

Burns Harbor Advisory Plan Commission

Minutes of Monday, December 1, 2025

The Advisory Plan Commission of the Town of Burns Harbor, Porter County, Indiana, met in a regular session on Monday, December 1, 2025, at the Burns Harbor Town Hall. The meeting was called to order by Advisory Plan Commission President Jeremy McHargue at 6:00 pm.

The Pledge of Allegiance to the American Flag was recited.

Roll Call:

Jeremy McHargue	Present
Bernie Poparad	Present
Roseann Bozak	Present
Travis Dunlap	Present
Gordon McCormick	Present
Michelle Watkins	Present
Aaron Adcock	Present

Additional Officials Present

Attorney Clay Patton via Zoom and Building Commissioner Joe Lawson

Also Present

Residents of the Town of Burns Harbor

Minutes

Watkins made a motion to approve the minutes of October 6, 2025. Poparad seconded the motion. Poparad- Aye, McCormick- Aye, Watkins- Aye, Dunlap- Aye, Adcock- Aye, Bozak- Aye, McHargue- Aye. Motion passed.

Communication, Bills, Expenditures

Town Code Updates

Nothing to report.

Report of Officers, Committee, Staff

Nothing to report.

Old Business

Nothing to report.

New Business

Review: Bonds, Maintenance Guarantees, Letters of Credit

Nothing to report.

Town Fence Code

Building Commissioner Lawson stated that it seems I am misinterpreting two separate things that contradict each other in our code regarding fences under section 4-1-16 violations, which mentions anything other than fences requiring a permit. Under section 4-1-7 and a couple of other

places, it says a permit is required for a fence. McHargue read out loud section 4-1-16 violations "it shall be unlawful for any person, firm, or corporation, whether as owner, lessee, sub-lessee, or occupant to erect, construct, enlarge, alter, repair, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure, other than fences, in the Town of Burns Harbor or cause or permit the same to be done, contrary to or in violation of the provisions of this code." My question is: was it written that way to allow a homeowner to repair a picket, replace a single post, or do something of insignificant value without having to obtain a permit every time? A discussion was held among the board members about their thoughts on the town code. McHargue asked Attorney Patton to review 4-1-16 before the next meeting. Attorney Patton stated yes, and I suggest that if any of the commission members or the Building Commissioner have suggested revisions to any of these, including the dollar figure, to share that so we can come up with draft amendments for the commission and ultimately, the council to consider.

Sidewalk Language Proposal

McHargue stated that we were sent over this to discuss from Councilwoman Biancardi. She wrote, "If someone owns multiple adjacent lots, sidewalks shall be installed on all lots prior to an occupancy permit being issued. Developers shall install all sidewalks on unsold lots before acceptance of any phase of the subdivision." Building Commissioner Lawson stated, can the Town of Burns Harbor withhold an occupancy permit from a resident that owns an adjacent lot because it is a separate piece of property or parcel number, and say that they need to put a sidewalk in there, otherwise they cannot get an occupancy permit for the house. A discussion was held with board members regarding their thoughts on sidewalks. Building Commissioner stated that when I spoke with the regional director for the ADA, it says in a subdivision, sidewalks are a requirement. The State of Indiana adopted a public right-of-way accessibility guideline (PROWAG), and it has jurisdiction over the enforcement of public sidewalks in subdivisions. I sent an email to all board members with the entire provision of that, with a highlighted section of the scope that talks specifically about there being access to local roads and streets that a sidewalk must be finished. We received a Title IV complaint regarding sidewalks, and that is being investigated by Councilwoman Draves. I am not sure if she has received any information back on that regarding compliance and enforceability. McHargue stated I think that we need to get an answer from Councilwoman Draves about where she is at with the Title IV complaint, because if she interprets it and this is a violation, then we need to notify the owner of that parcel to get this completed. Attorney Patton stated that I know this has been reviewed, and the complaint was not filed appropriately. So, there is nothing further for the Town of Burns Harbor to do. With regards to the complaint, we can certainly look at amending the code, so we don't have this issue going forward. But I do not think there is much that we can do right now, from the Town of Burns Harbor perspective, to have a sidewalk installed, unless we are going to install it ourselves and pay for it ourselves. McHargue stated that the only thing I have with the way the sidewalk language would be that there needs to be a lot figured out when we would require those developers to put sidewalks in. Building Commissioner Lawson stated that some of that may be outlined in the new discussion that the State of Indiana adopted with the PROWAG.

Permit Extension- 200 Fairchild Drive

Building Commissioner Lawson stated that I wanted to clarify a couple of things with the description of work remaining. Mr. Serrano has completed the rear concrete patio, which I believe is completed, and was a separate permit. So, he will not need an extension for that. Building Commissioner Lawson asked Mr. Serrano if there was any other work that was not listed on the permit extension. Serrano stated that yes, the missing shutters, cabinets, countertops, and the rest of the painting. McHargue stated I am just confused about what is going on with this property, because it has never been given an occupancy permit. Bozak asked how long Mr. Serrano had been looking for an extension. Serrano stated that it would probably take 120 days. McHargue asked does that include the grading of the property because you aren't going to be able to get

sod until spring. Building Commissioner Lawson stated I would recommend a 6-month extension. McHargue asked Serrano how long he has owned the property. Serrano stated I do not own the property; I am just doing the construction. My brother is the owner of the property, and he does not have the expertise to finish the project. Bozak made a motion to approve the permit extension for 200 Fairchild Dr. for 6 months from today's date. Poparad seconded the motion. Poparad-Aye, McCormick- Aye, Watkins- Aye, Dunlap- Aye, Adcock- Aye, Bozak- Aye, McHargue- Aye. **Motion passed.**

Good of the Order and Any Other Business

McCormick brought up the topic of the paving of Phase 2 in Corlin's Landing. McHargue stated that I know there were discussions with Mr. Lightfoot, so we will have to follow up with him to see if this will be scheduled in the spring to get completed.

Announcements

None

Adjournment

Bozak made a motion to adjourn at 6:44 p.m. Watkins seconded the motion. Poparad-Aye, McCormick-Aye, Watkins-Aye, Bozak-Aye, Dunlap-Aye, Adcock-Aye, Bozak-Aye, McHargue-Aye. **Motion passed.**

Approved January 5, 2026

Jeremy McHargue, President

Jill Sherrill, Secretary