

**PLAN MINUTES**  
**ELKHART COUNTY PLAN COMMISSION MEETING**  
**HELD ON THE 14TH DAY OF MARCH 2024 AT 9:30 A.M. IN THE**  
**MEETING ROOM OF THE ADMINISTRATION BUILDING**  
**117 N. 2<sup>ND</sup> ST., 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: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Adam Coleson, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

**Roll Call.**

**Present:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steven Clark, Crystal Van Pelt, Roger Miller, Brian Dickerson, Brad Rogers.

2. A motion was made and seconded (*Edwards/Rogers*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 8th day of February 2024, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Warner/Clark*) 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 a zone map change from GPUD R-1 & R-2 to A-1, for Andrew M. Yoder & Ellie Yoder represented by Land & Boundary, LLC, on property located on the north end of Cameron Dr., 645 ft. north of Kenmar St., west of SR 19, in Olive Township, zoned GPUD, R-1, R-2, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0049-2024*.

Andrew Yoder, 28137 CR 38, Wakarusa, was present representing himself. He stated we would like to build a single residence on the land.

Chuck Paternostro, 109 Tamarack Dr., Wakarusa, came on with questions regarding the petition. He asked for details about the land and how it was planned to be developed. Mrs. Snyder explained in detail the rezoning and what the petitioner was planning to do.

A motion was made and seconded (*Rogers/Dickerson*) 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** Steven Clark, **Seconded by** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD R-1 & R-2 to A-1 be approved in accordance with the Staff Analysis.

**Vote:** Motion carried by unanimous roll call vote (**summary: Yes = 9**).

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, Crystal Van Pelt, Roger Miller, Brian Dickerson, Brad Rogers.

5. The application for a proposed combined development ordinance including zoning maps, for Elkhart County Plan Commission represented by Elkhart County Planning and Development Staff, for the geographic area to which the proposed combined Development Ordinance, including zoning maps, applies is all lands within Elkhart County, Indiana, including all the Townships: Cleveland, Osolo, Washington, York, Baugo, Concord, Jefferson, Middlebury, Olive, Harrison, Elkhart, Clinton, Locke, Union, Jackson, and Benton, but excluding the jurisdictions of the City of Goshen, the City of Elkhart, and the City of Nappanee, was presented at this time.

Mae Kratzer, Planning Director, presented the proposed combined Development Ordinance including zoning maps. She stated the different changes in the new ordinance. She went on to say it will be more user-friendly for the public. She stated the staff worked closely with Wakarusa and Bristol, which led to the town overlay. She explained that this would allow additional standards to be adopted in the future for the towns. She stated a change log was utilized with the recommendation of Abonmarche, but a redline copy in the future. She further stated that a public feedback survey was available and 20 people responded. She stated the ordinance was available for digital use and hyperlinks were available. Mrs. Kratzer described the format in further detail. She stated the two major items that were removed from the zoning ordinance were the minimum dwelling sizes and seven-to-one. She noted the reason for removing the seven-to-one was because BZA always approved them. She further explained the lot frontage requirements will remain in place. She stated the new ordinance would be able to be utilized on June 1, 2024 after the Commissioner's approval and legal notification. She further noted that two changes were made after legal notice, under Stop Work Order where the fees are located, and civil action is newly adopted language. She stated the second change is in regards to the dedication of right-of-way. She went on to say that there was no need for additional dedication to the right-of-way for administrative subdivisions.

Crystal Welsh, Abonmarche, 303 River Race Dr., Goshen, stated as a user of the ordinance they sit on one side of the table, and it was important to hear feedback from staff on what they do on their side of the table. She stated Abonmarche brought graphic expertise and user-friendliness to the table.

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

Brad Rogers stated that a change log was utilized during this process, and it was extremely difficult to review this against the old ordinance. He further explained if this process is done again, he would not approve of using a change log. He continued to state that his comments are not reflective of Mae or the Planning Staff, they have been excellent to work with. He noted they have been patient with him as he has monitored the changes, but he is encouraged to hear that there will be a red-line copy in the future. He stated he had a concern about a Constitutional issue against the Fifth Amendment regarding taking property without just compensation in regards to dedication of right-of-way. He confirmed that had been addressed, and it has been resolved. Mr. Rogers expressed that he is in favor of the changes and supports the new ordinance.

Lori Snyder stated that other counties will be jealous of this document. She stated this is leading the front in terms of cleaning information up, and doing business in Elkhart County will be made easier.

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

**Motion: Action:** Approve, **Moved by** Steve Warner, **Seconded by** Steve Edwards that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for the proposed combined Development Ordinance including zoning maps be approved.

**Vote:** Motion carried by unanimous roll call vote (**summary: Yes = 9**).

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, Crystal Van Pelt, Roger Miller, Brian Dickerson, Brad Rogers.

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

Lori Snyder reported that the February 15, 2024 Town Council Meeting petition was withdrawn. Mrs. Snyder also reported on the February 19, 2024, County Commissioners petition approvals.

7. Mae Kratzer requested a change in the Plan Commission Rules of Procedures to reduce the number of copies needed for filings as proposed by the staff. She explained electronic files are required and utilized by Staff, reducing the number of paper copies needed.

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

**Motion: Action:** Approve, **Moved by** Lori Snyder, **Seconded by** Roger Miller that the proposed change to the Plan Commission Rules of Procedure be approved as presented by Staff.

The motion was carried with a unanimous vote.

A motion was made and seconded (*Snyder/Miller*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:59 a.m.

Respectfully submitted,

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Amber Weiss, Recording Secretary

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Lori Snyder, Chairman