

PORTER COUNTY PLAN COMMISSION
January 25, 2023

LOCATION: County Administrative Center, Ste 205 **TIME:** 5:30 p.m.
155 Indiana Avenue, Valparaiso IN

MEMBERS IN ATTENDANCE

Barb Regnitz, Brian Damitz, Bob Gilliana, Pamela Mishler-Fish, Greg Simms, Kevin Breitzke, Rick Burns, and Luther Williams. Nikky Witkowski was absent. Also present was Robert Thompson, Kristy Marasco, Kelly Cadwell, and Attorney Scott McClure.

Rick Burns called the meeting to order and led the pledge of allegiance.

Approval of Minutes

Motion: Kevin Breitzke moved to approve the minutes of the September 28, 2022 meeting. Seconded by Greg Simms and so approved by a voice vote of 8-0.

Election of Officers

Motion: Kevin Breitzke moved to nominate Rick Burns for President. Bob Gilliana seconded the motion and so approved by a voice vote of 8-0.

Motion: Rick Burns moved to nominate Bob Gilliana for Vice President. Seconded by Greg Simms and so approved by a voice vote of 8-0.

Motion: Bob Gilliana moved to nominate Brian Damitz for appointment to the BZA. Seconded by Barb Regnitz and so approved by a voice vote of 8-0.

Motion: Rick Burns moved to nominate Kevin Breitzke for appointment to Development Review Commission. Seconded by Barb Regnitz and so approved by a voice vote of 8-0.

Old Business

Case: DP-22-0074

Applicant: East Porter County School Corporation, c/o Dr. Aaron J. Case, PH.D.

Project: Washington Township Elementary Addition

Location: 383 East State Road 2, Valparaiso, IN 46383 (Washington Township)

Zoning: IN, Institutional District

Request: Development Plan approval for a proposed 7,400 sq. ft. building addition on the east side of existing school.

Bob Thompson – This is a Development Plan. They are adding eight class rooms. They have met all requirements as far as UDO and storm water. It has been before the Storm Water Advisory Board. They meet all code requirements.

Motion: Barb Regnitz moved to approve Case DP-22-0074. Seconded by Kevin Breitzke and so approved with an 8-0 roll call vote.

New Business

Bob Thompson – Read Rules of Conduct for Public Hearing

Case: DW-23-0001

Applicant: Sunfield Farms LLC, c/o DVG Team Inc.

Project: Sunfield Farms Major Subdivision (61 lots proposed)

Location: Northwest corner Division Road and 500 West, Valparaiso, IN 46385 (Union Township)

Zoning: RR, Rural Residential District

Request: Design Waiver(s) for the proposed Sunfield Farms Major Subdivision to vary from the following:

- Section 6.03 Conventional Subdivision Standards: exceed max block length
- Section 7.16 Lot Establishment Standards: reduced side yard setbacks

Bob Thompson – They have gone through a review with staff. This is a conceptual plan. They need waivers to move forward. There has been no engineering submitted. There has been no engineering review.

Attorney Scott McClure – All of the hurdles still exist. They still have to do all the reviews. This is just the conceptual stage. They need these two waivers before they can move forward.

Doug Rettig – DVG, 1155 Troutwine, Crown Point presented on behalf of Petitioner.

This is a 61 lot subdivision zoned RR. It is entirely well and septic. They are asking for the max block length because of a NIPSCO pipeline that runs through the property. For public safety they always try to minimize pipeline crossing. They also have land that does not meet the requirements for being buildable. Code for the side yard setback is 30' and 160' frontage is required. Because of the ground condition, useable ground needed for the septic and the 160' frontage, they are requesting to reduce the side yard setback. They would like to reduce to 15'. They do not need it for all of the lots but they are asking for all of them so they have the flexibility. They might not need it on both sides.

Public Hearing

Henry Kuypers – 62 N 550 W. He is not opposed just concerned about water runoff. He is on the west. He doesn't want his property flooding. He has a cattle farm. He doesn't want young kids spooking his cattle which would make them run through the fence.

Adrian Kuypers – 10 N 550 West. His basement level is the level of the lane. His fear is the water run off will be higher and his basement will flood. Is the easement so that a road can go in some time in the future?

Doug Rettig – They have done preliminary engineering and have put two detention ponds on the west side. There are only four homes on the west side. There will be a 30' buffer along the west side which is part of the code. There will not be property lines right up against the neighbor's property line.

Kyle Coates – 496 Bella Court. Questioned the entrance to the development. Will it line up with the one across the street?

Adrian Kuypers - 10 N 550 West. They are having a 30' easement. Is this sufficient for a road.

Bob Thompson – It is not for a road. It would not be sufficient. Code is 60'.

Henry Kuypers – 62 N 550W. He would like to have a copy of the plan. He was given one.

Seeing no one else wishing to address the Board, Rick Burns declared the Public Hearing closed.

Questions/Comments from the Board

Luther Williams – This is well and septic. Is there any chance of hooking on to Lake Eliza?

Doug Rettig – They reached out to them early on and they said they do not have capacity at this time.

Kevin Breitzke – Lake Eliza cannot take on this subdivision. He doesn't have an issue with the block length. The least amount he would go on the setback is 15'. This drawing is very preliminary.

Pam Mishler-Fish – Are these all single family dwellings?

Doug Rettig – Yes.

Greg Simms – On paper it says “Addition to the City of Valparaiso”. There is not an annexation is there?

Doug Rettig – No. That is a mistake.

Barb Regnitz – What are the ramifications of shrinking the 30' set back to 15'?

Bob Thompson – There are none. It is not close enough to the property line where you would have to consider a fire wall.

Attorney Scott McClure – They are not modifying the lot coverage.

Bob Thompson – We have seen some developments with 8'.

Kevin Breitzke – When they did the UDO they went to the conservative side. This makes the developer to have a reason for a waiver.

Brian Damitz – What is the average lot size?

Doug Rettig – The smallest is 1acre and the biggest is 3 acres.

Brian Damitz – Most every development because of the restrictions on storm water, the drainage will improve.

Rick Burns – He has concerns about the drainage. Going to 15' on each side, will that affect drainage in the future?

Attorney Scott McClure – The lot coverage is not being modified. There is still the same amount of impervious surface.

Rick Burns – With the long streets there will be speeding.

Attorney McClure – It is not straight.

Bob Thompson – He agrees but it is like any other development. How do you control the speed?

Rick Burns – Put in speed humps.

Bob Thompson – Speed humps are designed to 25 mph.

Attorney Scott McClure – The Highway Department will have an issue with plowing. They could put in solar speed signs.

MOTION: Kevin Breitzke moved to approve Case DW-23-0001 with exceeding the block length and a minimum of 15' side yard. Pam Mishler-Fish seconded the motion and so approved with an 8-0 ballot vote.

STOP WORK ORDER

Parcel No: 64-07-01-400-002.000-010

Owners: Decks LLC

Location: 650 E, Westville, IN 46391 (Pine Township)

Zoning: RR, Rural Residential District

Subject: Notice of Violation, land disturbing activities.

Staff is required to bring this matter before the Board. It is just for information. No motion is required.

ADJOURNMENT:

There being no further business, the January 25, 2023 meeting of the Plan Commission was adjourned.

Rick Burns, President

Attest:

Robert W. Thompson, AICP
Director