A meeting of the Jasper County Plan Commission was held Monday, October 21, 2019 at 7:15 pm in the Commissioners’ Room of the Jasper County Courthouse, Indiana. Members present: Kent Korniak, Vince Urbano, Bryan Overstreet, Steve Jordan, Jim Martin, Jim Walstra and Dave Webb. Also present: William T. Sammons, Law Offices of Randle & Sammons P.C.; Mary Scheurich, Director of Planning and Development; Kelli Standish, Secretary. Absent were: Justin Rodibaugh and Todd Peterson.

Meeting was called to order by Board President Kent Korniak. The first order of business was the call for approval of the September’s 2019 minutes.

Jim Walstra made the motion to approve both September 2019 minutes. Motion was seconded by Vince Urbano and carried unanimously.

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<thead>
<tr>
<th>Replat</th>
<th>Cause#PC-9-19</th>
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<tbody>
<tr>
<td>Applicant: D &amp; G Fritts, LLC</td>
<td>Location: Sec.7-31-7 – Keener Twp. – Lots 158-168 DeVries Manor Unit 5</td>
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<tr>
<td>Use: Primary Approval for a 1-lot replat (Georgetown Dr. &amp; Potomac Dr.)</td>
<td>Public hearing held pursuant to notice published October 9, 2019 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Brittany Shedrow, Clerk of the Rensselaer Republican.</td>
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Breann Wilson with Turning Point Surveying stated that she is representing the applicant. There are 11 existing lots that they are requesting to replat into 1 lot, which would be a 15 acre lot. They are also requesting to vacate the proposed roads that have never been improved.

Kent Korniak asked if anyone present had any opposition to the application.

Debra Opolski was present and wanted to know exactly where this was located at in their subdivision. Are they proposing a single family residence on the lot?

Breann Wilson replied that it is at the very south end of the subdivision where Potomac Dr. curves. They are planning a single family residence on the lot.

Attorney Todd Sammons asked Mary Scheurich if they need to do something about vacating the unimproved roads.

Mary Scheurich replied that they need to go before the Board of County Commissioners to get the road vacated.

Vince Urbano made the motion to grant primary approval for the 1-lot replat in DeVries Manor Unit 5. Motion was seconded by Steve Jordan and carried unanimously.
Replat

Applicant: Carmen Urbano
Location: Sec.10-31-7 – Keener Twp. – Lot 2 Hidden Oaks Subd.
Use: Primary Approval for a 2-lot replat

Public hearing held pursuant to notice published October 9, 2019 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Brittany Shedrow, Clerk of the Rensselaer Republican.

Vince Urbano stated that he wanted to disclose that the applicant Carmen Urbano is his Uncle. Even though he has no financial involvement with the applicant if the board feels he needs to recuse himself he will.

The board members did not feel that Vince Urbano would need to recuse himself from the board.

Breann Wilson with Turning Point Surveying stated that she is representing the applicant. They are proposing to replat lot 2 in Hidden Oaks Sub’d. into a 2-lot replat. There is an existing home located on the proposed lot. The proposed replat of Lot 2A would be 9.733 acres with the existing home and the proposed lot B is vacant with 9.73 acres.

Kent Korniak asked if anyone present had any opposition to the application.

Richard Rohaley was present and stated that he lives in Crown Point but owns 18 acres just North of the proposed applicant’s lane. He is concerned if there will be new utilities going through his property or will they be tying into the existing utilities? Since the applicant’s property is only 38ft. wide from St.Rd. 10 back to his property he would like to be reassured that the applicant will not go through his property if they have to put in new utilities.

Breann Wilson replied that they will be tying into the existing utilities and they would not go on your property without your permission if they needed to do anything with utilities.

Daniel Rohaley was present and stated that he is Richard Rohaley’s father and that he lives in Crown Point as well. He reiterated what Richard Rohaley stated about the utilities only being allowed to go on the 38ft. of property and not going on Richard’s Rohaley’s property. If there should be utilities on that property they should all be confined onto that 38ft. that Mr. Urbano owns. He was concerned with the part in the Code Book where it states “that Single Family Residential development any access to three or more single family lots using a shared easement or similar legal arrangement shall not be considered a driveway.” So your code say’s you can have 3 lots but not more.
If there is a road that needs to be put in once they have over 3 lots then they need to put a road in.

    Breann Wilson replied without the utility company coming in and requesting an easement everything will remain on Mr. Urbano’s property.

    Jim Martin asked if the County Code does allow them to do another lot?

    Mary Scheurich replied that the county used to allow 1,2 or 3 lots with a 30 foot access drive, but we have since taken that part out of the code book.

    Attorney Todd Sammons asked Daniel Rohaley what part of the code did you get that information from regarding 3 or more lots?

    Daniel Rohaley replied that he wanted to make it clear that they are not against what Mr. Urbano is proposing to do, they just want everything to stay with the 38ft. of the property. The section he was reading from is Sec.20.50.200 DW-01 C 2.

    Mary Scheurich replied that what Mr. Rohaley has stated from the code book is about a shared easement. This is not a shared easement.

    Jim Wastra made the motion to grant primary approval for the 2-lot replat and that everything has to stay within the 38ft. of their property. Motion was seconded by Bryan Overstreet and carried unanimously.

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Rezone

Applicant: Alan Klemp
Location: Sec.17-32-6 –Wheatfield Twp. – 1450N. & 450W. NE Corner
Use: Rezone A1 to A2

Public hearing held pursuant to notice published October 9, 2019 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Marlene Taden, Clerk of the Rensselaer Republican.

    Alan Klemp was present and stated that his parents own approximately 27 acres. The property is currently zoned A1 and he does not want 10 acres to build a home on so he is requesting to rezone 3 acres to A2. The property is vacant land.

    Kent Korniak asked if anyone present had any opposition to the application. There was none.

    Steve Jordan made the motion to recommend approval of the rezoning from A1 to A2 to the Board of County Commissioners. Motion was seconded by Vince Urbano and carried unanimously.
Rezone

Applicant: John Rush
Location: Sec.22-28-6 – Milroy Twp. – 180W. S. of St. Rd. 16 W-side
Use: Rezone A1 to A2

Public hearing held pursuant to notice published October 12, 2019 in the Rensselaer Republican, a newspaper of general circulation printed and published in Jasper County, Indiana; also pursuant to notice to adjacent landowners. All as shown by the affidavit of Brittany Shedrow, Clerk of the Rensselaer Republican.

Attorney Cliff Robinson was present and stated that he is representing the applicants. He stated that the property is zoned A1 with approximately 38 acres they are requesting to rezone 5 acres with the existing home located on it to A2.

Kent Korniak asked if anyone present had any opposition to the application. There was none.

Vince Urbano made the motion to recommend approval for the rezoning from A1 to A2 to the Board of County Commissioners. Motion was seconded by Dave Webb and carried unanimously.

Rules and Procedure

Mary Scheurich stated that the only thing that hasn’t been completed is the “As builts.” After talking about it last month it seems like we need to sit and talk about some of the stuff that was mentioned. She feels that as builts will be good for permits that are issued in a major subdivision but not for all permits.

Vince Urbano stated that he is trying to prevent swales from getting filled in.

Kent Korniak stated that he would like to stay on focus and proceed with the rules of procedure and then talk about the as builts since that is a deeper conversation.

Vince Urbano made the motion to adopt the Rules of Procedures that were discussed at the September 16, 2019 meeting. Motion was seconded by Jim Walstra and carried unanimously.

Mary Scheurich stated that we are getting ready to redo our code book. We need to update our comprehensive plan and as builts can be one of them.

Vince Urbano replied that let’s wait and do the as builts when the code book is redone.
Public Comment: None

Upon motion duly made and seconded, meeting was adjourned.

A TRUE RECORD;

Kent Korniak, President