\_/\_\_\_/\_\_\_ FINAL HEARING/DATE \_\_\_/\_\_\_/\_\_\_

PASSED/DATE

\_\_\_/\_\_\_/\_\_\_ DEFEATED/DATE \_\_\_/\_\_\_/\_\_\_

TABLED/DATE

\_\_\_/\_\_\_/\_\_\_ OVERDUE/DATE \_\_\_/\_\_\_/\_\_\_/ADOPTED/DATE \_\_\_/\_\_\_/\_\_\_



**KAREN FREEMAN-WILSON**  
*Mayor*

**CITY OF GARY**  
**DEPARTMENT OF COMMERCE**  
**DIVISION OF ZONING**

401 Broadway, Room 304  
Gary, Indiana 46402  
(219) 881-1332/(219) 886-0817 Fax  
[WWW.GARY.IN.US](http://WWW.GARY.IN.US)

**MARY HURT**  
*Zoning Director*

May 10, 2016

**TO:** Niquelle Allen, Corporation Counsel  
**FROM:** Mary Zoning, Director  
**SUBJECT:** Request for Pending Ordinance

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The Gary Board of Zoning Appeals recommends the attached Petition for a Use Variance. Please prepare an Ordinance for consideration by the Gary Common Council for:

**BZA16-15** Maya Energy, LLC of 2115 W. Lincoln Highway, Merrillville, Indiana.  
Petition for a Use Variance at approximately 3600-3700 Chase Street,  
Gary, Indiana to Establish a Recycling Facility.

The Petition was favorably recommended by the Gary Board of Zoning Appeals at their scheduled meeting on Tuesday, May 10, 2016.

MH  
BZA 16-15  
Cc: Niquell Allen, Corporation Counsel



**KAREN FREEMAN-WILSON**  
Mayor

**CITY OF GARY**  
DEPARTMENT OF COMMERCE  
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401 Broadway, Room 304  
Gary, Indiana 46402  
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WWW.GARY.IN.US  
May 10, 2016

**MARY HURT**  
Zoning Director

City of Gary Common Council  
Municipal Building  
401 Broadway – Room 209  
Gary, IN 46402

Dear Common Council Members:

Please prepare an Ordinance for consideration by the Gary Common Council for:

BZA16-15     Maya Energy, LLC of 2115 W. Lincoln Highway, Merrillville, Indiana.  
Petition for a Use Variance at approximately 3600-3700 Chase Street,  
Gary, Indiana to Establish a Recycling Facility.

The Gary Board of Zoning Appeals favorably recommended the Petition at its Meeting on May10, 2016.

Sincerely yours,

*Mary Hurt*  
Mary Hurt, Director  
Board of Zoning Appeals

Certified and presented to the Gary Common Council of the City of Gary, Lake County, Indiana at its next meeting.

Sincerely yours,

*Mary Hurt*  
Mary Hurt, Director  
Board of Zoning Appeals

BZA16-15



CITY OF GARY  
PETITION FOR ~~SPECIAL~~ USE PERMIT *7/16*

NOTE: A COMPLETE APPLICATION WILL INCLUDE THE FOLLOWING: FIFTEEN (15) COPIES OF THIS PETITION INCLUDING A DRAWING OF THE SITE PLAN AND ANY SUPPORTING DOCUMENTS; A CHECK OR MONEY ORDER MADE PAYABLE TO THE "CITY OF GARY" IN THE AMOUNT OF \$220.00

BZA NO. 1615 DATE 04-27-16

APPLICANT NAME Maya Energy, LLC DATE OF BIRTH n/a

ADDRESS 2115 W. Lincoln Hwy CITY/STATE Merrillville, IN 46410

PHONE 219-290-6912

OWNER OF RECORD (IF DIFFERENT) Little Calumet River Basin Commission

ADDRESS 900 Ridge Road Suite H CITY/STATE Munster, IN 46321 PHONE 219-763-0696

SUBJECT PROPERTY ADDRESS 3600 Chase through 3700 Chase approximately

LEGAL DESCRIPTION BLOCK      LOT      SUBDIVISION     

See Attached Parcel Description

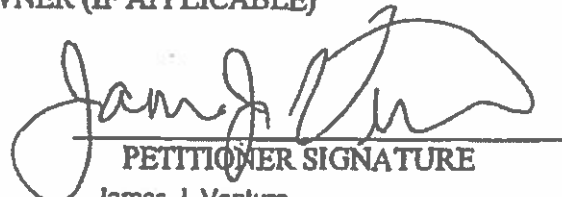
PRESENT ZONING M-1 ZONING ORDINANCE NO. 1615

PROPOSED ~~SPECIAL~~ USE Recycling Facility

EXISTING BUILDINGS/IMPROVEMENTS None

PETITION CHECKLIST:

- ☐ ALL PROMPTS ON THIS PETITION HAVE BEEN FILLED OUT
- ☐ SITE PLAN DRAWING ATTACHED
- ☐ SUPPORTING DOCUMENTS ATTACHED (IF APPLICABLE)
- ☐ LETTER OF CONSENT FROM PROPERTY OWNER (IF APPLICABLE)
- ☐ RECEIPT OF PAYMENT

  
PETITIONER SIGNATURE  
James J. Ventura  
Managing Member  
Maya Energy, LLC



CITY OF GARY  
PETITION FOR ~~SPECIAL~~ USE PERMIT

THE FOLLOWING CRITERIA MUST BE MET IN ACCORDANCE WITH SEC. 123-59 OF THE GARY MUNICIPAL CODE. PLEASE PROVIDE A BRIEF RESPONSE TO THE FOLLOWING:

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 \_\_\_\_\_

The operation of the Recycling Facility requires the approval and permits of the Indiana Department of Environmental Management which will be submitted.

2) THE SPECIAL USE WILL NOT BE INJURIOUS TO THE USE AND ENJOYMENT OF OTHER PROPERTIES IN THE IMMEDIATE VICINITY \_\_\_\_\_

Maya Energy, LLC will be creating a vegetation buffer and fencing to enclose the property.

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 \_\_\_\_\_

The Recycling Facility will not impede or substantially alter the normal and orderly development.

4) ADEQUATE UTILITIES, ACCESS ROADS, DRAINAGE, AND OTHER NECESSARY FACILITIES HAVE BEEN OR ARE BEING PROVIDED \_\_\_\_\_

The Recycling Facility will be providing minor street & drainage improvements and necessary facilities to run.

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 \_\_\_\_\_

A traffic study will be conducted to coordinate the adequate flow of incoming and outgoing vehicles to the Facility to minimize 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. \_\_\_\_\_

The Facility will require a special use permit since it is currently zoned in "M-1".



CITY OF GARY  
PETITION FOR ~~SPECIAL~~ USE PERMIT

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7) THE PETITIONER DOCUMENTS AND PRESENTS TO THE COMMISSION THAT PROPOSED SPECIAL USE PROVIDES FOR THE IMPLEMENTATION OF SUSTAINABLE GROWTH PRINCIPLES AND INITIATIVES AS APPROVED BY THE COMMISSION \_\_\_\_\_

The Recycling Facility will create economic development for the City of Gary.