

**PORTER COUNTY PLAN COMMISSION**  
**Regular Meeting Minutes**  
**January 27, 2021**

The regular meeting of the Porter County Plan Commission was held at 5:30 p.m. on Wednesday, January 27, 2021 in the Porter County Administrative Center, 155 Indiana Avenue, Suite 205, Valparaiso, Indiana. Rick Burns presided.

Members present were: Laura Blaney, Brian Damitz, 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:**

Kevin Breitzke made a motion to approve the December 2, 2020 regular meeting minutes as submitted. Bob Poparad seconded the motion. A voice vote was taken and unanimously carried 6-0.

**COORESPONDENCE:**

**MJ-20-0032** – The Gardens at Loomis Lake Subdivision, 309 Spectacle Drive, Valparaiso, IN in Center Township in the R2, Medium Density Single-family Residential District. The petitioner is seeking Primary Plat approval for a proposed ten (10) lot major subdivision plus two (2) out lots. Mr. Bob Thompson advised that due to the number of guests expected this case is being moved to the Porter County Expo Center on Thursday, January 28, 2021 at 5:30 p.m. Attorney Todd Leeth, representing the petitioner, agreed to these changes.

**Motion:** Laura Blaney made a motion to continue MJ-20-0032 to January 28, 2021 at 5:30 p.m. at the Porter County Expo Center. Kevin Breitzke seconded the motion. A voice vote was taken and unanimously carried 6-0.

**ELECTION OF OFFICERS:**

**President:** Laura Blaney nominated Bob Poparad. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 6-0.

**Vice-President:** Laura Blaney nominated Rick Burns. Kevin Breitzke seconded the motion. A roll call vote was taken and unanimously carried 6-0.

**Board of Zoning Appeals Representative:** Laura Blaney nominated Brian Damitz. Rick Burns seconded the nomination. A roll call vote was taken and unanimously carried 6-0.

**Development Review Commission Representative:** Rick Burns nominated Kevin Breitzke. Laura Blaney seconded the nomination. A roll call vote was taken and unanimously carried 6-0.

**BUSINESS:**

**DP-20-0064** – Erik Palleson & Justin Hansen, 522 & 526 South 250 West, Valparaiso, IN in Porter Township in the A1, General Agriculture District. Petitioners request vacating the “no access easement” in Porter Minor Subdivision 1149-A-1 to allow for separate driveways. Mr. Erik Palleson and Mr. Justin Hansen presented. There is a total of four lots but only two homes. The subdivision was platted under the prior UDO Codes. They are surrounded by agriculture and would like to have separate driveways.

**Motion:** Laura Blaney made a motion to approve DP-20-0064 at presented. Kevin Breitzke seconded the motion. A voice vote was taken and unanimously carried 6-0.

**ZO-20-0061** – Zona Park Property, 950 North between 550 Est & LaPorte County Line Road, Westville, IN in Jackson Township in the RR, Rural Residential District. The petitioner is seeking to rezone parcels of land from (RR) Rural Residential District to (P1) Parks and Recreation District. Attorney Dave Hollenbeck presented representing the Porter County Park Board. A rezone to P1 is being requested so the Porter County Park Department may take over the Zona Wildlife Sanctuary. This has been requested by the County Commissioners and in working through the process it was discovered that the property was never rezoned.

Public Hearing:

Bob Poparad asked if any of the public would like to speak in favor of or in opposition of this case. Bob Poparad 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. No one spoke; therefore, the public hearing was closed, and questions/comments were heard from the Members.

C: The entrance off of 950 North should be included in the rezone.

Motion: Kevin Breitzke made a motion to favorably recommend ZO-20-0061 to the County Commissioners as presented. Rick Burns seconded the motion. A ballot vote was taken and unanimously carried 6-0.

**ZO-20-0054, ZO-20-0059, ZO-20-0060** – Marshall/Sarkisian Rezoning, Northwest corner of U.S. Highway 30 & 150 West – Southeast corner of U.S. Highway 30 & 150 West – Southeast corner of U.S. Highway 30 & Moorland Drive – all located in Valparaiso, IN in Center Township in the R1, Low Density Single-family Residential District. The petitioners are seeking rezones from (R1) Low Density Single-family Residential District to (CM) Moderate Intensity Commercial District. Attorney Sarkisian presented. There are three different parcels that are all seeking the same rezone. The parcels are located at the corner of U.S. Highway 30 and 150 West and Moorland Drive. There is no plan, but rather to bring the corners to CM to match the other corners with the exception of the elementary school parcel. Two of the proposed parcels are south of U.S. Highway 30 and one is north.

Public Hearing:

Bob Poparad asked if any of the public would like to speak in favor of or in opposition of this case. Bob Poparad 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. Ross Marshall, 160 W 150 N, is in favor of the petition.

Ms. Kathy Moser, 163 Southport Court, is opposed to the petition.

Mr. Alfred Moser, 163 Southport Court, is opposed to the petition.

Mr. John Sanders, 127 Southport Court, is opposed to the petition.

Mr. Steve Zatarski, 178 Moorland Drive, is opposed to the petition.

Ms. Helen Kirchner, 177 W U.S. Highway 30 is opposed to the petition.

Reasons for opposition were flooding, drainage, ground water contamination, and traffic.

Attorney Sarkisian's rebuttal:

- There will still be an open parcel separating our parcels and the residents on Southport Court.

- The southwest parcel we are discussing already has a house on it and is used as a rental property so there is already something built on it.
- Rezoning won't do anything to the drainage ditch.
- Rezoning is only the first step. Once a Development Plan is presented the project will be reviewed by engineering where drainage, storm water, runoff and construction standards will be reviewed.
- There is no plan at this point so we don't know how anyone will be affected, but we do know we will have to go through all the necessary steps and receive approvals before beginning construction.

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

Q: Do you have approvals from INDOT regarding any curb cuts?

A: No. There is no plan, so we have not done that.

Q: What type of businesses are you looking at?

A: We would be limited to what is allowed in the CM zoning district.

Motion: Mike Mirochna made a motion to favorably recommend ZO-20-0059 to the County Commissioners with the stipulation that there will not be any U.S. Highway 30 curb cuts. Laura Blaney seconded the motion. A ballot vote was taken and unanimously carried 6-0.

Q: Is the plan to access the furthest southwest parcel through the larger parcel?

A: That is very feasible. As long as doing so complies with INDOT requirements. Moorhead Drive is not a preferred access point for the petitioner, and we are not sure if that parcel is large enough to stand alone.

Q: If you are unable to use the parcel for commercial will you want to use it for residential again?

A: That is not the intent.

Motion: Mike Mirochna made a motion to send an unfavorable recommendation to the County Commissioner for Petition ZO-20-0060. Kevin Breitzke seconded the motion. A ballot vote was taken and failed 3-3. (Blaney, Poparad, Burns)

Motion: Brian Damitz made a motion to favorably recommend ZO-20-0060 to the County Commissioners with the stipulations: access will be from the larger parcel; only the eastern 2/3's of the parcel is buildable and the western 1/3 must remain as a buffer area to the neighborhood, and the Plan Committee must review the plan and ensure that all conditions are met. Laura Blaney seconded the motion. A ballot vote was taken and carried 5-1 (Mirochna).

Motion: Kevin Breitzke made a motion to table ZO-20-0054. Rick Burns seconded the motion. A roll call vote was taken and unanimously carried 6-0.

**STAFF ITEMS:**

None.

**ADJOURNMENT:**

There being no further business, the January 27, 2021 Porter County Plan Commission meeting adjourned at 6:44 p.m.

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Bob Poparad, President

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Attest: Robert W. Thompson, AICP, Director