

AGENDA
ELKHART COUNTY PLAT COMMITTEE

July 10, 2025
9:00 A.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 Plat Committee, 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.

PRIMARY APPROVALS

9:00 A.M.

A.	Petitioner:	Leroy L. Hochstetler and Janice L. Hochstetler, Husband and represented by Land & Boundary LLC	(page 1)
	Petition:	for primary approval of a 2-lot minor subdivision to be known as <i>MILLER RETREAT MINOR SUBDIVISION.</i>	
	Location:	east side of CR 9, 1,600 ft. north of CR 52, common address of 71182 CR 9 in Union Township.	<i>(MI-0360-2025)</i>

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

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 12TH DAY OF JUNE 2025 AT 9:00 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND ST., GOSHEN, INDIANA

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

Roll Call.

Present: Philip Barker, Steve Warner, Lori Snyder, Steven Clark.

Absent: Steven Edwards

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

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

4. The application for primary approval of a 1-lot minor subdivision to be known as STALTER CORNER, for Stephen J. Stalter & Lorenda J. Stalter, Husband & Wife & SL Stalter Real Estate Exchange, LLC represented by Midwest Land Surveying, LLC, on property located on the southwest corner of E. Waterford and SR 19, common address of 921 E. Waterford St. in Olive Township, zoned B-2 & M-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0212-2025*.

Mr. Clark asked what is happening on the lot. Mrs. Richards stated that a car lot will be established at this location.

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

Motion: Action: Approve, **Moved by** Steven Clark, **Seconded by** Philip Barker that this request for primary approval of a 1-lot minor subdivision to be known as STALTER CORNER be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION AND LOT 2 OF TREDWAY MINOR SUBDIVISION, for Mark Yoder & Emily Yoder represented by Advanced Land Surveying of Northern Indiana, Inc. , on property located on the south side of CR 108, 1,575 ft. east of CR 31, in Washington Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0289-2025*.

The Board examined said request, and after due consideration and deliberation:
Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Philip Barker that this request for primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION AND LOT 2 OF TREDWAY MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The meeting was adjourned at 9:05 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 10, 2025

Transaction Number: MI-0360-2025.

Parcel Number(s): 20-14-28-100-013.000-028.

Existing Zoning: A-1.

Petition: For primary approval of a 2-lot minor subdivision to be known as MILLER RETREAT MINOR SUBDIVISION.

Petitioner: Leroy L. Hochstetler and Janice L. Hochstetler, Husband and Wife, represented by Land & Boundary LLC.

Location: East side of CR 9, 1,600 ft. north of CR 52, in Union Township.

Site Description: Proposed lot 1 is 18.84 acres, rectangular in shape, with a proposed residence and existing barns and accessory structures. Proposed lot 2 is 1.16 acres, rectangular in shape, with an existing residence and accessory structures.

History and General Notes:

- This minor subdivision includes a Developmental Variance to allow for an existing residence on property (proposed lot 2) with no road frontage served by an access easement.

Staff Analysis: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Minor Subdivision - Primary

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

MI-0360-2025

Date: 06/02/2025 Meeting Date: July 10, 2025
Plan Commission Hearing (Subdivision) Transaction #: MI-0360-2025

Description: for primary approval of a 2-lot minor subdivision to be known as MILLER RETREAT MINOR
SUBDIVISION

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Land & Boundary Llc 401 South 3Rd St Goshen, IN 46526	Leroy L. Hochstetler And Janice L. Hochstetler, Husband And Wife 71182 County Road 9 Nappanee, IN 46540	Land & Boundary Llc 401 South 3Rd St Goshen, IN 46526

Site Address: 71182 County Road 9 Nappanee, IN 46550	Parcel Number: 20-14-28-100-013.000-028
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Township: Union
Location: East Side Of County Road 9, 1,600 ft. N of CR 52

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: A-1	NPO List:
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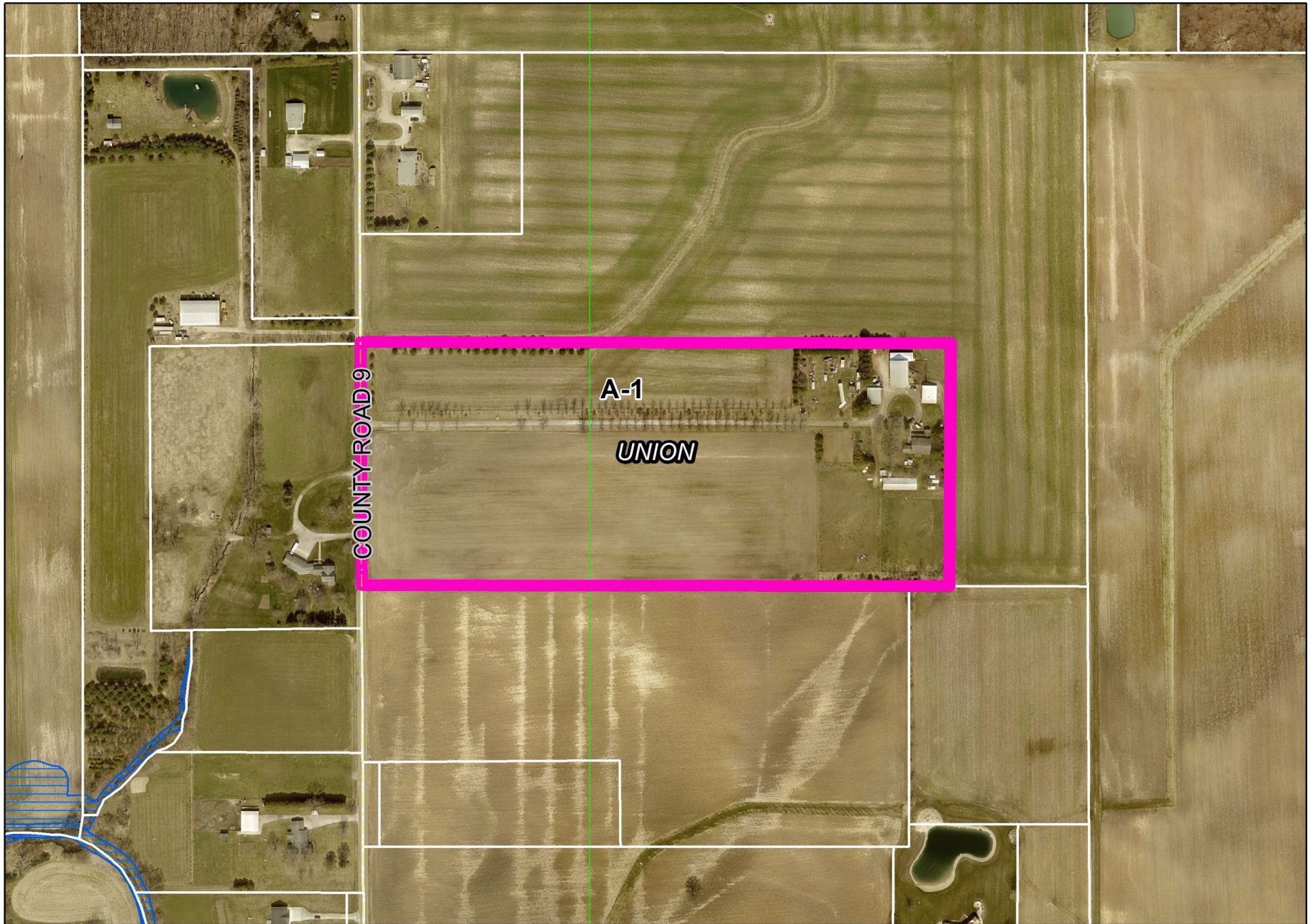
Present Use of Property:

Legal Description:

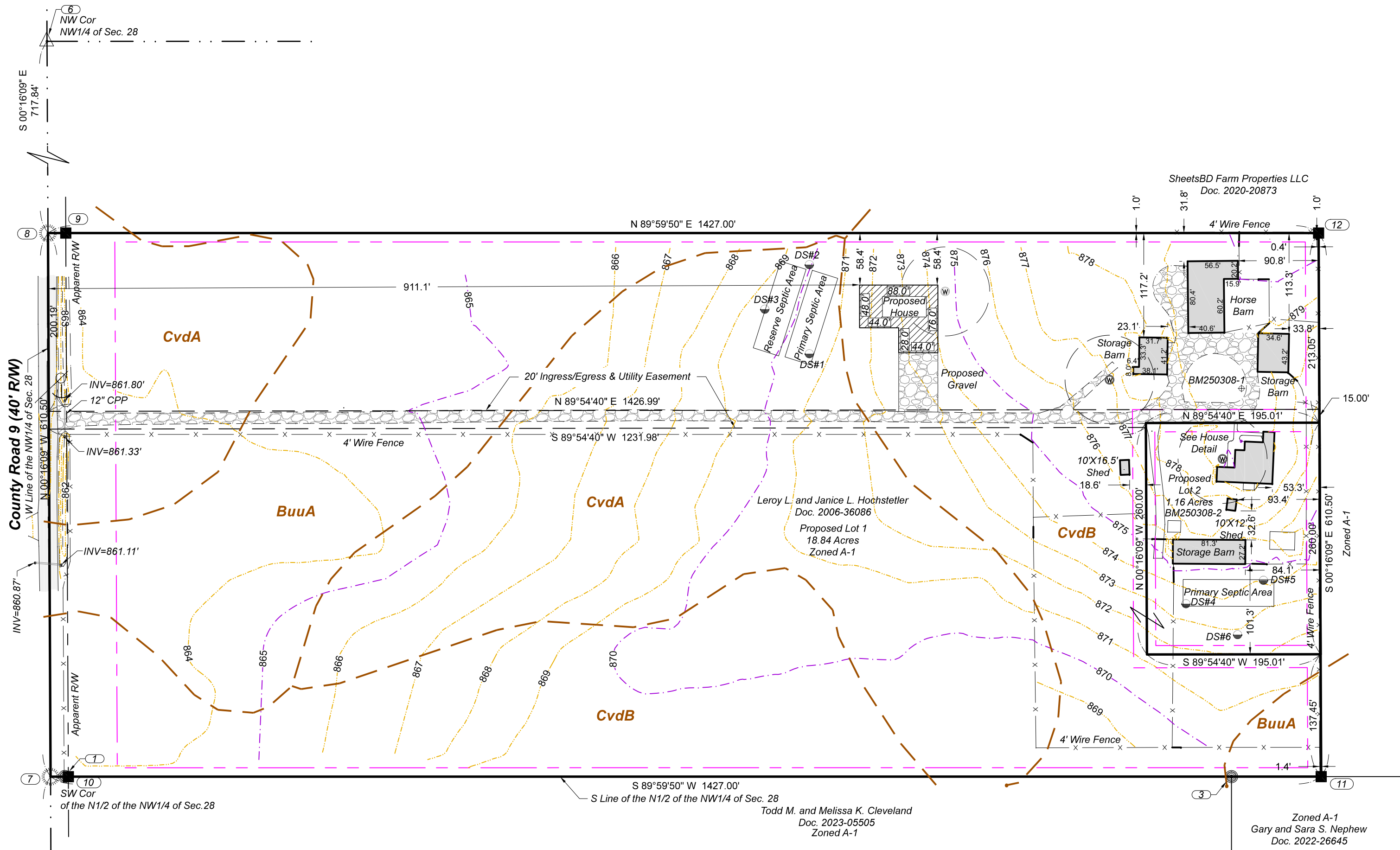
Comments: FEES WERE CHARGED ON DV-0361-2025
STAFF ITEM TO BE HEARD AT MEETING - and for a Developmental Variance to allow for the construction of a residence on
property with no road frontage served by an access easement

Applicant Signature:	Department Signature:
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Notes:

- 1 - These lots will be developed to not impede the natural flow of storm water on this tract.
- 2 - The land use is agricultural.
- 3 - The current zoning is A-1.
- 4 - Lot 1 will be served by a proposed elevated sand mound and well to meet the requirements of the Elkhart County Health Department. Lot 2 has an existing tank and will need to follow the recommendations provided by the Elkhart County Health Department.
- 5 - Proposed residence main level floor elevation will be between 8" above existing grade for the proposed house.
- 6 - Soil Types Are:
 - BuuA - Brookston Loam, 0-1% slopes; about 0" to water table
 - CvdA - Crosier Loam, 0-1% slopes; 6"-8" to water table
 - CvdB - Crosier Loam, 1-4% slopes; 6"-8" to water table(Source: USDA Web Soil Survey)
- 7 - Based on scaling from the flood insurance rate map of Elkhart County, Indiana, Map Number 18039C0329D, dated 8-2-2011, the property is located zone "X".
- 8 - The vertical datum for this survey is NAVD88 taken utilizing GPS equipment and Elkhart County GIS.
- 9 - Sight distance to the North and South is 610 feet plus for the existing drive along County Road 9. There is a drive on the West side of County Road 9 approximately 120 feet, more or less, South of the existing drive of the subject parcel.
- 10 - Development time to be as soon as possible.
- 11 - Elkhart County Restrictions are in effect.

- 12 - Building Setbacks
 - 75' Front (from C/L)
 - 10' Side
 - 15' Rear
- 13 - Site benchmarks
BM250308 - 1
Rebar with cap "LANDBRO TRAV" set on the East end of the lawn area within the driveway turnaround.
Elevation - 879.66'

BM250308 - 2
The Northwest corner of the concrete pad located North of the storage barn on Lot 2
Elevation - 876.77'
- 14 - This parcel is currently going through the variance process for a Lot with no road frontage.
- 15 - Accessory structures on Lot 1 may only be used in conjunction with a primary structure unless another proceeding like a special use permit gives them primary status or unless their use is agricultural only.

Land Description

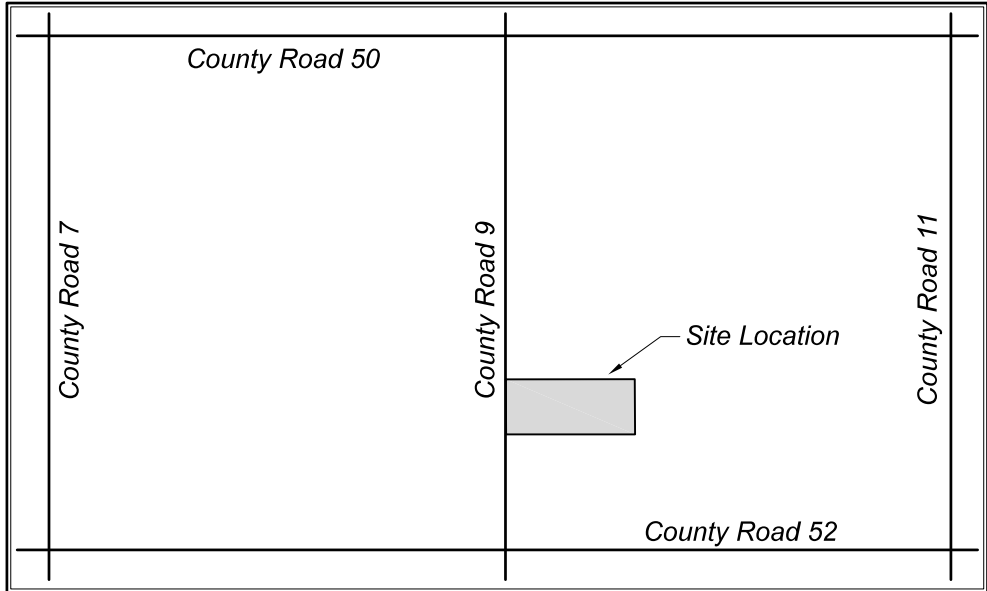
A part of the North half (N1/2) of the Northwest Quarter (NW1/4) of Section 28, Township 35 North, Range 5 East, Union Township, Elkhart County, State of Indiana, surveyed by Travis R. Shetler of Land and Boundary LLC, registration number LS21400008, as shown on a survey dated May 31, 2025 for project number 250308, and being more particularly described as follows:

Beginning at the Southwest corner of the North half (N1/2) of the Northwest Quarter (NW1/4) of said Section 28 being marked by a survey spike with washer inscribed "LANDBRO"; thence North 00°16'09" West along the West line of said Northwest Quarter (NW1/4) a distance of 610.50 feet to the Northwest corner of land deeded to Leroy L. and Janice L. Hochstetler being recorded in Document No. 2006-36086 marked by a survey spike with washer inscribed "LANDBRO"; thence North 89°59'50" East along the North line of said Hochstetler land a distance of 1427.00 feet to the Northeast corner thereof being marked by a rebar with cap inscribed "LANDBRO"; thence South 00°16'09" East along the East line of said Hochstetler land a distance of 610.50 feet to the Southeast corner thereof being marked by rebar with cap inscribed "LANDBRO"; thence South 89°59'50" West along the South line of said Hochstetler land a distance of 1427.00 feet to the Point of Beginning of this description.

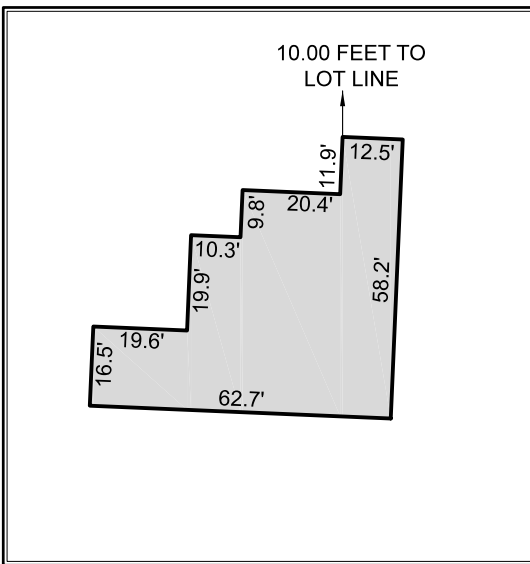
Containing 20.00 Acres of Land.

LEGEND

- HARRISON MONUMENT FOUND
- CONCRETE POST
- REBAR W/CAP INSCRIBED "LANDBRO" SET
- SURVEY SPIKE W/WASHER INSCRIBED "LANDBRO" SET
- UTILITY POLE
- GUY ANCHOR
- FENCE
- OVERHEAD ELECTRIC
- BUILDING SETBACK



Vicinity Map
Not to Scale



House Detail
1"=40'

Miller Retreat Minor Subdivision

Part of the Northwest Quarter (NW1/4) of Section 28,
Township 35 North, Range 5 East,
Union Township, Elkhart County
State of Indiana

LAND & BOUNDARY
The Land and Boundary Resource Office

401 SOUTH 3RD STREET GOSHEN, IN 46526
(574) 320-5514
INFO@LANDBRO.COM

DATE OF FIELD WORK: 4-10-2025 PROJECT NUMBER: 250308

SCALE: 1" = 100' AUTHORIZED BY: TRS

SHEET 1 OF 2 DRAFTING BY: LRR

Client:
Dennis Miller, Deep Rooted Excavating

Owner:
Leroy L. and Janice L. Hochstetler (Doc. 2006-36086)

Site Location:
71182 County Road 9 Nappanee, Indiana 46550

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY SUBDIVISION CONTROL ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS _____ DAY OF _____ 2025

ELKHART COUNTY PLAN COMMISSION

BY: _____
MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____ 2025

AT ____:____ AND RECORDED IN PLAT BOOK _____ PAGE _____

KAALA BAKER, RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS ____ DAY OF _____ 2025

PATRICIA A. PICKENS, AUDITOR OF ELKHART COUNTY

DRAINAGE MAINTENANCE CERTIFICATION:

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS AND SWALES SHALL BE THE RESPONSIBILITY OF EACH LOT OWNER, AND NO OWNER SHALL PERMIT, ALLOW OR CAUSE ANY OF SAID FACILITIES TO BE OBSTRUCTED OR REMOVED OR TO IN ANY WAY IMPEDE THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOMES DAMAGED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE EVENT OF OWNER'S FAILURE TO MAINTAIN SUCH DRAINAGE FACILITIES IN GOOD ORDER AND REPAIR, APPROPRIATE GOVERNMENTAL AUTHORITY OF ELKHART COUNTY, INDIANA, MAY REPAIR SUCH DRAINAGE FACILITIES AND INVOICE THE COSTS OF SUCH REPAIR TO THE LAST OWNER. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS ALL LOT OWNER'S REAL ESTATE FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNER'S REAL ESTATE. THE AMOUNT OF ANY ASSESSMENT FOR THE COSTS OF SUCH REPAIR, AS ASSESSED BY SAID GOVERNMENTAL AUTHORITY SHALL CONSTITUTE A LIEN UPON THE REAL ESTATE OF THE LOT OWNER AND AN ENCUMBRANCE UPON THE TITLE TO SAID LOT.

ELKHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID INDEBTEDNESS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN IN THE MANNER IN WHICH MORTGAGES ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA. ANY SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE COMMENCED IN ELKHART COUNTY, INDIANA.

THE BOUNDARY SURVEY FOR THIS PROPERTY IS RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER _____

DEED OF DEDICATION and OWNERS' CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT HEREIN, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE PLAT UNDER THE STYLE AND TITLE THEREON INDICATED.

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, AS PROPRIETORS, HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS DUNKIN MINOR SUBDIVISION, THAT THE LOTS ARE NUMBERED AND HAVE THEIR RESPECTIVE DIMENSIONS GIVEN IN FEET AND DECIMAL PARTS THEREOF, AND THAT THE FACILITIES INCLUDED IN SAID SUBDIVISION ARE HEREBY DEDICATED FOR PUBLIC USE.

LEROY L. HOCHSTETLER

JANICE L. HOCHSTETLER

STATE OF INDIANA)
) ss:
COUNTY OF ELKHART)

Before me, the undersigned Notary Public in and for said County and State, personally appeared LEROY L. AND JANICE L. HOCHSTETLER and each separately and severally acknowledged the foregoing instrument as their voluntary act and deed for the purposes herein expressed.

Witness my hand and Notarial Seal this _____ day of _____ 2025.

NOTARY


[Notary Public's Printed Name]

Resident of _____ County. My Commission Expires _____.

I, TRAVIS R. SHETLER, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

I, TRAVIS R. SHETLER, HEREBY CERTIFY THAT I AM A LAND SURVEYOR , LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. I CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 41 OF THE INDIANA ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA

TRAVIS R. SHETLER, PS #LS21400008



LAND & BOUNDARY
The Land and Boundary Resource Office

401 SOUTH 3RD STREET GOSHEN, IN 46526
(574) 320-5514
INFO@LANDBRO.COM

DATE OF FIELD WORK: 2-10-2025
SCALE: 1" = 60'
SHEET 1 OF 1

PROJECT NUMBER: 250102
AUTHORIZED BY: TRS
DRAFTING BY: LRR

Ultra Cool Subdivision Name
Part of the Northwest Quarter (NW1/4) of Section 28,
Township 35 North, Range 5 East,
Union Township, Elkhart County
State of Indiana