

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

MINUTES

June 4, 2020
8:30 a.m.

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

MEMBERS PRESENT:

John R. McNamara, P.E., L.S.
Dave Cherrone
Sky Medors, P.E.
Brett Davis

ALSO PRESENT:

Shawn Klein
Ryan D. Fellows
Samantha Keultjes

SUBDIVISIONS REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - PRIMARY APPROVAL:

C. Hubbard Mansion

7140-20-P

SHAWN KLEIN: This Major Primary subdivision is located on the north side of Chicago Trail approximately 1200' southwest of Hamilton Trail, St. Joseph County. This subdivision will consist of 1 building lot. The total area is 2.695 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 recommends approval, subject to explicit approval to cross the municipal water main easement with the septic system effluent sewer. 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 Chicago Trail for Lot 1.

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.

IN FAVOR

REMONSTRANCE

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone 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 Chicago Trail for Lot 1 were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Hubbard Mansion Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: Explicit approval to cross the municipal water main easement with the septic system effluent sewer in order to connect the septic tank with the absorption field.

SUBDIVISIONS NOT REQUIRING A PUBLIC HEARING

1. MAJOR SUBDIVISIONS - SECONDARY APPROVAL:

None for consideration at this time

2. MINOR PLATS:

A. Andrews' McKinley Highway Minor 7125-19-M

SHAWN KLEIN: This Minor Primary subdivision is located northeast of the intersection of McKinley Highway and Buckeye Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 8.66 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 December 31, 2019, stating that the proposed use of the commercial building on Lot 2 has not been stated, the septic tank location for Lot 1 has not been indicated, the proposed well locations do not meet setback standards listed in County Code 52, and the required setbacks between wells and septic systems have not been met. A revised deficiency was issued by the Health Department on January 10, 2020, stating that the septic tank location for Lot 1 has not been indicated and the required setbacks between septic and well have not been met. All Health Department deficiencies have since been addressed. 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 two 15' opening across the 5' non-access easement for continued access onto McKinley Highway for Lot 1 and

one 52' opening across the 5' non-access easement for continued access onto access onto McKinley Highway for Lot 2. On November 13, 2019, the Area Board of Zoning Appeals granted the following variance: 1) from the minimum required side setback for parking of 5' to 2.5' for Lot 2. This subdivision was tabled by the Plat Committee on January 2, 2020, January 16, 2020, and February 6, 2020, to allow time for the Health Department deficiency to be addressed.

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 Dave Cherrone 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 two 15' opening across the 5' non-access easement for continued access onto McKinley Highway for Lot 1 and one 52' opening across the 5' non-access easement for continued access onto access onto McKinley Highway for Lot 2, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Andrews' McKinley Highway Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

A. Ort's Greene Meadows 2nd Minor 7138-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on north side of Roosevelt Road approximately 1800' east of Poppy Road, St. Joseph County. This subdivision will consist of 1 building lot and 1 outlot. The total area is 17.19 acres. A check of the National Wetlands Inventory maps indicates that the pond along Roosevelt near the southeast corner of Lot 1 is registered as a .19 acre freshwater pond. The rights-of-way are correct as shown. The County Surveyor and County Engineer recommend approval. The County Health Department recommends approval, and further states that drainage appears to be feasible should it be necessary for future septic. 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 Roosevelt Road for Lot 1.

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 Dave Cherrone 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 Roosevelt Road for Lot 1, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Ort's Greene Meadows 2nd Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

B. Ingle-Carr Miami Highway

7139-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the west side of Miami Highway approximately 2600' north of Quinn Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 29.24 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 recommends approval, but notes that Lot 2 is only suitable for an elevated sand mound with drainage. 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 Miami Highway for Lot 1 and one 36' opening across the 5' non-access easement of future access onto Miami Highway for Lot 2. On February 12, 2020, the Area Board of Zoning Appeals approved the following variances: 1) from the minimum required lot size of 20 acres to .59 acres for Lot 1, 2) from the required minimum rear setback of 30' to 10' for Lot 1, and 3) from the required minimum frontage of 600' to 365.96' for Lot 2.

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 Dave Cherrone 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 25' opening across the 5' non-access easement for continued access onto Miami Highway for Lot 1 and one 36' opening across the 5' non-access easement of future access onto Miami Highway for Lot 2 were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Ingle-Carr Miami Highway Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

B. McGinnis-Zernick Minor

7143-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Myrtle Road approximately 820' south of Ireland Road , St. Joseph County. This subdivision will consist of 2 building lots. The total area is 14.56 acres. National Wetland Inventory maps indicate that wetlands are present on Lot 2. 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 issued a deficiency on May 1, 2020, stating that a NIPSCO easement and pipeline had not been shown on the plat, and that Lot 2 is only suitable for a mound system. 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 Myrtle Road for Lot 1, and two 20' openings across the 5' non-access easements to allow for future access onto Myrtle Road for Lot 2.

The Staff has reviewed this Subdivision and recommends that it be tabled until the June 4, 2020 Plat Committee meeting, unless the Health Department deficiency is resolved prior to the May 21, 2020 meeting.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone 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 Myrtle Road for Lot 1, and two 20' openings across the 5' non-access easements to allow for future access onto Myrtle Road for Lot 2 were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and McGinnis-Zernick Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

C. King's Nadine Street Minor 7144-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the east side of Nadine Street approximately 240' south of Cleveland Road , St. Joseph County. This subdivision will consist of 2 building lots. The total area is 1.779 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 submission of an Indemnity Encroachment Agreement. The County Health Department has yet to comment on this subdivision. The Staff has reviewed this Subdivision and recommends that it be withdrawn, as requested by the applicant.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and carried, King's Nadine Street Minor Subdivision is withdrawn.

D. Korn Alden Road Minor 7145-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the south side of Alden Road approximately 2000' west of Redwood Road , St. Joseph County. This subdivision will consist of 1 building lot. The total area is 4.047 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 recommends approval, but stipulates that the proposed septic layout is not favorable, but sufficient space and topography appear to be available on Lot 1. The registered land surveyor, on behalf of the applicant, request 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 Alden Road.

The Staff has reviewed this Subdivision and finds that if the waivers are granted and the following condition is adhered to, 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: Submission of a signed Plat with the minor corrections communicated on the non-conformance memo of March 23, 2020.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone 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 Alden Road, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Korn Alden Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: A variance from the minimum required lot size of 20 acres to 3.81 acres for Lot 1.

A. Abigail's Pierce Road 7147-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the north side of Pierce Road approximately 1300' feet west of Ash Road. , St. Joseph County. This subdivision will consist of 1 building lot. The total area is 5.19 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 revising the right-of-way of Pierce Road to 60'. The County Health Department has yet to comment. 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 Pierce Road.

The Staff has reviewed this Subdivision and finds it complies with the requirements for

Approval as specified by the Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Approval.

After due consideration, the following action was taken:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone 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 Pierce Road, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Abigail's Pierce Road Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

A. Wallace Family's Douglas Road Minor 7149-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the north side of Douglas Road approximately 1520' west of Grape Road , St. Joseph County. This subdivision will consist of 1 building lot. The total area is 1.07 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 40' opening across the 5' non-access easement for continued access onto Douglas Road for Lot 1. The purpose of this subdivision is to legalize the product of an illegal split. The other parcel created by this split, which is owned by the US Government, was to be include as an outlot in this subdivision. However, the surveyor was unable to obtain any response from the federal government when they attempt to involve them in the subdivision. Under the circumstances, there is no reason to prevent the applicant from creating a legal lot from the portion they own, as the remainder is already not buildable.

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 Dave Cherrone 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 40' opening across the 5' non-access easement for continued access onto Douglas Road for Lot 1, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Wallace Family's Douglas Road Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

C. McKinley Highway Fire Station Minor 7151-20-M

SHAWN KLEIN: This Minor Primary subdivision is located on the north side of McKinley Highway approximately 630' west of Bittersweet Road, St. Joseph County. This subdivision will consist of 2 building lots. The total area is 28.60 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 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 65' opening across the 5' non-access easement for future access onto McKinley Highway for Lot 1 and one 100' opening for future access onto McKinley Highway for Lot 2.

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 Dave Cherrone 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 65' opening across the 5' non-access easement for future access onto McKinley Highway for Lot 1 and one 100' opening for future access onto McKinley Highway for Lot 2, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and McKinley Highway Fire Station Minor Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval, subject to the following: Approval of the drainage plan for Lot 2.

3. REPLATS:

B. Fernwood at Cleveland Phase Three Second Replat 7137-20-R

SHAWN KLEIN: This primary replat is located on the south side of Cleveland Road approximately 1300' west of Ironwood Road , St. Joseph County. This replat will consist of 27 lots being replatted to 19 lots. The total area for this replat is 13.38 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 subdivision was tabled on March 19, 2020 at the request of the registered land surveyor due to ongoing discussions with the City of South Bend regarding the relocation of a sewer line within this replat. It is now ready for 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 Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, Fernwood at Cleveland Phase Three Second Replat Subdivision is tabled to the June 18, 2020 Plat Committee meeting .

B. Hagey Linda Plat, 2nd Replat 7150-20-R

SHAWN KLEIN: This Primary Replat is located at the northwest corner of State Road 23 and Hagey Street, St. Joseph County. This replat will consist of 2 lots being replatted to 2 lots. The total area for this replat 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 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 continued access onto State Road 23 for Lot BB. On March 11, 2020, the Area Board of Zoning Appeals

granted the following waiver: from the maximum allowable accessory building size of 1388 square feet to 2110 square feet for Lot AA.

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 Dave Cherrone 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 State Road 23 for Lot BB, were approved.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the Plat Committee finds the evidence adduced at this Plat Committee Hearing supports each element of the Staff Report, and Hagey Linda Plat, 2nd 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:

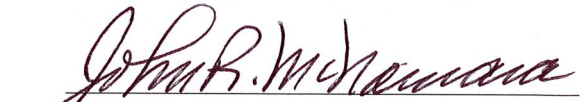
A. Approval of the minutes of the March 19, 2020 Plat Committee meeting.

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the minutes of the March 19, 2020 Plat Committee meeting were approved.

6. ADJOURNMENT:

Upon a motion by Sky Medors, P.E., being seconded by Dave Cherrone and unanimously carried, the June 4, 2020 Plat Committee meeting adjourned at 8:39 a.m.

RESPECTFULLY SUBMITTED,



JOHN R. MCNAMARA,
CHAIRMAN OF THE COMMITTEE

ATTEST:



RYAN D. FELLOWS,
Secretary of the Committee