

**PORTER COUNTY PLAN COMMISSION**  
**Regular Meeting Minutes**  
**August 22, 2018**

The regular meeting of the Porter County Plan Commission was held at 5:30 p.m. on Wednesday, August 22, 2018 in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Bob Poparad presided.

Members present were: Rick Burns, Mike Jessen, Kevin Breitzke, Luther Williams, Kyle Yelton, and Bob Poparad. Also present were Attorney Scott McClure, Bob Thompson, Kristy Marasco, Kelly Cadwell, Helene Pierce, citizens, and representatives of the press.

**MINUTES:**

Luther Williams made a motion to approve the June 27, 2018 regular meeting minutes as submitted. Kevin Breitzke seconded the motion. A voice vote was taken and unanimously carried 6-0.

**COORESPONDENCE:**

None.

**BUSINESS:**

**Case: 05-FP-13** – Mystic Springs Lot 21, 270 West Orchard View Court, Valparaiso, in Center Township in the R2, Medium Density Single-Family Residential District. The petitioner is seeking to release Lot 21 in Phase 2, to allow a single-family home to be built. The petitioner did not identify himself. Lot 21 has road frontage on the existing County Line. The west side is unimproved. We would like a drive to come out on the improved side. Water, sewer, road frontage, and address all exist, and we have a buyer.

**Motion:** Rick Burns made a motion to approve 05-FP-13 to release Lot 21 in Phase 2, to allow a single-family home to be built. Mike Jessen seconded the motion. A roll call vote was taken and unanimously carried 6-0.

**Case: 01-FP-11** – The Prairie at Aberdeen, c/o Attorney William Ferngren, West side of Aberdeen, Phase II, in Union Township, in a PUD, Planned Unit Development. The petitioner is seeking to amend the name “The Prairie at Aberdeen” to “The Prairie”. Attorney Bill Ferngren presented. This is a simple amendment to the name.

**Public Hearing:**

Bob Poparad asked if any of the public would like to speak in favor of or in opposition of this case. Mr. Poparad also asked that the public address their questions to the Plan Commission while at the same time the petitioner will take notes and respond at one time. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

Q: Will the Property Owners Association still deal with Aberdeen amenities such as nature works, conservancy, etc.

A: Phase II will not have direct access and will not be in the Property Owners Association dues.

Motion: Rick Burns made a motion to approve 01-FP-11 to allow an amendment to the name “The Prairie at Aberdeen” to “The Prairie”. Mike Jessen seconded the motion. A ballot vote was taken and unanimously carried 6-0.

**Case: ZO-18-0056** – Tudor Design Center LLC/Tudor Fashion Floors, Inc., 401 East, U.S. Highway 30, in Washington Township in the I1, Light Industrial District. The petitioner is seeking a rezone from I1, Light Industrial District to CH, High Intensity Commercial District to allow for retail sales of commercial and residential flooring covering and cabinets. Attorney Russ Milbrath presented. A variance is required to allow Tudor Floors to move to this location, so they can provide residential and commercial showrooms for floors, cabinets, counters, etc.

Public Hearing:

Bob Poparad asked if any of the public would like to speak in favor of or in opposition of this case. Mr. Poparad also asked that the public address their questions to the Plan Commission while at the same time the petitioner will take notes and respond at one time. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

Q: Will there be outside storage?

A: No.

C: Kevin Breitzke noted that during the DRC meeting the petitioner advised they would clean up the site. This is a positive move.

Motion: Kevin Breitzke made a motion to make a favorable recommendation of ZO-18-0056 to the County Commissioners to recommend a rezone from I1, Light Industrial to CH, High Intensity Commercial. Rick Burns seconded the motion. A ballot vote was taken and unanimously carried 6-0.

**Case: ZO-18-0058** – FWA Development LLC, c/o Woodward Law Offices, LLP, Levanno Drive and Verdano Terrace, in falling Waters Subdivision, Porter Township, in the R1, Low Density Single-family Residential District. The petitioner is seeking an amendment to the Unified Development Ordinance to rezone parcels of land from (R1), Low Density Single-family Residential District to (PUD), Planned Unit Development, to allow for proposed Falling Water Cottage Homes. Attorney David Woodward presented. This project was presented previously and there were some concerns from the neighbors. We have since met with the Home Owners Association and have clarified some items. Falling Waters is a 400-lot subdivision located between Division Road and 100 South. We are requesting an amendment to allow a PUD for 20 lots. We will have four separate lots with 29 tracks. 28 will be single-family, maintenance free homes and there will be one clubhouse. Lot 1 will have 8 single-family homes and one clubhouse building. Lot 2 will have 12 single-family homes. Lots 3 and 4 will both have 4 single-family homes. There is a conservation easement proposed behind the PUD area and we will preserve as many trees as possible to help block the view of the utilities. We received a letter from Attorney Nathan Vis, representing the Conservancy District, stating they reviewed the

plan as a Board and they have determined there is no significant impact on the drainage calculations, etc. and they have no objection to the amendment. We also had a special meeting with the Falling Waters Home Owners Association and have an approval letter from that Board as well. To clarify, the proposed homes will be a minimum of 1,725-square feet to 2,100-square feet. The goal is look like separate homes and have a good variation. The development is 400 lots and we are asking for 20 to be changed which is only 5%. Run off calculations came within 1% of previous calculations.

Public Hearing:

Bob Poparad asked if any of the public would like to speak in favor of or in opposition of this case. Mr. Poparad also asked that the public address their questions to the Plan Commission while at the same time the petitioner will take notes and respond at one time.

Mr. Joe Trendowski, 735 Cirque Drive states he is opposed due to not wanting to set precedence. The petitioner understood the zoning when the property was purchased. He does not want a retirement community inside the subdivision. It is in the best interest of the subdivision to keep the zoning as is.

Mr. Don Plumb, 784 Cirque Drive, states he spoke against this case at the last presentation, but now he has done more research and found other areas that have this type of development and found them to be desirable and a good mix. He is now in favor of the petition.

Mr. Rich Arnold, 62 Morena Terrace, states he is the Vice-Chairman for the Conservancy District states that the Conservancy District now has unanimous support to this project.

Mr. Mark Langbehn, 776 Cirque Drive, states that the subdivision is finally taking off in the right direction. He is in support of this petition.

Mr. Dave Cullom, 63 Morena Terrace, states the home appraisals in Falling Waters are finally getting better. He is in support of this project.

Mr. Louis Kulchar, 726 Druim Trail, states the lots being requested for the PUD are not the most desirable lots in the subdivision so this is a good plan for them. He is in support of this petition.

The public hearing was closed, and questions/comments were heard from the Board.

Q: What was the most recent vote with the Home Owners Association Board?

A: 3 in favor, 1 opposed, and 1 abstention.

Q: What will the maximum lot coverage be?

A: Percentages vary in the 40's on all lots putting us under the maximum allowed.

Q: 1,725-square feet are the minimum proposed dwelling size for the PUD development?

A: Yes.

Q: Are you working with a landscape company regarding what trees will be removed, replaced, etc.?

A: Yes. We are working with Lakeshore Landscaping and the goal is to remove only what is absolutely necessary.

Motion: Kevin Breitzke made a motion to favorably recommend Case ZO-18-0058 to the County Commissioners, noting the PUD Ordinance will be required to indicate a minimum dwelling size of 1,725-square feet. Kyle Yelton seconded the motion. A ballot vote was taken, and the motion was unanimously carried 6-0.

**PORTER COUNTY REQUEST:** Porter County Department of Development and Storm Water Management, 155 Indiana Avenue, Suite 311. The petitioner seeks to amend the Porter County Plan Commission's Rules and Procedures, **Article II**, Officers, Employees, Plat Committee, Hearing Officer **F**. Pursuant to Indiana Code 36-7-4-701(e), a Plat Committee is established. Mr. Robert Thompson presented. The current Plat Committee has been consisting of four members. We are simply trying to clear up the language and the section to allow for a fifth member. We are proposing one Plan Commission member, the Director of the Planning Department, the County Engineer, one Highway Department member, and a Health Department member. There will also be language to allow for alternate members.

Motion: Kevin Breitzke made a motion to approve the suggested Rules and Procedures amendments as presented. Mike Jessen seconded the motion. A roll call vote was taken and unanimously carried 6-0.

**STAFF ITEMS:**

Welcome to new staff member, Kelly Cadwell.

**ADJOURNMENT:**

There being no further business, the August 22, 2018 Porter County Plan Commission meeting adjourned at 6:29 p.m.

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Bob Poparad, President

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Attest: Robert W. Thompson, Jr. AICP  
Director