

NOTICE OF PUBLIC HEARING:

Notice is hereby given that the Town of Griffith Plan Commission will conduct a public hearing on the 16<sup>th</sup> day of January, 2023 at 7:00 p.m. at the Griffith Town Hall, 111 N. Broad St., Griffith, Indiana to consider the request of the Plan Commission to have the Griffith Town Council pass an ordinance amending Chapter 86 ZONING ARTICLE XXII AMENDMENTS of the Town's Zoning Code by the addition of a new Section 86-301: WRITTEN COMMITMENTS. The proposed ordinance shall substantially provide as follows:

**§ 86-301 WRITTEN COMMITMENTS.**

*General.* The Commission and Town Council may allow or require a written commitment from the owner, petitioner or developer for a proposal to change the Zone Map filed by a property owner or developer when, in the opinion of the Commission and Town Council, certain commitments should be made for the protection of the public interest and for the public health, safety and general welfare of the town. A written commitment may establish the zoning district or use or a range of uses permitted in the territory being considered by the proposal. Such commitments may also stipulate general or detailed conditions, restrictions or requirements upon the establishment, location, design, layout, construction, maintenance, beautification, aesthetics, operation or other elements of the proposed development prompting the Zone Map amendment proposal.

(a) *Time.* A written commitment shall be agreed to or imposed upon a petition at the time the Zone Map amendment is made and ordinance adopted by the Town Council.

(b) *Recordation and binding effect.* The ordinance amending the Zone Map shall include the commitments established hereunder and said amending ordinance shall be recorded in the public records of the Recorder of Lake County, Indiana. A written commitment is binding upon: the owner of the parcel affected; a subsequent owner of the parcel; and a person who acquires an interest in the parcel. In the event a written commitment is not recorded, the commitment shall be binding on the owner of the parcel. An unrecorded written commitment shall be binding on a subsequent owner of the parcel or a person acquiring an interest in the parcel only if the subsequent owner or the person acquiring the interest has actual notice of the commitment.

(c) *Amendment of the commitment.* A written commitment may be modified or terminated only upon the action of the Commission and Town Council after first conducting a public hearing and following the same procedure set forth in this subchapter.

(d) *Enforcement.* A written commitment shall be enforced by the town. Any violation of a commitment shall be deemed a violation of the Zoning Code and the person or corporation who violates any provision of a written commitment shall be subject to all penalties and fines set forth in the Zoning Code. In addition, the written commitments may authorize and grant standing to certain specially affected persons, corporations, property owners or classes of specially affected persons, corporations or property owners to seek civil injunctive relief from any court of competent jurisdiction to enforce any or all commitments.

(e) *No affect on private rights.* No written commitment shall affect the validity of any covenant, easement, equitable servitude or other land use restriction in accordance with law.

You are encouraged to submit your comments on this proposed ordinance in writing to the Building Department, or you will be given an opportunity to be heard at the above mentioned time and place of the Public Hearing. All interested parties are invited to attend.

Correspondence to:  
Building Department  
Town of Griffith  
111 N. Broad St.  
Griffith, IN 46319  
Phone: 219-922-3091. Fax: 219-924-3840  
Email: [building@griffith.in.gov](mailto:building@griffith.in.gov)  
(All electronic mail must include name, address and telephone number)

Respectfully,  
Town of Griffith Plan Commission