

**PORTER COUNTY PLAN COMMISSION**  
**May 24, 2023 – Meeting Minutes**

**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, Greg Simms, Kevin Breitzke, Nikky Witkowski, Pam Mishler-Fish, Luther Williams and Rick Burns. Also present was Robert Thompson, Kristy Marasco, and Attorney Scott McClure.

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

**Minutes**

**MOTION:** Kevin Breitzke moved to approve minutes from the December 7, 2022, January 25, 2023 and February 22, 2023 meetings. Luther Williams seconded the motion and so approved with a 9-0 voice vote.

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**New Business**

**Bob Thompson read the Rules of Conduct for a Public Hearing**

**VOE-2023-27**

**Applicant:** Mainous III & Courtney Hale

**Location:** 518 South 250 West and 512 South 250 West, Valparaiso, IN 46385 (Porter Township)

**Zoning:** A1, General Agriculture District

**Request:** To vacate the “no access easement” in Porter Minor Subdivision 1149-A-1 and allow petitioners to have separate driveways.

Bob Thompson - This same item was brought to the Commission a few years ago by another petitioner. The four-lot subdivision was approved prior to the current code. At that time DRC requested no access easements so there would only be two ingress and two egress for four lots to limit access. A couple of years ago some police officers came in and requested an Easement Vacation to get the easement off their lots. The Easement Vacation is what they are asking for tonight. It is before the Plan Commission because it was Plan Commission approved.

Todd – 1008 Burlington Beach Road, Valparaiso and Courtney Hale – 115 West Division Road, Valparaiso presented. Todd is the builder. Courtney is the property owner. She and her husband own the two north lots. They are trying to make it so at least Lot 2 has a straight in driveway.

**Public Hearing**

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

**Questions/Comments from the Board**

Brian Damitz – Do these two houses share a driveway?

Bob Thompson - He showed on the screen where the easement is and explained why the driveways are where they are. They are not telling them to have a shared driveway, they are just showing them the area for the driveway.

**Motion:** Kevin Breitzke moved to approve VOE-2023-27. Nikky Witkowski seconded the motion and so approved by a 9-0 ballot vote.

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**PR-21-0056**

**Applicant:** T.J.Z. Properties, LLC, c/o Todd A. Leeth, Hoepfner Wagner & Evans LLP

**Project:** Skyway Industrial Park Major Subdivision

**Location:** 392 E U.S. Highway 30, Valparaiso, IN 46383 (Washington Township)

**Zoning:** I1, Light Industrial District

**Request:** Primary plat approval for proposed 10-lot subdivision.

Todd A. Leeth, Hoepfner Wagner & Evans and Randy Peterson of Abonmarche, presented. They are seeking primary plat approval for an industrial subdivision. There is a provision in the UDO that provides for industrial subdivisions. They have 10 lots on 30 acres. This is a continuation of a metes and bounds unrecorded subdivision that was done just before the adoption of the UDO. This subdivision will continue Pilot Drive through the subdivision out to Murvihill Dr. as a recorded subdivision. There are three or four lots that are developed in the area that was developed years ago. The property is zoned I1, Light Industrial. This complies. He presented the plat and showed the new area. Lots are on either side of Pilot Drive. Pilot Drive is private today. Now it will all be public. It has been built to County standards. The County has asked them to crack seal and seal coat the existing private portion of Pilot Drive. They will do this. The new portion will have a three-year maintenance bond. They have gone through Storm Water review and have received clearance. Valparaiso City sewer and water will service the lots.

They have received a variance and will not have sidewalks. They have received perimeter landscaping relief. They are not asking for relief from on lot landscaping. They meet all of the requirements. All standards of 6.21 have been met.

**Public Hearing**

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

**Questions/Comments from the Board**

Luther Williams – Where is the drainage going to?

Randy Peterson – Out lot A is designated for a retention facility. Soils are sandy. Storm water will discharge into a retention basin which will infiltrate into the ground.

Kevin Breitzke – He was at both storm water meetings. Were any borings done along the existing pavement?

Todd Leeth – Yes.

Bob Thompson – Staff was out there when the borings were performed. That part of Pilot Drive is private. It was either put in a cul-de-sac or work to get everything public. Staff felt it was beneficial to get everything public.

Barb Regnitz – Todd Leeth said it is not common to do industrial subdivisions. Why and why did they decide to do this?

Todd Leeth - This is industrial property. They wanted the opportunity to create shovel ready sites for businesses. There are not that many industrial subdivisions.

Barb Regnitz – So what is the benefit? Is there any difference between an industrial subdivision and an industrial park?

Todd Leeth - The benefit is that they can create in 30 acres, ten businesses. Whereas with this parcel they would probably only get two with a metes and bounds frontage sell off along Murvihill. That land locks the remaining parcel along the back. It is a unique situation because of the previous development. If this is going to be broken up it has to be the subdivision in his opinion.

Bob Thompson – Prior to the UDO which is approved in June of 2007, anything that came in in this eastern portion code, stated you do not have to go through subdivision control for commercial property. All you have to have is a development plan. Each of the existing lots has its own storm water system. When we did the UDO we said no more. They have to come in for subdivision control so they can Master Plan the area.

Brian Damitz – There is only one area he would imagine that someone would have a problem with industrial going in. That is Lot 2 adjacent to Williamsburg Manor. Is there going to be any mitigation of Lot 2?

Bob Thompson – The waiver that was granted requires a 60’ conservation easement along that boundary.

Mike Novotney – The storm water has been reviewed and conforms with the standards. The road has been inspected and meets standards. This is in the best interest of all.

**Motion:** Kevin Breitzke moved to approve Case PR-21-0056 for primary plat contingent on staff recommendations for the road: three-year maintenance bond, crack seal and coat the pavement.  
Barb Regnitz seconded the motion and so approved by a 9-0 ballot vote.

Bob Thompson – The meetings from here on out will be videoed and recorded. They will be on You Tube. The recording system will be overhauled on June 28<sup>th</sup>. The June meeting is TBD depending on availability of this room.

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There being no further business, the May 24th, 2023 meeting of the Plan Commission was adjourned.

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Rick Burns, President

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Robert W. Thompson, AICP  
Director