

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

**MINUTES**

February 2, 2023  
8:30 a.m.

4<sup>th</sup> Floor Council Chambers  
County-City Building, South Bend, IN

**MEMBERS PRESENT:**

Brett Davis  
Randy James  
Robert L. Kruszynski, Jr.  
Ron Melser  
Hana Parkhill

**MEMBERS ABSENT:**

Sky Medors, P.E.

**ALSO PRESENT:**

Shawn Klein  
Carl Brown-Grimm  
Mae Kratzer  
Shelley Marker

Randy James called the meeting to order at 8:30 a.m.

*(Audio position: 0:00:03.8)*

**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:

*(Audio position: 0:00:24.6)*

**Shamrock Estates-Phase 3**

**7331-23 F**

SHAWN KLEIN: This Major Secondary subdivision is located north of the current northern terminus of Shamrock Drive and East of the current eastern terminus of E Market Street, Town of North Liberty. This subdivision will consist of 15 building lots and 1 outlot. The total area is approximately 8 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 Town of North Liberty recommends approval. Town of North Liberty Subdivision Regulations require Plat Committee approval of major secondary plats. The proposed major secondary is consistent with the approved major primary subdivision plat and the North Liberty Zoning Ordinance. The Staff has reviewed this Subdivision and finds it complies with the requirements for Secondary Approval as specified by the Town of North Liberty Subdivision Control Ordinance. The Staff therefore recommends that this Subdivision be granted Secondary 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 Shamrock Estates-Phase 3 Subdivision therefore complies with the Town of North Liberty Subdivision Control Ordinance and is granted Secondary Approval.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

**2. MINOR PLATS:**

*(Audio position: 0:00:43.9)*

**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 February 16, 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 Brett Davis, being seconded by Ron Melser and unanimously carried, Schmidtendorff's Beech Road Minor Subdivision is tabled to the February 16, 2023 Plat Committee meeting Staff recommends this subdivision be tabled until the Health Department deficiency has been resolved and revise the plat per the non-conformance memo issued December 22, 2022.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

(Audio position: 0:00:57.7)

**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. The total area is 1.14 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. On January 11, 2023, the Area Board of Zoning Appeals granted the following variances: 1) From the maximum accessory structure square footage of 1591 square feet to 3593 square feet, and 2) From the required minimum front setback of 75' to 74' for the existing house. As the remaining balance of the current parcel will have less than 600' of road frontage, it does not qualify for a subdivision exemption under Section 153.050. Therefore, the remaining acreage must be included in this subdivision as second lot. The Staff has reviewed this Subdivision and recommends that it be tabled until the February 19, 2023 meeting of the Plat Committee, as the remaining acreage of parcel 005-1038-051701 must be included as a lot in this subdivision.

Terry Lang: Can I ask a question of the Health Department?

Brett Davis: Sure Terry.

Terry Lang: On that Health Department concern on the site out there. They are in the process of redoing all the plumbing in the building. They would like to take ownership of the lot to continue on doing the remodeling of the home to get what the Health Department needs. We are caught in a catch twenty-two he doesn't want to go too far with improvements until he owns the lot.

Brett Davis: He was deficient from a couple of months ago on his inspections. It looks like that is not the only issue with the subdivision and issue with remaining acreage that also need to be addressed. Hopefully we can get it all situated by the next Plan Committee meeting.

Terry Lang: With the remaining acreage?

Shawn Klein: Yes, remember how we discussed that the remaining acreage isn't going to have that 600' of road frontage. That will need to be included in the subdivision it doesn't meet the exemption for an agricultural lot.

Terry Lang: It's zoned residential.

Shawn Klein: The zoning is irrelevant, it is an exemption from the Subdivision Ordinance that requires 20 acres and 600' of frontage for a lot that is used for agricultural. It meets two of the three criteria, but you'll need to include it as a lot unfortunately.

Terry Lang: Okay, I will let the owner know.

Shawn Klein: Thanks Terry.

After due consideration, the following action was taken:

Upon a motion by Ron Melser, being seconded by Hana Parkhill and unanimously carried 5-0, Beall's Mayflower Road Minor Subdivision is tabled to the February 16, 2023, Plat Committee meeting the remaining acreage of parcel 005-1038-051701 must be included as a lot in this subdivision.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

### 3. REPLATS:

*(Audio position: 0:02:52.4)*

#### **Metalstamp Minor 1st Replat**

**7322-22 R**

CARL BROWN-GRIMM: This Primary Replat is located on the north side of SR 23 Highway, approximately 1,100' west of Orange Road, St. Joseph County. This replat will consist of 1 lots being replatted to 1 buildable lot and one outlot. The total area for this replat is 3.27 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 both recommend approval. The County Health Department continues to review this subdivision. On behalf of the owner, the professional land surveyor requests the following waiver: 1) to allow one (1) 20' wide opening across the 10' non-access easement for an agricultural access to State Road 23. 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 Brett Davis, being seconded by Ron Melser and unanimously carried 5-0, the waivers from 1) to allow one (1) 20' wide opening across the 10' non-access easement for an agricultural access to State Road 23. were approved.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

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 Metalstamp Minor 1st Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

*(Audio position: 0:03:25.4)*

### **Berta's Replat**

**7323-22 R**

CARL BROWN-GRIMM: This Primary Replat is located at the Northwest terminus of Baneberry Court. The lot is due north on the cul-de-sac, St. Joseph County. This replat will consist of 1 lots being replatted to 1 lot. The total area for this replat is 5.89 acres. A check of the Agency's maps indicates wetlands are present on proposed lot A. 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 continues to review this subdivision. 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 purpose of this replat is to make a buildable lot out of a platted outlot. This will need to be done through the minor subdivision process which requires additional filing fees. The Staff has reviewed this Subdivision and recommends that it be tabled.

After due consideration, the following action was taken:

Upon a motion by Hana Parkhill, being seconded by Ron Melser and unanimously carried 5-0, Berta's Replat Subdivision is tabled to the February 16, 2023 Plat Committee meeting.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

(Audio position: 0:03:52.1)

**Northbridge Valley, Section Five - First Replat** **7325-22 R**

CARL BROWN-GRIMM: This Primary Replat is located West side of Columbia Bay Drive, directly west of Raleigh Vista Way, St. Joseph County. This replat will consist of 1 lots being replatted to 1 lot. The total area for this replat is 0.26 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 purpose of this replat is to reduce the drainage easement by 5' due to a structure being built over it. The County's Drainage Board representative has determined this to be acceptable. 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 Hana Parkhill, 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 Northbridge Valley, Section Five - First Replat Subdivision therefore complies with the St. Joseph County Subdivision Control Ordinance and is granted Primary Approval.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

**5. MINUTES:** *(Audio position: 0:04:07.7)*

Upon a motion by Brett Davis, being seconded by Ron Melser, and unanimously carried 5-0, the minutes from the January 05, 2023, Plat Committee were approved.

Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

Upon a motion by Ron Melser, being seconded by Hana Parkhill, and unanimously carried 5-0, the minutes from the January 19, 2023, Plat Committee were approved.

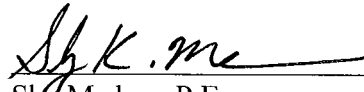
Brett Davis	Aye	Randy James	Aye
Robert Kruszynski	Aye	Ron Melser	Aye
Hana Parkhill	Aye		

**6. ADJOURNMENT:**

*(Audio position:0:04:42.5)*


Upon a motion by Hana Parkhill, being seconded by Ron Melser, and unanimously carried 5-0, the February 2, 2023 Plat Committee was adjourned at 8:35 a.m.

RESPECTFULLY SUBMITTED,



Sky Medors, P.E.,  
Chairman of the Committee

ATTEST:

  
Abby Wiles,  
Secretary of the Committee