

**PORTER COUNTY PLAN COMMISSION**  
**Regular Meeting Minutes**  
**February 26, 2020**

The regular meeting of the Porter County Plan Commission was held at 5:30 p.m. on Wednesday, February 26, 2020 in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Rick Burns presided.

Members present were: Laura Blaney, Brian Damitz, Nikky Witkowski, Luther Williams, Bob Poparad, Kevin Breitzke, Mike Mirochna, and Rick Burns. Also present were Robert Thompson, Kristy Marasco, Attorney Scott McClure, Kelly Cadwell, Helene Pierce, citizens, and representatives of the press.

**MINUTES:**

Nikky Witkowski made a motion to approve the January 26, 2020 regular meeting minutes as submitted. Bob Poparad seconded the motion. A voice vote was taken and unanimously carried 8-0.

**COORESPONDENCE:**

None.

**OLD BUSINESS:**

**MJ-13-0029** – Grand Oaks, LLC, West of State Road 2, between Division Road and 100 South, in Porter Township in the R1, Low Density Single-family Residential District. The petitioner requests an extension of the primary plat approval for Grand Oaks Subdivision. Mr. Steve Melnick presented. The primary plat approval for Grand Oaks Subdivision is scheduled to expire in April 2020. They are in the process of getting the secondary plat ready but will not have it ready by April. They are requesting a two-year (2) extension.

Q: What is the conservancy district status for this project?

A: Final approval was received, and meetings are being managed.

C: The Storm Water Management Board is discussing flood control and erosion for this area. It is suggested that the petitioner have some discussions regarding this in the future as well.

R: The petitioner agrees and will be having those discussions.

Q: What about sanitary services?

A: Originally, we thought the project would have its own sanitary services, but more recently we received a letter from Nature Works Conservancy District, and we are now considering going through them.

Q: You will have Valparaiso water?

A: Yes.

Q: Is your intent to be a part of the County storm water program or on your own?

A: We are currently under our own charter and allowed to handle on our own, but we are open to discussing this more with the County.

Motion: Bob Poparad made a motion to extend the primary plat for an additional two (2) years from its current expiration date of April 21, 2020. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 8-0.

**MJ-16-0088** – Alex Kazmierczak, c/o Kazmierczak Estates Subdivision, North side of 100 South, west of 500 West, in Porter Township, in the R1, Low Density Single-family Residential District. The petitioner is requesting an extension on a primary plat. Mr. Alex Kazmierczak presented. They are requesting a two-year (2) extension of the primary plat to allow for the development of a storm water structure and retention pond.

Motion: Laura Blaney made a motion to extend the primary plat for an additional two (2) years as requested. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 8-0.

**NEW BUSINESS:**

**PR-19-0017** – Lawrence & Jacqueline Hill, c/o Attorney Todd Leeth, Hickory Hill Estates Phase 2, 207 South 600 West, in Porter Township, in the RR, Rural Residential District. The petitioner is seeking a Primary Plat approval for the proposed seven (7) lot Major Subdivision. Attorney Todd Leeth presented. Mr. Bill Davies with Davies Surveying was also present. The property is 20 acres, zoned Rural Residential, at County Road 600 West and an existing private road, 213 South. Phase 1 is the petitioner's home. In 1996 a minor subdivision was approved for four lots on the south side that are serviced by 213 South. Also, in 1996, a major subdivision was approved for seven lots at the end of 213 South which is the 20 acres inset on the north side of 213 South. The boundaries are 600 West on the west and 213 South on the south. Three lots will front on the existing county road and four lots on the private road. The county road lots will be 1 acre to 1.3 acres in size and the private road lots will be 250 to 260 feet wide and 660 feet deep or four acres in size. The lots will be serviced by septic and private wells. Soil Solutions performed a soil study and the soils were found to be satisfactory. Covenants and restrictions will be structured so that those accessing from 213 South, the private drive, will continue to maintain the private road. Design Waivers were received, and a comprehensive drainage review was completed which resulted in a storm water retention pond being included in the development. Offsite drainage easements are included in the area of lots 2 and 3. The house on lot 6 will remain with modifications, but the two accessory structures will be removed.

**Public Hearing:**

Rick Burns asked if any of the public would like to speak in favor of or in opposition of this case. Rick Burns 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. Patrick O'Malley, 212 S 600 W, questioned if the homes on 600 W will face and access 600 W and the homes on 213 S will face and access 213 S?

Petitioner's Rebuttal:

- The only exception is that the home on lot 5 will face 600 W and access from 213 S.

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

Q: How many lots will split the maintenance of the private road?

A: Including the new lots, 16.

Motion: Kevin Breitzke made a motion approve the Primary Plat for the proposed seven (7) lot Major Subdivision. Bob Poparad seconded the motion. A ballot vote was taken, and unanimously carried 8-0.

**20-AM-01** – Porter County Department of Development & Storm Water Management Amendment to the Unified Development Ordinance: Chapter 2, Zoning Districts; Chapter 5, Zoning District Development Standards; Chapter 10, Processes, Permits and Fees; and Chapter 12, Definitions; amending Chapters to allow for Accessory and Primary Solar Energy Systems. Mr. Robert Thompson presented. Staff report was provided to Members prior to this meeting. Wind Energy Ordinances are becoming more common in places since 2009. Porter County has some solar energy pieces in place currently, but the updates create standards that are less cumbersome. Discussion took place and the proposed Ordinance was reviewed.

Motion: Mike Mirochna made a motion to favorably recommend the proposed Amendment to the UDO: Chapter 2, Zoning Districts; Chapter 5, Zoning District Development Standards; Chapter 10, Processes, Permits and Fees; and Chapter 12, Definitions; amending Chapters to allow for Accessory and Primary Solar Energy Systems to the County Commissioners as presented. Kevin Breitzke seconded the motion. A ballot vote was taken and unanimously carried 8-0.

**STAFF ITEMS:**

None.

**ADJOURNMENT:**

There being no further business, the February 26, 2020 Porter County Plan Commission meeting adjourned at 6:45 p.m.

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Rick Burns, President

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Attest: Robert W. Thompson, AICP  
Director