

AGENDA
ELKHART COUNTY PLAN COMMISSION

July 10, 2025
9:30A.M.

PUBLIC SERVICE BUILDING
MEETING ROOM
4230 ELKHART RD., GOSHEN, INDIANA

Call to Order

Roll Call

Approval of the minutes of the last regular meeting of the Elkhart County Plan Commission held on the 12th day of June 2025.

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

<u>REZONINGS</u>	<u>9:30 A.M.</u>	(SNYDER)
A. Petitioner:	Barbara Christine Wilhelm, Trustee of the Barbara Christine Wilhelm Lifetime Family Trust represented by Ryan White	(page 2)
Petition:	for a zone map change from A-1 to M-1.	
Location:	north and south sides of CR 23, west of Maple St., in Jefferson Township.	
		<i>(RZ-0322-2025)</i>

PUBLIC MEETING ITEMS *(time of review at the discretion of the Plan Commission)*

STAFF/BOARD ITEMS *(time of review at the discretion of the Plan Commission)*

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

ADJOURNMENT

Phil Barker – County Surveyor: no term

Steven Edwards – Appointed by Commissioners: term 1/1/23 – 12/31/26

Steve Warner - Appointed by Commissioners: term 1/1/23 – 12/31/26

Lori Snyder - Appointed by Commissioners: term 1/1/25 – 12/31/28

Steven Clark – County Council Liaison: no term

Brad Rogers – County Commissioners Liaison: no term

Brian Dickerson – Appointed by Commissioners: term 1/1/22 – 12/31/25

Roger Miller – Appointed by Commissioners: term 1/1/25 – 12/31/28

Dan Carlson – Ag Agent: no term

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 12TH DAY OF JUNE 2025 AT 9:30 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Lori Snyder. The following staff members were present: Jason Auvil, Planning Manager; Danny Dean, Planner; Danielle Richards, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Brad Rogers, Roger Miller, Steve Warner, Lori Snyder, Dan Carlson, Steven Clark, Philip Barker.

Absent: Steven Edwards, Brian Dickerson.

2. A motion was made and seconded (*Miller/Warner*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 8th day of May 2025, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Clark/Miller*) 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 an amendment to an existing DPUD A-1 known as SCHROCK FURNITURE DPUD to add an additional warehouse, for Woodside Investments LLC represented by Land & Boundary LLC, on property located on the southwest corner of CR 37 & CR 34, common address of 63041 CR 37 in Clinton Township, zoned DPUD A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0003-2025*.

Mr. Auvil stated staff is exploring changes to the 2026 Developmental Ordinance regarding percentages off site plan change that can be approved by staff or by Minor Change.

Levi Rettenhaur, Land and Boundary LLC, 401 S. 3rd St. Goshen, was present representing the petitioner. He explained they want to add onto the north and also adjust the retention pond to the south of the property where water collects, trying to get the excess water to drain away. Mr. Rogers asked the use of the building. Mr. Rettenhaur stated it is a furniture business and the addition will be used as a warehouse.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Clark*) 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** Brad Rogers, **Seconded by** Roger Miller 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 SCHROCK FURNITURE DPUD to add an

additional warehouse be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steven Clark, Brad Rogers, Dan Carlson, Roger Miller.

5. The application for an amendment to an existing DPUD A-1 known as MSSE MIDDLEBURY CR 20 MID-STATES DPUD to add property and amend the site plan, for a zone map change from A-4 & M-1 to DPUD A-1 and for primary approval of a 1-lot minor subdivision to be known as MSSE MIDDLEBURY CR 20 MID-STATES DPUD A-1 AMENDMENT, for Mid-States Specialty Eggs of Middlebury LLC represented by Abonmarche Consultants, on property located on the north side of CR 20, 2,000 ft. east of CR 35, common address of 13659 CR 20 in Middlebury Township, zoned DPUD A-1, A-4, & M-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0293-2025*.

Crystal Welsh, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. She mentioned there is property being added. She stated the intention is for this property to be annexed into the Town of Middlebury to have access to public sewer and water. She explained sewer and water need to come in from the south and access the industrial component of the property. Mrs. Welsh further explained they have been talking with the Town of Middlebury, and they know this is coming. Brad Rogers asked if the owners are present. Mrs. Welsh stated they are not present. Mr. Rogers mentioned he has toured this facility, and they process 3.4 million eggs a day. He added this project will double their compacity.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Miller*) 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** Brad Rogers, **Seconded by** Steven Clark 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 MSSE MIDDLEBURY CR 20 MID-STATES DPUD to add property and amend the site plan, for a zone map change from A-4 & M-1 to DPUD A-1 and for primary approval of a 1-lot minor subdivision to be known as MSSE MIDDLEBURY CR 20 MID-STATES DPUD A-1 AMENDMENT be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steven Clark, Brad Rogers, Dan Carlson, Roger Miller.

6. The application for a zone map change from A-1 to DPUD M-1 and for primary approval of a 1-lot minor subdivision to be known as MID RIVER SALES DPUD M-1, for Tri County Land Trustee Corporation (Land Contract Holder) & John A. Miller and Sue Miller (Land Contract Purchaser) represented by Surveying and Mapping, LLC, on property located on the south side of CR 18, 2,050 ft. west of East County Line Road, common address of 10348 CR 18 in Middlebury Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case*

#DPUD-0275-2025.

Lori Snyder asked the thought process behind waiving the required buffering. Mr. Dean explained the petition was requested, buffer free. He went on to say there were no issues raised during the technical review. He further stated the operation should be viewed as an escalated homework shop business that has existed in harmony with the surrounding property uses. Steve Warner asked for confirmation that there will be enough space for semi-trucks to turn around. Mr. Dean referred to the diagram showing how the semi-trucks will use the current driveway without backing up and turning around on the road.

Ben Sterling, Surveying and Mapping, 2810 Dexter Dr., Elkhart was present representing the petitioner. Mr. Sterling stated he has nothing to add and would be happy to answer any questions. Mr. Rogers asked if the resident to the east has been talked to. Mr. Sterling stated they have been notified, they reviewed the plans, and had no issues with any improvements or deviations.

A motion was made and seconded (*Rogers/Clark*) 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** Brad Rogers, **Seconded by** Steven Clark that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from A-1 to DPUD M-1 and for primary approval of a 1-lot minor subdivision to be known as MID RIVER SALES DPUD M-1 be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steven Clark, Brad Rogers, Dan Carlson, Roger Miller.

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

Jason Auvil reported on the May 12, 2025 Elkhart County Commissioners meeting approved petition approvals. He also reported that on May 19, 2025 Elkhart County Commissioners meeting petition approvals.

8. Jason Auvil presented the minor change site plan amendment request for Crossroads Community Church of the Nazarene DPUD. Mr. Auvil stated that the change to the site plan is to add 3,920 square feet mobile classroom on the church campus. He further stated that if they ever decide to make the classrooms permanent, they would have to officially amend the DPUD. 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** Steve Warner that this request for a minor change site plan amendment be approved in accordance with the Staff Analysis.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steven Clark, Brad Rogers, Dan Carlson, Roger Miller.

9. Jason Auvil presented the Middlebury East TIF Expansion and the South Benton TIF Expansion. He stated property is being added to both TIF districts. Mr. Auvil stated this was part of

the protocol to have concurrence on adding to the TIF districts. Mr. Rogers and Mr. Clark asked the reasoning behind adding properties to the TIF districts.

Jackson Beck, Attorney with Yoder, Ainlay, Ulmer & Buckingham, LLP, 130 N. Main St., Goshen, was present representing the TIF districts. He explained the South Benton district is adding a number of properties, primarily along the south side of Nappanee on US 6 as well as along SR 15. He mentioned the properties are being added to help with infrastructure improvements and the tax increments. He stated the primary reason for adding these properties is a pending bridge project. Mrs. Snyder asked if all the properties are residential. Mr. Beck stated they are mainly commercial properties. Mr. Clark stated he has a concern about expanding TIF districts, instead because of SB1 and funding that will not be coming to the county, but going to the TIF. Mr. Beck stated he is not a financial municipal advisor, but as far as the tax revenue is concerned, the increment goes to the Redevelopment Commission. He further explained how assessed value works and how it affects the County and future taxes. Mr. Clark stated that the advice given by Baker-Tilly is that the county should be more careful with TIFs moving forward. Mr. Beck stated the staff has engaged Baker-Tilly to do an SB1 analysis for the Redevelopment Commission. Mrs. Snyder asked if it would be out of line to ask for more information before a decision is made. Mr. Clark strongly suggested more information. He further stated that currently, the County is debating what will be cut, and this year is only the first of three years of cuts. Mr. Beck stated the Plan Commission's job is to review the proposal based on the County's development plan. Mr. Beck stated the TIF expansions also go to the County Commissioners for approval. Mr. Miller stated he is unclear about how the process works and would like to know the regulations. Mr. Kolbus stated the board is not looking at the financial aspect of this request it looks at if it is in line with the Comprehensive Plan. He further stated the Board's view is more limited. Mrs. Snyder stated she understood that, but it is also the first step in setting the plan in motion. Mr. Clark mentioned that it is a comprehensive plan. Mr. Beck if a motion is being suggested to table, they would like to know what information is being requested to help make a decision. Mrs. Snyder stated she would request the parcels that involved with the acreage amounts. Mr. Beck said he would be happy to include that information. Mr. Warner asked if the Baker-Tilley report would be beneficial for the Board to see. Mr. Beck stated he is unsure how long it will take to receive the report.

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

Motion: Action: Table, **Moved by** Roger Miller, **Seconded by** Lori Snyder that the Middlebury East TIF Expansion and the South Benton TIF Expansion would be tabled, until the August 14, 2025 Plan Commission meeting to allow staff time to compile more information to present to the Board.

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

Yes: Phil Barker, Steve Warner, Lori Snyder, Steven Clark, Brad Rogers, Dan Carlson, Roger Miller.

10. A motion was made and seconded (*Miller/Warner*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Lori Snyder, Chairman

Plan Commission Staff Report

Prepared by the *Department of Planning and Development*

Hearing Date: July 10, 2025

Transaction Number: RZ-0322-2025.

Parcel Number(s): 20-03-33-400-013.000-031, 20-03-34-300-002.000-031, 20-03-34-300-004.000-031, 20-03-34-300-007.000-031, 20-03-34-300-010.000-031, 20-03-34-300-013.000-031, 20-07-03-126-001.000-042.

Existing Zoning: A-1.

Petition: For a zone map change from A-1 to M-1.

Petitioner: Barbara Christine Wilhelm, Trustee of the Barbara Christine Wilhelm Lifetime Family Trust, represented by Ryan White.

Location: North and south sides of CR 23, west of Maple St., in Washington and Jefferson Townships.

Adjacent Zoning and Land Uses: The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	A-1	Agricultural
North	M-2, A-1	Manufacturing (Valmont), Residential, Agricultural
South	A-1	Agricultural, Residential
East	M-1, A-1	Vacant Manufacturing parcels, Agricultural, Residential
West	M-1, A-1	Vacant Manufacturing, Agricultural, Residential

Site Description: The property is made up of 7 agricultural parcels totaling 169.19 acres. All of the parcels are in the Town of Bristol.

History and General Notes:

- **January 11, 2024** – The Plan Commission recommended denial for a rezoning from A-1 to M-2 (RZ-0804-2023).
- **February 15, 2024** – The Town Council of Bristol denied a rezoning from A-1 to M-2 (BR-2-15-2024-2) for all of the subject parcels except for parcel number 20-07-03-126-001.000-042.

Zoning District Purpose Statement: The purpose of the M-1, Limited Manufacturing, zoning district is to accommodate less intense manufacturing, warehousing and distribution uses that are not significantly objectionable to surrounding properties in terms of truck traffic, noise, odor, smoke and other potential nuisance factors.

Plan Commission Staff Report (Continued)

Hearing Date: July 10, 2025

Staff Analysis: The purpose of this rezoning petition is to expand the manufacturing district located on the south side of Bristol.

The staff, after reviewing this petition, recommends **DENIAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment does not comply with the Comprehensive Plan. The Town of Bristol's Comprehensive Plan designates the petition area as an employment center on the northern portion and rural management on the southern portion. Employment Center designations are mixed use of manufacturing and commercial. Rural Management designations are agricultural and low-density residential. The Town's plan also states the need to preserve its rural character and to expand housing availability.
2. The request is not in character with current conditions, structures, and uses on the subject property and in its surroundings. The traffic congestion and heavy truck traffic typical of the M-1 zoning district will be unsafe and unsuitable for a local road corridor.
3. The most desirable use of the subject property is residential and/or agricultural. The northern portion could be an Employment Center designation achieved by a business zoning district or a Detailed Planned Unit Development business district (DPUD).
4. The request does not conserve property values. M-1 uses have the potential to produce traffic and noise nuisances for adjacent existing residential and agricultural parcels.
5. The proposed rezoning does not promote responsible growth and development. There are 798 acres, the largest parcel of which is 113 acres, of undeveloped land zoned M-1 or M-2 in the Bristol Town limits. Existing properties zoned for manufacturing should have priority for development.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Rezoning - Rezoning

Date: 05/12/2025 Meeting Date: July 10, 2025
Plan Commission Hearing (Rezoning) Transaction #: RZ-0322-2025

Description: for a zone map change from A-1 TO M-1

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>
Ryan White 418 S Main St Elkhart, IN 46516	Ryan White 418 S Main St Elkhart, IN 46516	Barbara Christine Trustee Of The Barbara Christine Wilhelm Lifetime Family Trust 6317 Hialeah Ct Tallahassee, FL 323092008

Site Address: 00000 County Road 23 BRISTOL, IN 46507	Parcel Number: 20-03-33-400-013.000-031 20-03-34-300-002.000-031 20-03-34-300-004.000-031 20-03-34-300-007.000-031 20-03-34-300-010.000-031 20-03-34-300-013.000-031 20-07-03-126-001.000-042
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Township: Jefferson
Location: NORTH AND SOUTH SIDES OF CR 23, WEST OF MAPLE ST

Subdivision:	Lot #
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Lot Area: 169.19 Frontage: 6,197.00 Depth: 1,852.00

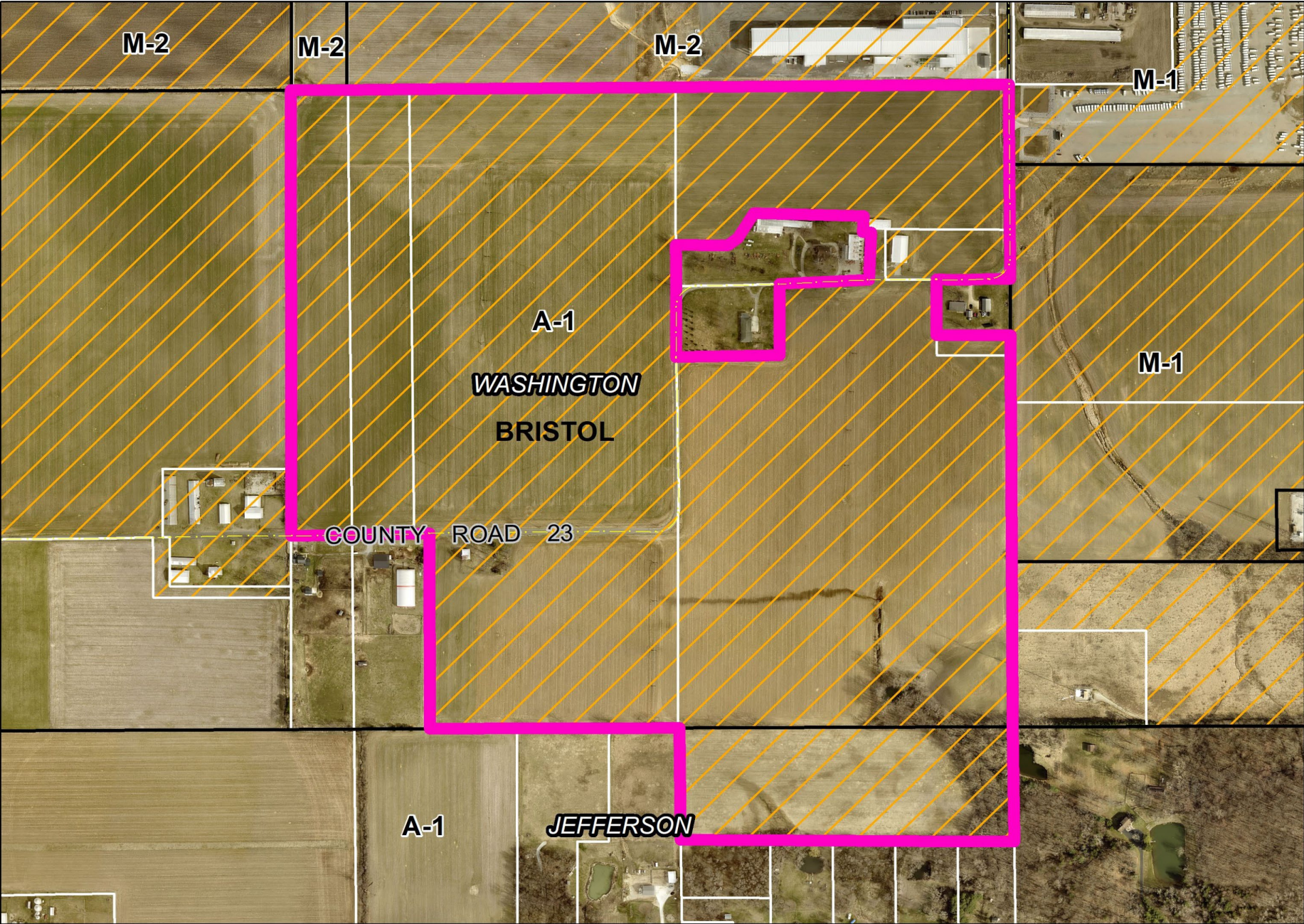
Zoning: A-1	NPO List:
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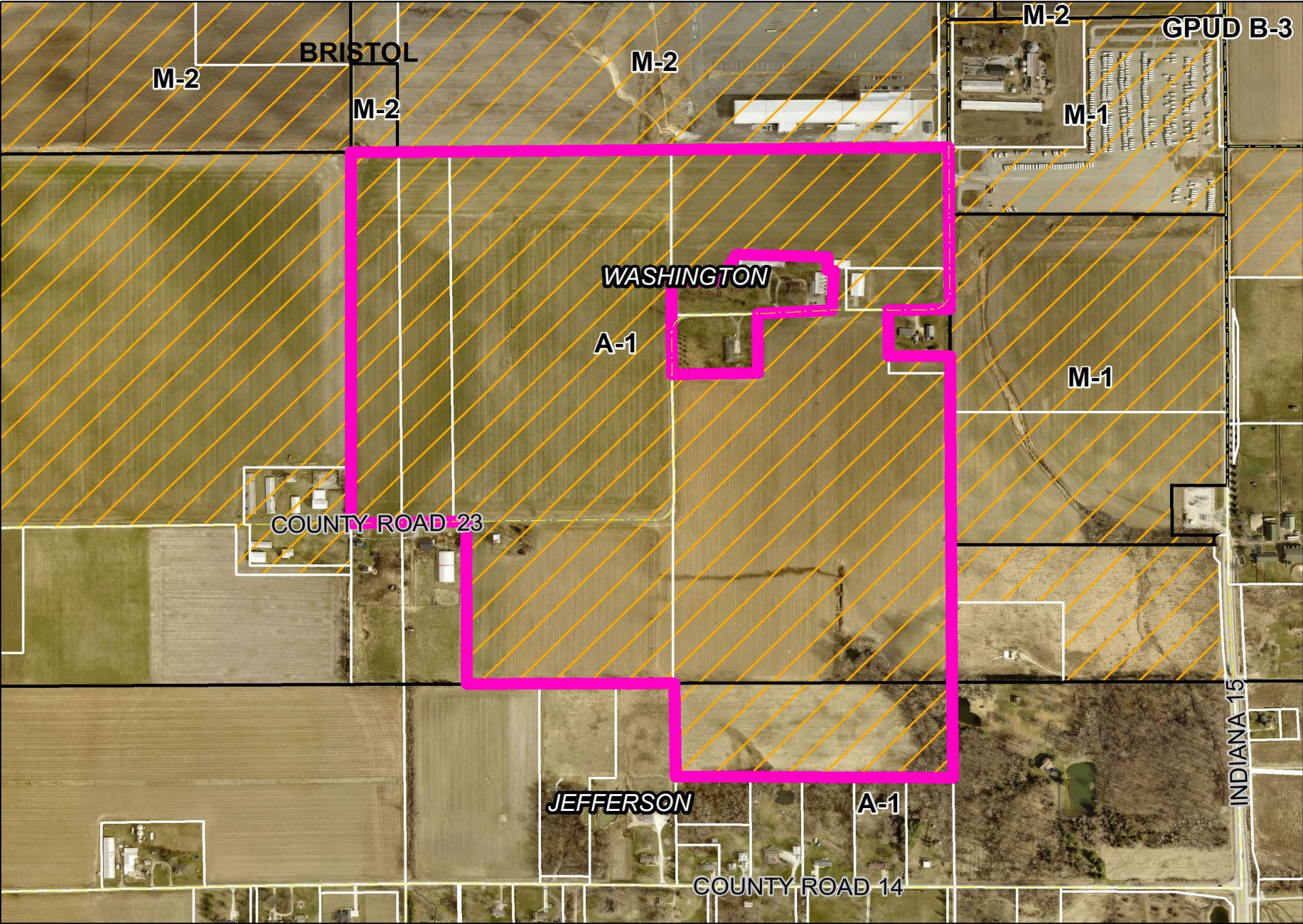
Present Use of Property: AGRICULTURAL

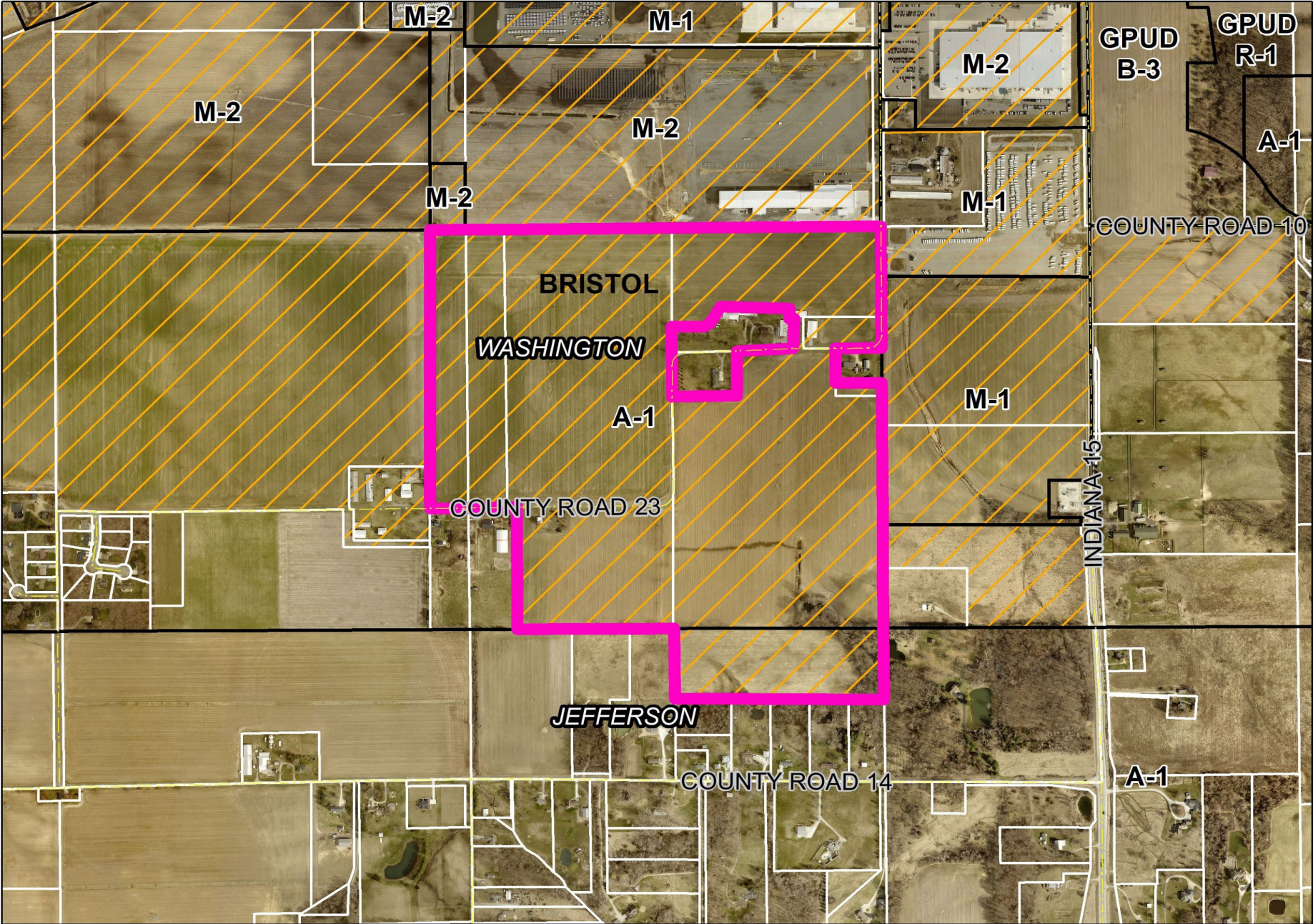
Legal Description:

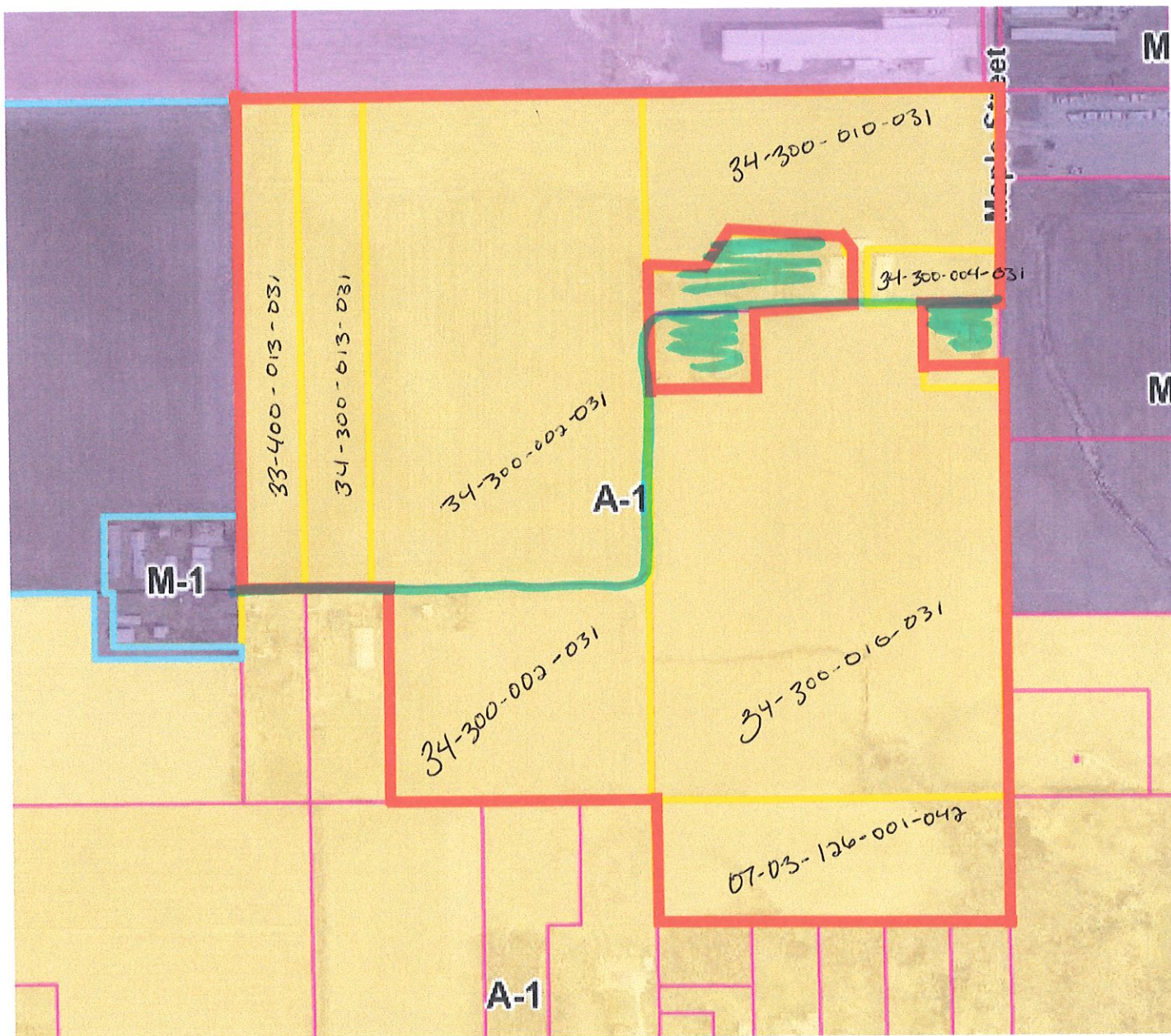
Comments: PREVIOUS REZONING REQUEST DENIED RZ-0804-2023

Applicant Signature:	Department Signature:
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M-1

33-400-013-031

34-300-013-031

34-300-002-031

A-1

34-300-002-031

34-300-010-031

34-300-004-031

34-300-016-031

07-03-126-001-042

A-1

Maple Street

TO: Plan Commission

FROM: H. Jason Auvil, Planning Manager & Zoning Administrator

SUB: Approvals of Plan Commission Recommendations

The following petition was **APPROVED** at the June 16th, 2025, Elkhart County Commissioner's meeting:

1. Petitioner: Jonas & Mary Ellen Zimmerman represented by Creative Design Solutions
 Petition: for an Amendment to an existing DPUD known as **ZIMMERMAN DPUD**
 for a building addition.
 Location: north side of CR 40, 2,780 ft. west of SR 19, common address of 27481 CR
 40 in Harrison Township. (DPUD-0062-2025)
 Plan Commission Vote: Yes: 9; No: 0; Absent: 0
 Remonstrators Present: No
 Development Issues: None

2. Petitioner: Miller-Silver LLC represented by Innovative Communities, Inc.
 Petition: for secondary approval of an 18-lot major subdivision to be known as
 FALCONS LAIR AT BARRINGTON PHASE IV.
 Location: east end of Falcons Lair Ct., 100 ft. east of Falcons Lair Ln., south of
 Barrington Dr., in Jackson Township. (MA-0208-2025)
 Plat Committee Vote: Yes: 5; No: 0; Absent: 0
 Remonstrators Present: No
 Development Issues: None

3. Petitioner: Miller-Silver LLC represented by Innovative Communities, Inc.
 Petition: for secondary approval of a 17-lot major subdivision to be known as
 FALCONS LAIR AT BARRINGTON PHASE V.
 Location: north end of Falcons Lair Ln., 480 ft. north of Barrington Ln., west of CR 25,
 in Jackson Township. (MA-0209-2025)
 Plat Committee Vote: Yes: 5; No: 0; Absent: 0
 Remonstrators Present: No
 Development Issues: None