



LAPORTE COUNTY PLAN COMMISSION

Government Complex 5th Level
809 State Street, Suite 503 A
LaPorte, Indiana 46350-3391
(219) 326-6808 Ext. 2591, 2563, & 2221
Fax: (219) 362-5561

ANNEMARIE POLAN
Building Commissioner

LA PORTE COUNTY PLAN COMMISSION MINUTES June 28th, 2016

MEMBERS PRESENT: Anthony Hendricks Jim Pressel
Glen Minich Rita Beaty Kelly
Harold Parker Mike Bohacek
Gene Matzat

OTHERS PRESENT: Annemarie Polan, Recording Secretary, Doug Biege, Attorney, Dar Pavey, Secretary.

PLEDGE OF ALLEGIANCE

ROLL CALL

Anthony Hendricks asked Dar Pavey for roll call.

APPROVAL OF AGENDA

Anthony Hendricks asked for a motion to approve the agenda as presented. Jim Pressel made a motion to approve as presented. Mike Bohacek seconded. All approved. Motion carried 7-0.

APPROVAL OF MINUTES

Anthony Hendricks asked for a motion to approve the meeting minutes as presented. Jim Pressel made a motion to approve as presented. Mike Bohacek seconded. Motion carried 7-0.

1. Jeffery A. Bernel and Kathryn T. Bernel submit to the La Porte County Plan Commission their Application for the Approval of a Re-Subdivision of a Major Subdivision to re-subdivide an already approved major subdivision plat; specifically the Petitioners are owners of a three acre lot in the Timber Ridge Subdivision and desire to divide said lot equally into two separate lots. The proposed re-subdivision would result in the creation of a new buildable lot within the subdivision. Said lot would be for the purpose of constructing a single family residential home in conformity with the zoning laws in full force and effect, as well as all covenants and restriction that apply to the

original subdivision plat. Said property is located at 3978 W. Timber Ridge Road, Center Twp., zoned R1B.

Attorney Biege said notice is adequate and seventy-five (75%) percent of subdivision owners consent.

Kathryn Bernel and she is here with her husband Jeffery Bernel. Ms. Bernel said that she does have an affidavit of publication to submit.

Kathryn Bernel said that as you know, they are the owners of a double lot in Timber Ridge Subdivision; it's a three acre lot. Ms. Bernel said what they would like to do is cut it in half essentially and this meets all of the requirements of our restrictive covenants. Ms. Bernel said in order to build on a lot it must be at least an acre and a quarter, and this is over an acre and a third.

Ms. Bernel said that she thinks that Mr. Biege has noted that we have to have at least seventy-five (75%) percent of consensus and they've reached that number and you have received a copy of those consensus. Ms. Bernel said in terms of those who did not consent, they did provide certify mail, specifically there were nine (9) adjacent property owners; in other words, the property to the left of them, the right of them, and across street from them, of those nine (9), six provided written consent, so as she understands it, there is no requirement to provide certified mail of the notice of the hearing. Ms. Bernel said that with regards to two, there were two accepted by certified mailing, lot 5 owner and lot 7, and there was one refused service, the Hicks, and they live on lot 6 and she does have a copy of those certified mailings.

Ms. Bernel said that that she has provided a copy of the affidavit to the publication and she noted that she made service to those who did not provide consent. Ms. Bernel said that they're in compliance with the restriction covenants and would ask that you approve their application to divide their lot in half. Ms. Bernel asked if there are any questions.

Anthony Hendricks asked if there are any questions from the board.

Anthony Hendricks said that he will open the floor up to any remonstrators, for, or, against this petition.

Glen Minich asked Ms. Bernel if the lots she is creating would be the smallest lots in the subdivision, or ---

Ms. Bernel said absolutely not. Ms. Bernel said that she knows that there is one just shy of one acre. Ms. Bernel said that there are some that are barely over a quarter of an acre. Ms. Bernel said for the most part they are usually about an acre and a quarter. Ms. Bernel said that they're well within the limits.

Anthony Hendricks asked if there are any other questions from the board.

Jim Pressel made a motion that we present a favorable recommendation to subdivide. Mike Bohacek seconded.

Anthony Hendricks asked if there are any questions on the motion.

All approved. Motion carried 7-0.

Ms. Bernel thanked the board.

2. Cafo Discussion: This can be heard on Alc.pegcentral. com.

There being no further business before the Plan Commission, meeting adjourned at 7:15 p.m.


ANTHONY HENDRICKS, President


ANNEMARIE POLAN, Rec. Secretary