

MINUTES

ELKHART COUNTY PLAT COMMITTEE MEETING

HELD ON THE 10th DAY OF APRIL 2014 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 Acting Chairman, Jeff Burbrink, with the following members present: Blake Doriot, Jeff Burbrink, and Doug Miller. Steven Edwards and Tom Stump were absent. Staff members present were: Chris Godlewski, Plan Director; Mark Kanney, Planner; Duane Burrow, Planner; Kathy Wilson, Administrative Manager; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Doriot/Miller*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 13th day of March 2014 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Doriot/Miller*) 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. See item 8, page 2, for the application for Primary approval of a two-lot minor subdivision to be known as **CIRCLE O VALLEY**.

5. The application for Primary approval of a two-lot minor subdivision to be known as **HABITAT STATE LINE MINOR SUBDIVISION**, for Habitat for Humanity of Elkhart County, Inc., represented by Brads-Ko Engineering & Surveying, Inc., on property located on the Southwest Corner of State Line Road and CR 133, common address of 14018 State Line Road in York Township, zoned A-1, was presented at this time.

Duane Burrow presented the Staff Report/Staff Analysis, which is attached for review as *Case #14018State LineRd-140303-1*, and amended it by stating that the condition for approval, which reads, "A release by the utility of record to allow for the placement and maintenance of the septic systems within the easement," should be removed, as that issue has been addressed.

Mr. Doriot asked Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, who was present on behalf of the petitioner, whether the subdivision carried any restrictions on pools, and Mr. Pharis said no, though he called attention to the small size of the lots, the location of septic systems, and the fact that this project is a Habitat for Humanity project. Mr. Doriot raised concern over the placement of an above-ground pool over a septic system and stated that he would not object to the addition of pool restrictions. Mr. Pharis said he would speak to Tom McArthur of Habitat for Humanity of Elkhart County about the matter.

Doug Miller asked for the buyers' names, and Mr. Pharis indicated Kristina Choate and her daughter as the buyers of one lot and Wendy and Scott Potter along with their two children as the buyers of the other.

Mr. Pharis offered no additional comments.

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

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Doug Miller, that this request for Primary approval of a two-lot minor subdivision to be known as *HABITAT STATE LINE MINOR SUBDIVISION* be approved in accordance with the amended Staff Analysis. The motion was carried with a unanimous vote.

6. The application for Primary approval of a one-lot minor subdivision to be known as *CARRIAGE PARCEL "I" MINOR SUBDIVISION*, for Key Auctions, LLC, represented by Brads-Ko Engineering & Surveying, Inc., on property located on the Northeast corner of Wabash Avenue & Walnut Street, South end of Elm Street/East Carriage, 1,000 ft. East of Benton Street (SR 13), common address of 230 Wabash Street in Clinton Township, zoned M-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #230WabashSt-140303-1*. Mr. Kanney summarized the nature of the project, stating that the petitioner wishes to divide the Carriage complex in Millersburg in order to sell individual parcels and buildings. He also noted that the public roads throughout the complex make the subdivision easier.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, was present on behalf of the petitioner but offered no comments.

Mr. Doriot stated he was "glad to see something happening here."

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

Motion: Action: Approve, **Moved by** Blake Doriot, **Seconded by** Doug Miller, that this request for Primary approval of a one-lot minor subdivision to be known as *CARRIAGE PARCEL "I" MINOR SUBDIVISION* be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for Primary approval of a one-lot minor subdivision to be known as *CARRIAGE PARCELS "B," "C" & "D" MINOR SUBDIVISION*, for Key Auctions, LLC, represented by Brads-Ko Engineering & Surveying, Inc., on property located on the North side of Walnut Street & Southwest side of Elm Street/East Carriage, 600 ft. East of Benton Street/SR 13, common address of 230 Wabash Street in Clinton Township, zoned M-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #230WABASH STREET-140303-1*. During Mr. Kanney's presentation, Mr. Doriot and Mr. D. Miller observed that the petition is for a two-lot, not a one-lot, minor subdivision.

Barry Pharis, Brads-Ko Engineering & Surveying, Inc., 1009 S. Ninth St., Goshen, 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** Blake Doriot, **Seconded by** Doug Miller, that this request for Primary approval of a two-lot minor subdivision to be known as *CARRIAGE PARCELS "B," "C" & "D" MINOR SUBDIVISION* be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The application for Primary approval of a two-lot minor subdivision to be known as

CIRCLE O VALLEY, for Alan L. & Lonna R. Overholser represented by Progressive Engineering, Inc., on property located on the South side of CR 32 and Northwest side of CR 111, 800 ft. West of CR 13, common address of 24172 CR 32 in Harrison Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #24172CR 32-140303-1*, and the Technical Committee Report. He pointed out that while the problems with the site enumerated by the Technical Committee Report are existing and “are going to stay there anyway,” the bare site does not have any real problems.

Jeff Burbrink stated that the property is tricky and has a lot of slope, and Blake Doriot agreed. Mr. Kanney also agreed, saying that installation of a septic system will be difficult because of the contour. Bill Hartsuff does believe the installation can be done, however, Mr. Kanney said.

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** Blake Doriot, **Seconded by** Doug Miller, that this request for Primary approval of a two-lot minor subdivision to be known as **CIRCLE O VALLEY** be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

9. The application for Primary approval of a one-lot minor subdivision to be known as **HECKATHORN MINOR**, for Kenneth L. & Wanda I. Heckathorn represented by B. Doriot & Associates, on property located on the West side of CR 3, 1/2 mile South of CR 42, in Locke Township, zoned A-1, could not be presented at this time. The representative, Blake Doriot, who is a member of the Plat Committee, could not remain present as a voting member of the committee. At the same time, without Mr. Doriot’s presence, quorum could not be reached.

The Board and the Board Attorney examined the matter and after due consideration and deliberation:

Motion: Action: Transfer, **Moved by** Doug Miller, **Seconded by** Jeff Burbrink, that this request for Primary approval of a one-lot minor subdivision to be known as **HECKATHORN MINOR** be transferred from the April 10, 2014, meeting of the Plat Committee to the April 10, 2014, meeting of the Advisory Plan Commission. The motion was carried with a unanimous vote.

10. The meeting was adjourned at 8:46 a.m.

Respectfully submitted,

Daniel Dean, Recording Secretary