

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 10TH DAY OF FEBRUARY 2011 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 Chairperson, Roger Miller, with the following members present: Blake Doriot and Tom Lantz. Staff members present were: Robert Watkins, Plan Director; Mark Kanney, Planning Manager; Robert Nemeth, Planner; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Doriot/Lantz*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 13th day of January 2011 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Doriot/Lantz*) 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. The application for Primary approval of a one lot minor subdivision to be known as **MY DAD'S PLACE MINOR SUBDIVISION**, for John S. Turk represented by Marbach, Brady & Weaver, Inc., on property located on the West side of SR 19, 290 ft. North of Roseland Road in Osolo Township, zoned B-2, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #51425SR 19-101228-1*. He noted the restrictions on common lot line will be relieved so the petitioner can build across it.

Mr. Miller asked what changed to allow it to be in compliance and Mr. Kanney said the petitioner owns both pieces of land, but there is still a lot line there.

Chris Marbach with Marbach, Brady & Weaver, 3220 Southview Drive, Elkhart, was present representing the petitioner. Mr. Marbach explained they are trying to get rid of the parcel line so they can comply with the current zoning standards. The petitioner would like to construct an addition onto the residence.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Lantz*) that this one lot minor subdivision be approved as presented and in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for Primary approval of a two lot minor subdivision to be known as **FORBREGD MINOR SUBDIVISION**, for Dennis A. & Sharon K. Forbregd represented by Brads-Ko Engineering & Surveying, Inc., on property located on the West side of CR 27, 1,430 ft. South of CR 10 in Washington Township, zoned A-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #54787CR 27-101220-2*.

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9th Street, Goshen, was present representing the petitioners. Mr. Pharis explained the petitioner has lived on this five acre parcel

for many years. They would like to split off some land for their son to build a home. They will need to use the existing driveway for both parcels and the petitioner is aware that he will need to have an attorney prepare a cross easement/cross maintenance agreement once the plat is approved.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Lantz*) that this two lot minor subdivision be approved as presented and in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The application for Secondary approval of a partial replat of Weaver Woods Section Two known as **WEAVER WOODS SECTION THREE**, for Keith Hershberger represented by Brads-Ko Engineering & Surveying, on property located on the South side of CR 28, 1,800 ft. East of CR 15 and East side of CR 15, 448 ft South of CR 28 in Harrison Township, zoned R-2, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #0CR 28-101206-2*.

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9th Street, Goshen, was present representing the petitioner. Mr. Pharis explained that this project is adjacent to Harrison Ridge. This subdivision goes through the county for platting approval, but it goes through the city for sanitary sewer and water. The City of Elkhart has requirements that exceed those of Elkhart County. Mr. Pharis indicated they are trying to comply with all of the requirements on the final plat, which will be submitted for signatures and recording. In conclusion, Mr. Pharis requested the Plat Committee table this request to allow them to finalize all of the details.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Lantz*) that this request be tabled until the March 10, 2011 meeting of the Plat Committee. The motion was carried with a unanimous vote.

7. The application for Secondary approval of a two lot minor subdivision known as **ANGLE – MILLER ESTATES**, for Robert G. Scrogam represented by Marbach, Brady & Weaver, on property located on the South side of CR 4, 4,400 ft. East of SR 13 in York Township, zoned A-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #0CR 4-110105-1*.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Lantz*) that the Plat Committee grant Secondary approval of this two lot minor subdivision in accordance with the Staff Analysis as this subdivision meets the requirements of the Subdivision Control Ordinance. After a unanimous vote, the motion was carried.

8. The application for Secondary approval of a two lot major subdivision known as **RIVERWOOD PLACE**, for Marcia R. Parker Testamentary Trust Attn: Stephen Haas (seller) and Craig Gibson (buyer) represented by Marbach, Brady & Weaver, on property located on the North side of SR 120, 1,300 ft. East of CR 19 in Washington Township, zoned R-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #20797SR 120-110105-1*.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Lantz/Doriot*) that the Plat Committee grant Secondary approval of this two lot major subdivision in accordance with the Staff Analysis as this subdivision meets the requirements of the Subdivision Control Ordinance. After a unanimous vote, the motion was carried.

9. The application for Secondary approval of a two lot minor subdivision known as **LIPPS MINOR SUBDIVISION**, for Randall Lipps Investments, LLC represented by Wightman Petrie, Inc., on property located on the Northeast corner of CR 9 and Miner Road in Osolo Township, zoned M-2, was presented at this time.

Mr. Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #53664CR 9-101213-1*. He said this subdivision meets the requirements of the Subdivision Control Ordinance the conditions of Primary approval.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Miller/Lantz*) that the Plat Committee grant Secondary approval of this two lot minor subdivision in accordance with the Staff Analysis as this subdivision meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval. The motion was carried after a unanimous vote.

10. The application for Secondary approval of a one lot minor subdivision known as **REPLAT LOTS 54 & 55 WINDING WATERS HILLS THIRD**, for Rickey L. and Carolyn A. Malcom represented by Weaver Engineering, on property located on the South side of Corry Lane, 250 ft. East of Killian Lane, 1,000 ft. West of Shady Lane, North of Sturdy Oak, West of SR 19, North of CR 4 in Osolo Township, zoned R-1, was presented at this time.

Mr. Nemeth presented the Staff Report/Staff Analysis, which is attached for review as *Case #27050CorryLn-110113-1*.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Doriot/Lantz*) that the Plat Committee grant Secondary approval of this one lot minor subdivision in accordance with the Staff Analysis as this subdivision meets the requirements of the Subdivision Control Ordinance. The motion was carried after a unanimous vote.

* (*It is noted that Mr. Doriot stepped down from the Board for the next three agenda items.*)

11. Due to the lack of a quorum, the applications for **Grindle Minor Subdivision**, **Ramsey Minor Subdivision**, and the **Troyer County Road 48 Subdivision** were transferred to the Advisory Plan Commission.

12. The meeting was adjourned at 9:00 a.m.

Respectfully submitted,

Kate A. Keil, Recording Secretary