

**PORTER COUNTY DEVELOPMENT REVIEW COMMITTEE**  
**May 17, 2023 – MEETING MINUTES**

LOCATION: County Administrative Center, Ste 205    TIME: 9:00 a.m.  
155 Indiana Avenue, Valparaiso IN

**MEMBERS IN ATTENDANCE**

Bob Thompson, Kevin Breitzke, Dan Boyd, Jim Polarek, and Mike Novotney.

**Also in Attendance:**

Monica Gee, Kelly Cadwell and Rich Hudson.

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**CASE: MI-21-0085**

**Petitioner: Matt Boler / Frank Wolf Minor Subdivision**

**Plan Preparer:** Tiemens Land Surveying

**Location:** 181 S 675 W and 655 W 175 S, Hebron, IN 46341 (Porter Township)

**Zoning:** RR, Rural Residential District

**Acres:** 15.1

**Request:** Primary plat approval to Replat Porter Minor Subdivision 0342-D-1 for a proposed three (3) lot minor subdivision (2 lots have existing residences).

Matt Boler presented. Lot 1 was platted about 20 years ago. They are going to correct some issues around Lot 1 and plat the remaining property into two lots. There is an existing house on Lot 2 which will remain. There is an existing accessory structure on Lot 3 which will also remain. The primary structure on Lot 3 is not planned on being constructed. For purposes of the subdivision, we show that to be placed in the back of the Lot accessed from the existing and now replatted private road easement off of the county road which will go along the north side of Lot 3 through Lot 1. They went through the variance process and obtained eight variances for accessory structures, access, signage, and fence. That was in April. There is an existing pond which will remain. There is an easement around that for protection as well as other wetland areas that were noted on the plat. This is in a Trust. There are three siblings.

Bob Thompson – The existing houses are on Lots 1 and 2?

Matt Boler – Correct.

Bob Thompson – A proposed house is on Lot 3? And the proposed house gets the existing barn up front?

Matt Boler – Correct.

Bob Thompson – But the proposed homeowner does not have access to their barn?

Matt Boler – It will not be their barn once this is divided. They are siblings and he is not sure how it will be worked out. If it does get sold for some reason, it is not on that Lot.

Bob Thompson – It won't be their barn but it is on their Lot.

Matt Boler – The accessory structure is on Lot 3 which is the proposed house. The existing residence is on Lot 2 which will not be part of the barn property after this is divided.

Mike Novotney – Mr. McNab did a review on this for Engineering. He did find conformance with applicable design and construction standards including storm water. Is the pond in the middle of the parcel a wetland and drainage easement?

Matt Boler – Correct.

Mike Novotney – What is the purpose of the easement? Is it to conserve the wetland? Or is it to ensure the drainage function of the pond and associated outlet are maintained or both.

Matt Boler – Both. There is a driveway that goes on the north side of it which is a separate utility easement. That should not get disturbed because they are not going to put a new driveway in. The pond is technically a wetland according to the maps. They are trying to protect that area in addition to any drainage. Drainage flows through this area to the pond.

Mike Novotney – His concern is if down the road there is a conflict between wetland regulations and with maintenance. He will work with Matt on the verbiage that should be on the secondary plat. There is a single certificate for the drainage easement. He wants to make sure that conflict is resolved. There are two ingress/egress easements. One that serves Lot 1 and Lot 3. Road 2—does that serve Lot 2 and Lot 3?

Matt Boler – The accessory structure is on Lot 3 so there is a driveway that goes to that. Both of those driveways are existing.

Mike Novotney – My questions is who will they serve and who is responsible for maintenance of those two private roads? It seems like the owner of Lot 3 will be responsible for both of them and then Lot 1 and Lot 2 will only have some responsibility for the drive serving their property. It should be noted on the secondary plat that Lots 1 and Lot 3 are responsible for road A and Lot 2 and Lot 3 are responsible for road B.

Dan Boyd – The existing residence on Lot 2 has two septic fields and neither is attached to the barn?

Matt Boler – No. There was an addition so they both service the residence.

Bob Thompson – Why are their soil borings by the accessory structure?

Matt Boler – They did multiple borings on Lot 3 trying to get a septic system closer to the county road. They were unsuccessful. There are borings on the back of Lot 3 showing where they propose the residence. Those are the official borings that will be used for where the septic will go.

Dan Boyd – He has talked to John McQuestion. In the front there were going to be problems.

Matt Boler – This goes back to trying to split this evenly.

Bob Thompson – He does not like that they are both being called private roads. What is the address for the existing house?

Matt Boler – 655 W 175 S.

Bob Thompson – You will have to change the address of the existing house. His opinion is getting rid of the private road. Keep the easement for access to the existing barn. If you call it a private road it will be a requirement to build the drive to the specifications listed in the minor subdivision which you will also have to do for the private road to the one you call 175 S.

Matt Boler – They will change that back and keep 175 S and remove 177 S.

Bob Thompson – The existing house on Lot 1 will have to change their address. The 10' existing gravel drive will have to be built up to County specifications.

Matt Boler – That was one of the variances.

Kelly Cadwell – This is a bit of a re-plat. That private road to the north was existing. They reconfigured everything.

Matt Boler – The dotted line is where the original Lot 1 was. The 60' road was a private road that went out to the County Road. It was there 20 years ago.

Bob Thompson – That is fine. Lot 1 will still need to have the address changed. There is no way around that.

Kevin Breitzke – The maintenance of the private roads needs to be written for the final plat. He will leave it up to Bob on the addressing. It is customary that the private roads are an odd number so they stand out as a private road.

Matt Boler – He has received multiple accessory structure variances.

Jim Polarek – He agrees there needs to be an agreement as to who is maintaining that road so 30 years from now someone doesn't call the Highway Department and want them to grade the road.

Rich Hudson – The numbering on the roads is always a problem. The concern is making sure the responders can find the road.

Bob Thompson – When it comes in for secondary you and Kelly can work with 911.  
Kelly Cadwell – She will run this by 911.

**MOTION:** Mike Novotney moved to approve the primary plat for Frank Wolf Minor Subdivision. Seconded by Jim Polarek and so approved with a 5-0 vote.

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**CASE: MI-22-0003**

**Petitioner: Roger & Patricia Martin / R & P Minor Subdivision**

**Plan Preparer:** Acres Surveying and Mapping, LLC

**Location:** 1405 E. Indiana Street, Kouts, IN 46347 (Pleasant Township)

**Zoning:** RR, Rural Residential District

**Acres:** 2.95

**Request:** Primary plat approval for a proposed one (1) lot minor subdivision.

Steven Shannon – Owner of Acres Surveying and Mapping presented. The purpose is for Roger and Patty to build a new house and live in it. They have no plans to sell. This is family-owned farmland. The biggest obstacle is the drainage. The land is very flat. He has talked with Dan. It appears they have to do a Type 2 mound system.

Mike Novotney – Mr. McNab of staff reviewed the primary plat for conformance with the county's design and construction standards including storm water. He issued a Letter of Conformance on May 4<sup>th</sup>. He asked Dan Boyd if there is an adequate outlet?

Dan Boyd -That is why they are doing a Type 2 mound. There are State guidelines. You add additional sand under the stone bed in the mound to make up the difference. It will not have a drain around it.

Mike Novotney – Looking ahead to the secondary plat, there is a 20' drainage easement along State Road 8 which is correct but that should also be a utility easement. The driveway on to State Road 8 will require approval from INDOT.

Dan Boyd – They will be doing a Type 2 sand mound so they will not have to put in a very long perimeter drain. He has provided them with the requirements.

Kevin Breitzke – What Dan is offering is a very good solution for this lot. He asked if they have talked to INDOT.

Steven Shannon – No.

Kevin Breitzke – He suggested he start as soon as possible.

Bob Thompson – Any thought about them using the existing drives and sharing?

Steven Shannon – He thinks the owner would be fine with that. He has been planning to put in a new drive. But he probably would not have a problem sharing. Does he just need to do an easement?

Bob Thompson – Yes. We try to limit the number of drives on Highway 8.

Rich Hudson – You are going to have to get a number from 911. He believes the parent trac has a Kouts address.

**MOTION:** Jim Polarek moved to approve the primary plat for R & P Minor Subdivision. Seconded by Kevin Breitzke and so approved with a 5-0 vote.

Bob Thompson – Now that primary plat is approved, he will send out letters to adjoining neighbors. They can submit a secondary plat to start reviewing if they want. But no action can be taken until 30 days after the letters have been mailed.

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There being no further business, the meeting adjourned at 9:33 a.m.