

PORTER COUNTY PLAN COMMISSION
January 26, 2022 – Meeting Minutes

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

MEMBERS IN ATTENDANCE

Kevin Breitzke, Rick Burns, Brian Damitz, Bob Gilliana, Michael Mirochna, Luther Williams, Nikky Witkowski, and Greg Simms. Laura Blaney was absent. Also present was Robert Thompson, Kristy Marasco and Attorney Scott McClure.

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

Reorganization

Motion: Kevin Breitzke moved to nominate Rick Burns as President. Mike Mirochna seconded the motion. So approved with an 8-0 vote.

Motion: Kevin Breitzke moved to nominate Laura Blaney as Vice President. Mike Mirochna seconded the motion. So approved with an 8-0 vote.

Motion: Rick Burns moved to nominate Kevin Breitzke as the appointment to the Development Review Committee. Mike Mirochna seconded the motion. So approved with an 8-0 vote.

Motion: Rick Burns moved to nominate Bob Gilliana as alternate BZA Hearing Officer. Nikky Witkowski seconded the motion. So approved with an 8-0 vote.

Motion: Rick Burns moved to nominate Brian Damitz as the appointment to the BZA. Mike Mirochna seconded the motion. So approved with an 8-0 vote.

Business:

MJ-18-0005 (Continued)

Applicant: Timberland Farms Phase 4

Location: East side of Meridian, Valparaiso, IN 46383 (Liberty Township)

Zoning: R1, Low Density Single-family Residential District

Request: Primary plat approval.

Discussion:

Bob Thompson discussed the retaining wall and the pedestrian bridge. Charlie Ray of the Duneland Group says the pedestrian bridge meets the engineering specifications. The bridge had not been constructed properly and fails the load capacity. If all of the recommendations are followed, then it will be good. Bob Thompson advised the Highway Department has a phone call in a few days to discuss the cracks and snapped rebar.

Staff recommends Phase 4 primary plat be approved contingent on:

1. Developer to work with engineering staff on proper corrective action on the retaining wall and a set of plans to be sent to staff for their review.
2. Pedestrian bridge to have a 5-year maintenance guarantee per the UDO.
3. Revised plans to engineering staff with the removal of the sanitary sewer from the bridge footing.

Rick Burns asked about the retaining wall problem. Mike Novotney replied it could end up that the whole wall needs to be replaced.

Brian Damitz asked about what code requires is this case.

Mike Mirochana stated he feels it is a conflict of interest for Brian Damitz to be discussing this issue since he lives in the development. Attorney Scott McClure advised Brian does not live in this phase.

Attorney Bill Ferngren stated they have done what was asked of them at the last meeting. They will also do what the report says needs to be done. They have been working with Mike Novotney.

Motion: Kevin Breitzke moved to approve subject to the pedestrian bridge complying with the UDO, and the recommendations made for the retaining wall. The Storm Water Department is to review and give approval. Bob Gilliana seconded the motion and so approved with an 8-0 vote.

New Business:

DW-22-0001

Applicant: Cyprus Estates Subdivision, c/o McMahan Associates, Inc.

Location: 24 West Division Road (southeast corner of Division & CR 100 West), Valparaiso, IN 46385 (Morgan Township)

Zoning: R1, Low Density Single-family Residential District

Request: Design Waivers to vary from the following:

- Section 6.03 – Conventional Subdivision Standards
- Section 7.16 – Lot Establishment Standards; Residential
- Section 7.23 – Pedestrian Network Standards; Residential
- Section 7.26 – Variance from Perimeter Landscaping Standards; Residential
- Section 7.28 - To use storm water requirements from checklist Appendix III-2b (Minor Subdivision) opposed to using checklist Appendix III-2a (Major Subdivision) for a proposed (2) lot major subdivision, located in Low Density Single-family Residential (R1) District.

Bob Thompson stated the area is consistent with the proposed development. A Major Subdivision land division process is required because all Minor Subdivision lots were developed in 1994. With only one lot on 115 acres, the requested waivers are feasible for the proposed subdivision and staff recommends the design waivers be approved. This Major Subdivision will still come before the Planning Commission again for both Primary and Secondary Plat approval and will be subjected to all Storm Water Engineering, Highway Engineering, and Planner reviews at that time.

Kevin Coros of McMahan added this is a single lot for a family on 115 acres.

Public Hearing

Douglas who lives at the corner of Division and 100 W. He asked for an explanation of Major versus Minor subdivision. He also asked where access would be. Major vs. minor was explained. Access will be from County Road 100.

Ben Austin – 81 West Division Road asked for clarification on the request. Kevin Breitzke explained it is two lots with one house.

Seeing no one else wishing to address the Commission, the Public Hearing was closed.

Discussion

There was discussion regarding if they wanted to do further subdividing at a later date. At that time, they would have to do a major subdivision. The property owners assured them they will not want to do any further subdividing.

Motion: Kevin Breitzke moved to approve case DW-22-0001, Greg Simms seconded the motion and so approved with a 7-0 voice vote.

ADJOURNMENT:

There being no further business, the January 26, 2022 Porter County Plan Commission meeting adjourned.

Rick Burns, President

Attest: Robert W. Thompson, AICP
Director