

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 14TH DAY OF JANUARY 2016 AT 8:30 A.M.
MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING
4230 ELKHART ROAD, GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairperson, Steven Edwards, with the following members present: Jeff Burbrink, Steven Edwards, and Roger Miller. Blake Doriot and Tom Stump were absent. Staff members present were: Chris Godlewski, Plan Director; Jason Auvil, Planning Manager; Liz Gunden, Planner; Kathy Wilson, Administrative Manager; and James W. Kolbus, Attorney for the Board. Mark Kanney, Planner, was absent.

2. A motion was made and seconded (*Burbrink/Miller*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 10th day of December 2015 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Miller/Burbrink*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearing and the motion was carried unanimously.

4. The application for Primary approval of a three-lot minor subdivision to be known as **GANGER MINOR SUBDIVISION**, for Donald & Janet Ganger represented by Brads-Ko Engineering & Surveying, Inc., on property located on the north side of CR 44, 2,450 ft. west of CR 31, common address of 16443 CR 44 in Jackson Township, zoned A-1, was presented at this time.

Ms. Gunden presented the Staff Report/Staff Analysis, which is attached for review as *Case #16443County Road 44-151102-1*.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, was present on behalf of the petitioners. Mr. and Mrs. Ganger bought the subject property from Mrs. Ganger's parents and then built a home for themselves and placed a manufactured home onsite for Mrs. Ganger's parents, Mr. Pharis began. Mrs. Ganger's parents have since passed away, and the Gangers' disabled son has moved into the manufactured home. As the son will not be able to maintain the existing 30-acre tract by himself in the future, the Gangers must downsize.

The Gangers, then, intend to build a home for their son on existing legal parcel 15-01-451-001, build a new home for themselves on proposed lot 1, and sell off proposed lot 2, which encompasses the Gangers' current residence, and proposed lot 3, which encompasses the manufactured home. Several variance requests attending the subject petition have been granted, and the commitment process is complete, Mr. Pharis added. An attorney will also prepare an agreement governing maintenance and use of the existing drive, which will serve all three lots.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Jeff Burbrink, that this request for Primary approval of a three-lot minor subdivision to be known as **GANGER MINOR SUBDIVISION** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards.

5. The application for Primary approval of a three-lot minor subdivision to be known as **EGOLF MINOR SUBDIVISION**, for Gary L. Egolf, Rev. Lv. Tr. (Lf. Est.), C/O Gary L. Egolf, Trustee, represented by Marbach, Brady & Weaver, Inc., on property located on the southeast corner of Sheridan Blvd. and Lexington Avenue (Old US 20), common address of 55558 Sheridan Blvd. in Cleveland Township, zoned R-1, was presented at this time.

Ms. Gunden presented the Staff Report/Staff Analysis, which is attached for review as *Case #55558SheridanBlvd-151207-1*, and noted further that the health department will permit continued use of existing septic systems until failure. The department has also confirmed that the proposed lots have enough room for new systems, she said.

Ms. Gunden then confirmed for Mr. Miller that no city sewer is available. Observing lot 1, Mr. Miller asked also whether gravel drives are still permitted, and Mr. Auvil said they were.

Debra Hughes, Marbach, Brady & Weaver, Inc., 3220 Southview Dr., Elkhart, was present on behalf of the petitioner but offered no comments.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Roger Miller, that this request for Primary approval of a three-lot minor subdivision to be known as **EGOLF MINOR SUBDIVISION** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards.

6. The application for Primary approval of a two-lot minor subdivision to be known as **MALLARD DOWNS**, for Zachary R. & Kara E. Nickell represented by Progressive Engineering, Inc., on property located on the west side of CR 29, half mile north of US 20, in Jefferson Township, zoned A-1, was presented at this time.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #00CR 29-151204-1*, noting that as of January 7, 2016, the representative had not yet addressed a sight-distance-notation problem identified by the highway department. A condition of plat committee approval must be satisfaction of the department's sight-distance-notation requirements, said Mr. Auvil.

Mr. Burbrink asked whether the lot missing notation was the north one, and Mr. Auvil believed it was. CR 29 does not see a lot of traffic and probably never will, Mr. Burbrink then observed.

No representative was present on behalf of the petitioner.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Jeff Burbrink, **Seconded by** Roger Miller, that this request for Primary approval of a two-lot minor subdivision to be known as **MALLARD DOWNS** be approved in accordance with the Staff Analysis with the following condition:

1. That the highway department's technical requirements be met.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards.

7. The application for Primary approval of a two-lot minor subdivision to be known as **PEACEFUL PASTURE**, for Mervin R. & Kimberlie A. Miller represented by Progressive

Engineering, Inc., on property located on the north side of CR 29, half mile west of CR 33, common address of 51425 CR 29 in York Township, zoned A-1, was presented at this time.

Ms. Gunden presented the Staff Report/Staff Analysis, which is attached for review as *Case #51425CR 29-151207-1*.

No representative was present on behalf of the petitioner.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Jeff Burbrink, that this request for Primary approval of a two-lot minor subdivision to be known as ***PEACEFUL PASTURE*** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards.

8. The application for Primary approval of a one-lot minor subdivision to be known as ***ALLURING MEADOWS***, for Richard L. & Mary E. Yoder represented by Progressive Engineering, Inc., on property located on the east side of CR 35, 900 ft. south of CR 34, common address of 13916 CR 34 in Clinton Township, zoned A-1, was presented at this time.

Mr. Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #13916CR 34-151207-1*.

No representative was present on behalf of the petitioner.

The Board examined said request and after due consideration and deliberation:

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Jeff Burbrink, that this request for Primary approval of a one-lot minor subdivision to be known as ***ALLURING MEADOWS*** be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 3).

Yes: Jeff Burbrink, Roger Miller, Steven Edwards.

9. The meeting was adjourned at 8:47 a.m.

Respectfully submitted,

Daniel Dean, Recording Secretary