

**MINUTES OF THE MEETING
OF THE PLAN COMMISSION
VALPARAISO, INDIANA
July 22, 2025**

The Plan Commission of the City of Valparaiso, Indiana, met on Tuesday, July 22, 2025, at 6:00 p.m. in City Hall. Matt Evans called the meeting to order. The Pledge of Allegiance was said. Present were Diane Worstell, Vic Ritter, Harry Peterson, Tim Warner, Matt Evans, Ellen Kapitan, and Max Rehlander. Seven present. There is a quorum. Also present were Bob Thompson, Attorney Mark Worthley, Seyi Aletan and Petitioners. Clay Patton and Sarah Litke were absent.

Minutes

June 3, 2025, minutes were presented for approval.

Motion: Harry Peterson moved to approve June 3, 2025, minutes. Ellen Kapitan seconded the motion. Upon voice vote, the motion passed with a 7-0 vote.

Old Business and Matters Tabled - None.

New Business

VAC25-001 (Public Hearing)

A petition was filed by Lee I. Lane and Jerry and Patricia Doidge. The petitioners request vacation of the public alleyway that runs North-South between Erie Street and Chestnut Street located between 254 Erie St. and 256 Erie St.

Matt Evans – They are having one meeting on this tonight. From here, if approved, it goes to Board of Works for approval and then to the City Council for adoption.

Lee Lane presented. She is the pending purchaser of the vacant lot located on the east side of 254 Erie. The house that was located on the lot was condemned and torn down. The other Petitioners are Jerry and Patricia Doidge. They have owned the property since the early 70s. In the packet for tonight she included two surveys. One is dated 1941 and the other is dated 1976. The 1941 survey is signed by Guy Stinchfield. In the second paragraph he states that in making the survey he has assumed that the north and south alley through said Block 42 is vacated and closed as it has been for the past 40 years and have included the west half of the north and south alley as a part of the parcel being purchased by Mr. Howard D. Clark. An iron pipe was set marking the four corners in conformity with the established city monuments in agreement with the plat. That corner marker was set in the center of the unimproved alley way that was there. The 1976 survey is a mortgage loan inspection plat. It notes on there a vacated alley. This is for the property that is on the first one that we looked at. The 1941 survey was for the west side - 256 Erie. This survey is for 254 Erie on the east side. It was prepared by a

different surveyor in 1976. It was produced by Emil Beeg and notes a vacated alley and it notes the iron pipe as the marker point. Emil Beeg was well known. He was the City Engineer before he started his own land surveying business. He has this marked as a vacated alley. When you walk into the County Surveyor's office there is a big book where they keep handwritten notes of changes. This plat shows an alley with a dotted line. There is no other alley shown this way in all of downtown. Both houses were built into the vacated alleyway. On the 1976 plat the house that has been torn down, is located 1.5' into the alley. The house on 256 Erie which is the one to the west of the unimproved alley is also built approximately 1.5' into the alley. It is not shown on the plat but you can see it visually. They have called 811 for service marking. Fred Litke has lived across the street for 40 years. The fence on tonight's subject property has been there for as long as he can remember. There are old growth trees in the alleyway. Clearly nothing has been done in this area. It has never been used by the City. Nothing shows that the alley has ever been vacated. There are no utilities in there according to the locate that was done except for what serves 256 Erie. It does not appear there is any benefit to the City. It is a unique area. There are only four houses on that block and a street runs along the back and front of the houses. The front doors are on Erie Street and the garages face Chestnut Street. There are no services that would use anything that works better than Chestnut. Both Lots are narrow. They were split off a lot that was 132'. The Lot for 256 Erie without the alley piece on it is only 50' wide. The Lot for 254 Erie is 58' wide. If that alley were vacated and split in half for the two property owners then the 256 Lot would be 58' 3" and the 254 lot would be 66' 3". That would be standard for the area. Emergency vehicles have the best access on Chestnut and Erie. There would be significant harm to the Doidges in 256 Erie. Their house is built into that area. They have sidewalks and fences that go into the center section. For her personal use it would benefit her greatly to have a standard 66' wide lot for building purposes.

Public Hearing

Fred Litke – 207 Napoleon. He is the property owner of 254 Erie. What they are looking for is vacating a paper alley so it aligns with the physical reality of at least the last 125 years. The topography does not lend to an alley way there. There is a rise from the street to the sidewalk. You are starting with a 50% grade just to get up there and then the properties themselves continue to rise. If there was an alley way there the side slopes would effectively eliminate two lots. He thinks there was an error or over site on this and they are asking for it to be corrected. The balance of harm greatly favors vacating. He cannot conceive of any harm to the City or the neighborhood in doing so.

Sean Barnes – 258 Erie. She is here for the Doidges. It would greatly benefit them to have this done now. She intends to purchase their home when they are no longer able to live in it. It would benefit the island as a whole to not have a nonexistent alley way running through it.

Robert Smith – 250 Erie. They are in complete agreement that alley way does not make any sense for the City but it would for the property owners.

Seeing no one else wishing to address the Commission, Matt Evans declared the Public Hearing closed.

Questions/Comments from the Board

Bob Thompson – Staff looked for any kind of documentation. The Engineering Department researched back to the late 1890s trying to find some kind of documentation that this alley has been vacated. Nothing was found. He contacted the Porter County Auditor's office. They were not able to find any documentation either about a vacation of this alley. The Engineer's office pulled the two deeds for the property. That is when they discovered that none of the alley way was ever transferred over to these two deeds. Everyone has been going on the assumption it is vacated but they do not see the actual recorded documentation to that effect.

Ellen Kapitan – Does this mean if the alley gets vacated the land would go to the property owners?

Bob Thompson – The east half of that alley would go to 254 and the west half would go to 256.

Max Rehlander – He is conflicted about this and has a couple of questions. Whenever the City has a right of way they do not like to just relinquish that easily. He says that because they do not know in the future about electric lines, gas lines, sewer separation projects. You just never know. It is difficult for him to allow this to be vacated without asking a couple of hard questions. It looks like the original plat just had an east lot and a west lot and over time these have migrated to four lots. He asked the residents if they know why the character of the two lot situation was not honored over time?

Lee Lane – There has been a lot split that took place at some time for both of those.

Max Rehlander – Rather than keeping them as lots of 150' x 60' why were they split into 75' x 60'?

Sean Barnes – Her house – 258 – was built in the 1860s. Her house is the first Lutheran church in town. Her house owned that whole block. The original first Lutheran church was on the corner of Chestnut and Academy. She has a door that faces Academy. All of the property lines in this area of town have shifted over time. The map between 256 and 254 Chestnut street has changed over time because 254 actually sold part of their land to 256 because they were running out of money. The situation with this part of town is that a lot of this was done on the fly. Overtime her lot was split off for the rest of the neighborhood. She does not know how much her lot started out as, but there are a lot of houses now that are on the property that would have originally belonged to 258. It was split in two. The Doidges' house was built on a section of what would have been her property in 1910 which might be why there is a plat map in 1941. How much of this was documented is hard to say because she does not have documentation of the deed for her house going back later than the 1800s. She can't prove she

was the first Lutheran church in town because she does not know. There is no documentation going back that far.

Max Rehlander – It is helpful to understand that originally it was more of an institutional use rather than residential use. If it was originally platted as institutional but is no longer institutional then perhaps we should redraw the lines to reflect what the current use is. It looks like on the 1971 plat and the aerial view, the house at 250 is not quite abiding by the parcel lines. The concrete pad in the rear looks to not be within the boundaries.

Lee Lane That is when the plat was done. Today if you look at it, you don't see that. The garage is at the end of their property.

Harry Peterson – The City hasn't used it and has no plan to use it as an alley. There would be no purpose to it. Based on what was said in 1941 it seems that it would make sense to approve. He would make a motion to approve if there are no other questions.

Max Rehlander – He sees they did utility locates. Is it confirmed there are no known utilities running through this area?

Lee Lane – None other than what serves 256. She has a copy of that.

Bob Thompson – There is a gas service line. There is a water service line. These are on the east side of the lot that appear in the alley. There may be overhead electric service that is all to 256. They are on the west side of the alley.

Fred Litke – The fiber for internet comes from across the street on a telephone pole up to the median in front of 254 to service 250. He understands Max not wanting to relinquish that but they are deadheaded at Chestnut. They are not going any further north.

Max Rehlander – That is a good point. He has noticed looking east of here between Napoleon and Lafayette there is an alley that's perpetuated and seems to continue to be used as a perpetual alley. And then the same between Lafayette and Washington. Considering north of Chestnut it never went through anyway so that is a good point.

Matt Evans – And a huge grade change at that point too. He asked Max about the Petition. It said something about they would consider a utility easement. Width would be an issue since there is already an encroachment on the west side and the house coming in on the east. Is that something you would need?

Max Rehlander – He would like to hear feedback from each of the utility companies as well to confirm that there are no known utilities in the area. Reviewing it as the highest and best use of this land, assuming there are no known utilities in the area, it is likely best served as residential and he would support it.

MOTION: Harry Peterson moved to approve and send on to Board of Works VAC25-001. Ellen Kapitan seconded the Motion. Upon roll call vote the Motion passed with a 7-0 roll call vote.

Roll Call Vote:

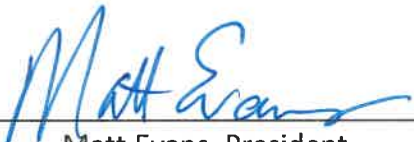
Diane Worstell – Yes
Sarah Litke – Absent
Vic Ritter – Yes
Tim Warner – Yes
Harris Peterson – Yes

Matt Evans – Yes
Clay Patton – Absent
Ellen Kapitan – Yes
Max Rehlander – Yes

Bob Thompson – There are 13 submittals for redoing the UDO. They are moving forward on this project.

ADJOURNMENT:

Motion: Vic Ritter moved to adjourn the meeting. Tim Warner seconded the motion. Upon voice vote the motion passed with a 7-0 vote.


Matt Evans, President
Bob Thompson Executive Secretary

Next Meeting: There will not be a meeting in August. He will advise when he knows for sure about September.