

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

MINUTES

February 16, 2023
8:30 a.m.

Commission Office, Room 1140
County-City Building, South Bend, IN

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Randy James

ALSO PRESENT:

Abby Wiles
Carl Brown-Grimm
Shawn Klein
Mae Kratzer
Shelley Marker

Sky Medors called the Plat Committee meeting to order at 8:30 a.m. *(Audio position: 0:00:08.3)*

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL: *(Audio position: 0:00:38.8)*

Giuffrida Bailey Avenue Major

7327-23 P

CARL BROWN-GRIMM: This Major Primary subdivision is located on the north side of Bailey Avenue, between Burdette Street and Willis Avenue, St. Joseph County. This subdivision will consist of 6 building lots. The total area is 1.11 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 site is proposed to be serviced by municipal sewer and municipal water through the City of South Bend. The County Surveyor and County Health Department recommend approval, with the Health Department needing to receive the engineer drawing of the proposed sewer and water lines, pursuant to the provisions County Codes 51.07(H). The County Engineer requires a complete drainage plan to evaluate access and properly assess proposed easements. The City of South Bend Engineering Public Works requires the execution and completion of a utility agreement to provide sewer and water service to the lots which they have not received yet.

Subdivision went through Tech Review on January 19, 2023, The Staff has reviewed this Subdivision and recommends that it be tabled until March 02, 2023 Plat Committee meeting to address County, Engineering and City of South Bend Engineering's concerns.

IN FAVOR

(Audio position: 0:02:19.9)

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

(Audio position: 0:03:36.1)

After due consideration, the following action was taken:

Upon a motion by Robert L. Kruszynski, Jr., being seconded by Zach Lute and unanimously carried 5-0, Giuffrida Bailey Avenue Major Subdivision is tabled to the March 2, 2023 Plat Committee meeting Staff recommends this subdivision be tabled to address County Engineering's concerns, and to address the City of South Bend Engineering's concerns.

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

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

None for consideration at this time.

2. MINOR PLATS:

(Audio position: 0:4:05.6)

Schmidtendorff's Beech Road Minor

7319-22 M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Beech Road approximately 260' north of Douglas Road , St. Joseph County. This subdivision will consist of 2 building lots. The total area is 9.05 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 issued a deficiency on January 3, 2023, stating that soil borings had not been submitted for the property, and that a property transfer deferment had not been resolved, so septic inspections and water quality tests would be required. The Professional Land Surveyor, on behalf of the applicant, requests the following waiver: 1) From Section 153.135 (H) to allow for two 20' openings in the 5' non-access easement to allow for continued access onto Beech Road for Lot 1, and one 20' opening to allow for future access onto Beech Road for Lot 2. On November 16, 2022, the Area Board of Zoning Appeals granted minimum lot area variances to allow for Lot 1 to be 4.3 acres and Lot 2 to be 4.75 acres. The Staff has reviewed this Subdivision and recommends that it be tabled to the March 2, 2023 meeting of the Plat Committee to provide time to address the Health Department deficiency and revise the plat per the non-conformance memo issued December 22, 2022.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Brett Davis and unanimously carried 5-0, Schmidtendorff's Beech Road Minor Subdivision is tabled to the March 2, 2023 Plat Committee meeting Staff recommends this subdivision be tabled until the Health Department deficiency has been resolved and revise the plat per the con-conformance memo issued December 22, 2022.

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

(Audio position: 0:04:25.6)

Berta's Minor

7323-22 M

CARL BROWN-GRIMM: This Minor Primary subdivision is located northwest terminus of Baneberry Court, lot is due north on the cul-de-sac, St. Joseph County. This minor Primary subdivision will consist of 1 outlot being platted to 1 buildable lot. The total area is 5.89 acres. A check of the Agency's maps indicates wetlands are present on proposed lot 1. 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 lot will need to obtain a variance for lot width/frontage, as the inability to access Ireland Road disqualifies this road from counting as frontage. The Staff has reviewed this Subdivision and recommends that it be tabled.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Ron Melser and unanimously carried 5-0, Berta's Minor Subdivision is tabled to the March 2, 2023 Plat Committee meeting Staff recommends this subdivision be tabled until the Health Department deficiency has been resolved and a variance for lot width has been granted.

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

(Audio position: 0:04:48.1)

Beall's Mayflower Road Minor

7326-22 M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Mayflower Road approximately 2500' south of State Road 23 , St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is 23.17 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 requests the following waiver: 1) From Section 153.135 (H) to allow for one 20' opening across the 5' non-access easement for continued access onto Mayflower Road for Lot 1 and one 25' opening across the 5' non-access easement for future access onto Mayflower Road for Outlot A. On January 11, 2022, the Area Board of Zoning Appeals granted the following variances for Lot 1: 1) from the maximum square footage of accessory structures of 1591 square feet to 3593 square feet for existing structures, and 2) from the minimum 75' front setback to 74' for the existing house. If the waiver is approved and the Health Department recommends approval, Staff therefore recommends that this Subdivision be granted Primary Approval.

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 waivers from 1) From Section 153.135 (H) to allow for one 20' opening across the 5' non-access easement for continued access onto Mayflower Road for Lot 1 and one 25' opening across the 5' non-access easement for future access onto Mayflower Road for Outlot A, were approved.

Brett Davis	Aye	Zach Lute	Aye
Robert Kruszynski, Jr.	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 Beall's Mayflower Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Secondary Approval, subject to the following: the remaining acreage of parcel 005-1038-051701 must be included as a lot in this subdivision.

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

(Audio position: 0:05:38.5)

Szczypiorski's Timothy Road Minor

7328-23 M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Timothy Road approximately 2,100' south of Chicago Trail, St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is 8 acres. Per the Indiana DNR, a portion of Lot 1 and Outlot A falls within the approximate floodway and flood fringe. This area has been shown on the plat. The rights-of-way are correct as shown. The County Surveyor recommends approval. The County Engineer recommends approval, but advises that the Drainage Board requires adequate best management practices for any construction by the County ditch. The County Health Department continues to review this subdivision. The Professional Land Surveyor, on behalf of the applicant, requests the following waiver: 1) From Section 153.154 (H) to allow for one 25' opening across the 5' non-access easement to allow for continued access onto Timothy Road for Lot 1. On January 11, 2023, the Area Board of Zoning Appeals granted the following variances: 1) From the required lot area of 20 acres to 1.25 acres, 2) From the minimum required 30' side setback to 4' for the north property line, and 3) From the minimum required rear setback of 30' to 18'. If the waivers are granted and the Health Department recommends approval, Staff recommends that this Subdivision be granted Primary Approval.

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 waivers from 1) From Section 153.154 (H) to allow for one 25' opening across the 5' non-access easement to allow for continued access onto Timothy Road for Lot 1, were approved.

Brett Davis	Aye	Zach Lute	Aye
Robert Kruszynski, Jr.	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 Szczypiorski's Timothy Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Secondary Approval.

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

Western Woodlands Minor

7329-23 M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of State Road 2 approximately 900' west of Pine Road , St. Joseph County. This subdivision will consist of 3 building lots. The total area is approximately 23 acres. Per the National Wetlands Inventory, a wetland is present on Lot 3. This wetland has been shown on the plat 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: 1) From Section 153.135 (H) to allow one 25' opening across the 5' non-access easement for continued access on State Road 2 for Lot 1, one 25' opening for continued access onto State Road 2 for Lot 2, and one 30' opening for future access onto Pine Road for Lot 3. Access to State Road 2 is subject to INDOT approval. If the waiver is granted and the Health Department recommends approval, staff therefore recommends that this Subdivision be granted Primary Approval.

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 waivers from 1) From Section 153.135 (H) to allow one 25' opening across the 5' non-access easement for continued access on State Road 2 for Lot 1, one 25' opening for continued access onto State Road 2 for Lot 2, and one 30' opening for future access onto Pine Road for Lot 3, were approved.

Brett Davis	Aye	Zach Lute	Aye
Robert Kruszynski, Jr.	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 Western Woodlands Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Secondary Approval.

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

(Audio position: 0:07:00.8)

Szabo's Industrial Drive Minor

7330-23 M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of Industrial Drive 600' west of Bittersweet Road, St. Joseph County. This subdivision will consist of 3 building lots. The total area is 6 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, County Engineer, and County Health Department recommend approval. 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.

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 Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Szabo's Industrial Drive Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Secondary Approval.

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

3. REPLATS:

None for consideration at this time.

4. TYPE II CORRECTIVE PLATS:

None for consideration at this time.

5. MINUTES:

(Audio position: 0:07:23.3)

Upon a motion by Robert Kruszynski, Jr., being seconded by Ron Melser, and unanimously carried 5-0, the minutes from the February 02, 2023, Plat Committee were approved.

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

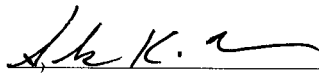
6. ADJOURNMENT:

(Audio position: 0:08:27.9)

Upon a motion by Brett Davis, being seconded by Ron Melser, and unanimously carried 5-0, the February 16, 2023, Plat Committee was adjourned at 8:38 a.m.

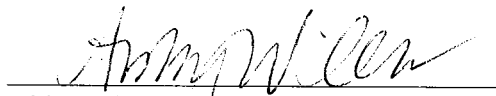
Brett Davis	Aye	Zach Lute	Aye
Robert Kruszynski, Jr.	Aye	Sky Medors	Aye
Ron Melser	Aye		

RESPECTFULLY SUBMITTED,



Sky Medors, P.E.
Chairman of the Committee

ATTEST:



Abby Wiles,
Secretary of the Committee