

**REVISED MINUTES**  
**ELKHART COUNTY PLAN COMMISSION MEETING**  
**HELD ON THE 13TH DAY OF FEBRUARY 2020 AT 9:00 A.M. IN THE**  
**MEETING ROOM OF THE DEPARTMENT OF PUBLIC SERVICES BUILDING**  
**4230 ELKHART ROAD, GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Roger Miller. The following staff members were present: Chris Godlewski, Plan Director; Jason Auvil, Zoning Administrator; Mae Kratzer, Planner; Doug Powers, Planner; Deb Britton, Administrative Manager; and James W. Kolbus, Attorney for the Board.

**Roll Call.**

**Present:** Tony Campanello, Steven Edwards, Roger Miller, Steve Warner, Lori Snyder, Frank Lucchese, Philip Barker.

**Absent:** Jeff Burbrink, Tom Stump.

2. A motion was made and seconded (*Warner/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 9th day of January 2020, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Snyder*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.

4. The application for the vacation of an alley (north/south) right-of-way, for *Parker & Tosha Snider*, on property located on the North/South alley between Division St. and Butler St., 128 ft. East of Division St., in Jackson Township, was presented at this time.

Doug Powers presented the Staff Report / Staff Analysis, which is attached for review as *Case #VRW-0007-2020*.

The petitioner was not present

There were no remonstrators present.

A motion was made and seconded (*Edwards/Lucchese*) that the public hearing be closed, and the motion was carried with a unanimous vote.

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

**Motion: Action:** Approve, **Moved by** Tony Campanello, **Seconded by** Steven Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for the vacation of an alley (north/south) right-of-way be approved in accordance with the Staff Analysis.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Frank Lucchese, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards, Tony Campanello.

5. The application for a zone map change from M-2 to M-1, for *Esther J. Rogers, Trustee of the Esther J. Rogers Liv. Trust Dated January 26, 2007* represented by Karl Miller, on property located on the Northeast corner of Grand St. and Wayne St., West of SR 13, common address of 300 Wayne St. in Middlebury Township, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0006-2020*.

Karl Miller, 307 Dawn Estates Dr., Middlebury, was present representing the petitioner. He explained that they want to remodel the existing building to create a restaurant. He mentioned that they want to have a smaller version of the Hilltop Restaurant that was in Middlebury. They do not want to impact anything in a harmful way.

There were no remonstrators present.

A motion was made and seconded (*Miller/Barker*) that the public hearing be closed, and the motion was carried with a unanimous vote.

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

**Motion: Action:** Approve, **Moved by** Steve Warner, **Seconded by** Lori Snyder that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from M-2 to M-1 be approved in accordance with the Staff Analysis.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Frank Lucchese, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards, Tony Campanello.

6. The application for a zone map change from R-1 to A-1, for *Farmhouse at 52, LLC* represented by Ball Auctioneers, on property located on the Southeast corner of CR 52 and CR 3, common address of 28854 CR 52 in Locke Township, was presented at this time.

Mae Kratzer presented the Staff Report / Staff Analysis, which is attached for review as *Case #RZ-0899-2019*.

Bob Powell, Ball Auction, 302 E. Center St., Bourban, was present representing the petitioner. He explained that the main reason for the rezoning is due to a two story home. He stated that it was used as a wedding facility but they want to market it as a single family residence. He added that it was brought to their attention that with the current zoning agricultural use is not allowed.

There were no remonstrators present.

A motion was made and seconded (*Miller/Lucchese*) that the public hearing be closed, and the motion was carried with a unanimous vote.

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

**Motion: Action:** Approve, **Moved by** Roger Miller, **Seconded by** Steven Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to A-1 be approved in accordance with the Staff Analysis.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Frank Lucchese, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards, Tony Campanello.

7. The application for a zone map change from GPUD B-3 to DPUD B-3 and for Primary approval of a 1-lot minor subdivision to be known as *SCHONSHECK DISTRIBUTION CENTER DPUD B-3*, for Schonsheck, Inc. (Buyer), and David Blough Trustee Joy Blough Irrevocable Trust (Seller), and Indiana Michigan Power Company represented by Marbach, Brady & Weaver, Inc., on

property located on the North side of CR 6, 2,160 ft. East of CR 19, common address of 20597 CR 6 in Washington Township, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0009-2020*.

Chris Marbach, Marbach, Brady & Weaver, 3220 Southview Dr., Elkhart, was present representing the petitioner. He added that Kevin Schonscheck is present as well. He stated that General RV will be the ones that will be owner/operator of this facility. He mentioned that they are asking for one access point which will be off of CR 6. He added that buffers will be created as well. He stated that a monument sign will be at the CR 6 entrance about 4' tall and 8' long. He explained that private well and septic systems will be used on site since soil borings came back ideal according to the Health Department. Mr. Marbach explained that there will be three interconnected retention basins that will flow to the main one that is located in the Northwest corner. He stated that the main retention basin will have 389% capacity. He mentioned that there will be 8800 feet of storm sewer pipe installed for the drainage. Mr. Marbach added that the Geotech borings indicated that an approximate design infiltration rate of 10 inches per hour. He stated that with 100 employees and 76 deliveries per day, there will be 176 additional vehicles on CR 6. He explained that only one unit will be delivered at a time. Mr. Marbach stated that there will be wall packs used to light the property. He clarified that usually wall packs face outward, however, with these LED wall packs they will face downward. Mr. Miller questioned the necessity of having 768 parking spaces, Mr. Marbach answered that the product will not always go out as fast as they come in. Mr. Campanello questioned what kind of material will be used in the parking area. Mr. Marbach responded that it will be regular gravel without dust. When Mr. Miller questioned if this is a dealership for General RV, Mr. Marbach stated that this is not a dealership but a pre-delivery inspection facility. Mr. Barker questioned the outfall calculations from the pipes. Mr. Marbach stated that there could be a typo on the calculations. When Mr. Campanello questioned what the fence would look like, Mr. Marbach explained that it is a 6 foot chain-link fence with barbwire on top. Mr. Campanello expressed that he does not like having barbwire along the gateway to Elkhart. He questioned why not an 8 foot fence without the razor wire. Mr. Marbach asked if Mr. Campanello would be more comfortable if the fence was on the inside of the berm. Mr. Miller stated that he does not blame them for wanting the razor wire. Mr. Marbach stated that in anticipation of the response, he was handed a view of the building prior to this meeting. He added that this picture includes windows on the North side of the building with a sign in the middle. Mr. Campanello stated that this view looks much better than what was previously shown.

Chris Stager, President of the Economic Development Corporation in Elkhart County, 300 Nibco Parkway, was present in favor of the petitioner. He stated that he feels that this will benefit the industry. He mentioned that he hopes the Board approves this petition.

Pete Letherman, Northland Corporation, 3414 CR 6, Elkhart, was present in remonstrance. He stated that their biggest concern are aesthetics. He explained that Northland spends a lot of money maintaining the stuff to the East of the subject property. He wants to make sure that the subject property will look good aesthetically. Mr. Letherman mentioned that he has concerns about what type of gravel and the barbwire fence they want to use. He stated that this is along the gateway of Elkhart and wants to it to look nice to represent the county. He questioned if there would be irrigation to make sure the lawn and trees stay alive. He also questioned about access being on CR 19, the Board stated there is no access on CR 19.

Mike Markley, 53613 Woodfield Ln., Bristol, was present in remonstrance. He explained that he is the Vice President of the Pheasant Ridge Home Owners Association. He stated his concerns are

the traffic impact. He mentioned that he thinks there will be more than 176 added vehicles on CR 6. He added that he is also concerned about the hours of operation being pushed earlier or later than the times given depending on the need.

Chris Marbach returned to the podium. He explained that in the pre-inspection process if they find minor issues then they will fix them on site. However, if there is a catastrophic failure with the equipment then it will be shipped back. When Mr. Campanello questioned if this will be a repair area after the units are sold, Mr. Marbach responded no, just prior to sales. Mr. Miller stated one of his concerns is the traffic on the road. He added that the road is little. Mr. Campanello questioned the difference between gravel and millings. Mr. Marbach responded that millings are broken down pieces of asphalt and then they are brought to the site and packed down. Mr. Campanello is concerned about dust coming from the gravel. Mr. Marbach stated that they will have a dust free solution. When Mr. Campanello questioned about irrigation, Mr. Marbach stated that they are not going to irrigate the property. He added that they are required to keep the trees alive and the grass growing.

A motion was made and seconded (*Campanello/Snyder*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Lucchese stated that CR 6 from St. Joe County line to Bristol is scheduled to be upgraded. There was discussion amongst the Board about the fence with barbwire.

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

**Motion: Action:** Approve, **Moved by** Lori Snyder, **Seconded by** Steve Warner that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD B-3 to DPUD B-3 and for Primary approval of a 1-lot minor subdivision to be known as ***SCHONSHECK DISTRIBUTION CENTER DPUD B-3*** be approved in accordance with the Staff Analysis with the following conditions imposed:

1. Revised drainage plans and or calculations must be approved
2. Revised sign plan must be approved
3. Parking area surface must utilize dust-free material

**Vote:** Motion passed (**summary:** Yes = 6, No = 1, Abstain = 0).

**Yes:** Frank Lucchese, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards.

**No:** Tony Campanello.

8. The application for an Amendment to an existing DPUD A-1 known as ***PREMIER HARDWOODS, LP, DPUD*** to allow for the construction of accessory structures on Lot 1, for Karl E. Bontrager & Jeanetta K. Bontrager, Husband & Wife and Premier Hardwoods, LP represented by Abonmarche Consultants, on property located on the West side of CR 43, 2,400 ft. North of CR 34, common address of 62551 CR 43 in Clinton Township, was presented at this time.

Jason Auvil presented the Staff Report / Staff Analysis, which is attached for review as *Case #DPUD-0008-2020*.

Crystal Welch, Abonmarche Consultants, 1009 S. Ninth St., Goshen, was present representing the petitioner. She explained that the residential unit has been purchased recently. She explained that they want to construct a barn for their horses. She stated that this Amendment to the DPUD will allow them to construct a barn for their horses. When Mr. Miller questioned if they will be using the same driveway, Ms. Welch responded yes, nothing else is changing. Mr. Auvil explained that when the

original DPUD was approved, the site plan only had the house. He added that they are wanting to add additional residential structures. Mr. Auvil continued explaining that this amendment will allow the owners to put anything that is tied to residential use on Lot 1.

Terry Sauer, 10779 CR 34, was present in remonstrance. He stated his only concern is about a dog kennel being a possibility in the future. Mr. Campanello questioned how many dog kennels are in the area. Mr. Sauer answered that there are about 5 in the surrounding area. Mr. Sauer questioned what the total acreage was for the subject property. Ms. Snyder stated total of about 12 acres. Crystal Welch returned to the podium. She stated that she can talk to the owner about it before the Commissioners meeting.

A motion was made and seconded (*Snyder/Edwards*) that the public hearing be closed, and the motion was carried with a unanimous vote.

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

**Motion: Action:** Approve, **Moved by** Tony Campanello, **Seconded by** Steven Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an Amendment to an existing DPUD A-1 known as **PREMIER HARDWOODS, LP, DPUD** to allow for the construction of accessory structures on Lot 1 be approved in accordance with the Staff Analysis with the following condition imposed:

1. A dog kennel, as defined in the Elkhart County Zoning Ordinance, is prohibited on Lot 1.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).

**Yes:** Frank Lucchese, Lori Snyder, Philip Barker, Roger Miller, Steve Warner, Steven Edwards, Tony Campanello.

9. ***Board of County Commissioners Approvals Following Plan Commission Recommendations***

Jason Auvil reported that on December 20, 2019, the Town Council of Middlebury approved an Amendment to an existing DPUD known as South Pointe Section Two DPUD. He added that on December 21, 2019, the Elkhart County Commissioners approved the amendments to the text of the Elkhart County Zoning Ordinance and a zone map change from R-1/B-2 to B-2.

10. A motion was made and seconded (*Edwards/Lucchese*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:11 a.m.

Respectfully submitted,

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Kristi Miller, Recording Secretary

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Steve Warner, Chairman