

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 11TH DAY OF MARCH 2010 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 Vice-Chairperson of the Plan Commission, Jeff Burbrink, with the following members present: Blake Doriot and Meg Wolgamood. Staff members present were: Robert Watkins, Plan Director; Duane Burrow, Senior Planner; Robert Nemeth, Planner; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Doriot/Wolgamood*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 11th day of February 2010 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Wolgamood/Doriot*) 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.

* (*It is noted that Chairman Mike Yoder arrived for the meeting at this time.*)

4. The application for Primary approval of a two lot minor subdivision to be known as **SAWATSKY KINGSLEY MINOR**, for Aaron & Natasha Sawatsky Kingsley represented by Brads-Ko Engineering & Surveying, on property located on the East side of CR 21, 2,500 ft. North of CR 19, common address of 61074 CR 21 in Elkhart Township, zoned A-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #61074CR 21-100201-1*.

It was noted that Rick Pharis of Bradso-Ko Engineering & Surveying was present.

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

5. The application for a Replat to be known as **A REPLAT OF LOT 17 JAMESTOWN ESTATES**, for Solid Gold, Inc. represented by Marbach, Brady & Weaver, Inc., on property located on the South side of Jimmie Street, 115 ft. West of Joshua Drive in Baugo Township, zoned A-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #29116JimmieSt-100224-1*.

Chris Marbach of Marbach, Brady & Weaver, 3220 Southview Dr., Elkhart, was present representing Solid Gold, Inc., the seller, and the buyers, David and Sherry Hinkler. He then verified that the three lots to east of the lot in question were vacated in 1999. With regards to the statement in the Staff Analysis, he said the Highway Department apparently made the declaration this year that they are not going to vacate any easements. According to Mr. Marbach, they didn't look at this easement specifically and this is just a blanket statement they will issue every time there is a request for a vacation of an easement.

Mr. Doriot asked if water drains there now and Mr. Marbach said no. Mr. Doriot then asked if there appears to be any need for pipe structures or anything to go behind these lots and again Mr. Marbach said no.

Mr. Marbach said he feels it would be more appropriate for the Highway Department to look at cases to see if they've had drainage problems in the past rather than just making blanket statements that they're not going to do it anywhere.

When asked if the soils are all sand in this development, Mr. Marbach said yes. He then explained that he did the Serenity Place development (southeast of the subject property) and there are no issues in there.

It was then clarified that the subject property was all part of the original plat created in 1997 and Mr. Marbach said he had nothing to do with the long strip. When asked who maintains the property now, he said there is nothing to maintain because the area is mostly all trees. Now they have a buyer who has purchased the property and they want to construct a house there.

Mr. Doriot said he sees a problem with maintaining that long strip in the future, but Mr. Marbach said it will probably stay natural vegetation, which separates the property owners already.

According to Mr. Burrow, there may have been a draftsman error because there was nothing in the primary that indicated any use of that property for retention.

Mr. Doriot said he has worked in this area quite a bit and he doesn't feel the easement is necessary for drainage. Mr. Yoder added that utilities apparently do not need it either.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Wolgamood/Doriot*) that the replat of Lot 17 Jamestown Estates be approved by the Plat Committee. With a unanimous vote, the motion was carried.

6. The meeting was adjourned at 8:57 a.m.

Respectfully submitted,

Kathleen L. Wilson
Recording Secretary