

**THE PLAT COMMITTEE OF
THE AREA PLAN COMMISSION OF
ST. JOSEPH COUNTY, INDIANA**

MINUTES

July 20, 2023
8:30 a.m.

4th Floor Council Chambers
County-City Building, South Bend, IN

MEMBERS PRESENT:

Sky Medors, P.E.
Brett Davis
Zach Lute
Robert L. Kruszynski, Jr.
Ron Melser

ALSO PRESENT:

Abby Wiles
Carl Brown-Grimm
Shawn Klein
Shelley Marker
Faryal Sharif

Sky Medors called the meeting to order at 8:30 a.m.

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

None for consideration at this time.

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

None for consideration at this time.

2. MINOR PLATS:

(Audio position: 0:00:16.0)

Berta's Minor

7323-22 M

Staff Report:

CARL BROWN-GRIMM: This Minor Primary subdivision is located north of the northern terminus of Baneberry Court, south of Ireland Road, St. Joseph County. This minor Primary subdivision will consist of 2 buildable lots. The total area is approximately 7 acres. A check of the Agency's maps indicates wetlands are present on proposed Lot A and Lot B. This has been shown on the plat. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends approval subject to comments. The County Health Department has issued a deficiency due to not having a sufficient soil sample. Engineering has indicated that the Street Classification of Baneberry Court needs to be shown on the plat, and to correct the note regarding utilities available, as the lots are not served by municipal water and sanitary sewer. The Staff has

reviewed this Subdivision and finds it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval, subject to the following: The Health Department deficiency being resolved, and addressing County Engineering's comments regarding the utility availability and updating the street classifications.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Ron Melser and unanimously carried 5-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Berta's Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: The Health Department deficiency being resolved, and addressing County Engineering's comments regarding the utility availability and updating the street classifications.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

(Audio position: 0:00:56.7)

David Helmuth's Minor

7348-23 M

Staff Report:

CARL BROWN-GRIMM: This Minor Primary subdivision is located At the southwest corner of Beech and Stanton Roads, St. Joseph County. This subdivision will consist of 1 building lot. The total area is 3.41 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends approval subject to the Professional Land Surveyor requesting a waiver for an opening across the 5' non access easement to provide access for the home located on Lot 1. The County Health Department continues to review this subdivision. The Professional Land Surveyor, on behalf of the applicant, request the following waiver: 1) From Section 153.135 (H) to allow two 20' openings across the 5' non-access easement for continued access onto Stanton and Beech Roads for Lot 1. If the Health Department recommends approval, Staff therefore recommends that this Subdivision be granted Primary Approval, subject to the following: the official waiver note and 5' non-access easement being added to the plat at the time of recording

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Ron Melser and unanimously carried 5-0, the waiver from 1) From Section 153.135 (H) to allow two 20' openings across the 5' non-access easement for continued access onto Stanton and Beech Roads for Lot 1 was approved.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

Upon a motion by Ron Melser, being seconded by Brett Davis and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and David Helmuth's Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: a waiver note and 5' non-access easement being added to the plat.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

(Audio position: 0:01:34.1)

Robert & Janice Knecht's Minor

7354-23 M

Staff Report:

CARL BROWNGRIMM: This Minor Primary subdivision is located on the west side of Orange Road, approximately 2750' north of New Road , St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. Lot sizes will range from 4.58 to 23.3. The total area is 27.88 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends approval subject to miscellaneous comments yet to be addressed. The county Health Department continues to review this subdivision. The Staff has reviewed this Subdivision and recommends that it be tabled to allow the applicant to address concerns outlined in the nonconformance memo. Additionally, the property owner is required to record written commitments to comply with conditions attached to a variance approval.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Zach Lute and unanimously carried 5-0, Robert & Janice Knecht's Minor Subdivision is tabled to the August 3, 2023 Plat Committee meeting. Staff recommends this petition be tabled to allow the applicant to address concerns outlined in the nonconformance memo.

Additionally, the property owner is required to record written commitments to comply with conditions attached to a variance approval.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

(Audio position: 0:01:54.4)

Ives' New Road Minor

7356-23 M

Staff Report:

SHAWN KLEIN: This Minor Primary subdivision is located on the north side of New Road approximately 4500' west of Snowberry Road, St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is approximately 30 acres. A portion of Outlot A falls within FIRM Zone A. This has been shown on the plat. Per the National Wetland Inventory, a wetland is present on Outlot A. This still needs to be added to the plat. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommends approval. The County Health Department continues to review this subdivision. The professional land surveyor, on behalf of the applicant, requests the following waivers: 1) From Section 154.135 (H) to allow one 20' opening across the 5' non-access easement for continued access onto New Road for Lot 1, 2) From filing requirement (c)(6) to only show soil information on Lot 1, and 3) From filing requirement (C)(9) to only show existing topographic contours on Lot 1. If the waivers are granted and the Health Department recommends approval, Staff recommends that this Subdivision be granted Primary Approval, subject to the following: addition of the wetland on Outlot A to the plat and correction of the waiver note date to July 20, 2023.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Brett Davis and unanimously carried 5-0, the waivers from 1) From Section 154.135 (H) to allow one 20' opening across the 5' non-access easement for continued access onto New Road for Lot 1, 2) From filing requirement (c)(6) to only show soil information on Lot 1, and 3) From filing requirement (C)(9) to only show existing topographic contours on Lot 1 were approved.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

Upon a motion by Ron Melser, being seconded by Robert L. Kruszynski, Jr. and unanimously carried 5-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Ives' New Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: addition of the wetland on Outlot A to the plat and correction of the waiver note date to July 20, 2023.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

(Audio position: 0:2:50.4)

Fox Run Section 7 Minor

7357-23 M

Staff Report:

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Primrose Road between I-80 and Fox Run subdivision, St. Joseph County. This Minor subdivision shall contain 4 outlots and 0 buildable lots. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department continues to review this subdivision. The Professional Land Surveyor, on behalf of the applicant, requests the following waivers: 1) From Filing Requirement (C)(6) to not show soil information on the outlots, and 2) From Filing Requirement (C)(9) to not show topographical contours on the outlots. The Staff has reviewed this Subdivision and finds that if the waivers are granted, it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Primary Approval.

Sky Medors: Before we get into the voting, I have had reservations from the start. The only way I would vote to grant approval is if we were to add drainage and utility easements along the east and northern border of the new parcels being platted.

Terry is there any objection to that?

Terry Lang: No.

Sky Medors: Can we do that subject to, Shawn?

Shawn Klein: Absolutely.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Robert L. Kruszynski, Jr. and unanimously carried 5-0, the waivers from 1) From Filing Requirement (C)(6) to not show soil information on the outlots, and 2) From Filing Requirement (C)(9) to not show topographical contours on the outlots were approved.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

Upon a motion by Brett Davis, being seconded by Ron Melser and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Fox Run Section 7 Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: the addition of drainage and utility easements to the east and northern borders of the new outlots.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

(Audio position: 0:04:43.3)

Korpals Oak Road Minor

7358-23 M

Staff Report:

CARL BROWN-GRIMM: This Minor Primary subdivision is located on the west side of Oak Road, approximately 1300' north of State Road 2 Highway, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 3.06 acres. A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department continues to review this subdivision. The Professional Land Surveyor, on behalf of the applicant, request the following waiver: From Section 153.135(H) to allow for one 20' opening across the 5' non-access easement for the existing driveway on Lot 1 to continue to access onto Oak Road; and for one 20' opening across the 5' non-access easement for the future driveway on Lot 2 to access onto Oak Road. The Staff has reviewed this Subdivision and finds that if the waivers are granted and the Health Department approves, it complies with the requirements for Primary Approval as specified by the St. Joseph County Subdivision Control Ordinance. If this is the case, Staff therefore recommends that this Subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Zach Lute and unanimously carried 5-0, the waiver from From Section 153.135(H) to allow for one 20' opening across the 5' non-access easement for the existing driveway on Lot 1 to continue to access onto Oak Road; and for one 20' opening across the 5' non-access easement for the future driveway on Lot 2 to access onto Oak Road was approved.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

Upon a motion by Ron Melser, being seconded by Zach Lute and unanimously carried 5-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Korpals's Oak Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

3. REPLATS: *(Audio position: 0:05:15.3)*

Lakeview Villas-Section A 1st Replat **7355-23 R**

Staff Report:

SHAWN KLEIN: This Primary Replat is located at the northeast corner of Rivera Boulevard and Lakeview Drive, St. Joseph County. This replat will consist of 2 lots and two portions of an outlot being replatted into 1 lot and 1 outlot. Total acreage of the subdivision is 3.15 acres. National Wetlands Inventory Wetlands and FIRM Special Flood Hazard Areas are present on proposed Outlot AA and Lot 1A. These areas have been shown on the plat. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends approval subject to the addition of the street classification for Rivera Boulevard. The County Health Department continues to review this subdivision. If the Health Department recommends approval, Staff therefore recommends that this Subdivision be granted Primary Approval, subject to the following: addition of the street classification for Rivera Boulevard to the plat.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Ron Melser and unanimously carried 5-0, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Lakeview Villas-Section

A 1st Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: addition of the street classification for Rivera Boulevard to the plat.

Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

4. MINUTES: *(Audio position: 0:05:35.4)*

Upon a motion by Zach Lute, being seconded by Ron Melser and carried 5-0, the minutes from the July 06, 2023, Plat Committee meeting were approved.

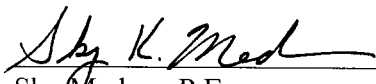
Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

5. ADJOURNMENT: *(Audio position: 0:05:55.3)*

Upon a motion by Ron Melser, being seconded by Brett Davis and carried 5-0, July 20, 2023, Plat Committee was adjourned at 8:37 a.m.

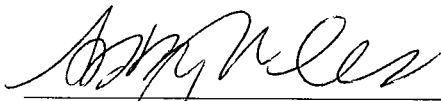
Brett Davis	Aye	Robert Kruszynski, Jr.	Aye
Zach Lute	Aye	Sky Medors	Aye
Ron Melser	Aye		

RESPECTFULLY SUBMITTED,



Sky Medors, P.E.
Chairman of the Committee

ATTEST:



Abby Wiles,
Secretary of the Committee