

## MINUTES

### ELKHART COUNTY PLAT COMMITTEE MEETING

HELD ON THE 8<sup>th</sup> DAY OF AUGUST 2013 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: Roger Miller, Doug Miller, and Tom Stump. Staff members present were: Chris Godlewski, Plan Director; Brian Mabry, Planning Manager; Mark Kanney, Planner; Duane Burrow, Planner; Kathy Wilson, Administrative Manager; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*Stump/D. Miller*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 11<sup>th</sup> day of July 2013 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Stump/D. Miller*) 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 two-lot minor subdivision to be known as **UNDERWOOD MINOR SUBDIVISION**, for Shirley Underwood (owner) and Carmen Posey (developer) represented by B. Doriot & Associates, on property located on the East side of CR 5, 1,207 ft. North of CR 3, common address of 51636 CR 5 in Cleveland Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #51636CR 5-130702-1*. Mr. Kanney also presented the Technical Committee Report.

Charles Buzzard of B. Doriot & Associates, PO Box 465, New Paris, was present on behalf of this request representing Shirley Underwood (owner) and Carmen Posey (developer). He agreed with tabling the subdivision. Roger Miller asked what else is needed, as the ordinance affecting the subdivision has been removed. Mr. Kanney said that the septic systems need to be designed. James Kolbus reiterated that the technical corrections need to be made.

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

**Motion: Action:** Table, **Moved by** D. Miller, **Seconded by** Stump, that this two-lot minor subdivision be tabled pending compliance with the comments of the Technical Advisory Committee. The motion was carried with a unanimous vote.

5. The application for Primary approval of a two-lot minor subdivision to be known as **PLEASANT VALLEY**, for Pleasant Valley Church of the Brethren, Inc., represented by Progressive Engineering, on property located on the Northeast side of CR 8 and Southeast side of CR 35, common address of 54180 CR 8 in York Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #54180CR 8-130605-1*. Mr. Kanney also presented the Technical Committee Report.

Brad Cramer of Progressive Engineering, 58640 SR 15, Goshen, was present on behalf of this request representing Pleasant Valley Church of the Brethren, Inc. He said the cemetery is complete and full and the trustee would like to take ownership of it. This would not be possible without splitting the property. The setback for the cemetery was determined by the trustee, and it falls within the side yard setback required by the ordinance. He said that while this was an issue in the past, this split is just for necessity.

Roger Miller asked whether the cemetery goes right against the church on the side, and Mr. Cramer said yes, it's 12 feet off the church. Mr. Cramer said he thinks the headstones are 12 feet off the road.

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

**Motion: Action:** Approve, **Moved by** D. Miller, **Seconded by** Stump, that this two-lot minor subdivision be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The application for Secondary approval of a Detailed Planned Unit Development known as **HUSS RESIDENTIAL DPUD**, for Don & Beth Huss represented by Jones Petrie Rafinsky, on property located on the South end of Wilray Drive, 1,000 ft. South of Melwood Drive, 400 ft. West of SR 19, in Baugo Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #WILRAY DRIVE-130617-1*. Mr. Kanney also presented the Technical Committee Report.

Mr. Kanney specified that this is the Secondary that came before the committee in July 2013 that has the existing paved private road. It was a DPUD to allow future building on that road. The DPUD is only three lots, but one of the lots is approximately 10 acres and could be bought by a developer, who could put 5 more lots in there. Roger Miller asked whether Mr. Kanney ever got a plat, and Mr. Kanney said he did. Handling of maintenance of private roads was going to be explained by way of an access agreement, but Mr. Kanney never received one. Mr. Kanney said it would be all right to approve the Secondary, but it won't go to the commissioners until he has received the access agreement. Mr. Kolbus added that that can be done.

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

**Motion: Action:** Approve, **Moved by** Stump, **Seconded by** D. Miller, that this Detailed Planned Unit Development be approved in accordance with the Staff Analysis with the stipulation that the access agreement be received before submission to the commissioners. The motion was carried with a unanimous vote.

7. The meeting was adjourned at 8:45 a.m.

Respectfully submitted,

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Daniel Dean  
Recording Secretary