

Town of Porter

Lakeshore Preservation District Summary

A Lakeshore Preservation District would help preserve and protect the residential environment and balance residential developmental growth pressure and environmental sensitivity in the dune land lakeshore area. It is the goal of the Plan Commission to permit the continuation of residential development in Porter Beach, but to impose different (sometimes more rigorous, sometimes more flexible) restrictions on construction practices based on the unique character of the Porter Beach Community. The following is a summary of the primary features of the new proposed ordinance:

- This Ordinance only covers issues which are justifiably different from the rest of the town, including: soil type, unique vegetation, steep topography, and original subdivision pattern. Regulations which are not covered in this ordinance are covered by the current Zoning Ordinance.
- Only one house can be built on a lot, and the lot has to be a minimum of 12,000 square feet in area and 100 in width. If someone owns several adjoining lots then those lots must be merged into one by re-subdivision before a building permit will be issued. (The current zoning ordinance requires a minimum lot width of 90 feet. As far as the 12,000 square feet and the requirement to merge lots, there is no difference, however, at the Beach these requirements have not been consistently enforced)
- In special cases where a lot has an approved septic permit by the Porter County Health Department, the lot minimum is reduced to 10,000. (The current code does not have this exception).
- A new home can be built only on lots which front on an improved street, or where the builder is willing to install an improved street from the home access to an existing

improved street. (The current zoning ordinance is no different, however, at the Beach these requirements have not been consistently enforced)

- All utilities must be placed underground. (The current code permits overhead under some conditions, however, in most cases utilities are required to be placed underground).
- Houses, pools, decks, sheds must all be kept a minimum of 15 feet from any property line. In Porter Beach front, rear, and side yards tend to lose meaning, and is therefore not relevant like it is in the rest of the town. (The current code defines front, side, and rear yards and requires a setback of 30 feet, 7 ½ feet, and 35 feet respectively).
- If an existing home on a lot, which does not comply with these new requirements, requires extensive maintenance, or is even completely destroyed, that maintenance or replacement will be permitted so long as the house stays on the same footprint as the old house. (The existing code says that if a structure which does not comply with the zoning regulations is destroyed, it cannot be rebuilt unless it complies with all the current zoning requirements).
- A permit is necessary for any land disturbance activity. This does not mean that these activities are prohibited, but they should be subject to review and approval, to protect the beauty and uniqueness of the Beach. (The code currently does not require a permit for all land disturbance activities).
- Very steep slopes should be kept as open space portions of the lot, so that erosion problems are avoided on both the developed lot and the neighbor. (The current code does not include this provision.)
- If there are major changes to the slope of a lot, then the town will require a stabilization retention system which may include terracing, retaining walls, special vegetation, etc. (The current code does not include this provision.)

- Plans which are submitted for the building of homes at Porter Beach will require more detail including topographic information, vegetation, soil type, grading plan, etc.
- When building on a lot only that portion requiring disturbance should be involved, and the builder must stabilize the disturbed portions of the lot to prevent blowing or shifting sand. (The current code does not include this provision.)
- Existing foliage is to be protected during construction. Sod is not permitted. (The current code does not include this provision.)
- There is a requirement that air conditioning compressors be screened since they could be relatively close to the neighboring home. (The current code does not include this provision.)
- Driveways are treated differently than the rest of town. Driveways at the Beach are usually steep and it is in the best interest of the town that there is flexibility to use porous materials when possible. Water draining from driveways must also be prevented from causing wash outs and erosion along public streets as well. (The current code requires concrete or asphalt driveways.)
- Natural drainage should be maintained if possible.
- Fences are not permitted closer than 15' from any property line unless they are landscaping types which are no taller than 48" and no longer than 16'. (The current code permits a 6' fence along the property line in the rear and side yards, and up to a 42" fence in the front yard.)

It is important to note that the above is a list of highlights. For a full version of the proposed code, you may look on line on the Town of Porter website, or visit Town Hall to view a paper copy.