

PORTER COUNTY PLAN COMMISSION

June 22, 2022 – Meeting Minutes

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

MEMBERS IN ATTENDANCE

Laura Blaney, Kevin Breitzke, Brian Damitz (Late), Bob Gilliana, Pamela Mishler-Fish, Greg Simms, and Nikky Witkowski. Also present was Robert Thompson, Kristy Marasco, and Attorney Scott McClure. Rick Burns and Luther Williams were absent. It will take five affirmative or negative votes to move an item forward or deny.

Laura Blaney called the meeting to order and led the pledge of allegiance.

Approval of Minutes

Motion: Kevin Breitzke moved to approve the April 27, 2022 minutes. Greg Simms seconded the motion and so approved with a 6-0 vote.

Correspondence - none

New Business:

DW-22-0036

Applicant: Grand Oaks c/o Attys: Todd A. Leeth/Katie L. Kopf

Location: 324 West Division Road, Valparaiso, IN 46385 (Porter Township) (South of Division, North of CR 100 South and East of SR 2)

Zoning: R1, Low Density Single-family Residential District

Request: To allow the following Design Waiver(s) for a proposed 675 lot single family residential subdivision:

- Section 6.03 – Maximum Block Length
- Section 6.03 – Maximum Cul-de-sac Length
- Section 7.16 – Lot Establishment Standards; Residential
- Section 7.21 – Open Space Standards; Residential
- Section 7.23 – Pedestrian Network Standards, Residential

Attorney Todd Leeth presented. Grand Oaks was before the BZA several years ago. They now have some new partners and are coming back with a new plan that requires some design waivers. The project is using the intensity bonus. The UDO has a formula that talks about many different factors. His office and staff had a disagreement over one on the variables that goes into that formula. He thinks this is resolved. That will require the concept plan to be changed before they conduct the Public Hearing on the design waivers. He is asking for a continuance to the next meeting.

MOTION: Kevin Breitzke moved to continue Case DW-22-0036. Nikky Witkowski seconded the motion and so approved with a 7-0 vote.

Roll Call Vote:

Kevin Breitzke – Yes
Bob Gilliana – Yes
Greg Simms – Yes
Laura Blaney - Yes

Brian Damitz – Yes
Pamela Mishler-Fish – Yes
Nikky Witkowski – Yes

DW-22-0037

Applicant: Ketchum Major Subdivision c/o Attys: Todd A. Leeth/Katie L. Kopf

Location: 625 West, Hebron, IN 46347 (Boone Township) (South side of 1000 S. between 625 W. and 575 W.)

Zoning: RR, Rural Residential District

Request: To allow the following Design Waiver(s) for a proposed two (2) lot major subdivision:

- Section 6.03 – Conventional Subdivision Standards and Effect on Development Standards:
 - o Minimum Perimeter Landscaping
 - o Minimum & Maximum Block Length
 - o Minimum & Maximum Cul-de-sac Length
 - o Sidewalks/Perimeter Paths
 - o Minimum ROW on Local Streets
 - o Maximum Design Speed
 - o Maximum Street Width
 - o On-Street Parking
 - o Minimum Tree Plot Width
 - o Minimum Sidewalk Width
- Section 7.05 – Access Road Standards; Residential Frontage Roads:
 - o Proposed Lot 1: Access to C.R. 1000 South
 - o Proposed Lot 2: Access to C.R. 625 West
- Section 7.16 – Lot Establishment Standards; Residential
 - o No interior street frontage
- Section 7.20 – Open Space Standards; General
- Section 7.21 – Open Space Standards; Residential
- Section 7.23 – Pedestrian Network Standards, Residential
- Section 7.26 – Perimeter Landscaping Standards; Residential
- Section 7.28 – Storm Water Standards
 - o To use water requirements from Appendix 111-2b (Minor Subdivision) instead of Appendix 111-2a (Major Subdivision)
- Section 7.29 – Street and Right-of-way Standards; Residential
- Section 7.33 – Street Lighting Standards; Residential
- Section 7.36 – Street Sign Standards; General

Bob Thompson addressed the Board. There are several residential developments going in this area. The UDO refers to a Parent Parcel. They have already done a four-lot minor subdivision on this parcel and they have done an administrative subdivision on this parcel. Their only option now is to do a Major subdivision. This is why there are so many waivers requested. They are asking to waive the requirements of a major subdivision. This still has to come back for primary plat approval by the Plan Commission. This is a common request. Staff recommends approval.

Attorney Todd Leeth explained his client bought this property in 2019. When she bought the property it was zoned P2 – Parks. It is now zoned RR – Rural Residential. Her intent is to build a home for herself and one for an aging family member. The previous owner of the property sold off a corner lot. That constituted a split which is why they cannot do a minor subdivision now. So now the two lots are a major subdivision. That creates some problems. They are asking for a waiver of all of the things that would apply in a major subdivision but are not necessary here. Mike Novotney has sent an email to Attorney Leeth stating he has no exception to having the minor subdivision storm water regulations applied to this project.

Public Hearing

Seeing no one wishing to speak for or against Case DW-22-0037 Laura Blaney declared the Public Hearing closed.

Brian Damitz stated if in the future someone bought this property and they wanted to subdivide, they would have to go through the same process so he sees no problem with it.

Motion: Nikky Witkowski moved to approve Case DW-22-0037. Bob Gilliana seconded the motion and so approved with a 7-0 ballot vote.

Bob Thompson reported there will be a meeting in July. This will be July 27th.

Brian Damitz asked if the UDO makes sense in this situation. Attorney Scott McClure explained the history of this parcel of land. The rule is so there is a process, and they avoid spaghetti subdivisions. This is a safeguard.

ADJOURNMENT:

There being no further business, the June 22, 2022 Porter County Plan Commission meeting adjourned.

Laura Blaney, Vice President

Attest: Robert W. Thompson, AICP
Director