

**Burns Harbor Advisory Plan Commission**  
**Minutes of Monday, February 1, 2021**

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana met in a regular session on Monday, February 1, 2021 in a Zoom Virtual Meeting. The meeting was called to order by Advisory Plan Commission President, Eric Hull at 7:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Eric Hull .....	Present
Bernie Poparad .....	Present
Toni Biancardi .....	Present
Jeremy McHargue.....	Present
Sarah Oudman.....	Present

**Additional Officials Present**

Building Commissioner-Rob Wesley  
Attorney-Michael Brazil  
Global Engineering-Jeanette Hicks  
Secretary-Marge Falbo

**Minutes**

Biancardi makes a motion to approve the minutes of January 4, 2021 as written. McHargue seconded the motion. Motion carried by unanimous vote.

**Communication, Bills, Expenditures**

None

**Report of Officers, Committee, Staff**

None

**Preliminary Hearing**

None

## **Public Hearing**

### *Chapter 15 Zoning*

#### *Outdoor Business Property Storage Ordinance*

Hull says this meeting is being held virtually by order of the Burns Harbor Town Council by executive order from the Governor to currently operate under pandemic guidelines and that's why we're meeting virtually. The information to logon to this meeting has been made public and has been available on the Burns Harbor Town website as well as currently streaming on Facebook. Everything was published on time and we instructed those that could not attend that could send comments to Falbo in writing and according to Falbo we have not received any communications.

Oudman says there are a few small formatting and wording items that need to be corrected. Attorney Brazil says these can be changed and it's not going to change the ordinance. Hull says we can make sure the motion addresses typographical or clerical errors. Oudman says that's all I had on that.

Hull opens the Public Hearing.

Hull asks for public comment in favor. There is no comment in favor. There are no comments on Facebook.

Hull asks for public comment in opposition. There is no comment in opposition. There are no comments on Facebook.

Hull closes the Public Hearing.

Biancardi makes a motion for a favorable recommendation to the Town Council of the Chapter 15 Zoning Outdoor Business Property Storage Ordinance. Oudman seconded the motion. **Motion carried by unanimous vote.**

Hull says to Biancardi if you would like to add to your motion there are a couple of typographical-clerical errors that need to be corrected.

Biancardi says I will amend my motion. Oudman amends her second for the same.

Biancardi makes a motion for a favorable recommendation to the Town Council of the Chapter 15 Zoning Outdoor Business Property Storage Ordinance with the suggested corrections for the typographical errors. Oudman seconded the motion. **Motion carried by unanimous vote.**

## **Old Business**

Building Commissioner Rob Wesley

- Driveway Widths

Hull says those of you that don't know Building Commissioner Wesley will be moving to the Street Department and this will leave an opening in the Building Department. He has agreed to help us through that transition.

Building Commissioner Rob Wesley says in all of my research I can't find anything in reference to the Town of Porter. However, Portage's maximum driveway width is 30 feet. The Town of Chesterton's has to be 6 feet from each property line. So, if you have a big lot you could be six feet from each side and have the entire front yard be a driveway, if I'm reading it correctly. I think this would definitely help when it comes to on street parking and everybody seems to be coming in for permits to expand their driveways and that's why we were looking to amend the code to allow for larger driveways. Hull says you did pull some sample code from other Towns. Building Commissioner Rob Wesley says correct—the City of Portage as well as Chesterton's. Hull asks Global Engineering Hicks if this needs to go to her first for review or, do we take what we've learned and go directly to Attorney Brazil to rewrite some Code. Global Engineer Hicks says I'll leave the legality of it to Attorney Brazil, but I will say that my personal experience Porter County's is at the property line. You have to have a maximum of I believe 18 feet and I have seen where that is not enough. You might want to set a maximum of maybe as a curb cut, where it meets the street, so you don't have a very wide driveway. My only real comment would be is to restrict it enough that your curb cut is not overly large. These are just some guidelines to keep mind as you're trying to decide exactly what the Code is going to be. Biancardi says ours is in Chapter 15 and it is by zone:

#### **15-7-6 INTERPRETATION OF STANDARDS**

C. RESIDENTIAL DRIVEWAYS: Residential Driveways serving front and side loading attached and detached garages accessed from the Street shall be no wider than twenty-two (22) feet and located in the 1st and 2nd tier. Residential Driveways serving attached and detached garages accessed from an Alley shall be no wider than twenty-two (22) feet and located in the 3rd tier.

It is listed individually in each zone and we just need to make sure that we address each of them. Hull says does anyone want to volunteer and run with it and work with Global Engineer Hicks and Attorney Brazil. Attorney Brazil says I thought the issue we were having is that it expanded from normal houses with 2-car garages and now there are three-car garages. I think that the space that we're going to allow should be not the property lines but maybe off of the garage lines that being within one foot of the garage dimensions. Things like that could keep it more tailored towards how wide the driveway can be. That's where I was going with it, but it's ultimately what the Board members think. McHargue says I know of several driveways that are well wider than 22 feet within our Town. I think 22 feet is unrealistic for new home construction. McHargue volunteers to work with Global Engineer Hicks and Attorney Brazil on driveway widths. Hull says take the Code that we have and look at which zones need to be addressed and look at the residential portion specifically. If anything else is out of line you can made a recommendation and we'll go from there.

#### **New Business**

*Review: Bonds, Maintenance Guarantees, Letters of Credit*

Hull says the next one coming up is for Trail Creek Phase 1 in July.

#### *Swimming Pool Setbacks*

Hull says there is some gray area in the Code regarding swimming pool setbacks so I'm going to ask Oudman to take a look at the swimming pool Codes and see what needs to be clarified and cleaned up.

**Good of the Order and Any Other Business**

Hull says we have two openings on the Plan Commission. If anyone out there is interested in serving there is an application on the website that you can fill out and send in. We welcome you. Poparad says that would be one Democrat and one Republican.

**Announcements**

None

**Adjournment**

Oudman makes a motion to adjourn at 7:40 p.m. Poparad seconded the motion. Motion carried by unanimous vote.

**APPROVED on March 1, 2021**

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Eric Hull, President

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Marge Falbo, Secretary