

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 12TH DAY OF OCTOBER 2023 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, 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, Steven Clark, John Gardner, Roger Miller, Brian Dickerson, Brad Rogers.

2. A motion was made and seconded (*Edwards/Rogers*) that the minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 14th day of September 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 an amendment to an existing DPUD M-1 known as A REPLAT AND FIRST EXPANSION OF SMART M-1 DPUD LOT 1 A, for SCM Properties LLC represented by B. Doriot & Associates, Inc., on property located on the northeast corner of CR 23 and CR 50, common address of 70680 CR 23 in Jackson Township, zoned DPUD M-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0588-2023*.

Blake Doriot, B. Doriot & Associates, P.O. Box 465, New Paris, was present representing the petitioner. Mr. Doriot mentioned that the business is expanding, and they require additional space. He explained that they needed to build an addition to the existing structure. Mr. Doriot also talked about his meeting with Katie Niblock from the Highway Department. He stated she had requested a traffic count, which he collected during high, peak travel times, between 4 and 5 A.M. He acknowledged the concerns raised by the Highway Department, particularly the issue of placing a passing blister on the west side of the road due to a line Nipsco has 6-8 ft. off the pavement. He also mentioned that the edge of the pavement has been widened, and the drainage is designed to take all the water away with different types of soils. He pointed out on the map where the existing drainage pond is located and mentioned that during any storm, the water is typically gone in 4 to 5 hours. The soil is sandy, and the current drainage pond has never had more than 3 feet of water in it. Mrs. Snyder asked if all of Mrs. Niblock's concerns had been addressed. Mr. Doriot explained that all the concerns have been addressed, especially with the replat that was filed. He stated when the first petition was filed, there was no non-access easement in place along the roadways, and Mrs. Niblock wanted the non-access easement on the plat with a 50 ft opening for the existing drives that are there.

There were no remonstrators present.

A motion was made and seconded (*Edwards/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** Steve Warner, **Seconded by** Lori Snyder that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for an amendment to an existing DPUD M-1 known as A REPLAT AND FIRST EXPANSION OF SMART M-1 DPUD LOT 1 A be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, John Gardner, Roger Miller, Brian Dickerson, Brad Rogers.

5. The application for a zone map change from PUD B-1/PUD R-2 to DPUD B-1 and for primary approval of a 2-lot minor subdivision to be known as LOT 73 AND 74 REPLAT DPUD B-1, for Jurek Todd represented by B. Doriot & Associates, Inc., on property located on the northwest corner of Modrell Ave. & Adams St., 910 ft. east of CR 9, common address of 25813 Modrell Ave. in Osolo Township, zoned PUD B-1/PUD R-2, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0587-2023*.

Charles Buzzard, B. Doriot and Associates, P.O. Box 465, New Paris, was present representing the petitioner. Mr. Buzzard mentioned that the north building and the existing business have been in his family for a long time. He also mentioned that they are planning to develop the south lot, which currently lacks a septic system. He continued saying the north lot already has a well and septic system, but they are in the process of getting it evaluated. Additionally, they are getting soil borings done for the south lot to add a septic system. Mr. Buzzard stated the south lot will be used for storage and might have an office placed in the building in the future. He assured the attendees that there would be low traffic, with only two to four trips a day and no heavy vehicle traffic. Mrs. Snyder asked about the nature of the storage, Mr. Buzzard clarified that it would be for the business and all storage would be internal. Mr. Gardner asked if there would be an additional driveway. Mr. Buzzard confirmed that there would be a separate driveway for the new building.

There were no remonstrators present.

A motion was made and seconded (*Edwards/Rogers*) 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** Lori Snyder, **Seconded by** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from PUD B-1/PUD R-2 to DPUD B-1 and for primary approval of a 2-lot minor subdivision to be known as LOT 73 AND 74 REPLAT DPUD B-1 be approved in accordance with the Staff Analysis.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steve Clark, John Garnder, Roger Miller, Brian Dickerson, Brad Rogers.

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

Jason Auvil reported on the September 18, 2023 County Commissioners petition approvals.

7. Mae Kratzer presented the visual changes to the new UDO. She explained the changes in terms of how the content is presented and highlighted that the first two pages of the packet are now more visually appealing and easier to read, with a modern touch. She also mentioned that the depth-to-width ratio requirement 7:1 would be going away and that the minimum square footage requirement for residences would be removed, allowing it to be a market-driven or consumer-driven number. Mrs. Kratzer stated a house can only be so small with residential and building standards. She stated most of the minimum area variations are variables 700 to 800 sq.ft. that is going just below the threshold that they would consider. Mr. Miller asked if anyone who uses the ordinance had a chance to look through it, to which Mrs. Kratzer responded that Crystal Welsh with Abonmarche had a few people from Abonmarche look at it. She also mentioned that she would like to send it out to all surveyors to get their input as well. Mr. Warner asked if the UDO addressed the septic concerns anywhere. Mrs. Kratzer stated there have been no changes to septic regulations, and the language still states single-family on septic and single-family on sewer. She further stated that although there are some concerns from the State level, that they do not want lot sizes addressed with septic at all, there have been no changes made to this effect. She added she and the staff would like to keep the existing regulations as it works well and that adopting what the state has would be a more restrictive because all lots would have to be larger.

8. Mae Kratzer presented the Planning Calendar for 2024.

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Brian Dickerson that the Advisory Plan Commission approve the 2024 Planning Calendar.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 8).

A motion was made and seconded (*Miller/Rogers*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 9:51 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Roger Miller, Chairman