

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

MINUTES

September 17, 2020
8:30 a.m.

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

MEMBERS PRESENT:

John R. McNamara, P.E., L.S.
Chuck Bulot
Sky Medors, P.E.
Brett Davis

ALSO PRESENT:

Abby Wiles
Shawn Klein
Samantha Keultjes

SUBDIVISIONS REQUIRING A PUBLIC HEARING

I. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

None for consideration at this time

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

I. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

A. Hickory Gardens

7163-20-P

SHAWN KLEIN: This Major Primary subdivision is located on the east side of Hickory Road approximately 2200' north of Cleveland Road, St. Joseph County. This subdivision will consist of 3 building lots. The total area is 7.35 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 August 19, 2020, stating that information on file at the Health Department regarding the location of the existing absorption field trenches for proposed Lot 1 is inconsistent. Additionally, the Health Department is unable to determine if the septic field for Lot 3 is sufficient and a second system currently exists on the west side of the home which has not been documented on the SDS. The Health Department has since suggested that these issues have potentially been resolved. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 30' opening across the 5' non-access easement for continued access onto Hickory Road for Lot 3 and one 20' opening for future access to Lot 1 and Lot 2. This subdivision received a public hearing at the Plat Committee

meeting of August 20, 2020, wherein it was tabled to provide time for the Health Department deficiency to be addressed.

If the waivers are granted and the Health Department deficiency has been resolved, the Staff recommends that this subdivision be granted Primary Approval.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Brett Davis and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 30' opening across the 5' non-access easement for continued access onto Hickory Road for Lot 3 and one 20' opening for future access to Lot 1 and Lot 2, were approved.

Upon a motion by Sky Medors, P.E., 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 Hickory Gardens Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

2. MINOR PLATS:

A. Nadine Street

7171-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Nadine Street approximately 200' south of Cleveland Road, St. Joseph County. This subdivision will consist of 2 building lots and 1 outlot. The total area is 1.187 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 registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for future access onto Nadine Street for Lot 1 and one 20' opening for future access onto Nadine Street for Lot 2. Staff typically discourages creation of outlots in the R: Single Family District. However, in this case, future access onto Cleveland Road will never be permitted due to public safety concerns. Practically speaking, the remaining frontage along Nadine Street will only allow for the creation of 2 buildable lots from the existing parcel, which is what has been proposed.

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.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Brett Davis and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for future access onto Nadine Street for Lot 1, and one 20' opening for future access onto Nadine Street for Lot 2, were approved.

Upon a motion by Sky Medors, P.E., 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 Nadine Street Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

B. Knape's Stanton Road

7172-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of Stanton Road approximately 1300' west of Sycamore Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 9.46 acres. National Wetland Inventory maps indicate that wetlands are present within the southwest corner of Lot 1. A note has been placed on the plat regarding restrictions on development and construction within the areas as delineated on this plat. Property owners should contact the Army Corps of Engineers, Detroit Branch and the Indiana Department of Environmental Management for any restrictions that apply to this portion of the property.

The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department is expected to issue a deficiency as elements of the SDS do not correspond with what is actually present at the site. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 25' opening across the 5' non-access easement for continued access onto Stanton Road for Lot 1 and one 25' opening for future access onto Stanton Road for Lot 2. On June 25, 2020, the Area Board of Zoning Appeals granted the following variances: 1) from the minimum required lot area of 20 acres to 4.73 for Lot 1, and 2) from the minimum required lot area of 20 acres to 4.73 for Lot 2.

The Staff has reviewed this Subdivision and recommends that it be tabled to the

October 1, 2020 meeting of the Plat Committee to provide time for the Health Department deficiency to be addressed.

After due consideration, the following action was taken:

Upon a motion by Brett Davis, being seconded by Sky Medors, P.E. and unanimously carried, Knape's Stanton Road Subdivision is tabled to the October 1, 2020 Plat Committee meeting to provide time for the Health Department deficiency to be addressed..

C. Soto's 2nd Elm Road 7174-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the west side of Elm Road approximately 325' south of State Road 23, St. Joseph County. This subdivision will consist of 3 building lots. The total area is 2.58 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 the County Health Department recommend approval. This subdivision cannot be approved as a Minor Subdivision under the current St. Joseph County Subdivision Control Ordinance as it would result in more than 3 lots having been created through Minor Subdivision from a single parcel of land in existence on January 1, 1977 (see Section 153.010 "Minor Subdivision"). Therefore, Staff requests that the subdivision be tabled indefinitely. The Staff has reviewed this Subdivision and recommends that it be tabled indefinitely.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Brett Davis and unanimously carried, Soto's 2nd Elm Road Subdivision is tabled indefinitely .

D. Vellucci Oak Road 7175-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the west side of Oak Road approximately 750' north of Tyler Road, St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is 20 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 September 15, 2020, stating that a perimeter drain in the existing system has not been document on the SDS and that it is unclear of the "septic area" shown on the SDS is existing or proposed. The registered land surveyor, on behalf of the applicant requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for continued access onto

Oak Road for Lot 1. On June 25, 2020, the Area Board of Zoning Appeals granted the following variance: 1) from the minimum required lot area of 20 acres to 3.88 acres for Lot 1.

Brett Davis stated that he now recommends approval of the subdivision, subject to submittal of a revised Site Data Sheet showing an updated septic location fully contained on Lot 1.

After due consideration, the following action was taken:

Upon a motion by Chuck Bulot, being seconded by Sky Medors, P.E. and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for continued access onto Oak Road for Lot 1. were approved.

Upon a motion by Brett Davis, being seconded by Sky Medors, P.E. and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Vellucci Oak Road Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: submittal of a revised Site Data Sheet showing an updated septic location fully contained on Lot 1.

3. REPLATS:

A. Oshinski's Quince Road Minor Subdivision 1st Replat 7170-20-R

SHAWN KLEIN: This Primary Replat is located on the west side of Quince Road approximately 140' north of Durness Woods Drive, St. Joseph County. This replat will consist of 1 lot being replatted to 1 lot. The total area for this replat is .37 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 purpose of this replat is to relocate the 20' opening across the non-access easement. A 20' opening was granted by the Plat Committee on March 19, 2020. 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 Sky Medors, P.E., being seconded by Chuck Bulot and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Oshinski's Quince Road Minor Subdivision 1st Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

B. Jones' Lake Trail Minor Subdivision 1st Replat

7173-20-R

SHAWN KLEIN: This Primary Replat is located on the north side of Lake Trail directly west of US 31 Highway, St. Joseph County. This replat will consist of 2 lots being replatted to 2 lots. The total area for this replat is 3.21 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 Health Department, and County Engineer recommend approval. The registered land surveyor, on behalf of the applicant, requests the following waivers: 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for continued access onto Lake Trail for Lot 1A and one 20' opening for continued access onto Lake Trail for Lot 2A.

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.

After due consideration, the following action was taken:

Upon a motion by Chuck Bulot, being seconded by Sky Medors, P.E. and unanimously carried, the waivers from 1) from Section 153.021(F) to not have a frontage street or reverse frontage with a minimum five foot non-access easement along the arterial street, and 2) from Section 153.025(M) to allow for one 20' opening across the 5' non-access easement for continued access onto Lake Trail for Lot 1A and one 20' opening for continued access onto Lake Trail for Lot 2A were approved.

Upon a motion by Chuck Bulot, being seconded by Sky Medors, P.E. and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Jones' Lake Trail Minor Subdivision 1st Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

4. TYPE II CORRECTIVE PLATS:

None for consideration at this time.

5. MINUTES:

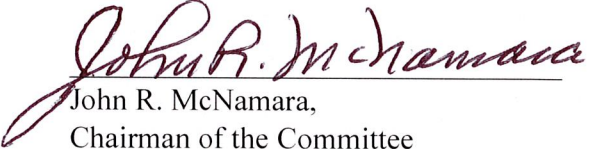
A. Approval of the minutes from the September 3, 2020 Plat Committee Meeting

Upon a motion by Chuck Bulot, being seconded by Sky Medors, P.E. and unanimously carried, the minutes from the September 3, 2020 Plat Committee Meeting were approved.


6. ADJOURNMENT:

Upon a motion by Chuck Bulot, being seconded by Sky Medors, P.E. and unanimously carried, the September 17, 2020 Plat Committee meeting adjourned at 8:32 a.m.

RESPECTFULLY SUBMITTED,


John R. McNamara,
Chairman of the Committee

ATTEST:


Abby Wiles,
Secretary of the Committee