

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 10th DAY OF NOVEMBER 2011 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, Roger Miller, with the following members present: Meg Wolgamood, Tony Campanello, and Blake Doriot. Staff members present were: Chris Godlewski, Plan Director; Mark Kanney, Planning Manager; Duane Burrow, Senior 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 8th day of September, 2011 and the 13th day of October 2011 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Doriot/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 a **SUNNY PLATEAU**, for Charles L. & Ann B. Ragland and Steven Ragland represented by Progressive Engineering, Inc., on property located on the Southeast corner of CR 18 (Hively Avenue) and Clayton Street, 2,000 ft. East of Main Street (US 33) in Concord Township, zoned R-1, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #25318CR 18-110930-1*.

Present on behalf of this request was Brad Cramer of Progressive Engineering, 58640 SR 15, Goshen. The Raglands own these two tracts as well as tracts across the street (woods). They have renters in the home and they decided they wanted to purchase the home, but not all of the land. The Raglands were proposing a two parcel split; however, the split did not comply with the Administrative Subdivision, because the Raglands were selling the house and not the remainder of the land. He said there is a public street on the west side and another public street stubs out on the east side of the subject property.

Mrs. Wolgamood questioned why the division of the property did not comply with the Administrative Subdivision. Mr. Cramer said they wanted to sell off the land, but not the home. Mr. Kanney explained that if he wanted to build a new house right now on the 3.5 acres they could have gone in the back way, but he is located up front and wanted to sell the existing house.

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

5. The application for Secondary approval of a three lot minor subdivision replat to be known as **SCHMUCKER KNOLL REPLAT**, for Richard L. Schmucker on property located on the

Northeast corner of CR 14 and CR 31, and North side of CR 14, 900 ft. East of CR 31 in Middlebury Township, zoned A-1, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #0CR 14-111003-1*. He clarified that they redistributed the drainage storage area on these lots.

Barry Pharis of Brads-Ko Engineering & Surveying, 1009 S. 9th St., Goshen, was present on behalf of this request. He explained that they realigned driveways to match up across the street and then put in no access easements on Lots 2 and 3 so they would have to line up with the existing driveways.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Wolgamood*) that in accordance with the Staff Analysis, Secondary approval of this three lot minor subdivision replat be granted by the Plat Committee as it meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval. The motion was carried unanimously.

* (*It is noted that Blake Doriot stepped down from the Board for the next two public hearings due to a potential conflict of interest.*)

6. The application for Secondary approval of a two lot minor subdivision known as **COUNTRY MEADOWS MINOR**, for Elmer & Amanda Christner represented by B. Doriot & Associates, on property located on the West side of CR 29, 900 ft. North of South County Line Road in Benton Township, zoned A-1/B-3, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #72833CR 29-111017-1*. He reports that the subdivision does now meet the requirements of the Subdivision Control Ordinance and conditions of Primary approval; therefore, the staff recommends approval. The purpose of this request was to separate the house from the mobile home park. He stated they are under one deed right now and dividing the parcel would allow him to sell the residence. He clarified the residential portion was rezoned from B-3 to A-1 in 2010 which would allow them to rebuild the residence on that site if it were destroyed.

Charles Buzzard of B. Doriot & Associates, P.O. Box 465, New Paris, represented this petition. He stated that the Highway Dept. made a request that they alter the right-of-way to go around for a pumping station next to the road and they have complied with that request.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Wolgamood/Campanello*) that in accordance with the amended Staff Analysis, Secondary approval of this two lot minor subdivision be granted by the Plat Committee as it meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval. The motion was unanimously carried.

7. The application for Secondary approval of a one lot minor subdivision known as **YOB MINOR SUBDIVISION**, for Michael R. & Sara M. Yob represented by B. Doriot & Associates, on property located on the Southwest corner of CR 12 and Willow Street in Middlebury Township, zoned A-1, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #13324CR 12-111017-1*. He then reported that this subdivision does meet the requirements of the Subdivision Control Ordinance and conditions of Primary approval. He then explained that Locust

Ridge is a subdivision with all dedicated private roads, so the Highway Dept. does not maintain them. He pointed out the only frontage the property has is the southwest corner where the paper road meets CR 12.

Mr. Miller asked if the small portion of property (triangle at northeast corner) was added on when it was replatted. Mr. Kanney stated it was added on in the original plat because they had to purchase that piece to have frontage for this property. He explained this is located where CR 12 swings to the north.

Mrs. Wolgamood clarified that now it is in compliance for Secondary and Mr. Kanney said it is.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Wolgamood/Campanello*) that the Plat Committee finds that this subdivision meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval, and therefore grants Secondary approval of this one lot minor subdivision. The motion was unanimously carried.

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

Respectfully submitted,

Sandra Herrli, Transcriber

Kathleen L. Wilson
Recording Secretary