

**PLAN MINUTES**  
**ELKHART COUNTY PLAN COMMISSION MEETING**  
**HELD ON THE 9TH DAY OF NOVEMBER 2023 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, John Gardner, Roger Miller, Brad Rogers.

**Absent:** Steven Clark, Brian Dickerson.

2. A motion was made and seconded (*Edwards/Warner*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 12th day of October 2023, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Warner/Edwards*) 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 secondary approval of a 21-lot major subdivision to be known as DEERFIELD ESTATES SECTION FIVE, for Westview Capital LLC represented by Wightman Group, on property located on the northeast side of CR 5, 1,600 ft. north of CR 2, in Cleveland Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0671-2023*.

Terry Lang, Wightman Group, 1402 Mishawaka Ave. South Bend, was present representing the petitioner. He stated this is the second phase of the lots being developed in the current subdivision. He explained the section to the right is section four, which was completed last year and has almost all of its lots sold. He added improvements have been made in section five, and about half of these lots have purchase agreements. He noted section six is expected to come in the spring, pending secondary approval. Mr. Miller inquired about any changes from the primary approval. Mr. Lang responded that there were none. There were no remonstrators present.

A motion was made and seconded (*Snyder/Edwards*) 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** Steve Warner, **Seconded by** John Gardner that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for secondary approval of a 21-lot major subdivision to be known as DEERFIELD ESTATES SECTION FIVE be

approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers

5. The application for a zone map change from R-1 to B-2, for Jeffrey Squires & Kimberly Warner Squires Husband & Wife on property located on the southwest corner of SR 15 & CR 20, common address of 58527 SR 15 in Jefferson Township, zoned R-1, was presented at this time.

Adam Coleson presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0628-2023*.

Jeff Squires, 58527 SR 15 Goshen, was present. Mr. Squires expressed that he is not against any rezoning to a business zone as long as residential is still allowed. He mentioned that when he purchased the property a year ago; it was already zoned for business/commercial and had several tenants. He pointed out that there is an apartment above the barn/office and a two-story house that was already occupied, which clearly shows that it is intended for residential living. Mr. Squires clarified that he requested the rezoning to add residential living, not to completely switch to a residential type of zoning. Mr. Rogers confirmed that he remembered the recent rezoning to residential and asked if it met the petitioner's request, which Mr. Coleson agreed. Mr. Gardner asked for clarification of the zoning on the map, and Mr. Coleson provided the necessary details. Mr. Squires asked if the B-2 that is being requested allows for both residential and business purposes, and also asked for the meaning of B-1, which Mr. Coleson explained.

David Myers, 18487 CR 126, Goshen, was present in support of this request.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Edwards*) 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** John Gardner that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from R-1 to B-2 be approved in accordance with the Staff Analysis.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers

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

Jason Auvil reported on the October 2<sup>nd</sup>, 2023 and October 16<sup>th</sup>, 2023 County Commissioners petition approvals

7. Mike Yoder, Town of Bristol, 303 E. Vistula was present representing the Town of Bristol to

present the staff item for an amendment to the consolidated SR 15 Economic Development Area. He stated the town plans to build a new pedestrian bridge across the St. Joseph River, that's when the first property was acquired on Main St. which is the landing spot for the bridge. He stated they are halfway through the engineering, and they have to acquire the next-door property as well. He stated this is the process that they need to go through to do what the Town needs to do with the TIF district, so their Redevelopment Commission can purchase the property.

Mrs. Kratzer clarified that the Plan Commission oversees land use in the County. She also mentioned that TIF requests have to be approved by the board. Mr. Rogers inquired if the property would be completely taken over by the town. Mr. Yoder confirmed that it would include the residence. Mr. Warner asked if the reason for the property takeover was due to the tourism in the Town of Bristol. Mr. Yoder explained that tourism was the main reason, but also for the safety of residents who access the park from the north side. He pointed out that currently, there is only a 4 ft. wide sidewalk, and mothers with strollers are forced to walk along Division St, which poses a safety issue.

**Motion: Action:** Approve, **Moved by** Brad Rogers, **Seconded by** Steve Warner, that the amendment to the consolidated SR 15 Economic Development Area be approved.

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

**Yes:** Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, John Gardner, Roger Miller, Brad Rogers

8. Mae Kratzer presented a UDO draft section to review. She mentioned staff will host an open house to present this to the public on November 29<sup>th</sup>.

A motion was made and seconded (*Gardner/Rogers*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 10:07 a.m.

Respectfully submitted,

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Amber Weiss, Recording Secretary

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Roger Miller, Chairman