

ORDINANCE NO. 2017-___

**AN ORDINANCE OF THE LONG BEACH TOWN COUNCIL AMENDING
PORTIONS OF THE TEXT OF
THE ZONING CODE OF THE TOWN OF LONG BEACH, INDIANA**

WHEREAS, the Long Beach Town Council on June 10, 2002, adopted a Zoning Code of the Town of Long Beach, LaPorte County, Indiana which is located at Chapter 154 of the Long Beach Town Code; and

WHEREAS, the Long Beach Advisory Plan Commission has initiated an amendment to the text portion of the Zoning Code in order to address sections concerning continuous and connecting seawalls and

WHEREAS, the Indiana Department of Natural Resources (DNR) has found that hardscape seawalls generally cause up shore and down shore erosion and accretion resulting in damage to unprotected properties, however the DNR has found that seawalls forming a continuous barrier may cause less damage to the immediate shoreline than seawalls that are not continuous; and

WHEREAS, a public hearing has been held before the Town of Long Beach Advisory Plan Commission, which has certified its proposal to amend the text of the Zoning Code to the Long Beach Town Council; and

WHEREAS, notice has been given in accordance with Indiana Code of all proceedings concerning this text amendment to the Zoning Code; and

WHEREAS, the Long Beach Town Council concurs with its Advisory Plan Commission and accepts its proposal to amend the text of the Zoning Code;

NOW THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Long Beach Town Council as follows:

SECTION 1: A new section 154.160 of the Long Beach Town Code shall be added which reads as follows:

154.160- Continuous Seawalls

A seawall structure shall be permitted to be placed within the Side Yard Setback set out in Chapter 154 Appendix A only if each of the following conditions is met:

(A) A permitted and existing seawall as of the dated of adoption of this ordinance may be connected to an existing seawall on the adjacent property where the setback will be invaded;

continuous seawall ord. 2-16-2017

(B) That neighboring property owner(s) have given their written consent to allow the new seawall be connected to the existing seawall;

(C) No portion of the permitted seawall will be more than 106.6 feet north of the northern boundary of Lakeshore Drive in accordance with Section 154.060.

(D) The resulting seawall structure will form a continuous barrier.

SECTION 2: This Ordinance shall be in full force and effect from and after its passage and adoption as provided by law.

ALL OF WHICH IS PASSED AND ADOPTED by the Town Council of the Town of Long Beach, LaPorte County, Indiana, this _____ day of _____, 20__.

By:

LONG BEACH TOWN COUNCIL

_____ Peter Byvoets, President

_____ Robert LeMay

_____ Joy Schmitt

_____ Nick Meyer

_____ Jane Neulieb

ATTEST:

_____ Bill deFuniak
Clerk-Treasurer