

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 10TH DAY OF DECEMBER 2009 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, Jeff Burbrink, with the following members present: Meg Wolgamood and Tom Holt. Staff members present were: Robert Watkins, Plan Director; 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 (*Holt/Wolgamood*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 8th day of October 2009 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Holt/Wolgamood*) 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 two lot minor subdivision to be known as **HICKORY KNOLL – A REPLAT OF LOT 80 OF SHORE ACRES**, for RRR Properties represented by Progressive Engineering, on property located on the South Side of Perkins Ave., 150 ft. West of Keltner Rd., and North side of Penwell Ave., 150 ft. West of Keltner Rd., common address of 24664 Perkins St. in Concord Township, zoned R-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #24664PerkinsSt-091102-1*.

There was no one present on behalf of this request.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Holt/Wolgamood*) that this two lot minor subdivision be approved in accordance with the Staff Analysis. The motion was carried unanimously.

5. The application for Primary approval of a one lot minor subdivision to be known as **PRICE MINOR**, for Cornell and Mary Louise Price represented by B. Doriot & Associates, on property located on the West side of CR 17, 730 ft. North of CR 28, common address of 60855 CR 17 in Concord Township, zoned A-1/B-3, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #60855CR17-0911002-1*.

Present on behalf of this request was Blake Doriot of B. Doriot & Associates, P.O. Box 465, New Paris. He submitted a copy of a revised plat of Price Minor [*attached to file as Petitioner Exhibit #1*] to the Board. He explained that after they laid the lot out, there was a 40 ft. tall spruce tree they were going to cut in half so Mr. Price asked that they move the lot line 10 ft. farther north to make the lot slightly bigger. He also explained that this will make the lot conforming because there are two houses on this tract. He's not sure how that happened, but he thinks the tract was somehow combined when Mr. Price bought it.

When the B-3 zoning was questioned, Mr. Doriot indicated it is the current zoning. Mr. Doriot said they are okay with rezoning the property if the staff requests that it be changed, but he

said Mr. Price does not have the funds to do that at this time. It was clarified that Mr. Price's house in a B-3 zone as well, and Mr. Doriot indicated that DJ Construction is located across the street and they are considering purchasing his property.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Holt/Wolgamood*) that in accordance with the Staff Analysis, this one lot minor subdivision be approved by the Plat Committee. With a unanimous vote, the motion was then carried.

6. The application for Primary approval of a three lot minor subdivision to be known as **AMOS BECHTEL MINOR**, for Michael F. Doherty represented by B. Doriot & Associates, on property located on the Northeast corner of Hively Avenue and 6th Street, common address of 534 W. Hively Ave. in Concord Township, zoned R-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #534HivelyAve-091102-1*.

Blake Doriot of B. Doriot & Associates, P.O. Box 465, New Paris, was present on behalf of this request. He explained that Mr. Doherty purchased the property from the Bechtel family with the intent of dividing it into three parcels. He said the petitioner is aware that he must connect to sanitary sewer. According to Mr. Doriot, they are going to request annexation, but if the city does not want them to annex the property, they will request a Compact Agreement for sewer because it cannot be developed without being on municipal utilities.

When Mrs. Wolgamood asked if that is also what happened on the southeast corner, Mr. Doriot said yes.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Holt/Wolgamood*) that Primary approval of this three lot minor subdivision be granted in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for Primary approval of a two lot minor subdivision to be known as **STUTZMAN MINOR**, for Brian & Alane Stutzman represented by B. Doriot & Associates, on property located on the North side of CR 46, 2,900 ft. West of CR 31, common address of 16541 CR 46 in Jackson Township, zoned A-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #090803-16541CR46-1*.

Present on behalf of this request was Blake Doriot of B. Doriot & Associates, P.O. Box 465, New Paris. He explained that there are two drives on the property and the Highway Department wants one of them closed. The west drive is where they currently access the barn, which is on proposed Lot 2 where Mr. Stutzman's son will build, and he said they came to an agreement with the Highway Department that they will close that driveway when Lot 2 is fully developed.

When asked what is housed in the barn, Mr. Doriot said the petitioner has a woodworking shop and a couple of old tractors. He then clarified that they currently have no animals and are not interested in animals.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Wolgamood/Holt*) that this two lot minor subdivision be approved in accordance with the Staff Analysis, and with a unanimous vote, the motion was carried.

8. The meeting was adjourned at 8:45 a.m.

Respectfully submitted,

Kathleen L. Wilson
Recording Secretary