

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 14TH DAY OF FEBRUARY 2008 AT 8:45 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, Jeff Burbrink, with the following members present: Blake Doriot and Mike Yoder. Staff members present were: Robert Watkins, Plan Director; Mark Kanney, Planning Manager; Duane Burrow, Senior Planner; Robert Nemeth, Planner; Dan Piehl, Planner; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Doriot/Yoder*) that the minutes of the regular meeting for the Elkhart County Plat Committee held on the 10th day of January 2008 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Doriot/Yoder*) 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 Secondary approval of a 14 lot subdivision to be known as **REPLAT OF LOTS 31 THRU 44 CONCORD GRANDVIEW SUBDIVISION**, for Fireside Homes, Inc. et al (owner/developer) represented by Marbach, Brady & Weaver, Inc., on property located on the Southeast corner of CR 11 and CR 24 in Concord Township, zoned A-1, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #20081026*. The staff has deemed this request a minor change; therefore, he said they did not send it to Primary. On the plat, he pointed out the retention area that was originally platted, and he explained that they now want to put the perimeter of the water into an easement rather than a common area. That would allow the property to go to the water's edge and be private property with an easement. Mr. Kanney said he thinks it has to do with the use of the water by the adjoining property owner.

Mr. Doriot asked if these lots are all in ownership by the developer and Mr. Kanney said all but one. He then indicated they would have to be a signatory to the Secondary plat.

Chris Marbach of Marbach, Brady & Weaver, 3220 Southview Drive, Elkhart, was present on behalf of this request representing Fireside Homes.

Both Mr. Doriot and Mr. Yoder indicated that they have received numerous phone calls in the last few weeks and this is an area where there has been a lot of water problems in lower levels of homes. Mr. Doriot asked if there is any note on the plat advising that caution should be used with basements. Mr. Marbach said he doesn't think it's on there now, but he would be glad to add that note. Mr. Doriot suggested they add a statement such as, "seasonal high water tables should be verified on basement construction" and Mr. Marbach was agreeable.

When asked if there is a high water table in this area, Mr. Doriot said he thinks it is high water and a flow issue. Mr. Marbach interjected that it is probably more of a flow issue.

Once the retention area is full, Mr. Yoder asked where the water is then going and Mr. Marbach said it basically stays there.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Yoder*) that the Plat Committee grant Secondary approval with the amendment of the plat note regarding the seasonal high water table in basements as this subdivision meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval. With a unanimous vote, the motion was carried.

5. The meeting was adjourned at 8:50 a.m.

Respectfully submitted,

Kathleen L. Wilson
Recording Secretary