

Minutes of the Porter Plan Commission

October 20, 2004

A. The meeting was called to order at 7:30 p.m.

Mr. Liebert presiding as Acting President in the absence of Mr. Bell and Mr. Eriksson.

B. Pledge of Allegiance

C. Roll Call

Present: Mr. Liebert, Mr. Childress, Mr. Timm, and Mr. Babcock.

Absent: Mr. Bell, Mr. Eriksson, and Mrs. Snyder.

Quorum was established.

Also present was Mr. Mandon.

Mr. Eriksson arrived at 7:45 p.m. [and took over as meeting Chairperson].

Mrs. Snyder and Mr. Lyp arrived at 8:24 p.m.

D. Consideration of Minutes of Previous Meetings

Motion to approve the minutes of the September 15, 2004 meeting as written made by Mr. Childress; second by Mr. Timm.

Motion carried 4 – 0.

E. Audience Participation

Chad Brooks, 1271 W. Beam St., Porter. Spoke concerning the Town Zoning Map showing his property on the southeast corner of U.S. Highway 20 and West Beam Street being zoned residential instead of commercial [as it is supposed to be]. He wants the Zoning Map to be changed to show the true zoning of his property. Mr. Mandon will investigate the matter and it will be discussed at the next Plan Commission meeting.

F. Final Approvals

None

G. Preliminary Hearings

None

H. Public Hearings

1. Town of Porter Plan Commission petition to amend the Zoning Ordinance Section 27 (minimum floor area in R-1 residential districts) and Section 258 (enforcement, violation, and penalties).

Mr. Childress read the proposed amendments.

Public Hearing opened at 7:40 p.m.

Proponents: none

Opponents: none

Public Hearing closed at 7:42 p.m.

Staff Report: Section 27 amendment is clearly to get the total square footage of a two-story home to 2000 sq. ft. with smaller first floor minimum of 1000 sq. ft. This should take care of the current issues we are having with builders, keep house size proportional with lot size, and maintain a high level of quality. Section 258 amendment is to specifically appoint the Building Commissioner as the person to issue Zoning Ordinance violation citations. Mr. Mandon is in favor of both amendments.

Mr. Eriksson arrived and was informed of public hearing status and took over the Chair.

Motion to forward the amendments of the Zoning Ordinance to the Town Council with a favorable recommendation made by Mr. Childress; second by Mr. Babcock.

Motion carried 5 – 0.

I. Findings of Fact

None

J. Other Business

1. Consultation: Paul Childress concerning Splash Down Dunes expansion project.

Note that Mr. Childress recuse himself from the Commission for the purpose of presenting his expansion project. Mr. Childress gave members a copy of the proposed site plan (conceptual only at this stage) and gave a brief history of how he decided upon the proposed expansion plan's ideas. The ideas came from local feedback and include:

- a. Indoors to operate year-round;
- b. Golf driving range;
- c. Go-karts (not in his plans);
- d. Hot tubs;
- e. Batting cages;
- f. Miniature golf;
- g. Olympic-size swimming pool; and
- h. Water slides.

Mr. Childress stressed that this was a conceptual plan only and not a set in stone final building plan. He is here to ask the Plan Commission if:

- a. Is this an appropriate use for the property?
- b. If yes, what should he do about a rezone request?
- c. Why apply if it is just going to be voted down?

Q & A included the following topics and concerns: Hours of operation, noise, traffic, drainage, buffer zones, existing trees, and parking.

It was determined that if he was going to file a rezoning petition it should be for B-3 PUD.

Mr. Liebert commented that the third question of why apply if it going to be voted down is trying to count votes before the presentation of the facts. Ultimately, Mr. Childress needs to decide whether to pursue this or not

himself.

1. Draft Ordinance (second draft) of commercial, recreational, construction vehicles and equipment in a residential zone.

Mr. Mandon explained the second draft of the proposed Town Code amendments:

- a. New definitions.
- b. Changes in parking regulations in a residential zone.
- c. Outdoor storage of personal property.

Mr. Timm questioned whether it mattered if it was indoor parking or outdoor parking. Answer: Yes, the proposed changes will affect all parking on any residential property.

Motion to hold a public hearing on the proposed ordinance changes made by Mr. Childress; second by Mr. Timm; motion carried 6 – 0.

I. Adjournment

Motion to adjourn by Mr. Liebert; second by Mr. Childress. Meeting adjourned at 8:40 p.m.

Lorain Bell
President

Lisa M. Liebert, Secretary