

ELKHART COUNTY PLAN COMMISSION

9:30A.M.

Call to Order

Roll Call

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

9:30 A.M.

(SNYDER)

(page 4)

Petition: for a zone map change from R-1 to DPUD R-2 and for primary approval of a 1-lot minor subdivision to be known as ***WENTZ'S DUNNY STREET SUBDIVISION DPUD***.

Location: north side of Dunny St., 450 ft. east of Stryker St., south of CR 6, common address of 25167 Dunny St., Elkhart, IN 46514 in Osolo Township.

(DPUD-0700-2025)

B. Petitioner: Devon R. & Mattie M. Miller
represented by Wightman

(page 5)

Petition: for a zone map change from A-1 to DPUD M-2 and for primary approval of a 1-lot minor subdivision to be known as ***D & M SALES 1ST AMENDMENT***.

Location: north side of CR 22, 2,380 ft. west of CR 37, common address of 13487 CR 22 in Middlebury Township. (DPUD-0511-2025)

(DPUD-0511-2025)

PUBLIC MEETING ITEMS *(time of review at the discretion of the Plan Commission)*

STAFF/BOARD ITEMS *(time of review at the discretion of the Plan Commission)*

- *Board of County Commissioners Approvals Following Plan Commission Recommendations.*
- *Declaratory Resolution amending the Middlebury Downtown TIF.*
- *Elkhart East Area B Phase III DPUD E-3, minor change to add a 206 sq.ft. illuminated wall sign.*

ADJOURNMENT

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

Brad Rogers – County Commissioners Liaison: no term

Brian Dickerson – Appointed by Commissioners: term 1/1/22 – 12/31/25

Roger Miller – Appointed by Commissioners: term 1/1/25 – 12/31/28

Dan Carlson – Ag Agent: no term

PLAN MINUTES
ELKHART COUNTY PLAN COMMISSION MEETING
HELD ON THE 11TH DAY OF SEPTEMBER 2025 AT 9:30 A.M. IN THE
MEETING ROOM OF THE PUBLIC SERVICE BUILDING
4230 ELKHART RD., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plan Commission was called to order by the Chairman, Lori Snyder. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danny Dean, Planner; Danielle Richards, Planner; Laura Gilbert, Administrative Coordinator; and Don Shuler, Attorney for the Board.

Roll Call.

Present: Philip Barker, Steven Edwards, Steve Warner, Lori Snyder, Brad Rogers, Brian Dickerson, Dan Carlson, Roger Miller.

Absent: Steve Clark.

2. The minutes of the last regular meeting of the Elkhart County Plan Commission, held on the 14th day of August 2025, will be available for approval at the October 9, 2025 meeting.

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 primary approval of a 12-lot major subdivision to be known as ORCHARD HILLS AWT MAJOR SUBDIVISION, for AWT Inc. represented by Jones Petrie Rafinski, on property located on the northeast corner of S. Division St. (SR 15) & CR 10, in Washington Township, zoned GPUD B-3, GPUD M-1 & GPUD M-2, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0507-2025*.

Kenneth Jones, Jones Petrie Rafinski, 325 S. Lafayette Blvd., South Bend, was present representing the petitioner. He mentioned that there is a strong demand for industrial and business sites. He explained it would be similar to Earthway Rail Park. He explained that this project was originally presented as a GPUD. He stated it is difficult for the petitioner to market the property as a DPUD. He went on to say that the GPUD comes with a specific zone/land uses. He mentioned there will be 12 lots on 162 acres with primary access on SR 15. He stated the Town of Bristol is still committed to a traffic bypass. He described that there will be night sky-compliant lighting in the development standards. He conveyed that the development standards will be explained in detail and will be part of the recorded plat. He noted the town has been looking for possible solutions to existing stormwater issues they may have to deal with in the future, for example, stormwater. He stated that all soil analysis has been collected for this site. He went on to say that he felt confident there would be plenty of opportunity to fully manage stormwater issues that may arise. Mr. Rogers mentioned in the past, there have been a concern with straight rezonings, especially in Bristol, with existing manufacturing that has had a negative impact on homeowners. In light of that, he asked how they can mitigate those kinds of issues. Mr. Jones stated that this project is being set up specifically because of the approach that the Plan Commission has taken. He explained how Elkhart East Area D and B,

it was all done through DPUDs. He stated that staff allow of them to add details on a case-by-case basis, with staff review. He mentioned every developer on every lot will have to meet the standard that is required by the Elkhart County Development Ordinance, and every site plan will need to be reviewed by staff and the Town of Bristol. He noted that the development standards that are being proposed are being taken from Elkhart East Area A. Mr. Jones said with confidence that each site will be able to manage its own stormwater within the limits of the site.

Danny Dean presented an email in remonstrance for this project on behalf of Christopher Welch, 17812 CR 10, Bristol. In the letter he stated and his neighbors have enjoyed the peace, quiet, healthy air of the fruit hills area and agricultural land. He mentioned that there are bad decisions being made to chase tax revenue, which are ruining Bristol. He explained the added truck and employee traffic clogging the roads and the risk to residential safety. He went on to say that the added manufacturing has affected the environment *[Attached to file as Staff Exhibit #1]*.

Michelle Corishen, 824 Lilac St. Elkhart, was present in remonstrance to this petition. She explained she is a former member of the Elkhart City Plan Commission. She stated she believed it was disingenuous not to include the traffic study of this lot and of this development's plans, if it was given to the Town of Bristol, then the citizens of the county deserve to know as well. She agreed with the letter writer that the traffic impact will be huge. She went on to say this community has one chance to get this right. She stated if she could change one thing, it would be to go back in time and change plans like this that have destroyed Cassopolis Street in Elkhart. She further stated that all this crazy planning allows areas that were supposed to be residential and/or agricultural to turn into industrial.

Amy Goone, P.O. Box 1477, Bristol, was present in remonstrance to this petition. She stated she is addressing the political connections with the rezoning and the AWT property. She mentioned there is a conflict threatening the community, and explained Judge Thomas, AWT's owner and shareholder, donated to Mike Braun's campaign and an AWT's shareholder was appointed by Braun to the Indiana Economic Development Corporation IDC Board. She explained that this potentially violates Indiana law IC3-14-1-11, against using public office for private gain, especially as a rezoning directly benefits his company. She stated she has shareholding and donation records. She mentioned this rezoning is not for Nipsco, but for a subdivision that they admittedly oppose. She went on to say that, with this property being in a TIF district, there are questions about the misuse of public tax revenue to subsidize private development. She explained that TIF districts are meant to capture the increased property taxes generated by development to fund infrastructure improvements. She went on to say that, in practice, they often take funds that have otherwise supported essential public services like schools, libraries, and general county operations. Mrs. Goone went on to say this request will likely boost property values, allowing the TIF to cycle and benefit AWT's private subdivision project, while short-changing the community. She stated that if the county can't track its own assets, how can the people trust that this rezoning won't lead to more untracked giveaways to insiders like AWT. She explained that this feels like a private deal with insider gains. She urges the board to reject the rezoning or delay it until they get the financial reports and other legal asset controls. She went on to say the community deserves better *[Attached to file as Remonstrator Exhibit #1]*.

A motion was made and seconded (*Rogers/Dickerson*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Dickerson asked Mr. Jones for clarification that this property was previously approved as a GPUD. Mr. Jones stated that it is correct and nothing has changed from that time. Mr. Dickerson stated that the plan with this rezoning is to streamline the development. Mr. Jones stated that is

correct. Mr. Dickerson stated that the rezoning has already been done. He mentioned that currently, they are trying to make it more business-friendly and can streamline the process. Mr. Auvil stated the action in front of the Board is a 12-lot major subdivision, and the next petition is the rezoning.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Steve Warner that this request for primary approval of a 12-lot major subdivision to be known as ORCHARD HILLS AWT MAJOR SUBDIVISION 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, Brad Rogers, Brian Dickerson, Dan Carlson, Roger Miller.

5. The application for a zone map change from GPUD B-3, GPUD M-1 & GPUD M-2 to B-3, M-1 & M-2, for AWT Inc. represented by Jones Petrie Rafinski, on property located on the northeast corner of S. Division St. (SR 15) & CR 10, in Washington Township, zoned GPUD B-3, GPUD M-1 & GPUD M-2, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0508-2025*.

Kenneth Jones, Jones Petrie Rafinski, 325 S. Lafayette St., South Bend, was present representing the petitioner. He mentioned there were some geographical and zoning changes made and shown on the plat.

There were no remonstrators present.

A motion was made and seconded (*Miller/Dickerson*) 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** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners that this request for a zone map change from GPUD B-3, GPUD M-1 & GPUD M-2 to B-3, M-1 & M-2 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, Brad Rogers, Brian Dickerson, Dan Carlson, Roger Miller.

6. The application for a zone map change from A-1 to DPUD A-1 and for primary approval of a 2-lot minor subdivision to be known as PREMIER FINISHING DPUD A-1, for Brian L. Borkholder (Buyer) & Marcus D. Yoder and Ruby E. Yoder, Husband & Wife (Sellers) represented by B. Doriot & Associates, Inc., on property located on the southwest corner of CR 52 & CR 11, in Union Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0504-2025*.

Blake Doriot, B. Doriot & Associates, P.O. Box 465, New Paris, was present representing the petitioner. He stated Mr. Borkholder has a woodworking business. He explained that this property became available, and Mr. Borkholder would like to have his home and his small business on the property. Mr. Doriot stated it was a challenging site with drainage tiles that were an issue, but the

problems were worked out with the County Surveyor's Office. He mentioned he did tell the petitioner to reach out to the neighboring landowners and let them know his future plans for this site. Lori Snyder asked if concrete is needed for the parking area. Mr. Doriot stated it was be required for the approaches to meet Highway standards.

Shirley Blosser, 71491 CR 11, Nappanee, was present in remonstrance to this petition. She stated one of her concerns regarding this project is, the fumes due to her asthma. She mentioned traffic concerns from the Amish children who travel the road back and forth to school, and the daycare that is not too far from this site as well. She explained she has witnessed horses flying through the air due to all the traffic. Mrs. Blosser also expressed concern about her property value going down due to a business being directly across the street from her.

Max Schmucker, 71270 CR 11, Nappanee, was present in remonstrance to this petition. He expressed his thoughts about this type of operation belonging in the town and having no respect for the neighbors. He explained that the hours of operation are never enforced. He also wondered where the retention area was going to be located.

Brian Sheets, 25876 CR 50, Nappanee, was present in remonstrance to this petition. He expressed his traffic concerns, land being taken out of agricultural production, and the risk to Amish children on the road.

Mr. Doriot came back on and explained the vehicle counts in the area were 255 to 1,020 vehicles, which were not considered high traffic. He stated the entrances were approved by the Highway Department. He explained that if fumes are leaving the site, IDEM should be called, and they will control that issue. Mr. Doriot stated his client would not want to impact or harm the children; his own children go to that Amish school. He mentioned, unfortunately, neighbors do not own the land, so they don't own the view, and the community is growing.

Brian Borkholder, Premier Finishing, 30312 CR 50, Nappanee, was present as the petitioner. He described how his operation and production worked. He stated that location is important for his business, and his few employees who are Amish will be using bicycles for transportation. He mentioned the number of deliveries would be 3 trips a day. He stated that the neighbors will not notice the increase in traffic. He stated there will be one to two semi deliveries per week. Mr. Warner asked if semis the ability to turn in and turn around on the property. Mr. Borkholder stated there will be room for them to unload and turn around on the property. Mr. Miller asked how the facility would be powered. Mr. Borkholder stated it would be powered by a generator. He further stated he plans on placing it on the south end, and the exhaust will be faced on the south end as well.

A motion was made and seconded (*Dickerson/Rogers*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Miller mentioned his concerns about generators for the local neighbors, with the operations starting early in the morning. He explained he is not opposed to growth but has to think of the neighboring properties have to considered.

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 A-1 to DPUD A-1 and for primary approval of a 2-lot minor subdivision to be known as PREMIER FINISHING DPUD A-1 be approved in accordance with the Staff Analysis.

Vote: Motion passed (**summary:** Yes = 6, No = 2, Abstain = 0).

Yes: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Brad Rogers, Brian Dickerson,

No: Dan Carlson, Roger Miller.

7. The application for a zone map change from A-1 & M-2 to DPUD R-3 and for primary approval of a 1-lot minor subdivision to be known as RIVERBEND TOWNHOMES DPUD, for River Bend Development Group, LLC & Lozeir Corporation represented by Wightman, on property located on the north side of CR 16, 550 ft. west of CR 116, in Middlebury Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0505-2025*.

Terry Lang, Wightman, 1402 Mishawaka Ave., South Bend, was present representing the petitioner. He explained the main parcel was purchased 5 years ago from Lozier Fixtures, which was established in 1945. He went on to say that they have a fairly large factory to the north that has a lot of semi-truck traffic on SR 15. He stated that it was mentioned to approach this site for a residential project for affordable housing. He explained the developers of this project have opted to move forward with the DPUD for townhome apartments; the site plan shows 19 buildings with one office building. He went on to say there would be future amenities such as a pool and a dog park. He mentioned they have reached out to the town of Middlebury utilities to find out if they have the capacity on their sewer and water to be able to handle 150 townhome units, and Middlebury stated they do. Mr. Lang stated on the 16-acre site 16 % of the parcel, will be townhomes, 18% asphalt, 10% concrete for patios and side-walks, and the remained 55% will be open space. He explained some townhomes will have a garage attached to them along with 247 parking spaces. Mr. Lang stated that this project will be comparable to a project the developer just did in Syracuse. He also mentioned that the developers are local and live in the community. He went on to talk about the future plans for the roadway including the widening of the areas coming in and out of the development, with excel, decel lanes, and passing lanes. He went on to say the traffic count is 2,900 cars per day, and with this development, there will be an additional 300 cars per day. He stated they are adding around an 11 % increase in cars per day. He stated the developers plan on asking the Highway Department to reduce the speed limit. He explained the developer wants to be a good neighbor.

Marlin, Schwartz, River Bend Development Group, 420 N. Main St., Middlebury, was present as the developer/petitioner. He stated he is a resident of the Middlebury community. He mentioned they have been revitalizing houses and commercial properties for over 25 years. He went on to further describe different projects that they have done in the community. He expressed that their past knowledge has led them to develop this site in Middlebury. He stated there is a shortage of homes in Elkhart County and this location will provide utilities that other sites can't provide. Mr. Schwartz explained that they are committed to doing what it takes to make this project an asset to the community. Mr. Schwartz submitted a letter in support of his project. *[Attached to file as Petitioner Exhibit #1]*

Mr. Dickerson asked about the details of the traffic impact study. Mr. Lang restated that there are 2,900 vehicles per day coming down that county road and the increase of 300 vehicles is approximately an 11 % increase. He went on to say that with the widening of the road at this location, will be able to accommodate the traffic. Mr. Carlson asked how many units would be constructed on the property. Mr. Lang stated there would be 152 units. Mr. Carlson questioned only a 300 vehicle increase. Mr. Lang stated they account for 2 vehicles per unit, coming and going on a regular basis. Mr. Dickerson stated that the reason traffic questions are being brought up is because CR 16 has had multiple accidents over the years. He went on to say he doesn't know if this particular project has an

adverse effect on the traffic, but there is a greater issue on CR 16 from the county perspective. He added the developer should not be punished for that, but it should be brought up for discussion. Mr. Lang stated they are very aware of those issues and have talked to the developers about petitioning the County Highway Department to decrease the speed limit. Mr. Dickerson stated that not only does CR 16 have truck traffic, but also heavy bicycleye and buggy traffic. Mr. Miller mentioned the road has been expanded until Middlebury and then suddenly stops. He went on to state there is a lot of buggy traffic. Mr. Lang stated the excel and decel passing lanes will help accommodate the buggies.

Jason Auvil presented a letter from Dr. Jason Snyder, Superintendent of Middlebury Community Schools, 56853 Northridge Dr., Middlebury, in favor of this petition. *[Attached to file as Staff Exhibit #1]* He mentioned they have seen declining enrollments; therefore, any development in the town that would bring in students would be greatly appreciated. He stated people want to send their kids to Middlebury, but there is no housing.

Mr. Auvil also submitted several identical letters in remonstrance and proceeded to read the associated names and addresses *[Attached to file as Staff Exhibit #2]*. He explained the letters stated that there were traffic concerns and concerns regarding the downtown Middlebury area. He added the letter references Middlebury's Comprehensive Plan, different Indiana Codes, the Elkhart County Subdivision Ordinance, and the INDOT/FHWA roadway standards to explain why this project would not be a good development for the Middlebury area. He explained the letter noted that an apartment complex goes against the small town charm. He added it went on to state that this petition should be tabled until a traffic study can be done, and also requested detailed engineered drawings and an emergency response plan. Mr. Auvil stated overall, the remonstrators would like to see this petition denied.

Lori Snyder stated on Beacon that Riverpark Drive development is zoned R-3. She confirmed this development would be an extension of that zone. Mr. Auvil stated that is correct. Mrs. Snyder reminded the audience Plan Commission's job is to look at the land use and the zoning. She further explained that this petition will then go to the Town of Middlebury and the County Commissioners. Mr. Dickerson asked about a curb cut on CR 16. Mr. Auvil stated he was unsure, but further stated that the utilities are a benefit for the density. He explained that no one likes change. He added that the minimum traffic standards were submitted.

Bruce Wigley, 208 River Park Drive, Middlebury, was present in remonstrance to this petition. He presented a petition with 294 signatures against Artisan Builders' proposed 152-unit apartment complex on CR 16 in Middlebury *[Attached to file as Remonstrator Exhibit #1]*. He also presented a letter in remonstrance *[Attached to file as Remonstrator Exhibit #2]*. He listed four major concerns: increased traffic hazards, parking strain to the downtown area, noise pollution, and traffic study requests. Mr. Wigley described in detail the concerns in the downtown area. He stated in a recent study that current business owners are already competing for limited parking spaces, especially during peak times when parking reaches 85 % occupancy. He stated this development could potentially increase Middlebury's population by 8-10%. He explained that this raises concerns about whether existing infrastructure can support additional demand. He stressed that there is no parking for guests. He further stated that overflow parking in the surrounding neighborhoods is a concern. He asked the Plan Commission to respectfully deny this petition until the developer can provide on-site guest parking.

Cindy Hychak, Elkhart County, refused to give her address, stated the Indiana Constitution Article I, Section 9, says no law shall be passed restricting the right to speak freely on any subject. She stated that this building is required to have time allotted for Elkhart County residents to speak. Don Schuler, Elkhart County Plan Commission Attorney, explained the process of a public hearing

and the regulations of speech including the three minute speaking limit in accordance with the United States Supreme Court and the Indiana Supreme Court. He went on to explain the request for the address, which is a requirement for a follow-up to this petition, when there is a requirement to send notice to anyone who may speak at the meeting. Ms. Kratzer stated this meeting is to talk about land use concerns.

Lynn Wigley, 208 River Park Dr., Middlebury, was present in remonstrance to this request. She described that Middlebury has a small-town character that residents deeply value. She stated that the Middlebury Comprehensive Plan specifically emphasizes maintaining rural charm and balancing growth with the community's character. She stated the developer presented this project in 2024, but it has undergone many changes since then. She expressed that the changes in design were very concerning. She stated she would like the Plan Commission to deny this petition until the developer submits plans that include a buffer zone with landscaping, minimizing the view from CR 16. She presented a letter in remonstrance. *[Attached to file as Remonstrator Exhibit #3]*

Kent Miller, P.O. Box 62, Middlebury, was present in remonstrance to this petition. He explained that there are differences in the site plan submitted than those presented by the developer in the past. He explained that a couple of people have been killed on bicycles outside of the villas, south of the subject property. He went on to say that an Amish girl who was struck by a vehicle there now suffers from brain damage. He asked the Plan Commission to table this petition until buggy lanes and bicycle lanes are proposed. He presented a letter in remonstrance. *[Attached to file as Remonstrator Exhibit #4]*

Dan Shoup, 121 River Park Dr., Middlebury, was present in remonstrance to this petition. He stated he has been a resident of Middlebury all his life. He noted he has seen a lot of changes over the years and most of them have been for the good. He stated that Middlebury does not need high-density housing. He mentioned concern about the rise in crime with the increase in population. He expressed concern for small children and having nowhere to play.

Rick Miller, 56531 CR 116, Middlebury, was present in remonstrance to this petition. He mentioned additional traffic will cause bottlenecks in this area. He stated that the developers came to his home to talk about the project. Mr. Rick Miller expressed that he takes his backyard seriously. He went on to state his concerns about future light, noise pollution, and privacy. He further expressed that this development would jeopardize his quality of life. Mr. Rick Miller asked the developers if they would want this development next to their homes.

Tom Cunning, 56571 CR 116, Middlebury, was present in remonstrance to this petition. He stated it is not the Town's job to worry about the schools for the children. He stated their job is to do the work of the people.

Pam Keyser, 53934 CR 37, Middlebury, was present in remonstrance to this petition. She presented the board with a packet including the timeline of the River Bend Development. *[Attached to file as Remonstrator Exhibit #5]*. She explained in 2021, the Middlebury Town Council met with River Bend Developers, at that time the Middlebury Town Council was not interested in the project. She mentioned in the Spring of 2024, a water and sewer project began on Warren St., then on May 20, 2024 River Bend Developers discussed apartments at the Town Council meeting. Mrs. Keyser further explained on June 17, 2024, that the Town Council approved the sewer/water change order to add a sanitary lateral and new manhole for the future development on the north side of Warren Street. She continued saying on August 5, 2024, there was an In Lieu of Annexation Agreement between the Town of Middlebury and River Bend Development, which was to allow for the future hookup of water and sewer. She said when the Middlebury Town Council was asked if this property would be annexed into the town of Middlebury, one council member said no, and the president said not at this time. She asked why no one wants to admit to the annexation as part of the plan. She indicated that

all the council members have changed since 2021. Mrs. Keyser asked how all this led to the UN. She expressed that in 1970, MACOG began, and the Council of Governments aligned with the UN's Haring on sustainability and regionalism. She continued saying in 2011, MACOG was instrumental in creating the Middlebury Comprehensive Plan, with a new adoption in 2020. She further stated MACOG created the housing study that is often referenced. She noted in 2015, the Indiana Regional Cities Initiative was implemented under Mike Pence and the IEDC, Regionalism is a part of Globalism, which leads us to the sustainable development goals that is all part of the UN. Mrs. Keyser stated the rezoning of the River Bend property is out of order; and she believes this process was confusing, muddled, and silenced community members' voices. She went on to say, looking at the timeline, it appears this decision was the result of backroom deals, which erodes trust, since it only serves a narrow few.

Carla Clairry, 128 River Park Dr., Middlebury, was present in remonstrance to this petition. She mentioned she has been at Riverview for two years, and agrees that there does need to be more affordable housing. She indicated this is not the location for that type of housing. She expressed that what is not shown on the maps are the two curves, that make it impossible to pass bikes and buggies. She went on to say that widening the road will not help with that. She mentioned the grocery store is also on this road, which attracts a lot of Amish families. She went on to say that widening the road will not reduce the traffic. She mentioned tourist brochures list CR 16 to view the Amish countryside. She stated that other businesses have gone in since the traffic study, along with Shipshewana Flea Market and the Blue Gate Theatre.

Brad Rogers asked how many residents live on River Park Dr. An Audience member answered 88 residences.

Don Shaum, 22040 CR 20, Goshen, was present in favor of this petition. He mentioned he is a local developer and was asked to be here by Mr. Lang. He explained the petitioners are working through the DPUD process, which means they will not be able to do anything that is outside of what is approved and they will have to work with staff. He went on to say the developer is not asking for any TIF funds; this project is all personally funded. He stated that looking at the size of the units, this is not high-density housing. He mentioned last week 3.8 acres was rezoned to straight R-3 in Goshen, and that will allow 80 apartments on that site. Mr. Shaum explained that if this property was in Goshen with 11 acres, there could be many more units than what is being proposed.

Lori Snyder stated she would like to hear a response to the buffering, parking, and the changes in the plan. Mr. Lang came back on and stated there is 10 % more parking planned than is required. He addressed safety in regards to the children as there are sidewalks throughout the development leading to the playground area in the rear of the property, along with the pool, the bark park, and other amenities that are away from the parking area. He mentioned in regards to the light pollution each of the units will have a single dusk-to-dawn porch light on the front. He further stated they are not proposing large pole lights throughout the development like those seen in the RV parking lots. He mentioned the maximum population increase would only be 8 % in this area. Mr. Lang stated that the Middlebury School Superintendent mentioned that they are in desperate need of an increase in the student population. He explained the extension of the sewer and water was for future development along CR 16. He stated the developer donated the right-of-way, so those improvements could be made for the Town of Middlebury. Mr. Lang described that there would be buffering throughout the development and CR 16 but not blocking the line of sight. Mrs. Snyder explained that a buffer is required in the DPUD, and there are restrictions and recommendations that are set in the Developmental Ordinance. Mrs. Snyder stated that the overflow parking is a concern. Mr. Lang stated that they have 10 % which is sufficient, and not every apartment will have four or five cars.

Mr. Rogers asked about the snow push. Mr. Lang stated the large retention area towards the north end of the site will be utilized for snow removal.

Mr. Schwartz came back on and indicated on the maps how the snow removal will work. He also clarified about the 100 units that were in the conceptual site plan from 2020 as he did not know what the required setbacks were.

A motion was made and seconded (*Miller/Dickerson*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Dickerson expressed that there are some traffic concerns that are not Plan Commission concerns, but more County Commissioner issues. He stated he does not believe this development will impact those concerns negatively or positively. He mentioned to the remonstrators that they need to be engaging the County Commissioners as they are the ones that can help make those decisions, not the Plan Commission. He mentioned property rights and noted the people with the most remonstrance are just south of the subject property and zoned R-3. Mr. Rogers explained that this was originally zoned for a factory, and most of the remonstrators would be against a factory on this property. He expressed that it is interesting that most of the remonstrators are from River Park Dr. or Park Place, and that is moderate density. He stressed the very thing they was allowed for their development. He wondered what the remonstrators wanted. He explained Cherry Creek was denied, but dense housing cannot be put further out in the county due to lack of sewer. Mr. Rogers stated that affordable housing is needed, but then people don't want more housing in their area. He agreed that CR 16 is an issue, but adding lanes means eminent domain. He explained that means taking people's property up to 20 ft. on each side of CR 16 to expand the lanes.

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

Motion: Action: Approve, **Moved by** Roger Miller, **Seconded by** Brian Dickerson that the Advisory Plan Commission recommend to the Board of County Commissioners and Middlebury Town Council that this request for a zone map change from A-1 & M-2 to DPUD R-3 and for primary approval of a 1-lot minor subdivision to be known as RIVERBEND TOWNHOMES DPUD 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, Brad Rogers, Brian Dickerson, Dan Carlson, Roger Miller

8. The application for a zone map change from A-1 to B-2, for Cesar Manuel Valdez on property located on the east side of US 33, 1,260 ft. north of CR 40, common address of 65764 US 33 in Elkhart Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #RZ-0444-2025*.

Cesar Valdez, 17575 Bentwood Dr., Goshen, was present as the petitioner. He stated the property is currently a residential parcel and they would like to transition it to a commercial property for his auto sales business. He added he has operated the business for the past 5 years. He expressed that this is a great location, and they have made great improvements on the property. Mrs. Snyder asked if the property still looked like the aerial photo. Mr. Valdez stated it does not, and that it has all been cleaned up.

There were no remonstrators present.

A motion was made and seconded (*Rogers/Dickerson*) 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 A-1 to B-2 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, Brad Rogers, Brian Dickerson, Dan Carlson, Roger Miller

9. The application for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NIPSCO NEW PARIS LOCAL OPERATIONS CENTER, for Fernbrook LLC represented by DVG Team, Inc., on property located on the northwest corner of Fernbrook Rd. & CR 142, west of SR 15, in Jackson Township, zoned GPUD, B-3, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #DPUD-0352-2025*.

Tonya Stanley, Senior Director of Real Estate Services, NIPSCO, 801 E. 86th Ave., Merryville, was present representing the petitioner. She stated she was back with an update on where everything left off last month. She explained that the use of the operation center is consistent with the current zoning GPUD B-3, which allows utility service. She clarified that this request is not for a substation, and explained it will be a comparable use and operations to the County Highway Department. She stated they submitted a detailed plan for review, went through the technical review process, and that the Tech committee made a favorable recommendation regarding this petition to the Plan Commission. She went on to say they are bringing value to the local community and businesses, and CR 142 improvements are part of the master plan. She noted it would increase the property values of adjacent properties, and local business activity will also increase. She stated this project provides a practical use of the land while supporting the county. She described NIPSCO has agreed the upgrade the lift station with the New Paris conservancy, rather than building a new one on the site. She went on to say the site design has been carefully developed with a strong commitment to be considerate of the neighboring community. She expressed that after last month's meeting, she had a good conversation with Mr. and Mrs. Chupp, and options were taken back and discussed with their internal partners. She stated Mr. Chupp was going to provide his estimate to purchase his property. She stressed after further review and discussion with internal teams and legal counsel, they believe they have made it possible for him to maintain his property value and business. She explained how they made this possible with a high berm, landscaping, and screening above and beyond the B-3 requirements. She stated there will be no traffic impact, from and no intrusive use of the premises, little noise, and no manufacturing on this site. She stressed the request is consistent with permissible uses and current uses in the area. She stated their discussion with Mr. Chupp was courteous and professional, but his desire for them to relocate him is not feasible financially or required legally. She explained there would be no impact on Mr. Chupp operating his business from this operation, and the project will provide many positives for the community. She mentioned it will make NIPSCO services better without adverse impact on surrounding properties. She request the Board's consideration of all pertinent items and requests its support for this project. Mr. Warner asked if the current property line

was represented by the pink line on the area. Mrs. Stanley stated that is correct. Mr. Dickerson asked if this property is currently a GPUD B-3 zone, as opposed to a DPUD B-3 zone. Mr. Auvil stated that it is correct. Mr. Dickerson clarified that it is already zoned for a B-3 use. Mr. Auvil agreed, and noted it was zoned GPUD B-3 25 years ago. Mr. Miller asked if this facility would be similar to the one on College Ave. in Goshen. Mrs. Stanley agreed it would be used for operations. Mr. Dickerson mentioned the largest impact would be getting the traffic from the workers to the office; He explained NIPSCO itself does not have any production of materials, and the best explanation of the use of the facility is to get their linemen out swiftly and efficiently.

Dennis Chupp, 67267 SR 15, New Paris, was present in remonstrance to this petition. He stated their biggest concern is that their property value would be ruined. He mentioned they have had realtors tell them this project will make their property unsellable. He stated they have put 25 years into this property, and a lot of effort into making it not just attractive, but making it a landmark. He explained if they did move, it would be difficult with all of the permits they have already gone through, for their current property. He explained NIPSCO is not willing to give them what it would take to relocate. He expressed that it leaves them with the noise and light pollution and truck traffic. Mr. Warner asked if he would be for the project moving forward. Mr. Chupp stated he is still against this project and that it will ruin their property value.

Carol Chupp, 67267 SR 15, New Paris, was present in remonstrance to this petition. She stated NIPSCO told them that this would help their property value. Mrs. Chupp asked how this would increase their property value. She mentioned that traffic will have a huge impact, despite what Mrs. Stanley is implying. She explained that working with NIPSCO, they described themselves as being very ethical. However, she added they can't get fair value for their solar energy, and other power companies have much lower rates than NIPSCO. She went on to say she can't even get her NIPSCO bills worked out.

A motion was made and seconded (*Rogers/Dickerson*) that the public hearing be closed, and the motion was carried with a unanimous vote.

Mr. Rogers stated he appreciates NIPSCO wanting to move to this location and would agree with the zoning and the placement. He explained the property rights of the Chupps are negatively impacted. He stated the Chupp's property would be difficult to sell once NIPSCO moves in. Mr. Rogers stated is still opposed to this project. Mrs. Snyder stated that this property is already zoned a GPUD B-3, and the Board is here for land use and zoning. Mr. Rogers stated the proposed project is high intensity, and almost like an M-1 use. He mentioned there will be the backup truck noises along with the lighting issues. Mr. Dickerson stated that this is a glorified parking lot with an office. He further stated that if the property was an A-1 zone, he wouldn't approve it. He stated that he was in favor of it, since this is an existing B-3 zone. Mr. Warner stated that the Board needs to balance land use and the value of the neighboring property. Mr. Miller stated the board is the backup people have to save their property value.

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 GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NIPSCO NEW PARIS LOCAL OPERATIONS CENTER be approved in accordance with the Staff Analysis

Vote: Motion fails roll call vote (**summary:** Yes = 4. No = 4).

Yes: Phil Barker, Steve Edwards, Lori Snyder, Brian Dickerson

No: Steve Warner, Brad Rogers, Dan Carlson, Roger Miller

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

Motion: Action: No Recommendation, **Moved by** Brian Dickerson, **Seconded by** Lori Snyder that this request for a zone map change from GPUD B-3 to DPUD B-3 and for primary approval of a 1-lot minor subdivision to be known as NIPSCO NEW PARIS LOCAL OPERATIONS CENTER be passed on to the Board of County Commissioners with no recommendation.

Vote: Motion passed (**summary:** Yes = 7, No = 1, Abstain = 0).

Yes: Brad Rogers, Brian Dickerson, Dan Carlson, Lori Snyder, Philip Barker, Steve Warner, Steven Edwards.

No: Roger Miller.

10. Mae Kratzer presented the Middlebury TIF property reduction request.

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

Motion: Action: Approve, **Moved by** Brian Dickerson, **Seconded by** Lori Snyder that the Advisory Plan Commission accept the removal of the residential property from the Middlebury East TIF.

The motion was carried with a unanimous vote.

11. A motion was made and seconded (*Dickerson/Snyder*) that the meeting be adjourned. The motion was carried with a unanimous vote, and the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Lori Snyder, Chairman

Plan Commission Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 11, 2025

Transaction Number: DPUD-0700-2025.

Parcel Number(s): 20-02-28-228-021.000-026.

Existing Zoning: R-1.

Petition: For a zone map change from R-1 to DPUD R-2 and for primary approval of a 1-lot minor subdivision to be known as WENTZ'S DUNNY STREET SUBDIVISION DPUD.

Petitioner: Aurora Capital Management LLC, represented by Wightman.

Location: North side of Dunny St., 450 ft. east of Stryker St., south of CR 6, in Osolo Township.

Adjacent Zoning and Land Uses: The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	R-1	Residential
North	R-1	Residential
South	R-1	Residential
East	R-1	Residential
West	R-1	Residential

Site Description: The subject property is currently lot number 93, in Berry's 3rd Subdivision. The property is 0.324 acres, rectangular in shape, and vacant with a proposed duplex.

History and General Notes:

➤ None.

Zoning District Purpose Statements: The purpose of the DPUD, Detailed Planned Unit Development, Overlay zoning district, is to allow an applicant the benefit of flexibility in development in exchange for increased public or private amenities that go beyond the requirements of the Development Ordinance. The purpose of the R-2, Two-Family Residential, zoning district is to accommodate single- and two-family dwellings (duplexes) and other compatible and supporting uses on medium sized lots within a subdivision.

Staff Analysis: The purpose of this rezoning petition is to develop a single duplex residential development.

Plan Commission Staff Report (Continued)

Hearing Date: December 11, 2025

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Comprehensive Plan. The Comprehensive Plan states that residential development is a desirable feature of a well-planned, economically diverse, and livable community.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. The subject property is currently vacant and located in a residential neighborhood. The request matches the existing land use on adjacent properties.
3. The most desirable use of the subject property is residential.
4. The request conserves property values by allowing infill development in a residentially zoned district.
5. The proposed rezoning promotes responsible growth and development. Approval of this request would allow for a diverse housing option.

Staff Analysis Continued: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, recommends **APPROVAL** of this DPUD and of this primary plat, as the development meets all pertinent standards.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Detailed PUD - Rezoning, Plat & Site Plan

**Elkhart County Planning & Development
Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

Date: 10/31/2025 Meeting Date: December 11, 2025 Transaction #: DPUD-0700-2025
Plan Commission Hearing (PUD)

Description: FOR A ZONE MAP CHANGE FROM R-1 TO DPUD R-2 AND FOR PRIMARY APPROVAL FOR 1 LOT
MINOR SUBDIVISION TO BE KNOWN AS WENTZ DUNNY STREET SUBDIVISION DPUD

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Wightman	Aurora Capital Management	Wightman
1402 E. Mishawaka Ave.	Llc	1402 E. Mishawaka Ave.
South Bend, IN 46615	Po Box 47	South Bend, IN 46615
	Elkhart, IN 46515	

Site Address: 25167 Dunny St Elkhart, IN 46514	Parcel Number: 20-02-28-228-021.000-026
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Township: Osolo
Location: NORTH SIDE OF DUNNY STREET, 425 FT. EAST OF STRYKER STREET

Subdivision:	Lot #
--------------	-------

Lot Area:	Frontage:	Depth:
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Zoning: R-1, R-1, R-1	NPO List:
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Present Use of Property:

Legal Description:

Comments:

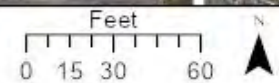
Applicant Signature:	Department Signature:
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DPUD-0700-2025



2025 Aerials

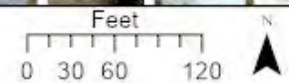
1 inch equals 60 ft



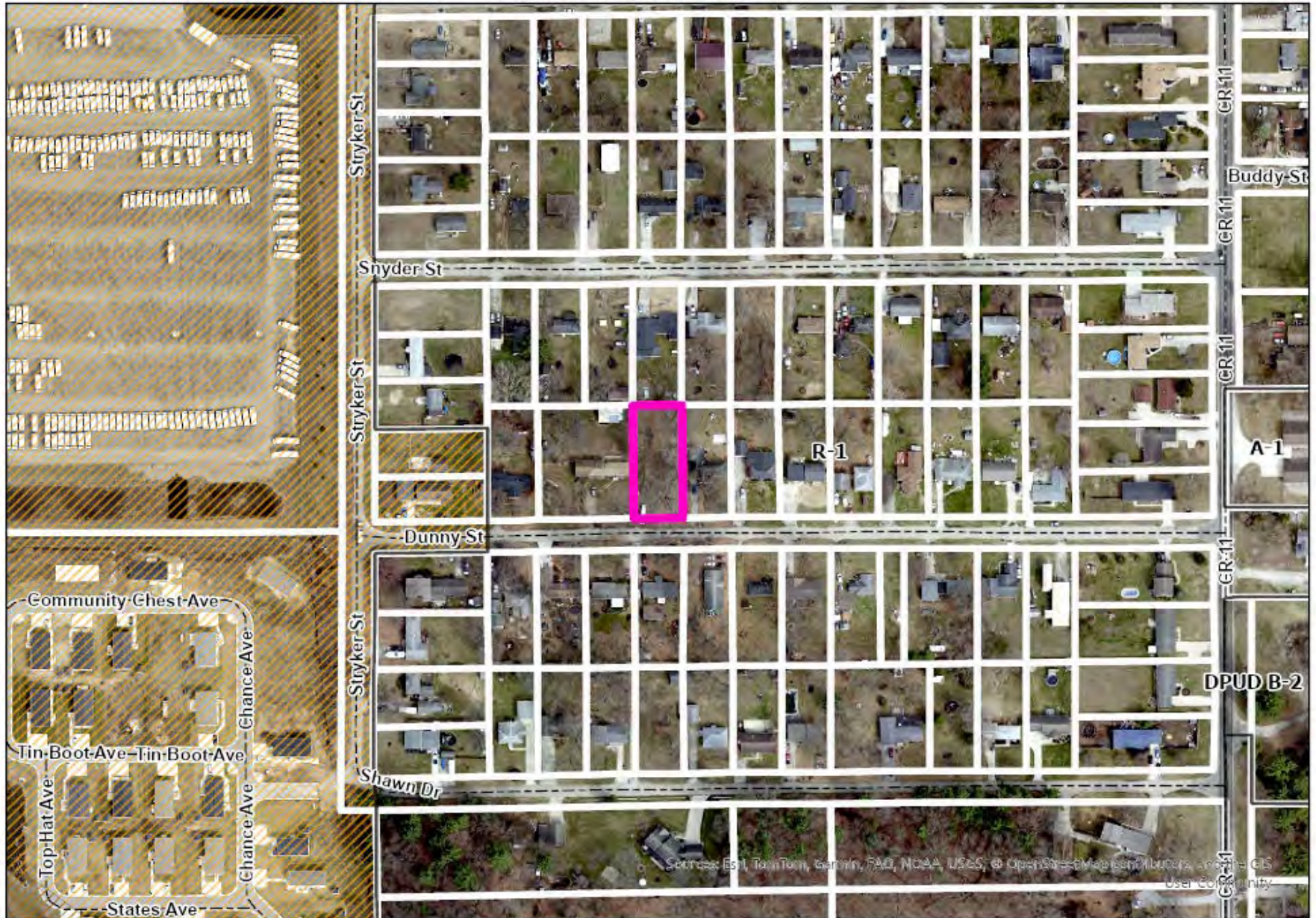


2025 Aerials

1 inch equals 120 ft

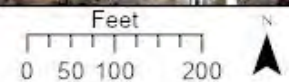


Sources: Esri, TomTom, Garmin, FAA, NOAA, USGS, and openStreetMap contributors, and the GIS User Community



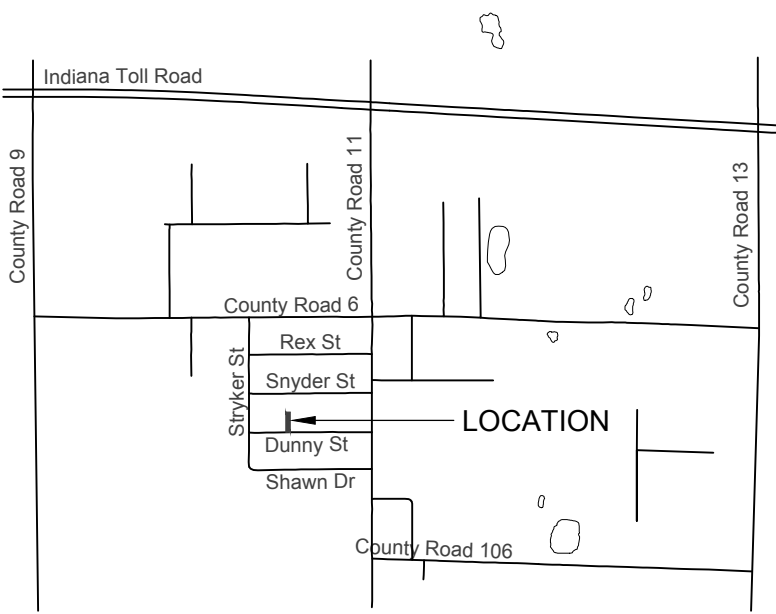
2025 Aerials

1 inch equals 200 ft



'''WENTZ'S DUNNY STREET SUBDIVISION DPUD'''

PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH,
RANGE 5 EAST, OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA



VICINITY MAP
NO SCALE



WIGHTMAN

1402 MISHAWAKA AVE.
SOUTH BEND, IN. 46615
574.233.1841

www.gowightman.com

PROJECT NAME:

WENTZ'S DUNNY
STREET
SUBDIVISION DPUD

LORRAINE WENTZS
694 NELS ADAMS RD
DICKSON, TN 37055

LEGAL DESCRIPTION

LOT 93, BERRY'S THIRD SUBDIVISION, BEING A SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 38 NORTH, RANGE 5 EAST, OSOLO TOWNSHIP, ELKHART COUNTY, INDIANA, ACCORDING TO THE PLAT THEREOF RECORDED AS INSTRUMENT NUMBER 2025-13267, ELKHART COUNTY RECORDS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCUTE TITLE SEARCH

DEVIATION FROM THE ZONING ORDINANCE

1. THE PROPOSAL OF OF HAVING A TWO FAMILY DWELLING WITHIN THIS R-1 SINGLE FAMILY DISTRICT.
2. A DEVIATION FROM THE REQUIRED 30,000 SF LOT SIZE TO 14,062.50 SF.

GENERAL NOTES

1. CURRENT LAND USE: VACANT SINGLE FAMILY LOT
2. CURRENT ZONING: R-1 SINGLE FAMILY DISTRICT
3. PROPOSED LAND USE: TWO FAMILY DWELLING
4. PROPOSED ZONING: R-2 TWO FAMILY DISTRICT
5. BASES FOR VERTICAL DATA IS THROUGH NATIONAL USGS DATUM.
6. GROUND WATER DEPTH IS GREATER THAN 7 FEET.
7. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18039C0127D WITH AN EFFECTIVE DATE OF JANUARY 6, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X. AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN
8. DRAINAGE: THE SUBDIVISION OF THIS PARCEL SHALL NOT CONSTITUTE ANY MAJOR WATER RUNOFF TO ADJACENT PARCELS OR WITHIN THE PERIMETER OF THIS SITE.
9. SEWAGE DISPOSAL: INDIVIDUAL SEPTIC SYSTEMS
10. WATER SUPPLY: PRIVATE WELLS
11. STREET IMPROVEMENT: NONE REQUIRED
12. ELKHART COUNTY RESTRICTION SHALL BE IN EFFECT FOR THIS PROPERTY.
13. THE DEVELOPMENT OF THIS LOT SHALL NOT CONSTITUTE ANY MAJOR RUNOFF. THE LOT SHALL CONTINUE TO MAINTAIN SITE DRAINAGE THRU GROUND PERCOLATION.
14. A VARIANCE SHALL BE REQUIRED FROM THE ELKHART COUNTY HIGHWAY DEPARTMENT FOR 2 DRIVEWAYS ON THIS SINGLE LOT.

DRAINAGE MAINTENANCE CERTIFICATION

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS AND SWALES, SHALL BE THE RESPONSIBILITY OF EACH 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 FACILITY AT OWNER'S EXPENSE.

IN THE EVENT OF OWNER'S FAILURE TO MAINTAIN 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 A LOT OWNER'S REAL ESTATES 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 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.

11/8/25 JMS
REV PER ELK PLAN

REVISIONS

10/29/25 Terance D. Lang, 2517 Dunny St Elkhart, IN 46506
604040523 RLS #0040523 10/29/25 11:59:47 AM
THE REPRODUCTION, COPYING OR OTHER
USE OF THIS DRAWING WITHOUT WRITTEN
CONSENT IS PROHIBITED.
© 2025 WIGHTMAN & ASSOCIATES, INC.

DATE: 10/29/2025
SCALE: 1" = 50'

PRELIMINARY
SITE AND
DRAINAGE PLAN

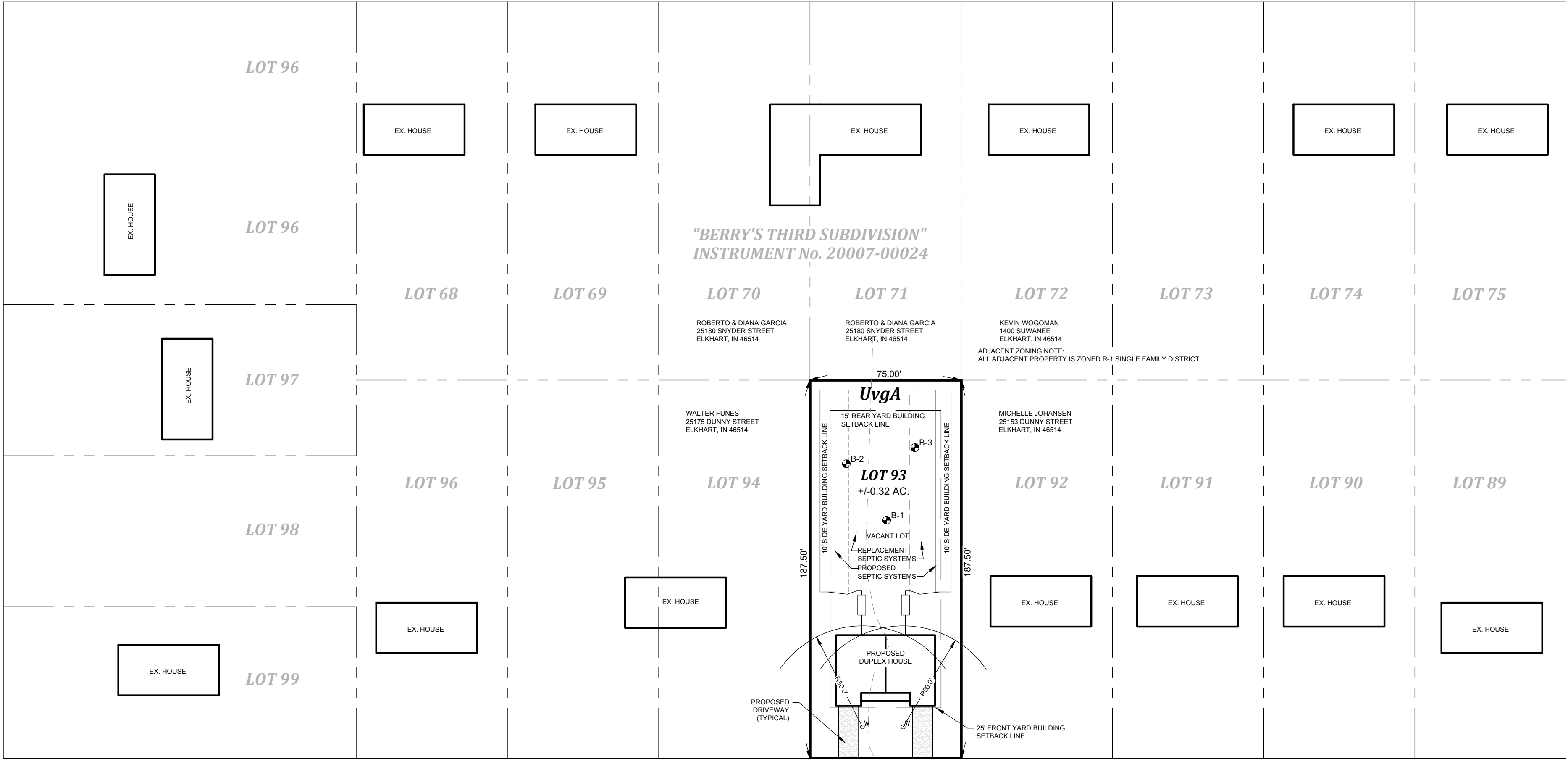
JOB No. 251771

Layout1

STRYKER STREET
(50' R/W)

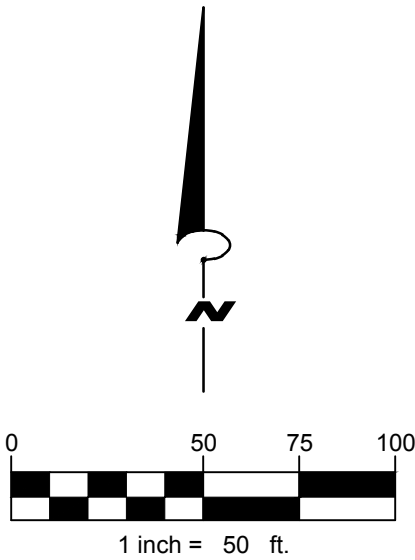
LOT 65	LOT 62	LOT 61	LOT 60	LOT 59	LOT 58	LOT 57	LOT 56	LOT 55
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SNYDER STREET
(50' R/W)



DUNNY STREET
(50' R/W)

LOT 100			BRAD COOK 25174 DUNNY STREET ELKHART, IN 46514	MARIA SALINAS 25168 DUNNY STREET ELKHART, IN 46514	REXS HOLDINGS LLC 26312 CR. BRISTOL, IN 46507-9991			
LOT 101	LOT 102	LOT 103	LOT 104	LOT 105	LOT 106	LOT 107	LOT 108	LOT 109
LOT 130	LOT 129	LOT 128	LOT 127	LOT 126	LOT 125	LOT 124	LOT 123	LOT 122



TERANCE D. LANG
TERANCE D. LANG, RLS #80040523

- LEGEND
- PROPOSED WELL
 - B-1 SOIL BORING LOCATION



WENTZ'S DUNNY STREET SUBDIVISION DPUD

Part of the Northeast Quarter of Section 28, Township 38 North, Range 5 East,
Osolo Township, Elkhart County, Indiana.

Owner

Aurora Capital Management, LLC

694 Nels Adams Road
Dickson, TN 37055
c/o Lorraine Wentz

Property Address

25167 Dunny Street
Elkhart, Indiana 46514

Legal description

Lot 93, Berry's Third Subdivision, being a subdivision in the Northeast Quarter of Section 28, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, according to the plat thereof recorded as Instrument Number 2025-13267, Elkhart County Records.

Subject to any and all easements and restrictions of record, or otherwise.

Subject to any facts that may be disclosed in a full and accute title search.

Prepared by:

Land Surveyor: Wightman

1402 Mishawaka Avenue
South Bend, Indiana 46615
574-233-1841

Terance D. Lang, PS No. 80040523

TLang@GoWightman.com

October 31, 2025

Revised November 18, 2025

1. Intention for ownership

The current owners of this site wish to construct a two family home at this site. The site is currently zoned R-1 Single Family and will need a zoning change to R-2 Two Family District. The site is 0.32 acres and currently vacant. It lies within a recorded subdivision, which consist of single family homes. The lot has ample room for the two wells and two septic systems needed.

2. Phasing of Project

The construction of the two family shall being in the spring of 2026

3. Proposed Land Uses - Percentage of site for each use

- Two-Family Residential Lot 14062.50 sf or 100%.
House 1564.31 sf acres or 11.12%
Concrete Drive 520 sf or 3.70%
Open Space 11978.19 sf or 85.18%

4. Intentions regarding water and sewer disposal

Soil boring have been performed on site. Conditions and space are good for provided onsite septic systems with room for future replacement systems. Private wells shall be provided in the front yard of the site.

5. Listing of all deviations from the development standards required

This parcel shall require a R-2 Two Family designation. At this time there are no R-2 Two Family deviations from the Elkhart County Zoning Ordinances needed for this site. The existing lot size is 14,062.50 square feet. This deviated from the required 30,000 square foot lot required in R-2 Two Family designation.

6. Dwelling densities for residential per acre

1 two family dwelling = 2 units at 782.16 sf per unit

7. How development related with surrounding land uses

The area is of single family. Many of the house have been built many years ago and showing age related problems. The construction of this new home shows the chance of improvement within the neighborhood.

8. Other information reports (see DPUD Application for details)

a) Soil Report

Soils shall be favorable for construction and septic systems.

b) Municipal Sewer and Water Report

This site shall have on site septic systems and privates wells.

c) Traffic Projection and Thoroughfare report

The additional of the Two Family home shall not cause any adverse effect to adjacent properties or traffic issues along Dunny Street or along County Road 6

d) Project Demographic for all Residential Developments (over 5 acres)

This Two family house is projected to provide affordable housing for median income families.

e) Site Improvement Report

The site is currently vacant. New construction of a two family house shall occur with two standard concrete driveways.

f) Storm water Drainage Report

Soil conditions are favorable for site percolation. The development of the site shall not constitute any major runoff.

Plan Commission Staff Report

Prepared by the Department of Planning and Development

Hearing Date: December 11, 2025

Transaction Number: DPUD-0511-2025.

Parcel Number(s): Part of 20-08-16-401-016.000-034, 20-08-16-401-023.000-034, part of 20-08-16-401-024.000-034.

Existing Zoning: A-1, DPUD M-2.

Petition: For a zone map change from A-1 to DPUD M-2 and for primary approval of a 1-lot minor subdivision to be known as D & M SALES 1st AMENDMENT.

Petitioner: Devon R. & Mattie M. Miller, represented by Wightman.

Location: North side of CR 22, 2,380 ft. west of CR 37, in Middlebury Township.

Adjacent Zoning and Land Uses: The following table shows the zoning and current land use for the subject property and adjacent sites.

	Zoning	Current Land Use
Subject Property	DPUD M-2 & A-1	Manufacturing & Agricultural
North	A-1	Agricultural
South	A-1	Residential / Agricultural
East	M-2	Manufacturing
West	A-1	Residential / Agricultural

Site Description: The subject property comprises one 2.72-acre lot and part of a larger parcel, totaling 6.02 acres, with an existing 27,130 sq. ft. manufacturing building.

History and General Notes:

- **September 4, 2007** – The Board of County Commissioners approved a rezoning from A-1 to DPUD M-2 to be known as D & M Sales DPUD (PC 07-16).
- **May 9, 2019** – The Board of County Commissioners approved an amendment to D & M Sales DPUD to allow for the construction of a new 18,360 sq. ft. building (PC 07-16a).
- **October 9 and November 13, 2025** – The Plan Commission tabled this petition.

Zoning District Purpose Statements: The purpose of the DPUD, Detailed Planned Unit Development, Overlay zoning district, is to allow an applicant the benefit of flexibility in development in exchange for increased public or private amenities that go beyond the requirements of the Development Ordinance. The purpose of the M-2, Heavy Manufacturing, zoning district is to accommodate moderately and highly intense manufacturing uses and to prevent encroachment by residential and lighter commercial uses that would eventually lead to land use conflicts. Permitted uses may produce heavy truck traffic, noise, odor, or smoke.

Plan Commission Staff Report (Continued)

Hearing Date: December 11, 2025

Staff Analysis: The purpose of this rezoning petition is to expand the property to allow for a new 24,000 ft² building addition, 1,200 ft² of loading dock area, and a new stormwater retention area.

The staff, after reviewing this petition, recommends **APPROVAL** of this rezoning for the following reasons:

1. The requested Zoning Map Amendment complies with the Comprehensive Plan. The Plan states that redevelopment and reuse of commercial and industrial sites should be encouraged.
2. The request is in character with current conditions, structures, and uses on the subject property and in its surroundings. The size of the property, existing building, and proposed additions are what is expected in a manufacturing area.
3. The most desirable use of the subject property is commercial, manufacturing, and/or other compatible and supporting uses.
4. The request conserves property values by allowing an existing manufacturing property to expand under the appropriate zoning district.
5. The proposed rezoning promotes responsible growth and development. The DPUD limits the use and details contained in the petition, site plan/support drawing, and PUD ordinance.

Staff Analysis Continued: The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, recommends **APPROVAL** of this DPUD amendment and primary plat as the development meets all pertinent standards.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Detailed PUD Amendment - Rezoning, Plat & Site Plan

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

DPUD-0511-2025

Date: 08/04/2025 Meeting Date: October 09, 2025 Transaction #: DPUD-0511-2025
Plan Commission Hearing (PUD)

Description: for a zone map change from A-1 to DPUD M-2 and for primary approval of a 1-lot Minor Subdivision to be known as D & M PLYWOOD SALES

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Wightman & Associates, Inc	Devon R & Mattie M Miller	Wightman & Associates, Inc
1405 N Michigan	13487 County Road 22	1405 N Michigan
Plymouth, IN 46563	Middlebury, IN 46540	Plymouth, IN 46563

Site Address: 13487 County Road 22 Middlebury, IN 46540	Parcel Number: Part of 20-08-16-401-016.000-034 20-08-16-401-023.000-034 Part of 20-08-16-401-024.000-034
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Township: Middlebury
Location: North Side Of County Road 22, 2,380 Feet West Of County Road 37

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: A-1, DPUD	NPO List: 09/24/2025
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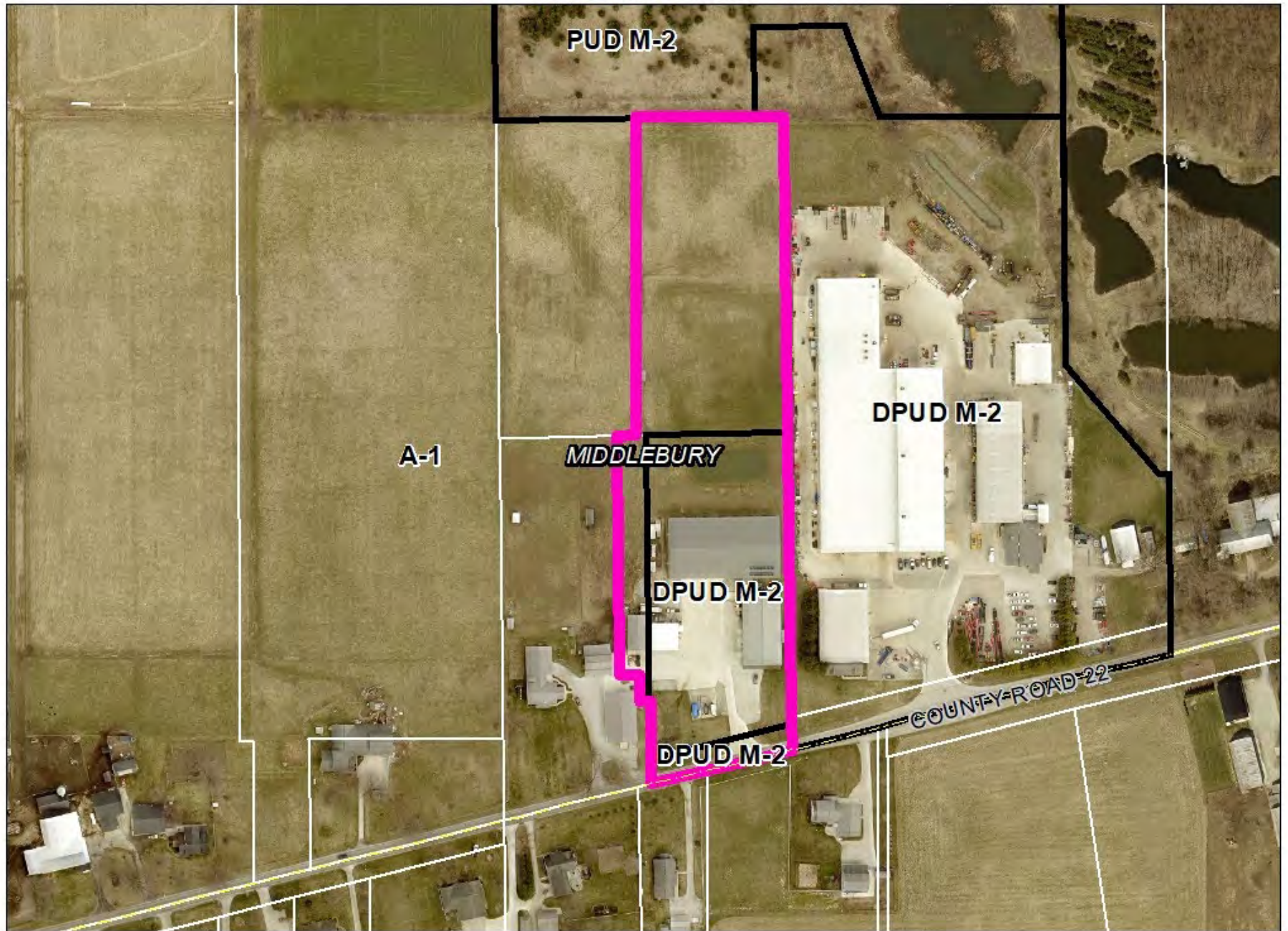
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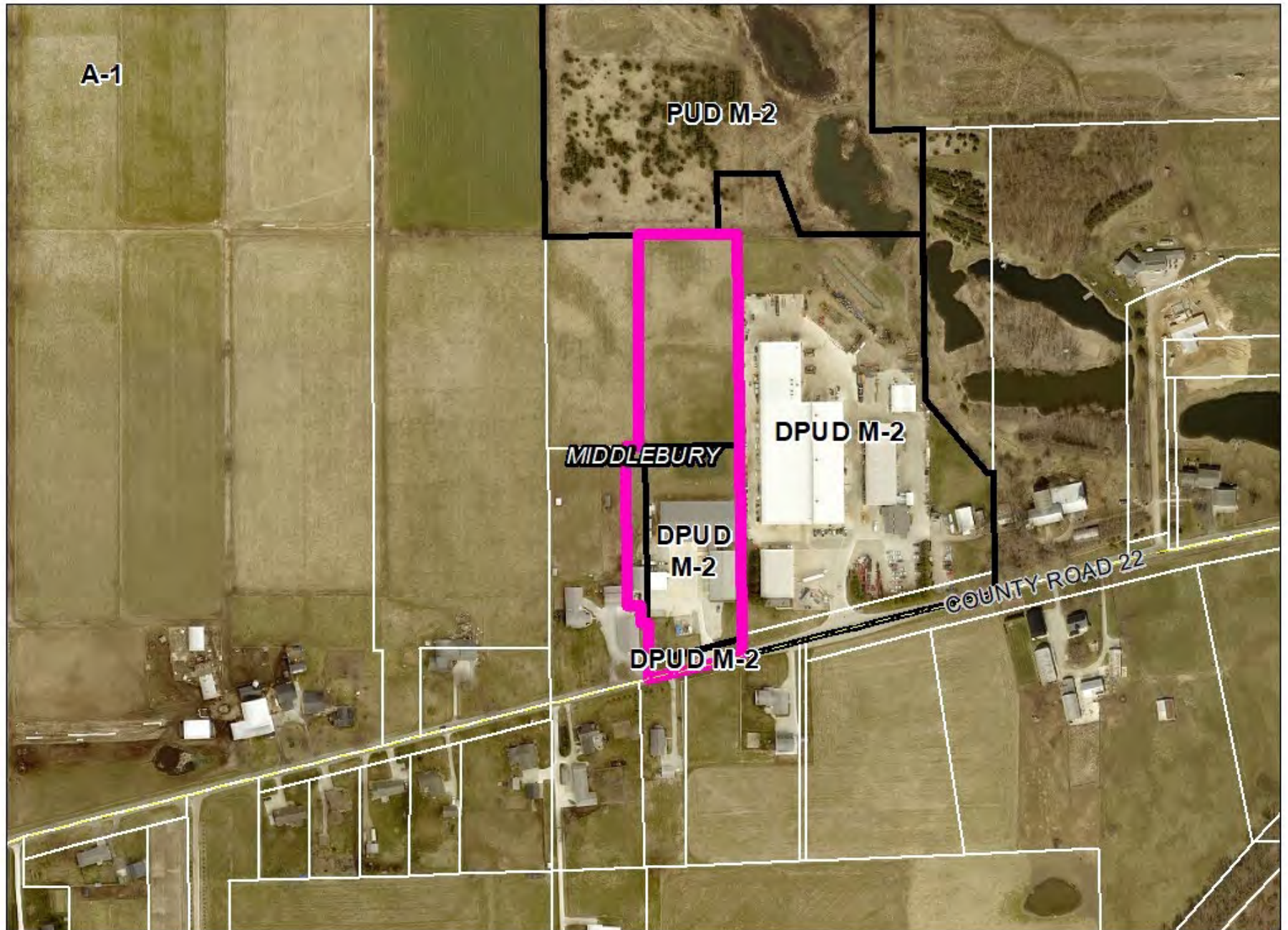
Legal Description:

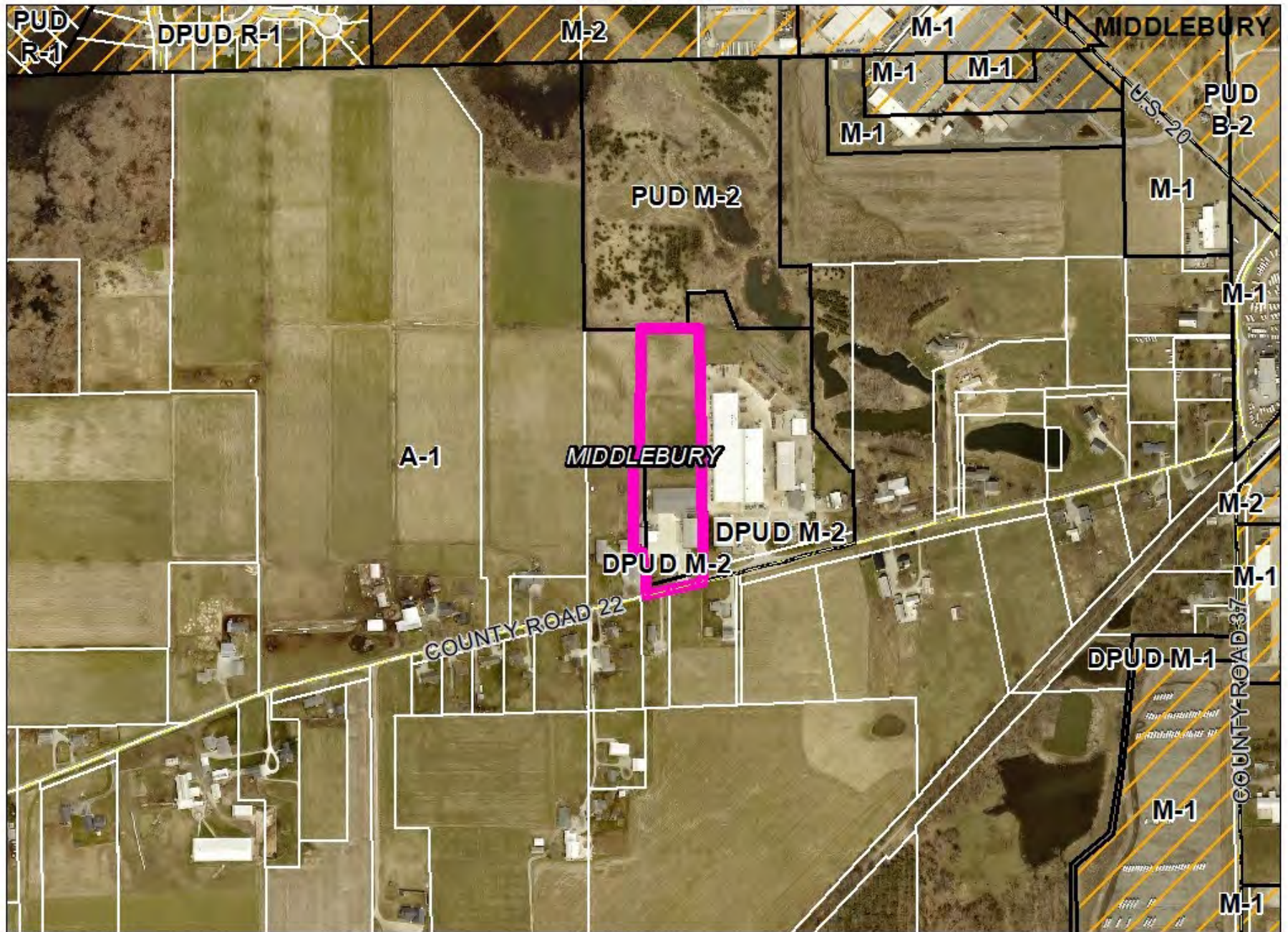
Comments: SEE DPUD AMENDMENT #0226-2019, APPROVED 5/9/2019

Applicant Signature:

Department Signature:







D & M SALES DPUD
1ST AMENDMENT
PART OF THE SOUTHEAST QUARTER OF
SECTION 16 TOWNSHIP 36 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

PROJECT NOTES:

1. THE "2024 STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND "STANDARD PLANS" BY THE INDIANA DEPARTMENT OF TRANSPORTATION (INDOT) ARE HEREBY INCORPORATED INTO THESE CONTRACT DOCUMENTS BY REFERENCE COPIES OF THESE STANDARDS ARE AVAILABLE FOR INSPECTION AT THE OFFICE OF THE ENGINEER.
2. THE PLACING OF TRAFFIC CONTROL SIGNS AND PAVEMENT MARKINGS SHALL BE DONE IN ACCORDANCE WITH THE 2024 INDIANA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES. (INCORPORATED BY REFERENCE)
3. ALL WORK SHALL CONFORM TO ALL LOCAL, STATE AND FEDERAL LAWS, RULES AND REGULATIONS IN FORCE AT THE TIME OF CONSTRUCTION.
4. THE CONTRACTOR IS REQUIRED TO OBTAIN A RIGHT OF WAY PERMIT FOR ANY WORK WITHIN THE PUBLIC RIGHT OF WAY. RIGHT OF WAY PERMIT SHOULD BE COORDINATED WITH THE ELKHART COUNTY STREET DEPARTMENT.
5. THE CONTRACTOR IS RESPONSIBLE FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND/OR PLANS PREPARED BY OTHERS. IF ANY ERRORS, DISCREPANCIES, OR OMISSIONS BECOME APPARENT, THESE SHALL BE BROUGHT TO THE ATTENTION OF THE SURVEYOR PRIOR TO CONSTRUCTION OF ANYTHING AFFECTED SO THAT CLARIFICATION OR REDESIGN MAY OCCUR.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR POSTING ALL BONDS AND INSURANCE CERTIFICATES AND SUBMITTING TRAFFIC CONTROL PLANS FOR REVIEW AND APPROVAL WHICH MAY BE REQUIRED BY THE COUNTY FOR THE CONSTRUCTION OF THIS PROJECT WITHIN THE RESPECTIVE ROAD RIGHT-OF-WAY. THE CONTRACTOR SHALL APPLY FOR THESE PERMITS UNLESS OTHERWISE NOTED.
7. IN CONFORMANCE WITH PUBLIC ACT 174 OF 2013, ALL CONTRACTORS SHALL CALL MISS DIG @ 811 OR 800-482-7171 FOR PROTECTION OF UNDERGROUND UTILITIES A MINIMUM OF THREE FULL WORKING DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) PRIOR TO BEGINNING EACH EXCAVATION IN ANY AREA. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.
8. THE CONTRACTOR SHALL LOCATE ALL ACTIVE UNDERGROUND UTILITIES PRIOR TO STARTING WORK AND SHALL CONDUCT HIS OPERATIONS IN A MANNER AS TO ENSURE THAT THOSE UTILITIES NOT REQUIRING RELOCATION WILL NOT BE DISTURBED.
9. THE CONTRACTOR SHALL NOTE THAT MACHINE GRADING, MODIFIED INCLUDES THE REMOVAL OF ALL BRUSH, GUARDRAIL, CONCRETE PAD, SPILLWAY AND ALL OTHER MISCELLANEOUS REMOVAL ITEMS AS REQUIRED, THE REMOVAL OF ALL EMBANKMENT, AND ALL OTHER OPERATIONS NECESSARY TO DEVELOP THE DESIRED CROSS SECTION. ALL TOPSOIL AND UNSUITABLE MATERIAL LOCATED BENEATH THE PROPOSED PAVEMENT SHALL BE REMOVED. ALL TOPSOIL REMOVED MAY BE STOCKPILED AND REUSED.
10. FILL SHALL BE PLACED AND ADEQUATELY KEYED INTO STRIPPED AND SCARIFIED SOILS PER THE INDOT 2024 STANDARD SPECIFICATIONS FOR CONSTRUCTION. ALL FILL MATERIAL SHOULD BE AT APPROXIMATELY THE OPTIMUM MOISTURE CONTENT DURING COMPACTION. FURTHERMORE, FILL MATERIAL SHOULD NOT BE FROZEN NOR BE PLACED ON A FROZEN BASE. IT IS RECOMMENDED THAT ALL EARTHWORK AND SITE PREPARATION ACTIVITIES BE CONDUCTED UNDER ADEQUATE SUPERVISION AND PROPERLY CONTROLLED IN THE FIELD BY A GEOTECHNICAL ENGINEERING TESTING FIRM.
11. COMPACTION OF ANY FILL BY FLOODING IS NOT ACCEPTABLE. THIS METHOD WILL GENERALLY NOT ACHIEVE THE DESIRED COMPACTION, AND THE LARGE QUANTITIES OF WATER WILL TEND TO SOFTEN THE FOUNDATION SOILS.
12. ALL FILL FOR THIS PROJECT MUST BE OBTAINED AND FURNISHED BY THE CONTRACTOR. ALL REQUIRED FILL SHALL BE SELECTED EXCAVATED MATERIAL FROM THE SITE APPROVED BY THE ENGINEER, OR INDOT CLASS II GRANULAR MATERIAL FROM BORROW. EXCESS FILL SHALL BE REMOVED FROM SITE BY THE CONTRACTOR. NOTE: NO BORROW OR SOIL REMOVAL ARRANGEMENTS HAVE BEEN PREARRANGED FOR THIS PROJECT, AND SHALL BE THE TOTAL RESPONSIBILITY OF THE CONTRACTOR.
13. SLOPE ALL BANKS AND GRADE UNIFORMLY FROM BACK OF CURB AT STREET TO BACK OF CURB AT PARKING LOT; FROM BACK OF CURB TO EXISTING OR PROPOSED GRADES; OR FROM BACK OF CURB TO PROPOSED/EXISTING SIDEWALKS. IN AREAS WHERE NO CURBING IS PROPOSED, UNIFORMLY SLOPE GRADE FROM TOP OF PAVEMENT TO EXISTING GRADE AT A MAXIMUM SLOPE OF 1 ON 6, UNLESS OTHERWISE NOTED.
14. THE CONTRACTOR SHALL CONDUCT THE WORK IN SUCH A MANNER SO NO EXCAVATIONS ARE LEFT OPEN OVERNIGHT. IF THIS IS NOT POSSIBLE, THE CONTRACTOR SHALL INSTALL A TEMPORARY FENCE TO PROTECT THE EXCAVATION AT THEIR OWN EXPENSE.
15. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING EXISTING DRAINAGE PATTERNS, AND SHALL RESOLVE ANY DRAINAGE PROBLEMS ON ADJACENT PROPERTIES WHICH MAY RESULT FROM THE CONTRACTOR'S ACTIVITIES.
16. DATUM REFERS TO NAVD88 DATUM.
17. ALL SCALES FOR DRAWINGS AND DETAILS ARE BASED ON 24"x36" PRINTED PLANS. DIMENSIONS TAKE PRECEDENCE OVER SCALE. CONTRACTOR TO VERIFY ALL DIMENSIONS IN FIELD.
18. ANY SANITARY SEWER, SANITARY SEWER SERVICE LEADS, WATER MAIN, WATER SERVICES, OR STORM SEWER THAT IS DAMAGED BY THE CONTRACTOR DURING THEIR OPERATIONS SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AND AT THE CONTRACTOR'S EXPENSE.
19. ALL PERMANENT SIGNAGE SHALL COMPLY WITH INDIANA'S BARRIER FREE DESIGN REQUIREMENTS AND THE AMERICANS WITH DISABILITIES ACT.
20. ALL PLUMBING WORK SHALL BE PERFORMED BY A STATE OF INDIANA LICENSED PLUMBER AND ACCORDING TO THE NATIONAL PLUMBING CODE AS MODIFIED BY THE STATE OF INDIANA AND THE LOCAL HEALTH DEPARTMENT. FURNISH AND INSTALL ALL MATERIALS AND LABOR TO PROVIDE A COMPLETE WORKING SYSTEM.
21. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, INSPECTIONS AND ALL FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY. THE CONTRACTOR SHALL MAKE ALL PERMANENT UTILITY APPLICATIONS AND SHALL BE RESPONSIBLE FOR ALL APPLICABLE FEES AND UTILITY SERVICE INSTALLATION FEES. THIS INCLUDES BUT IS NOT LIMITED TO PRIMARY AND SECONDARY ELECTRICAL SERVICES, PERTAINING TO SUCH, ON BEHALF OF THE OWNER.
22. SOILS EXPOSED IN THE BASE OF ALL SATISFACTORY FOUNDATION EXCAVATIONS SHOULD BE PROTECTED AGAINST ANY DETRIMENTAL CHANGES IN CONDITION SUCH AS FLOW DISTURBANCE, RAIN, AND FREEZING. SURFACE RUN-OFF WATER SHOULD BE DRAINED AWAY FROM THE EXCAVATION AND NOT ALLOWED TO POND. IF POSSIBLE, ALL FOOTING CONCRETE SHOULD BE POURED THE SAME DAY THE EXCAVATION IS MADE. IF THIS IS NOT PRACTICAL, THE FOOTING EXCAVATIONS SHOULD BE ADEQUATELY PROTECTED.

PROPOSED DESCRIPTION
D & M SALES DPUD

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA AS SHOWN ON A SURVEY BEARING JOB NUMBER 251268, PREPARED AND CERTIFIED BY J. BERNARD FEENEY, PROFESSIONAL SURVEYOR #80040309 ON SEPTEMBER 10, 2025 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE PLAT OF D & M SALES DPUD RECORDED IN PLAT VOLUME 32, PAGE 25 IN THE RECORDS OF THE ELKHART COUNTY RECORDER, SAID BEGINNING POINT BEING LOCATED IN THE CENTERLINE TO COUNTY ROAD 22; THENCE SOUTH 75°59'45" WEST (ALL BEARINGS SHOWN HEREIN ARE RELATIVE TO INDIANA STATE PLANE COORDINATES AS DETERMINED FROM INJORS, EAST ZONE), ALONG SAID CENTERLINE, A DISTANCE OF 239.59 FEET TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE NORTH 0°34'03" WEST ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 193.24 FEET TO A POINT; THENCE SOUTH 89°25'57" WEST, A DISTANCE OF 9.10 FEET TO A POINT; THENCE NORTH 1°02'40" WEST ALONG A LINE EQUIDISTANT FROM TWO ADJACENT BUILDINGS, A DISTANCE OF 97.27 FEET TO A POINT; THENCE SOUTH 88°57'20" WEST A DISTANCE OF 21.28 FEET; THENCE NORTH 0°34'03" WEST PARALLEL WITH SAID WEST LINE OF LOT 1 IN SAID PLAT, A DISTANCE OF 285.14 FEET TO A POINT; THENCE NORTH 89°05'30" EAST A DISTANCE OF 23.93 FEET TO A POINT THAT IS 1 FOOT EAST OF AN EXISTING FENCE LINE; THENCE NORTH 0°43'01" WEST, PARALLEL WITH AND 1 FOOT DISTANT FROM SAID FENCE LINE A DISTANCE OF 516.74 FEET TO THE NORTH LINE OF LANDS CONVEYED TO DEVON AND MATTIE MILLER BY INSTRUMENT NUMBER 2000-20816 IN SAID ELKHART COUNTY RECORDER'S OFFICE; THENCE SOUTH 89°55'32" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 241.65 FEET TO THE NORTHEAST CORNER OF SAID MILLER LANDS; THENCE SOUTH 0°34'03" EAST ALONG THE EAST LINE OF SAID MILLER LANDS AND ALONG THE EAST LINE OF SAID PLAT OF D&M SALES DPUD, A DISTANCE OF 1034.01 FEET TO THE PLACE OF BEGINNING CONTAINING 6.02 ACRES MORE OR LESS.

FOR
D & M PLYWOOD SALES
C/O JAMES HOCHSTETLER
13487 COUNTY ROAD 22
MIDDLEBURY, INDIANA 46540



PROJECT LOCATION MAP
SCALE: 1" = 1000'

OWNER INFORMATION

D & M PLYWOOD SALES
C/O JAMES HOCHSTETLER
(250) 350 - 0334

ENGINEER INFORMATION

WIGHTMAN
1405 N. MICHIGAN ST.
PLYMOUTH, IN 46563
(574) 936 - 3469

LAND SURVEYOR INFORMATION

WIGHTMAN
J. BERNARD FEENEY P.S.
1405 N. MICHIGAN ST.
PLYMOUTH, IN 46563
(574) 936 - 3469

PROJECT SCHEDULE

BUILDING PROCESS: **TO BE DETERMINED.**
CONSTRUCTION COMPLETE: **TO BE DETERMINED.**



NOTIFY UTILITY COMPANIES BEFORE YOU DIG

IN CONFORMANCE WITH PUBLIC ACT 174 OF 2013, ALL CONTRACTORS SHALL CALL MISS DIG @ 811 OR 800-482-7171 FOR PROTECTION OF UNDERGROUND UTILITIES A MINIMUM OF THREE FULL WORKING DAYS (EXCLUDING SATURDAYS, SUNDAYS AND HOLIDAYS) PRIOR TO BEGINNING EACH EXCAVATION IN ANY AREA. MEMBERS WILL THUS BE ROUTINELY NOTIFIED. THIS DOES NOT RELIEVE THE CONTRACTOR OF THE RESPONSIBILITY OF NOTIFYING UTILITY OWNERS WHO MAY NOT BE A PART OF THE "MISS DIG" ALERT SYSTEM.

INDEX OF PLANS

SHEET NO.	SHEET TITLE
1	COVER SHEET
2	EXISTING SITE PLAN
3	DEMOLITION PLAN
4	PROPOSED SITE PLAN
5	DRAINAGE AND GRADING PLAN
6	EROSION CONTROL PLAN
7	EROSION CONTROL PLAN DETAILS
8	EROSION CONTROL PLAN DETAILS
9	EROSION CONTROL PLAN DETAILS

SITE INFORMATION

GENERAL
SITE PLAN REVIEW - D & M PLYWOOD SALES

ZONING
DISTRICT: M - 2, MANUFACTURING

SITE USE
BUILD A NEW ADDITION M - 2, MANUFACTURING BUILDING ADDITION .

SITE ADDRESS
13487 COUNTY ROAD 22, MIDDLEBURY, IN 46540

AREA, BUILDING AND SETBACK INFORMATION

SITE AREA 102,090 SFT, 2.34 ACRES.

BUILDING

MAXIMUM STRUCTURE HEIGHT: 40'
MAXIMUM LOT COVERAGE: DO NOT EXCEED 65% OF LOT AREA
MINIMUM MAIN FLOOR AREA: 1,440 SQ. FT. PER PRIMARY STRUCTURE.
MINIMUM FLOOR AREA PER UNIT: 720 SQ. FT. AVERAGE PER DWELLING UNIT.

EXISTING

FRONT SETBACK (FT) 75' FEET FROM CENTER LINE OF CR 22
SIDE SETBACK (FT) 25'
SIDE YARD SETBACK (ADJ. TO RESIDENTIAL) 50 FEET (NOT USED FOR RESIDENCE)
REAR SETBACK (FT) 15'

SOIL TYPE ON SITE

CrA: CROSIER LOAM, 0 TO 2 PERCENT SLOPES
KoA: KOSCIUSKO-ORMAS COMPLEX, 0 TO 2 PERCENT SLOPES

LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON 11/3/2025; THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN, FURTHER, I 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. BY: J. BERNARD FEENEY.

J. Bernard Feeney
J. BERNARD FEENEY
P.S.#80040309
bfeeney@gowightman.com



**WIGHTMAN**

1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:
D & M PLYWOOD SALES
13487 COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER
7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK
9/15/2025 - REVISIONS PER TRC
10/2/2025 - REVISION PER ELKHART COUNTY
10/9/2025 - REVISIONS PER TODD CLARK
10/30/2025 - DRAINAGE, EROSION CONTROL, HIGHWAY REVISIONS
REVISIONS
THIS DRAWING IS THE PROPERTY OF WIGHTMAN & ASSOCIATES, INC. NO PART OF THIS DRAWING IS TO BE REPRODUCED, COPIED, OR OTHERWISE USED WITHOUT WRITTEN CONSENT OF WIGHTMAN & ASSOCIATES, INC.
DATE: 07/21/2025
SCALE: 1" = 1000'
DRAWN BY: SSH
CHECKED BY: BF

COVER SHEET

JOB No. 251268
1 OF 9

NOTES:

1. PROPERTY ADDRESS: 13487 COUNTY ROAD 22, MIDDLEBURY, INDIANA 46540
2. CURRENT ZONING: P.U.D. M-2 (MANUFACTURING)
- BUILDING SETBACKS:**
- | | |
|---------------------------------|--|
| FRONT YARD | = 75 FEET FROM CENTER LINE OF CR 22 |
| SIDE YARD | = 25 FEET |
| REAR YARD | = 15 FEET |
| SIDE YARD (ADJ. TO RESIDENTIAL) | = 50 FEET (ADJ. PROPERTY NOT USED FOR RESIDENCE) |
- PARKING SETBACKS:**
- FRONT YARD = 15 FEET FROM PROPERTY LINE OR 55 FEET FROM CENTERLINE OF COUNTY ROAD 22, WHICHEVER GREATER.

3. CURRENT USE: MANUFACTURING AND DISTRIBUTION
4. PROPOSED USE: MANUFACTURING AND DISTRIBUTION
5. CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE SURVEYOR IMMEDIATELY OF ANY DISCREPANCIES.
6. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING, UNLESS NOTED OTHERWISE.
7. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL PROPOSED BUILDING DIMENSIONS.
8. BARBED WIRE, RAZOR WIRE AND ELECTRIFIED FENCES SHALL NOT BE PERMITTED.
9. DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.
10. THE SITE SHALL CONFORM TO THE AREA, HEIGHT, AND DEVELOPMENT REGULATIONS OF THE D.P.U.D. M - 2, MANUFACTURING DISTRICT.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

D & M SALES DPUD 1ST AMENDMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

LEGAL DESCRIPTION

LOT 1 OF D & M SALES D.P.U.D. M-2 AS SHOWN IN PLAT 32, PAGE 25, INSTRUMENT NO. 2007-29367.

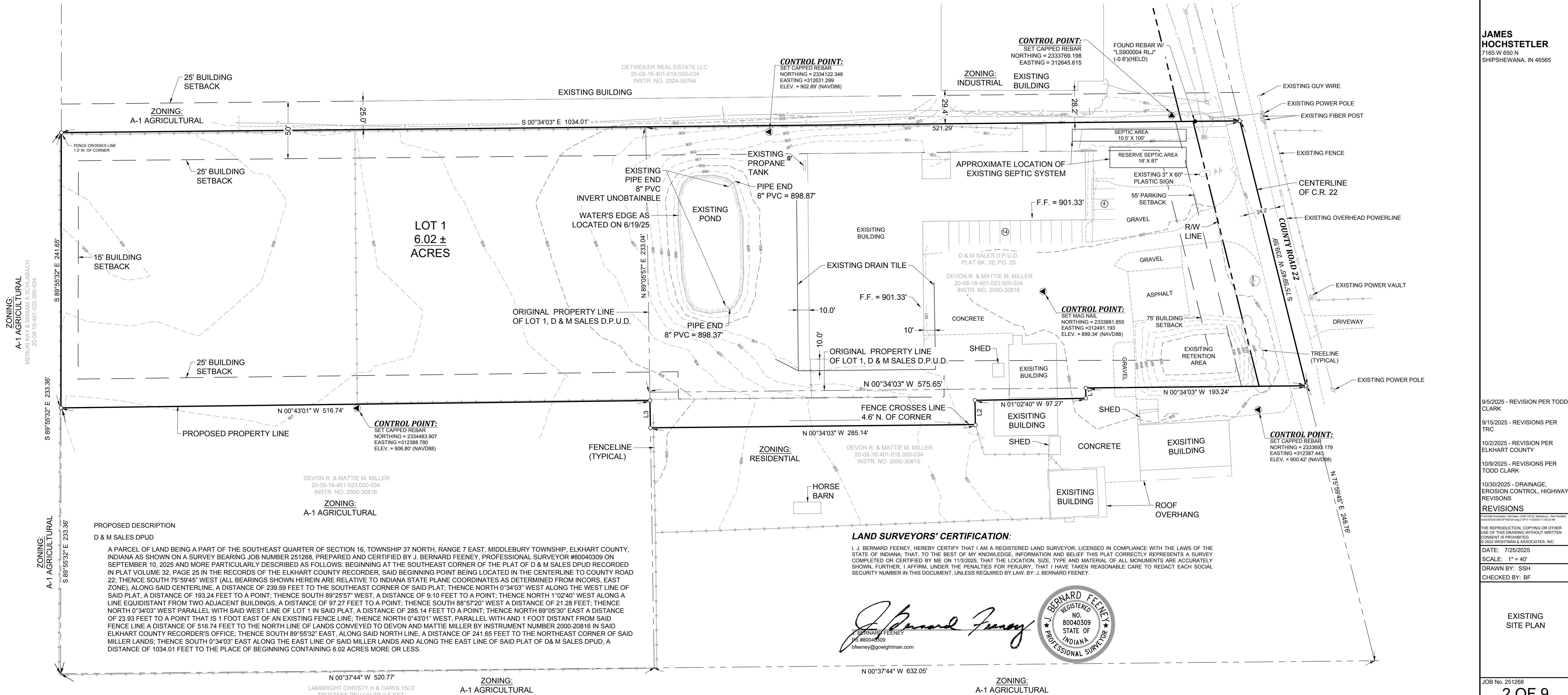
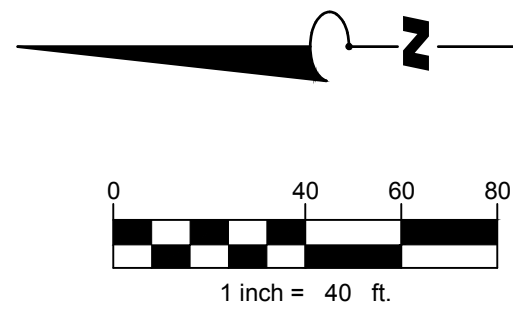
LEGEND

- = FOUND IRON
- = SET 5/8" REBAR W/ CAP FIRM NO. 0145 (FLUSH)
- ▲ = CONTROL POINT
- ▴ = SET MAG NAIL
- ▢ = COMMUNICATION VAULT
- ⋈ = POWER POLE
- RP = RED PAINT-ELECTRIC
- YP = YELLOW PAINT-GAS
- F.F. = FINISH FLOOR
- ⋈o = FIBER POST
- T = TELEPHONE LINE
- OHE = OVERHEAD POWER LINE
- G = APPROXIMATE BURIED GAS
- E = APPROXIMATE BURIED ELECTRIC
- = FENCE LINE
- ⊙ = DECIDUOUS TREE

PRE CONSTRUCTION - TABULATED DATA
(INFORMATION FROM PREVIOUS D & M PLYWOOD SALES D.P.U.D.
SITE PLAN PERFORMED BY ABONIMARCHE, JOB NO. 19-0256)

	SFT	ACREAGE	%
BUILDINGS	27,130.0	0.6	22.9
HARDSPACE & GRAVEL	32,334.0	0.7	27.5
OPEN AREA	58,770.0	1.3	49.6
TOTAL	118,234.0	2.6	100.0

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S89°25'57"W	9.10'
L2	S88°57'20"W	21.28'
L3	N89°05'30"E	23.93'



ZONING - ELKHART COUNTY ZONING ORIDANCE

EXISTING SITE IS "P.U.D. M-2" (MANUFACTURING) AND ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND M-2 MANUFACTURING (RESIDENTIAL AND AGRICULTURE USE).

SANITARY SEWER & WATER

THE EXISTING BUILDING IS CURRENTLY SERVICED BY AN EXISTING ONSITE SEPTIC SYSTEM LOCATED ON SITE. THIS SEPTIC SYSTEM SHALL REMAIN IN USE. THERE PROPOSED BUILDING SHALL CONTINUE TO UTILIZE THE EXISTING WATER WELL WELL SHOWN ON PLAN. NO ADDITIONAL WATER IS ANTICIPATED. ALL PERMITS SHALL BE OBTAINED TO CONTINUE TO UTILIZE THE WELL FOR THE NEW ADDITION.

LANDSCAPE

THERE IS NO NEW LANDSCAPING PROPOSED FOR THIS PROJECT AS ADJOINING PROPERTY IN NON-RESIDENTIAL TO THE WEST AND AGRICULTURAL TO THE NORTH AND M-2 MANUFACTURING TO THE EAST.

SIGN

THERE IS NO NEW SIGNAGE REQUESTED FOR THIS PROJECT.

STORAGE

THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.

EMPLOYEES

THE NUMBER OF EMPLOYEES WILL NOT CHANGE, THEY WILL HAVE THE SAME AMOUNT OF EMPLOYEES.

DAY AND HOURS OF OPERATION

MONDAY - FRIDAY, 6 A.M TO 4 P.M

ADDITIONAL NOTES:

- ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND INDUSTRIAL (RESIDENTIAL AND AGRICULTURE USE).
- THERE IS NO MINIMUM REQUIRED SIGN SET BACK (BEING A NON MAJOR ROAD OR FEDERAL/ STATE HIGHWAY).
- THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.
- THERE IS NO OFFSITE WELL, SEPTIC, AND RESERVE AREA WITHIN THE 100' REZONING AREA.
- ALL** PROPOSED PRIVATE SYSTEMS MUST BE OUTSIDE THE RIGHT - OF - WAY.

WIGHTMAN

1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:
D & M PLYWOOD SALES
COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER
7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK
9/15/2025 - REVISIONS PER TRC
10/2/2025 - REVISION PER ELKHART COUNTY
10/9/2025 - REVISIONS PER TODD CLARK
10/30/2025 - DRAINAGE EROSION CONTROL, HIGHWAY REVISIONS
REVISIONS
DATE: 7/25/2025
SCALE: 1" = 40'
DRAWN BY: SSH
CHECKED BY: BF

EXISTING
SITE PLAN

NOTES:

- PROPERTY ADDRESS: 13487 COUNTY ROAD 22, MIDDLEBURY, INDIANA 46540
- CURRENT ZONING: P.U.D. M-2 (MANUFACTURING)
BUILDING SETBACKS:
FRONT YARD = 75 FEET FROM CENTER LINE OF CR 22
SIDE YARD = 25 FEET
REAR YARD = 15 FEET
SIDE YARD (ADJ. TO RESIDENTIAL) = 50 FEET (NOT USED FOR RESIDENCE)
PARKING SETBACKS:
FRONT YARD = 15 FEET FROM PROPERTY LINE OR 55 FEET FROM CENTERLINE OF COUNTY ROAD 22, WHICHEVER GREATER.
- CURRENT USE: MANUFACTURING AND DISTRIBUTION
- PROPOSED USE: MANUFACTURING AND DISTRIBUTION
- CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE SURVEYOR IMMEDIATELY OF ANY DISCREPANCIES.
- BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING, UNLESS NOTED OTHERWISE.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL PROPOSED BUILDING DIMENSIONS.
- BARBED WIRE, RAZOR WIRE AND ELECTRIFIED FENCES SHALL NOT BE PERMITTED.
- DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.
- THE SITE SHALL CONFORM TO THE AREA, HEIGHT, AND DEVELOPMENT REGULATIONS OF THE D.P.U.D. M - 2, MANUFACTURING DISTRICT.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

D & M SALES DPUD 1ST AMENDMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

PRE CONSTRUCTION - TABULATED DATA
(INFORMATION FROM PREVIOUS D & M PLYWOOD SALES D.P.U.D.
SITE PLAN PERFORMED BY ABONMARCHÉ, JOB NO. 19-0256)

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LEGAL DESCRIPTION

LOT 1 OF D & M SALES D.P.U.D. M-2 AS SHOWN IN PLAT 32, PAGE 25, INSTRUMENT NO. 2007-29367.

ADDITIONAL NOTES:

- ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND INDUSTRIAL (RESIDENTIAL AND AGRICULTURE USE).
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- THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.
- THERE IS NO OFFSITE WELL, SEPTIC , AND RESERVE AREA WITHIN THE 100' REZONING AREA.
- ALL PROPOSED PRIVATE SYSTEMS MUST BE OUTSIDE THE RIGHT - OF - WAY.

ADDITIONAL NOTES

- ALL FILL SHALL BE CLEAR GRANULAR MATERIAL FROM THIS SITE.
- FILL SHALL BE USED FROM PROPOSED RETENTION AREA TO BACKFILL EXISTING RETENTION
- EXISTING RETENTION BASIN SHALL BE DRAINED OF ALL STANDING WATER
- ANY SILT FOUND IN BOTTOM OF EXISTING RETENTION SHALL BE REMOVED.
- NO TOPSOIL FROM PROPOSED RETENTION AREA SHALL BE USED AS ANY SITE BACKFILL
- ALL MATERIAL USED TO BACKFILL THE EXISTING RETENTION AREA SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 98% STANDARD PROCTOR
- ALL FILL MATERIAL PLACED IN FOUNDATION AREA AND TRUCK DOCK AREA SHALL BE TESTED FOR ITS SUITABILITY.
- ALL SOIL TESTING RESULTS ARE TO BE SUBMITTED TO THIS OFFICE PRIOR TO ANY CONCRETE POUR

LEGEND

- = FOUND IRON
- = SET 5/8" REBAR W/ CAP FIRM NO. 0145 (FLUSH)
- ▲ = CONTROL POINT
- ▷ = SET MAG NAIL
- ▣ = COMMUNICATION VAULT
- ⌵ = POWER POLE
- ⌵ = RED PAINT-ELECTRIC
- ⌵ = YELLOW PAINT-GAS
- F.F. = FINISH FLOOR
- ⌵ = FIBER POST
- ⌵ = TELEPHONE LINE
- = OVERHEAD POWER LINE
- = APPROXIMATE BURIED GAS
- = APPROXIMATE BURIED ELECTRIC
- = FENCE LINE
- ⊙ = DECIDUOUS TREE

LINE TABLE		
LINE NO.	BEARING	LENGTH
L1	S89°25'57"W	9.10'
L2	S88°57'20"W	21.28'
L3	N89°05'30"E	23.93'

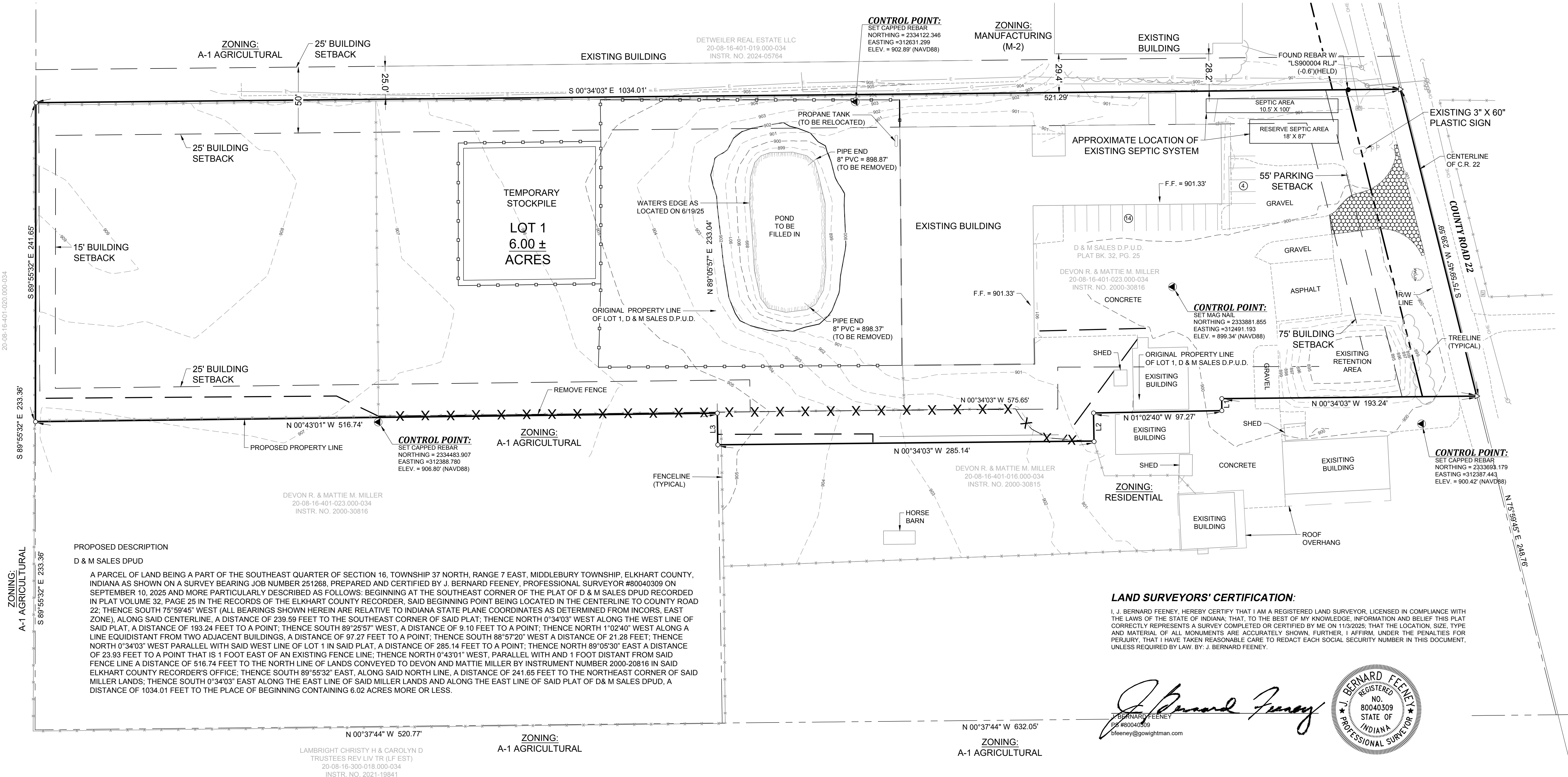
DEMOLITION LEGEND

--- = CONSTRUCTION LIMITS

—X—X—X— = EXISTING FENCE TO BE REMOVED

▣ = TEMPORARY CONSTRUCTION ENTRANCE

▣ = REMOVAL / CLEARING AREA



LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON 11/3/2025; THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN; FURTHER, I 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. BY: J. BERNARD FEENEY.

J. Bernard Feeny
REGISTERED
NO. 80040309
STATE OF INDIANA
PROFESSIONAL SURVEYOR



W+
WIGHTMAN
1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:
D & M PLYWOOD SALES
COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER
7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK

9/15/2025 - REVISIONS PER TRC

10/2/2025 - REVISION PER ELKHART COUNTY

10/9/2025 - REVISIONS PER TODD CLARK

10/30/2025 - DRAINAGE, EROSION CONTROL, HIGHWAY REVISIONS

REVISIONS

DATE: 7/25/2025

SCALE: 1" = 40'

DRAWN BY: SSH

CHECKED BY: BF

DEMOLITION PLAN

JOB NO. 251268

3 OF 9

ZONING - ELKHART COUNTY ZONING ORDINANCE

EXISTING SITE IS "P.U.D. M-2" (MANUFACTURING) AND ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND M-2 MANUFACTURING (RESIDENTIAL AND AGRICULTURE USE).

SANITARY SEWER & WATER

THE EXISTING BUILDING IS CURRENTLY SERVICED BY AN EXISTING ONSITE SEPTIC SYSTEM LOCATED NEAR THE SOUTHEAST CORNER OF THE PROPERTY. THIS SEPTIC SYSTEM SHALL REMAIN IN USE, BECAUSE THE NUMBER OF EMPLOYEES IS NOT EXPECTED TO CHANGE. THERE SHOULD BE NO PROBLEMS WITH THE EXISTING SEPTIC SYSTEM. THE PROPOSED BUILDING SHALL CONTINUE TO UTILIZE THE EXISTING WATER PROVIDED BY A WELL TO WEST. NO ADDITIONAL WATER IS ANTICIPATED. ALL PERMITS SHALL BE OBTAINED TO CONTINUE TO UTILIZE THE EXISTING WELL ARRANGEMENT FOR THE NEW ADDITION.

LANDSCAPE

THERE IS NO NEW LANDSCAPING PROPOSED FOR THIS PROJECT AS ADJOINING PROPERTY IN NON-RESIDENTIAL TO THE WEST AND AGRICULTURAL TO THE NORTH AND M-2 MANUFACTURING TO THE EAST.

LIGHTING

5 NEW WALL PACK LIGHTS WILL BE INSTALLED ON PROPOSED BUILDING (SEE DRAWING FOR DETAIL).

SIGN

THERE IS NO NEW SIGNAGE REQUESTED FOR THIS PROJECT.

STORAGE

THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.

EMPLOYEES

THE NUMBER OF EMPLOYEES WILL NOT CHANGE. THEY WILL HAVE THE SAME NUMBER OF EMPLOYEES.

DAY AND HOURS OF OPERATION

MONDAY - FRIDAY, 8 A.M TO 4 P.M.

ADDITIONAL NOTES:

- ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND INDUSTRIAL (RESIDENTIAL AND AGRICULTURE USE).
- THERE IS NO MINIMUM REQUIRED SIGN SET BACK (BEING A NON MAJOR ROAD OR FEDERAL/ STATE HIGHWAY).
- THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.
- THERE IS NO OFFSITE SEPTIC OR RESERVE AREA WITHIN THE 100' REZONING AREA.
- ALL PROPOSED PRIVATE SYSTEMS MUST BE OUTSIDE THE RIGHT - OF - WAY.

ADDITIONAL NOTES

- ALL FILL SHALL BE CLEAN GRANULAR MATERIAL FROM THIS SITE
- FILL SHALL BE USED FROM PROPOSED RETENTION AREA TO BACKFILL EXISTING RETENTION
- EXISTING RETENTION BASIN SHALL BE DRAINED OF ALL STANDING WATER.
- ANY SILT FOUND IN BOTTOM OF EXISTING RETENTION SHALL BE REMOVED.
- NO TOPSOIL FROM PROPOSED RETENTION AREA SHALL BE USED AS ANY SITE BACKFILL.
- ALL MATERIAL USED TO BACKFILL THE EXISTING RETENTION AREA SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 98% STANDARD PROCTOR.
- ALL FILL MATERIAL PLACED IN FOUNDATION AREA AND TRUCK DOCK AREA SHALL BE TESTED FOR ITS SUITABILITY.
- ALL SOIL TESTING RESULTS ARE TO BE SUBMITTED TO THIS OFFICE PRIOR TO ANY CONCRETE POUR

D & M SALES DPUD
1ST AMENDMENT
PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

NOTES:

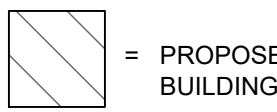
- PROPERTY ADDRESS: 13487 COUNTY ROAD 22, MIDDLEBURY, INDIANA 46540
- CURRENT ZONING: P.U.D. M-2 (MANUFACTURING)
BUILDING SETBACKS:
FRONT YARD = 75 FEET FROM CENTER LINE OF CR 22
SIDE YARD = 15 FEET
REAR YARD = 15 FEET
SIDE YARD (ADJ. TO RESIDENTIAL) = 50 FEET (NOT USED FOR RESIDENCE)

PARKING SETBACKS:
FRONT YARD = 15 FEET FROM PROPERTY LINE OR 55 FEET FROM CENTERLINE OF COUNTY ROAD 22, WHICHEVER GREATER.
- CURRENT USE: MANUFACTURING AND DISTRIBUTION
- PROPOSED USE: MANUFACTURING AND DISTRIBUTION
- CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE SURVEYOR IMMEDIATELY OF ANY DISCREPANCIES.
- BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING, UNLESS NOTED OTHERWISE.
- REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL PROPOSED BUILDING DIMENSIONS.
- BARBED WIRE, RAZOR WIRE AND ELECTRIFIED FENCES SHALL NOT BE PERMITTED.
- DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.
- THE SITE SHALL CONFORM TO THE AREA, HEIGHT, AND DEVELOPMENT REGULATIONS OF THE D.P.U.D. M - 2, MANUFACTURING DISTRICT.

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN-SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THE SURVEYOR DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

LEGEND

- = FOUND IRON
- = SET 5/8" REBAR W/ CAP FIRM NO. 0145 (FLUSH)
- ▲ = SET MAG NAIL
- ◊ = COMMUNICATION VAULT
- ⚡ = POWER POLE
- RP = RED PAINT-ELECTRIC
- YP = YELLOW PAINT-GAS
- F.F. = FIBER POST
- ⚡ = TELEPHONE LINE
- = OVERHEAD POWER LINE
- = APPROXIMATE BURIED GAS
- = APPROXIMATE BURIED ELECTRIC
- = FENCE LINE
- ⊙ = DECIDUOUS TREE
- ↓ = FLOW



NEW CONSTRUCTION - TABULATED DATA

	SFT	ACREAGE	%
BUILDINGS	24,000	0.55	23.5
LOADING DOCK	1,200	0.03	1.2
CONCRETE	23,134	0.53	22.7
OPEN AREA	53,756	1.23	52.6
TOTAL	102,090	2.34	100.0

PRE CONSTRUCTION - TABULATED DATA

(INFORMATION FROM PREVIOUS D & M PLYWOOD SALES D.P.U.D. SITE PLAN PERFORMED BY ABONMARCHÉ, JOB NO. 19-0256)

	SFT	ACREAGE	%
BUILDINGS	27,130.0	0.6	22.9
HARDSpace & GRAVEL	32,334.0	0.7	27.5
OPEN AREA	58,770.0	1.3	49.6
TOTAL	118,234.0	2.6	100.0

REQUIRED PARKING

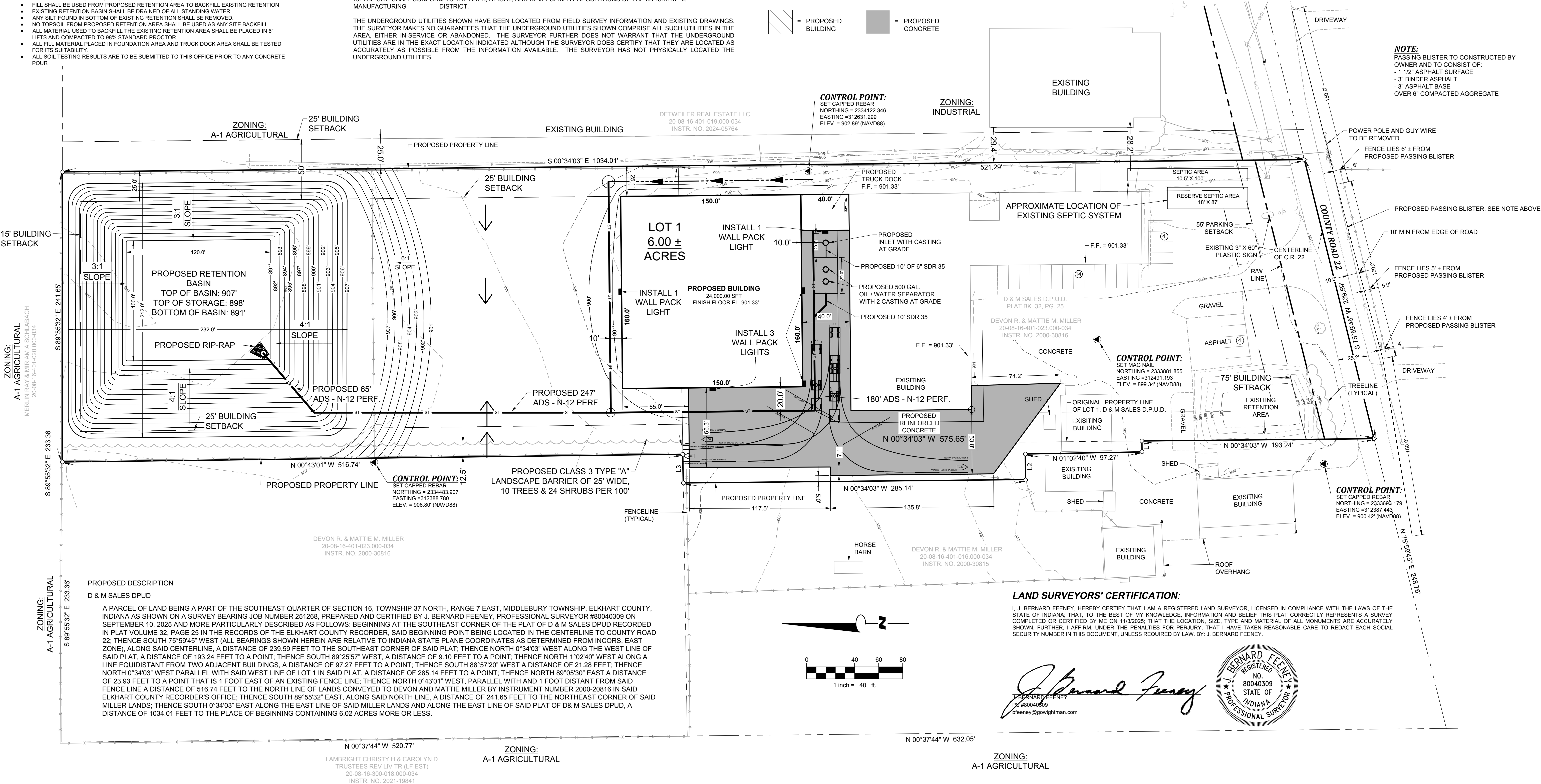
	SQFT	REQUIRED SPACES
OFFICE	200	0.67
OUTDOOR STORAGE	1,200	1.2
EXISTING BUILDING	26,250	10.5
PROPOSED BUILDING	25,200	10.1
TOTAL	52,850	22.47

REQUIRED PROVIDED

22

WAIVER REQUEST

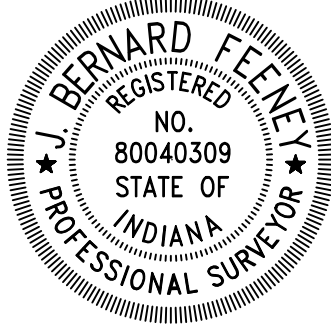
WAIVER IS HEREBY REQUESTED FROM THE LANDSCAPING ORDINANCE RELATIVE TO AN M-2 USE ADJACENT TO A RESIDENTIAL USE. THE REAR (NORTH) HALF OF THE LINE BETWEEN THE M-2 USE AND RESIDENTIAL USE IS PROPOSED FOR LANDSCAPING. HOWEVER, DUE TO DISTANCE AND AREA CONSTRAINTS FOR EXISTING STRUCTURES AND PROPOSED MANEUVERING ROOM FOR SEMI TRUCKS, WE WOULD REQUEST THAT VARIANCE BE GRANTED FROM LANDSCAPING FRONT HALF OF THE COMMON PROPERTY LINE. THIS REQUEST IS REASONABLE AND APPROPRIATE DUE TO THE FACT THAT THE PROPERTY OWNERS FOR BOTH PIECES OF LAND ARE VIRTUALLY THE SAME - CORPORATE AND PERSONAL. THEY HAVE REMAINED THAT WAY THROUGHOUT THE LIFE OF THE BUSINESS AND ARE EXPECTED TO REMAIN THAT WAY FOR GENERATIONS TO COME.



LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAN CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON 11/3/2025, THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN, FURTHER, I 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. BY: J. BERNARD FEENEY.

J. BERNARD FEENEY
REGISTERED
NO. 80040309
STATE OF INDIANA
PROFESSIONAL SURVEYOR



WIGHTMAN

1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:

D & M PLYWOOD SALES

COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER

7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK

9/15/2025 - REVISIONS PER TRC

10/2/2025 - REVISION PER ELKHART COUNTY

10/9/2025 - REVISIONS PER TODD CLARK

10/30/2025 - DRAINAGE, EROSION CONTROL, HIGHWAY REVISIONS

REVISIONS

DATE: 7/25/2025

SCALE: 1" = 40'

DRAWN BY: SSH

CHECKED BY: BF

PROPOSED SITE PLAN

JOB NO. 251268

4 OF 9

NOTES:

1. PROPERTY ADDRESS: 13487 COUNTY ROAD 22, MIDDLEBURY, INDIANA 46540
2. CURRENT ZONING: P.U.D. M-2 (MANUFACTURING)
BUILDING SETBACKS:
FRONT YARD = 75 FEET FROM CENTER LINE OF CR 22
SIDE YARD = 15 FEET
REAR YARD = 15 FEET
SIDE YARD (ADJ. TO RESIDENTIAL) = 50 FEET (NOT USED FOR RESIDENCE)

- PARKING SETBACKS:
15 FEET FROM PROPERTY LINE OR 55 FEET FROM CENTERLINE OF COUNTY ROAD 22, WHICHEVER GREATER.
3. CURRENT USE: MANUFACTURING AND DISTRIBUTION
4. PROPOSED USE: MANUFACTURING AND DISTRIBUTION
5. CONTRACTOR TO FIELD VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON SITE. THE CONTRACTOR SHALL NOTIFY THE SURVEYOR IMMEDIATELY OF ANY DISCREPANCIES.
6. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING, UNLESS NOTED OTHERWISE.
7. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL PROPOSED BUILDING DIMENSIONS.
8. BARBED WIRE, RAZOR WIRE AND ELECTRIFIED FENCES SHALL NOT BE PERMITTED.
9. DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.
10. THE SITE SHALL CONFORM TO THE AREA, HEIGHT, AND DEVELOPMENT REGULATIONS OF THE D.P.U.D. M - 2, MANUFACTURING DISTRICT.

ADDITIONAL NOTES:

1. ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND INDUSTRIAL (RESIDENTIAL AND AGRICULTURE USE).
2. THERE IS NO MINIMUM REQUIRED SIGN SET BACK (BEING A NON MAJOR ROAD OR FEDERAL/ STATE HIGHWAY).
3. THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.
4. THERE IS NO OFFSITE WELL, SEPTIC , AND RESERVE AREA WITHIN THE 100' REZONING AREA.
5. **ALL** PROPOSED PRIVATE SYSTEMS MUST BE OUTSIDE THE RIGHT - OF - WAY.

ADDITIONAL NOTES

- ALL FILL SHALL BE CLEAR GRANCELAR MATERIAL FROM THIS SITE.
- FILL SHALL BE USED FROM PROPOSED RETENTION AREA TO BACKFILL EXISTING RETENTION
- EXISTING RETENTION BASIN SHALL BE DRAINED OF ALL STANDING WATER.
- ANY SILT FOUND IN BOTTOM OF EXISTING RETENTION SHALL BE REMOVED.
- NO TOPSOIL FROM PROPOSED RETENTION AREA SHALL BE USED AS ANY SITE BACKFILL
- ALL MATERIAL USED TO BACKFILL THE EXISTING RETENTION AREA SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 98% STANDARD PROCTOR.
- ALL FILL MATERIAL PLACED IN FOUNDATION AREA AND TRUCK DOCK AREA SHALL BE TESTED FOR ITS SUITABILITY
- ALL SOIL TESTING RESULTS ARE TO BE SUBMITTED TO THIS OFFICE PRIOR TO ANY CONCRETE POUR

D & M SALES DPUD
1ST AMENDMENT
PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

PRE CONSTRUCTION - TABULATED DATA
(INFORMATION FROM PREVIOUS D & M PLYWOOD SALES D.P.U.D.
SITE PLAN PERFORMED BY ABONMARCHÉ, JOB NO. 19-0256)

	SFT	ACREAGE	%
BUILDINGS	27,130.0	0.6	22.9
HARDSPACE & GRAVEL	32,334.0	0.7	27.5
OPEN AREA	58,770.0	1.3	49.6
TOTAL	118,234.0	2.6	100.0

NEW CONSTRUCTION - TABULATED DATA

	SFT	ACREAGE	%
BUILDINGS	24,000	0.55	23.5
LOADING DOCK	1,200	0.03	1.2
CONCRETE	23,134	0.53	22.7
OPEN AREA	132,440	3.04	52.6
TOTAL	182,090	4.15	100.0

STORAGE VOLUME CALCULATIONS
(INFORMATION FROM PREVIOUS D & M PLYWOOD SALES D.P.U.D.
SITE PLAN PERFORMED BY ABONMARCHÉ, JOB NO. 19-0256)

DEVELOPED CONDITION
ESTIMATED TIME OF CONCENTRATION = 15 MIN.
STORM EVENT = 100 YEAR, 24 HOUR STORM
DEVELOPED RUNOFF RATE:
Q = CIA
= 0.41(0.22 IN/HR)(3.2 AC.)
= 0.290 CFS
= 0.290 CFS(3600 SEC/HR)(24 HR)
= 25,021 CU FT

RUNOFF CALCULATIONS

C₁(AREA₁) + C₂(AREA₂) + C₃(AREA₃) + C₄(AREA₄)
TOTAL AREA

= 0.95(0.55) + 0.95(0.03) + 0.90(0.55) + 0.25(3.04)
4.15

C_{COMP} = 0.44

I = 5.72"/24hr (100yr) = 0.238

A = 4.15

Q = 0.44 (0.238)(4.15)

= 0.435 cfs (24/3600)

= 37,600 + 25,021 = 62,621 (2)

= 125,242 CU. FT STORAGE REQUIRED

PROPOSED BASIN STORAGE

TOP OF BASIN = 907
TOP OF STORAGE = 898
BOTTOM OF BASIN = 891
PROPOSED BANK SLOPES = AS SHOWN
25,181 S.F + 12,000 S.F
2 (7)
= 130,135 CU. FT.
STORAGE PROVIDED = 104% OF REQUIRED

LEGAL DESCRIPTION

LOT 1 OF D & M SALES D.P.U.D. M-2 AS SHOWN IN PLAT 32, PAGE 25, INSTRUMENT NO. 2007-29367.

LEGEND

- = FOUND IRON
- = SET 5/8" REBAR W/ CAP FIRM NO. 0145 (FLUSH)
- ▲ = CONTROL POINT
- ▷ = SET MAG NAIL
- ⊞ = COMMUNICATION VAULT
- ⋈ = POWER POLE
- RP = RED PAINT-ELECTRIC
- YP = YELLOW PAINT-GAS
- F.F. = FINISH FLOOR
- ⋈ = FIBER POST
- T — = TELEPHONE LINE
- OHE — = OVERHEAD POWER LINE
- G — = APPROXIMATE BURIED GAS
- E — = APPROXIMATE BURIED ELECTRIC
- * — = FENCE LINE
- = DECIDUOUS TREE

- ▧ = PROPOSE BUILDING
- ▩ = PROPOSE CONCRETE

↓ = FLOW

Precipitation Frequency Data Sheet

https://www.weather.gov/pf/pf_table_precipfreqmiles14_555724...

NOAA Atlas 14, Volume 2, Version 3
Location: near Midbury, Indiana, 180°
Latitude & Longitude: 41.266°N
Elevation: 1000 feet

POINT PRECIPITATION FREQUENCY ESTIMATES

Site: Road 2, North, 31.1, 7° East, 1000, and 1000

NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

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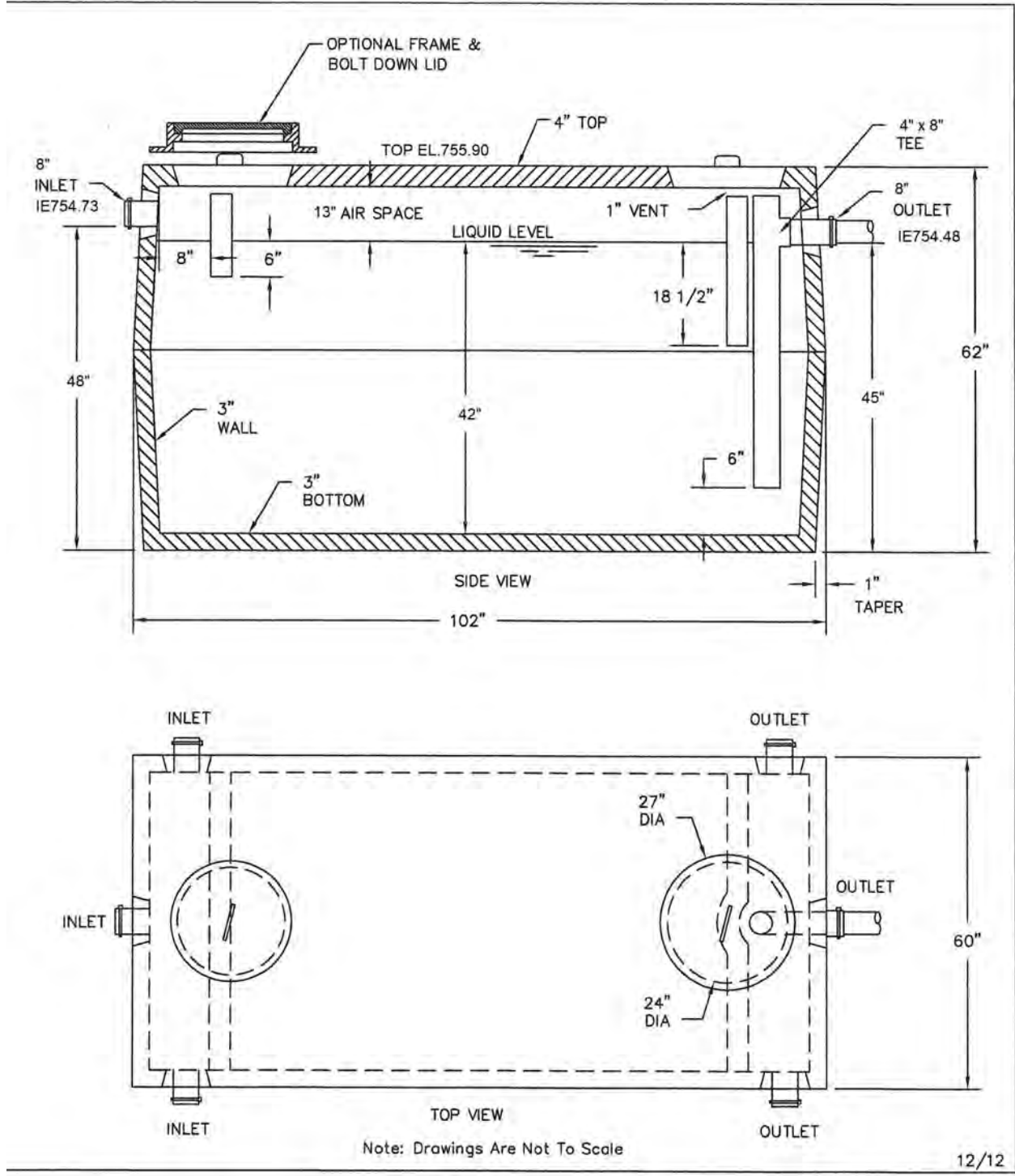
NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

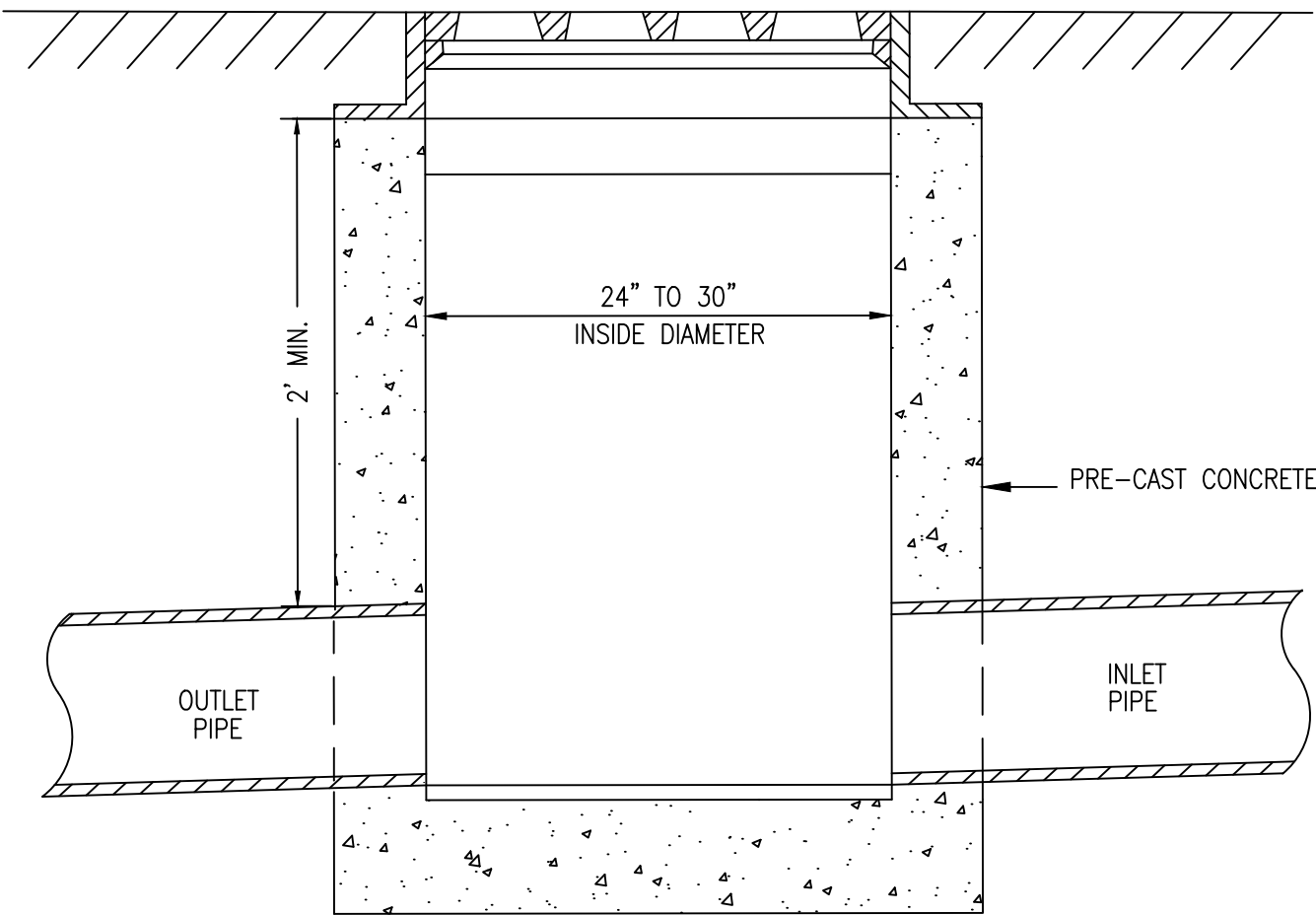
NOAA National Weather Service, North Carolina, 1000

NOAA National Weather Service, North Carolina, 1000

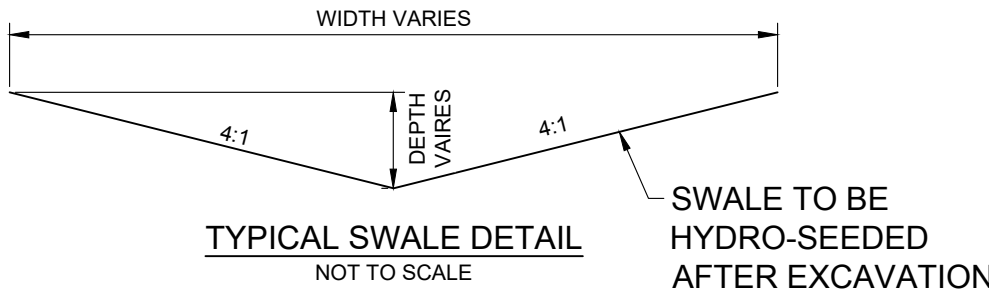
D & M SALES DPUD
1ST AMENDMENT
PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA



OIL AND WATER SEPERATOR
SCALE: NONE



STANDARD INLET
SCALE: NONE



LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON 11/3/2025; THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN; FURTHER, I 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, BY: J. BERNARD FEENEY.

J. Bernard Feeney
J. BERNARD FEENEY
NO. 80040309
STATE OF INDIANA
PS 460040309
feeney@gowightman.com



**WIGHTMAN**

1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:
D & M PLYWOOD SALES
COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER
7165 W 650 N
SHIPSHEWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK
9/15/2025 - REVISIONS PER TRC
10/2/2025 - REVISION PER ELKHART COUNTY
10/9/2025 - REVISIONS PER TODD CLARK
10/30/2025 - DRAINAGE, EROSION CONTROL, HIGHWAY REVISIONS
REVISIONS
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DATE: 7/25/2025
SCALE: NONE
DRAWN BY: SSH
CHECKED BY: BF

DRAINAGE & GRADING DETAILS

JOB No. 251268
5A OF 9

D & M SALES DPUD 1ST AMENDMENT

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

ZONING - ELKHART COUNTY ZONING ORIDANCE

EXISTING SITE IS "P.U.D. M-2" (MANUFACTURING) AND ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND M-2 MANUFACTURING (RESIDENTIAL AND AGRICULTURE USE).

SANITARY SEWER & WATER

THE EXISTING BUILDING IS CURRENTLY SERVICED BY AN EXISTING ONSITE SEPTIC SYSTEM LOCATED ON SITE. THIS SEPTIC SYSTEM SHALL REMAIN IN USE. THERE PROPOSED BUILDING SHALL CONTINUE TO UTILIZE THE EXISTING WATER WELL. WELL SHOWN ON PLAN. NO ADDITIONAL WATER IS ANTICIPATED. ALL PERMITS SHALL BE OBTAINED TO CONTINUE TO UTILIZE THE WELL FOR THE NEW ADDITION.

LANDSCAPE

THERE IS NO NEW LANDSCAPING PROPOSED FOR THIS PROJECT AS ADJOINING PROPERTY IN NON-RESIDENTIAL TO THE WEST AND AGRICULTURAL TO THE NORTH AND M-2 MANUFACTURING TO THE EAST.

LIGHTING

5 NEW WALL PACK LIGHTS WILL BE INSTALLED ON PROPOSED BUILDING (SEE DRAWING FOR DETAIL).

SIGN

THERE IS NO NEW SIGNAGE REQUESTED FOR THIS PROJECT.

STORAGE

THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.

EMPLOYEES

THE NUMBER OF EMPLOYEES WILL NOT CHANGE, THEY WILL HAVE THE SAME AMOUNT OF EMPLOYEES.

DAY AND HOURS OF OPERATION

MONDAY - FRIDAY, 6 A.M. TO 4 P.M.

ADDITIONAL NOTES:

- ADJACENT ZONING TO THE WEST, NORTH, AND SOUTH IS "A-1" AND INDUSTRIAL (RESIDENTIAL AND AGRICULTURE USE).
- THERE IS NO MINIMUM REQUIRED SIGN SET BACK (BEING A NON MAJOR ROAD OR FEDERAL/ STATE HIGHWAY).
- THERE WILL BE NO OUTSIDE STORAGE AND DISPLAY.
- THERE IS NO OFFSITE WELL, SEPTIC , AND RESERVE AREA WITHIN THE 100' REZONING AREA.
- ALL PROPOSED PRIVATE SYSTEMS MUST BE OUTSIDE THE RIGHT - OF - WAY.

ADDITIONAL NOTES

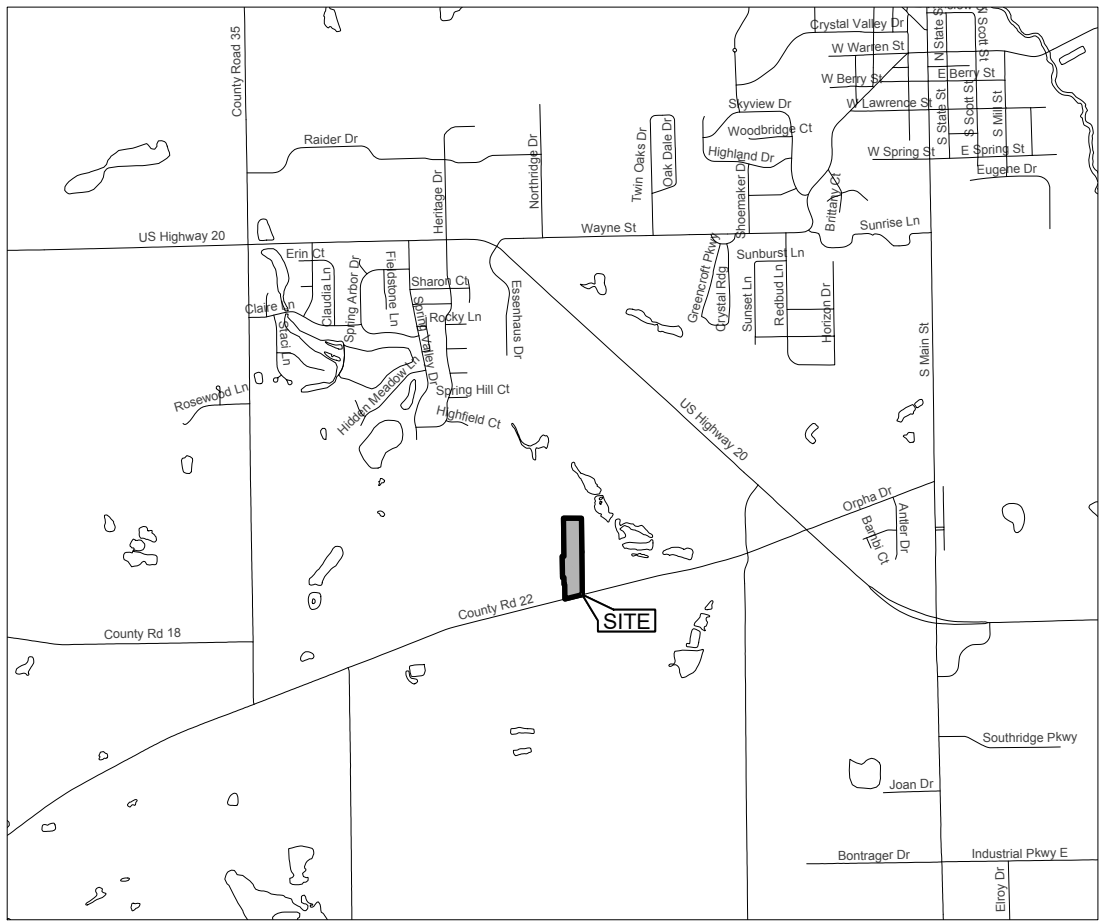
- ALL FILL SHALL BE CLEAR GRANCELAR MATERIAL FROM THIS SITE.
- FILL SHALL BE USED FROM PROPOSED RETENTION AREA TO BACKFILL EXISTING RETENTION
- EXISTING RETENTION BASIN SHALL BE DRAINED OF ALL STANDING WATER.
- ANY SILT FOUND IN BOTTOM OF EXISTING RETENTION SHALL BE REMOVED.
- NO TOPSOIL FROM PROPOSED RETENTION AREA SHALL BE USED AS ANY SITE BACKFILL.
- ALL MATERIAL USED TO BACKFILL THE EXISTING RETENTION AREA SHALL BE PLACED IN 6" LIFTS AND COMPACTED TO 98% STANDARD PROCTOR.
- ALL FILL MATERIAL PLACED IN FOUNDATION AREA AND TRUCK DOCK AREA SHALL BE TESTED FOR ITS SUITABILITY.
- ALL SOIL TESTING RESULTS ARE TO BE SUBMITTED TO THIS OFFICE PRIOR TO ANY CONCRETE POUR

EROSION CONTROL LEGEND

- = ROCK CHECK DAM
- = FLOW
- = TURNING TEMPLATE FOR DELIVERY DRIVERS
- = SILT SOCK OR FENCE
- = CONSTRUCTION LIMITS
- = TEMPORARY CONSTRUCTION ENTRANCE
- = INLET PROTECTION
- = CONCRETE WASHOUT AREA

LEGEND

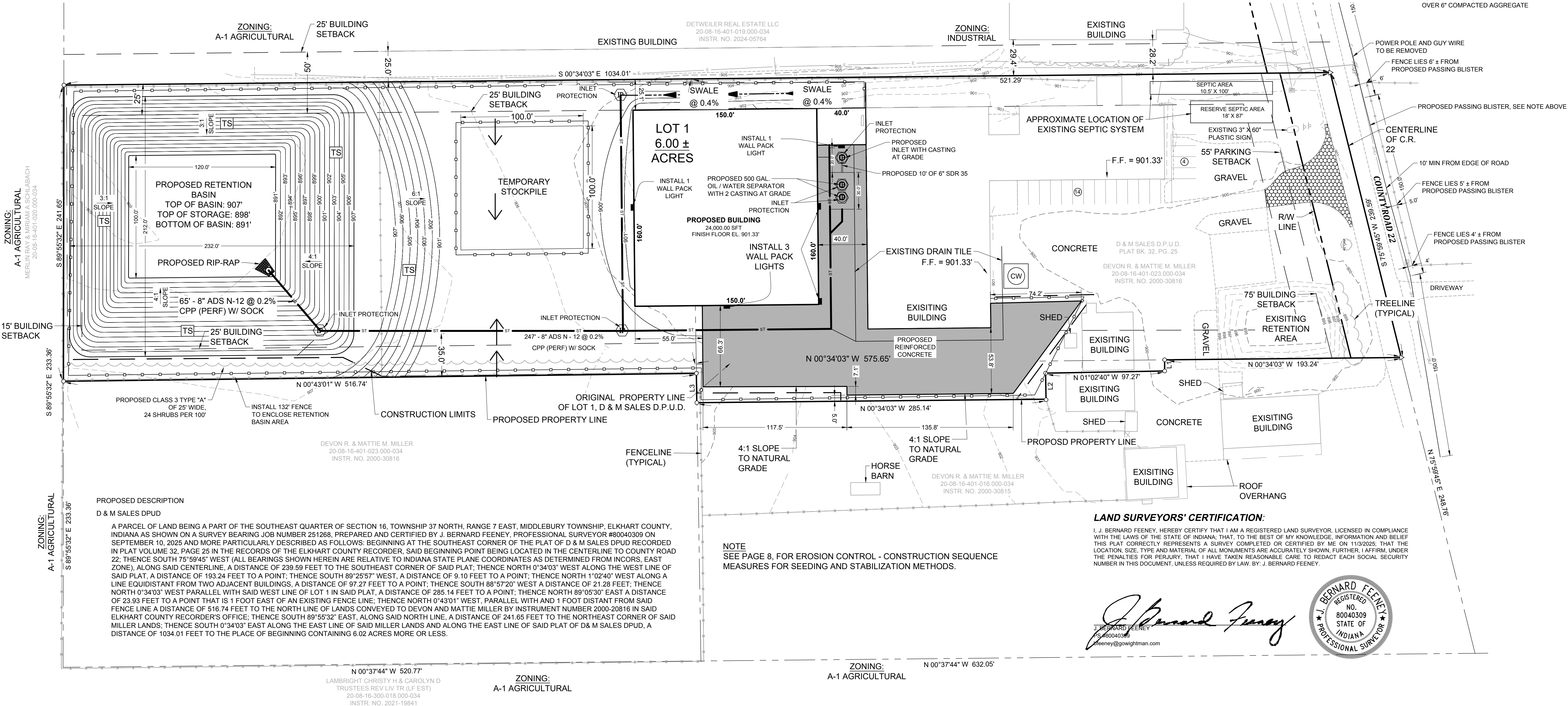
- = FOUND IRON
- = SET 5/8" REBAR W/ CAP MIP NO. 0145 (FLUSH)
- = CONTROL POINT
- = SET MAG NAIL
- = COMMUNICATION VAULT
- = POWER POLE
- = RED PAINT-ELECTRIC
- = YELLOW PAINT-GAS
- = FINISH FLOOR
- = FIBER POST
- = TELEPHONE LINE
- = OVERHEAD POWER LINE
- = APPROXIMATE BURIED GAS
- = APPROXIMATE BURIED ELECTRIC
- = FENCE LINE
- = DECIDUOUS TREE
- = TEMPORALLY SEEDING
- = FLOW
- = PROPOSED BUILDING
- = PROPOSED CONCRETE



VICINITY MAP
NOT TO SCALE

NOTE:

PASSING BLISTER TO CONSTRUCTED BY OWNER AND TO CONSIST OF:
- 1 1/2" ASPHALT SURFACE
- 3" BINDER ASPHALT
- 3" ASPHALT BASE
OVER 6" COMPACTED AGGREGATE



NOTE

SEE PAGE 8, FOR EROSION CONTROL - CONSTRUCTION SEQUENCE MEASURES FOR SEEDING AND STABILIZATION METHODS.

LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THIS PLAN CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON 11/3/2025; THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN. FURTHER, I 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. BY: J. BERNARD FEENEY.

J. Bernard Feeney
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1405 N. MICHIGAN ST.
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574.936.3469

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PROJECT NAME:
D & M PLYWOOD SALES
COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOCHSTETLER
7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK

9/15/2025 - REVISIONS PER TRC

10/2/2025 - REVISION PER ELKHART COUNTY

10/9/2025 - REVISIONS PER TODD CLARK

10/30/2025 - DRAINAGE, EROSION CONTROL, HIGHWAY REVISIONS

REVISIONS

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DATE: 7/25/2025

SCALE: 1" = 40'

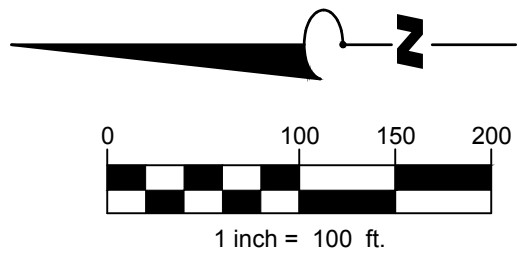
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EROSION CONTROL PLAN

JOB NO. 251268

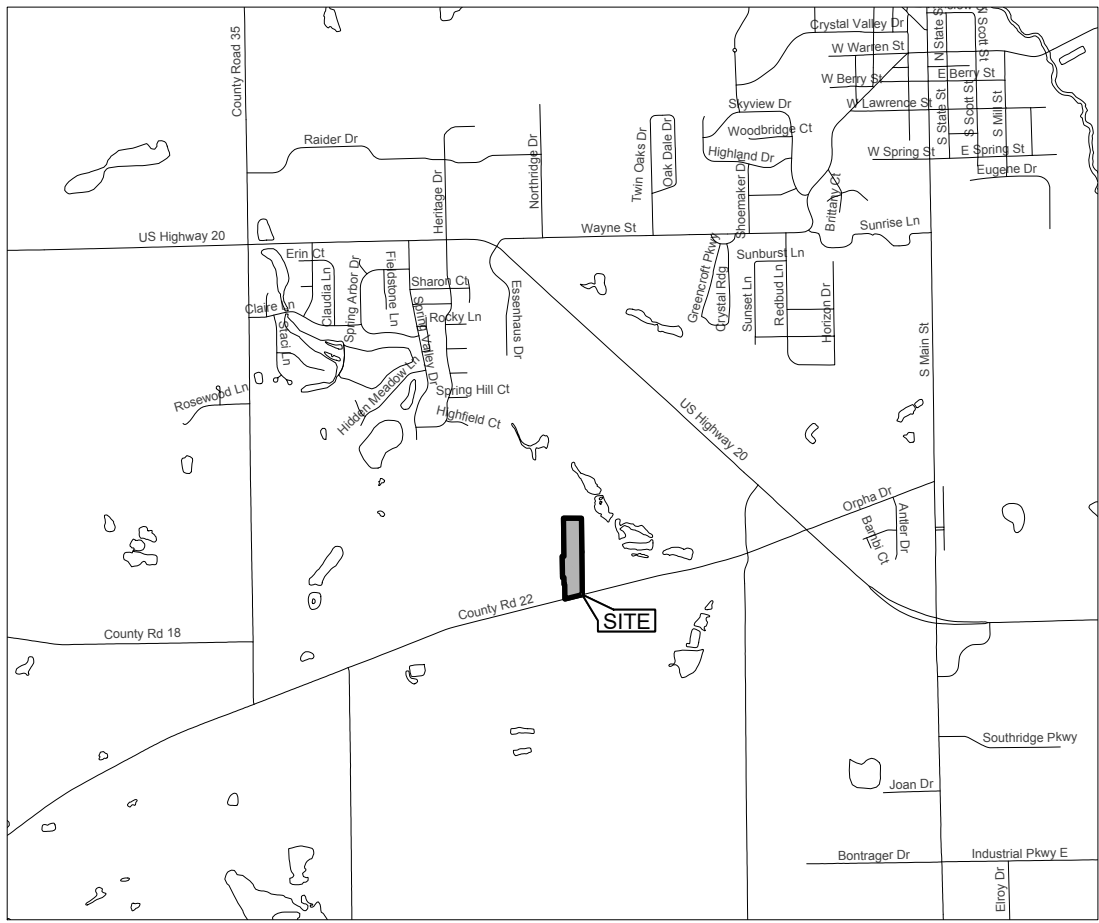
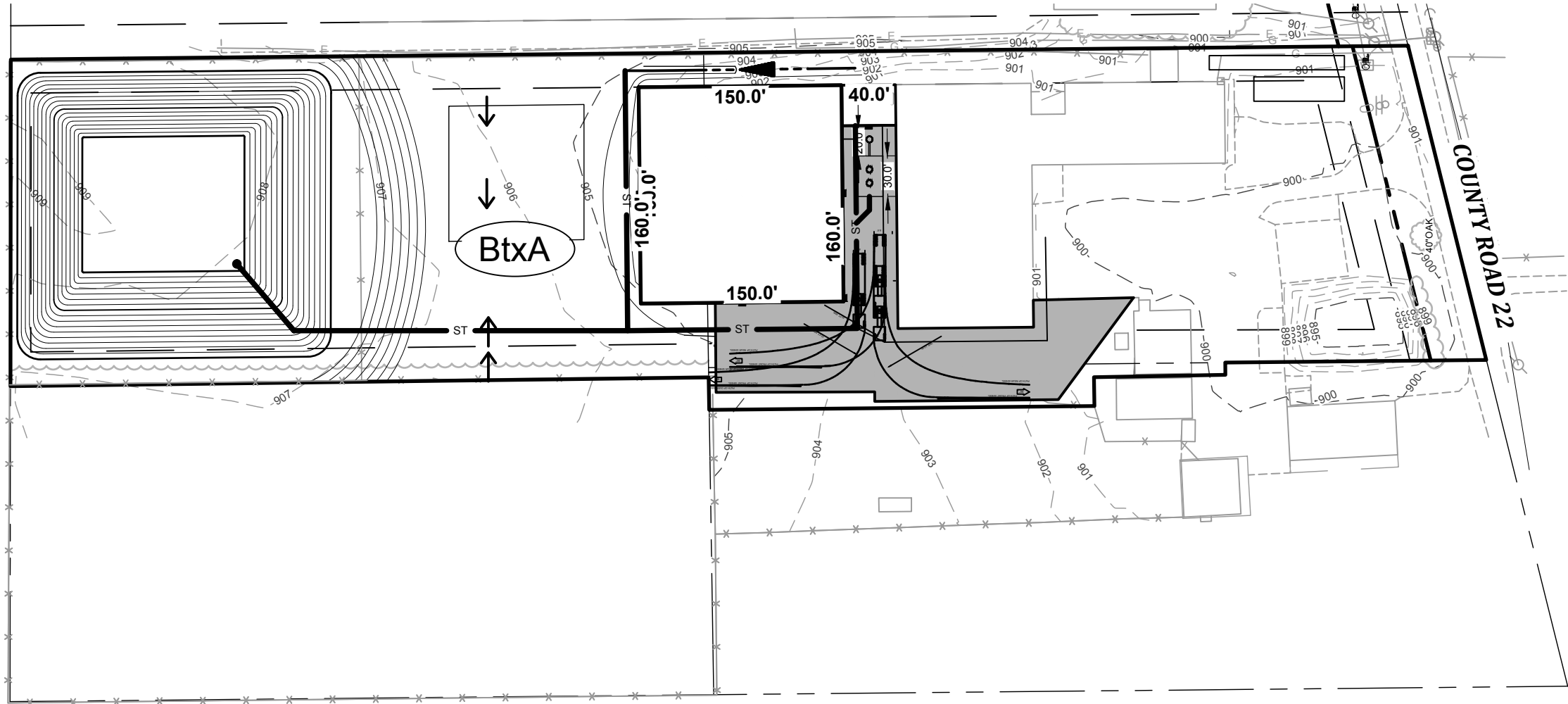
6 OF 9



SOILS DESCRIPTIONS

BtxA - BRISTOL LOAMY SAND, 0 TO 2 PERCENT SLOPES
DESCRIPTION OF BRISTOL
PROPERTIES AND QUALITIES
SLOPE: 0 TO 2 PERCENT
DEPTH TO RESTRICTIVE FEATURE: 40 TO 70 INCHES TO STRONGLY
CONTRASTING TEXTURAL STRATIFICATION
DRAINAGE CLASS: EXCESSIVELY DRAINED
RUNOFF CLASS: NEGLIGIBLE
CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (KSAT):
HIGH TO VERY HIGH (6.00 TO 20.00 IN/HR)
DEPTH TO WATER TABLE: MORE THAN 80 INCHES
FREQUENCY OF FLOODING: NONE
FREQUENCY OF PONDING: NONE
CALCIUM CARBONATE, MAXIMUM CONTENT: 25 PERCENT
AVAILABLE WATER SUPPLY, 0 TO 60 INCHES: LOW (ABOUT 4.6 INCHES)

D & M SALES DPUD
1ST AMENDMENT
PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA



SECTION A - BASIC PLAN ELEMENTS

- A1 - PLAN INDEX - SEE COVER SHEET (1 OF 9) OR SEE THE FOLLOWING BELOW.
A2 - VICINITY MAP: ON SHEET 1, 2, 3, 4, 5, AND 6 OF 9.
A3 - NARRATIVE: THIS SITE IS CURRENT IN A D.P.U.D. M-2 AREA, OWNER IS ADDING A BUILDING AND RETENTION BASIN
A4 - LATITUDE: N 41.65645513, LONGITUDE: 85.72357910.
A5 - LEGAL DESCRIPTION: SEE ON SHEET 2, 3, 4, 5, 6.
A6 - 11X17 INCH PLAT SHOWING BUILDING LOT NUMBERS/BOUNDARIES AND ROAD LAYOUT NAMES: SUBMITTED UPON REQUEST.
A7 - 100 YEAR FLOODPLAINS, FLOODWAYS, AND FLOODWAY FRINGES: **NONE**, PARCEL IS IN **ZONE X** ACCORDING TO FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. **18039C0186D**, DATED AUGUST 2, 2011 & COMMUNITY PANEL NO. **18039C0188D**, DATED AUGUST 2, 2011.
A8 - ADJACENT LAND USE, INCLUDING UPSTREAM WATERSHED: **NONE**.
A9 - IDENTIFICATION OF A U.S. EPA APPROVED OR ESTABLISHED TMDL: **NONE**.
A10 - IDENTIFICATION OF ALL RECEIVING WATERS: **NONE**.
A11 - IDENTIFICATION OF DISCHARGES TO A WATER ON THE CURRENT 303(d) LIST OF IMPAIRED WATERS AND THE POLLUTANT(S) FOR WHICH IT IS IMPAIRED: **NONE**.
A12 - SOILS MAP INCLUDING SOIL DESCRIPTIONS AND LIMITATIONS: **SEE THIS SHEET**.
A13 - LOCATION AND NAME OF ALL WETLANDS, LAKES AND WATER COURSES ON AND ADJACENT TO THE SITE: **NONE**.
A14 - NOTATION OF ANY STATE OR FEDERAL WATER QUALITY PERMITS: **N/A**.
A15 - IDENTIFICATION AND DELINEATION OF EXISTING COVER INCLUDING NATURAL BUFFERS: **GRAVEL AND GRASS**.
A16 - EXISTING SITE TOPOGRAPHY AT AN INTERVAL APPROPRIATE TO SHOW DETAIL DRAINAGE PATTERNS: SITE IS RELATIVELY FLAT, **SEE SHEETS 5 & 6**.
A17 - LOCATION(S) WHERE RUN-OFF ENTERS THE PROJECT SITE: **NONE**.
A18 - SPECIFIC POINTS WHERE STORM WATER DISCHARGE WILL LEAVE THE SITE: **STORM WATER STAYS ON SITE**.
A19 - LOCATION OF ALL EXISTING STRUCTURES ON THE PROJECT SITE: **SEE SHEET 2**.
A20 - EXISTING PERMANENT RETENTION OR DETENTION FACILITIES, INCLUDING MANMADE WETLANDS, DESIGNED FOR THE PURPOSE OF STORMWATER MANAGEMENT: **SEE SHEETS 5 & 6**.
A21 - IDENTIFICATION OF POTENTIAL DISCHARGE TO GROUND WATER (ABANDONED WELLS, SINKHOLES, ETC): **NONE**.
A22 - SIZE OF THE PROJECT AREA: **102,090 SFT, 2.34 ACRES**.
A23 - TOTAL EXPECTED LAND DISTURBANCE: **102,090 SFT, 2.34 ACRES**.
A24 - PROPOSED FINAL TOPOGRAPHY AS SHOWN ON **SHEET 5**.
A25 - LOCATION AND APPROXIMATE BOUNDARIES OF ALL DISTURBED AREA: SEE CONSTRUCTION LIMITS DESIGNATED ON SHEET 6. (BOUNDARY OF THE SITE) ALL DISTURBED AREAS ARE CONTAINED WITHIN THE DESCRIBED PARCEL.
A26 - LOCATION OF ALL SIZE AND DIMENSIONS OF PROPOSED STORM WATER SYSTEM: ALL PROPOSED STORM STRUCTURE INFORMATION AS SHOWN ON **SHEETS 5 & 6**.
A27 - LOCATIONS OF SPECIFIC POINTS WHERE STORMWATER AND NON-STORMWATER DISCHARGES WILL STAY ON THE PROJECT SITE: **SEE SHEET 5 & 6**.
A28 - LOCATION OF ALL PROPOSED SITE IMPROVEMENTS, INCLUDING ROADS, UTILITIES, LOT DELINEATION AND IDENTIFICATION, PROPOSED STRUCTURES, AND COMMON AREAS: **SEE SHEETS 5 & 6**.
A29 - LOCATION OF PROPOSED SOIL STOCKPILES, BORROW AND/OR DISPOSAL AREAS: **SEE SHEET 2, 5 AND 6**.
A30 - CONSTRUCTION SUPPORT ACTIVITIES THAT ARE EXPECTED TO BE PART OF THE PROJECT: **NONE**.
A31 - LOCATION OF ANY IN-STREAM ACTIVITIES THAT ARE PLANNED FOR THE PROJECT INCLUDING, BUT NOT LIMITED TO, STREAM CROSSINGS AND PUMP AROUNDS: **NONE**.

SECTION B - STORMWATER POLLUTION PREVENTION, CONSTRUCTION COMPONENT

- B1 - DESCRIPTION OF POTENTIAL POLLUTANT GENERATION SOURCES AND POLLUTANTS, INCLUDING ALL POTENTIAL NON-STORMWATER DISCHARGES: POTENTIAL POLLUTANT SOURCES INCLUDE WASTE OR UNUSED BUILDING MATERIALS, INCLUDING GARBAGE, DEBRIS, CLEANING SOLVENTS, WASTEWATER, CONCRETE TRUCK WASHOUT, AND OTHER SUBSTANCES BEING CARRIED FROM A PROJECT SITE BY RUN-OFF OR WIND. WASTES AND UNUSED BUILDING MATERIALS SHALL BE MANAGED AND DISPOSED OF IN ACCORDANCE WITH ALL APPLICABLE STATUTES AND REGULATIONS. IF A HAZARDOUS MATERIAL SPILL OCCURS, CONTACT THE LOCAL FIRE DEPARTMENT TO DETERMINE WHICH DEPARTMENT HAS JURISDICTION FOR PROPER CLEANUP AND DISPOSAL.
B2 - STABLE CONSTRUCTION ENTRANCE LOCATIONS AND SPECIFICATIONS: **DETAIL ON SHEET 6 & 8**.
B3 - SPECIFICATIONS FOR TEMPORARY AND PERMANENT STABILIZATION: THESE METHODS SHOULD BE IN AFFECT IF THE NEED ARISES.
B4 - SEDIMENT CONTROL MEASURES FOR CONCENTRATED FLOW AREAS: **SEE SHEET 6 & 8**.
B5 - SEDIMENT CONTROL MEASURES FOR SHEET FLOW AREAS: **SEE SHEET 5 & 6**.
B6 - RUNOFF CONTROL MEASURES: **SEE SHEET 6**.
B7 - STORM WATER OUTLET PROTECTION LOCATION AND SPECIFICATIONS: **SEE SHEET 6 & SHEET 8 FOR DETAIL**.
B8 - GRADE STABILIZATION STRUCTURE LOCATIONS AND SPECIFICATIONS: **SEE SHEET 6**.
B9 - DEWATERING APPLICATIONS AND MANAGEMENT METHODS: N/A
B10 - MEASURES UTILIZED FOR WORK WITHIN WATER BODIES: N/A
B11 - MAINTENANCE GUIDELINES FOR EACH PROPOSED STORMWATER QUALITY MEASURE: SEE DETAILS HEREIN
B12 - PLANNED CONSTRUCTION SEQUENCE DESCRIBING IMPLEMENTATION STORMWATER QUALITY MEASURE IMPLEMENTATION RELATIVE TO LAND DISTURBING ACTIVITIES: IF APPLICABLE, FIRST THE INFRASTRUCTURE IMPROVEMENTS WILL BE CONSTRUCTED, WHICH INCLUDES BUT IS NOT LIMITED TO UTILITY INSTALLATION, DRAINAGE SYSTEM CONSTRUCTION, SANITARY SEWER INSTALLATION, MUNICIPAL WATER SUPPLY, AND DRIVEWAY CONSTRUCTION. ALL FACETS OF SEDIMENT CONTROL SUCH AS DRAINAGE SYSTEM INLET PROTECTION, DRAINAGE PIPE OUTLET PROTECTION AND SEDIMENT FENCING SHALL BE INSTALLED AS SOON AS POSSIBLE. ALL DISTURBED AREAS, AFTER INSTALLATION OF IMPROVEMENTS SUCH AS UTILITIES SHALL HAVE SEEDING AFTER EACH IMPROVEMENT. NO AREAS WITHIN THE DEVELOPMENT SHALL BE LEFT UN-VEGETATED FOR MORE THAN 15 DAYS. IF THERE WAS GRADED AND NO SCHEDULED CONSTRUCTION WILL TAKE PLACE BEFORE THE 15 DAY LIMIT THE AREA SHALL BE TEMPORARILY SEEDED. TEMPORARY SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED UNTIL VEGETATION HAS BEEN ESTABLISHED. AREAS THAT HAVE HAD FINAL GRADING OR WILL BE DORMANT FOR AN EXTENDED PERIOD OF TIME SHALL HAVE PERMANENT SEEDING TO STABILIZE FINAL GRADING. FINALLY, THE SITE WILL HAVE A BUILDING CONSTRUCTED AND WILL HAVE EROSION CONTROL MEASURES IMPLEMENTED TO LIMIT EROSION OF THE SOIL SURFACE. INSTALLATION AND MAINTENANCE OF THE SITE SHALL BE THE RESPONSIBILITY OF THE BUILDING CONTRACTOR AND/OR THEIR AGENT, AS SPECIFIED IN 327 IAC 15-5 AND 327 IAC 15-13 (RULE 5 AND RULE 13). THE SITE SHALL USE SEDIMENT CONTROL MEASURES OUTLINED IN INDIANA STORM WATER QUALITY MANUAL.
B13 - PROVISIONS FOR EROSION AND SEDIMENT CONTROL ON INDIVIDUAL RESIDENTIAL BUILDING LOTS REGULATED UNDER THE PROPOSED PROJECT: N/A
B14 - MATERIAL HANDLING AND SPILL PREVENTION PLAN:
1. MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEAN-UP WILL BE CLEARLY POSTED AND SITE PERSONNEL WILL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEAN-UP SUPPLIES.
2. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEAN-UP WILL BE KEPT IN THE MATERIALS STORAGE AREA ONSITE. EQUIPMENT AND MATERIALS WILL INCLUDE BUT NOT LIMITED TO RAGS, GLOVES, GOGGLES, SAND, ABSORBENT PADS AND PLASTIC OR METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE.
3. ALL SPILLS WILL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY.
4. THE SPILL AREA WILL BE KEPT WELL VENTILATED AND PERSONNEL WILL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH HAZARD SUBSTANCE.
5. SPILLS OF TOXIC OR HAZARDOUS MATERIAL WILL BE REPORTED TO THE APPROPRIATE AUTHORITIES IN ACCORDANCE WITH PERTINENT REGULATIONS.
6. THE PLAN WILL BE ADJUSTED TO INCLUDE MEASURES TO PREVENT THIS TYPE OF SPILL FROM REOCCURRING AND PROCEDURES FOR CLEANING UP SPILLS, SHOULD THEY OCCUR. A DESCRIPTION OF THE SPILL WHAT CAUSED IT, AND THE CLEAN-UP MEASURES WILL BE INCLUDED.
B15 - MATERIAL HANDLING AND STORAGE PROCEDURES ASSOCIATED WITH CONSTRUCTION ACTIVITY
1. MANUFACTURER'S RECOMMENDED METHODS FOR MATERIAL HANDLING AND PROCEDURES WILL BE CLEARLY POSTED AND SITE PERSONNEL WILL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND STORAGE PROCEDURES.

SECTION C - STORMWATER POLLUTION, POST - CONSTRUCTION COMPONENT

- C1 - DESCRIPTION OF POLLUTANTS AND THEIR SOURCES ASSOCIATED WITH THE PROPOSED LAND USE: POTENTIAL STORMWATER RUNOFF POLLUTANTS GENERATED BY THE SITE AND ENTERING THE STORMWATER SYSTEM MAY INCLUDE MINOR AMOUNTS OF SEDIMENT FROM THE UNPAVED STORAGE AND PARKING AREAS, LITTER AND TRASH, MINOR AMOUNTS OF SEDIMENT TRACKED ONTO THE SITE BY VEHICLE TIRES.
C2 - DESCRIPTION OF PROPOSED POST CONSTRUCTION STORM WATER QUALITY MEASURES:
1. THE PROPOSED RETENTION AREA ON SITE IS TO BE CONSTRUCTED TO ACCOMMODATE ADDITIONAL STORM WATER RUNOFF PRODUCED BY THE DEVELOPMENT. ONCE THE BASIN IS CONSTRUCTED, IT WILL HAVE ITS FLOOR AND SIDE SLOPES SEEDED. STORMWATER COLLECTED IN THE RETENTION BASIN WILL THEN INFILTRATE INTO THE GROUND, REMAINING ON-SITE. POTENTIAL POLLUTANTS SUSPECTED IN THE RUNOFF WILL HAVE A CHANCE TO SETTLE AND BE FILTERED PRIOR TO PERCOLATION.
2. CATCH BASINS AND A PIPE SYSTEM WILL BE UTILIZED TO CONVEY STORMWATER TO THE FINAL OUTLET.
3. STORMWATER DRAINAGE WILL FLOW OVER VEGETATED AREAS IN THE STORMWATER BASINS WHICH WILL FILTER POTENTIAL POLLUTANTS FROM THE WATER.
4. STORMWATER DRAINAGE WILL FLOW OUT OF THE PIPES AND ACROSS STONE RIPRAP CHANNELS. THE RIPRAP AREAS WILL SLOW THE WATER VELOCITY TO AVOID SOIL EROSION.
5. VEGETATION IN UNPAVED AREAS WILL FILTER POLLUTANTS FROM STORMWATER RUNOFF, REDUCE THE TEMPERATURE OF STORMWATER RUNOFF, REDUCE STORMWATER RUNOFF VELOCITY, AND REDUCE EROSION POTENTIAL.
6. TRASH AND DEBRIS WILL BE COLLECTED FROM THE SITE ON A REGULAR BASIS.
7. FOR MAINTENANCE OF GROUND COVER INSTALLATIONS, SEE SHEET 9 OF 9 FOR CORRECT POST - CONSTRUCTIONS INSPECTION AND MAINTENANCE PROCEDURES.
C3 - LOCATION, DIMENSIONS, SPECIFICATIONS, AND CONSTRUCTION DETAILS OF EACH STORMWATER QUALITY MEASURE:
1. THE STORMWATER DETENTION BASIN TO BE AS FOLLOWS: BASIN: CONSTRUCT TO 26,988 C.F CAPACITY
2. STONE RIP RAP SHALL BE APPLIED AT THE OUT FALL OF ALL PIPES AND SWALES WITHIN THE RETENTION BASINS. THIS SHALL SLOW THE VELOCITY OF STORMWATER WATER OUTFLOW AND AVOID SOIL EROSION.
3. GRASS OR OTHER VEGETATION IN UNPAVED AREAS AS SHOWN ON SITE MAP.
4. ADDITIONAL STORM PIPE SHOWN SHALL WILL REQUIRE APPROPRIATE INSPECTIONS.
C4 - SEQUENCE DESCRIBING STORMWATER QUALITY MEASURE IMPLEMENTATION
1. STORMWATER RETENTION BASINS;
2. RIPRAP AT BASIN INTERFACE;
3. STORM PIPE INSTALLATION;
4. TOPSOIL, SEED AND MULCH ON ALL UNPAVED DISTURBED AREAS.
C5 - DESCRIPTION OF MAINTENANCE GUIDELINES FOR PROPOSED POST CONSTRUCTION WATER QUALITY MEASURES:
1. INSPECTIONS ARE REQUIRED ANNUALLY AND AFTER ANY RAINFALL EVENT OF THREE INCHES OR MORE.
a. STORM PIPES ARE TO BE INSPECTED FOR BLOCKAGE AND STRUCTURAL FAILURES.
b. RETENTION BASINS SHALL HAVE TRASH AND DEBRIS REMOVED AFTER EACH STORM EVENT AND INSPECTED MONTHLY.
2. INSPECTIONS ARE TO BE RECORDED WITH THE INSPECTION REPORT ACCESSIBLE.
a. INSPECTION REPORTS ARE TO BE KEPT BY THE PROPERTY OWNERS AND BE AVAILABLE FOR REVIEW WHEN REQUESTED BY CITY OR COUNTY AGENT.
b. A DESIGNATED CITY OR COUNTY STAFF MEMBER MAY MAKE PERIODIC SITE INSPECTIONS TO VERIFY CONDITION OF STORMWATER QUALITY MEASURES.
3. THE PROPERTY OWNER IS RESPONSIBLE FOR THE MAINTENANCE OF STORMWATER QUALITY MEASURES.
a. STORMWATER RETENTION BASIN
i. RIPRAP AT END OF PIPE AND SWALE OUTLETS TO BE REPLACED IF WASHOUT OCCURS.
ii. SEDIMENT BUILDUP OF 1 FOOT OR MORE IN BOTTOM OF THE BASIN TO BE REMOVED.
iii. GRASS AND/OR VEGETATED AREAS TO BE MOWED TO ALLOW FOR FLOW OF RAINWATER AND ELIMINATE THE POSSIBILITY OF STANDING WATER.
iv. IF STANDING WATER REMAINS IN BASIN FOR >48 HOURS, SEDIMENT NEEDS TO BE REMOVED.
v. REPAIR ERODED AREAS CREATED BY RAINWATER WASHOUTS.
vi. NOTE SIGNS OF HYDROCARBON (OIL AND RELATED PETROLEUM PRODUCTS) BUILD UP BY VEHICULAR TRAFFIC; AND REPAIR OR REMOVE USING APPROPRIATE MEASURES.
b. STORMWATER STRUCTURES (INLETS, PIPES AND END SECTIONS)
C6 - ENTITY RESPONSIBLE FOR MAINTENANCE OF POST CONSTRUCTION STORMWATER QUALITY MEASURES: POST CONSTRUCTION STORMWATER QUALITY MEASURES WILL BE OPERATED AND MAINTAINED BY THE PROPERTY OWNER.

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J. BERNARD FEENEY
REGISTERED
NO. 80040309
STATE OF INDIANA
PROFESSIONAL SURVEYOR
jfeene@gowightman.com



WIGHTMAN

1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.gowightman.com

PROJECT NAME:

D & M PLYWOOD SALES
COUNTY ROAD 22
MIDDLEBURY, IN 46540

JAMES HOSTETLER

7165 W 650 N
SHIPSHAWANA, IN 46565

9/5/2025 - REVISION PER TODD CLARK

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REVISIONS

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DATE: 7/25/2025

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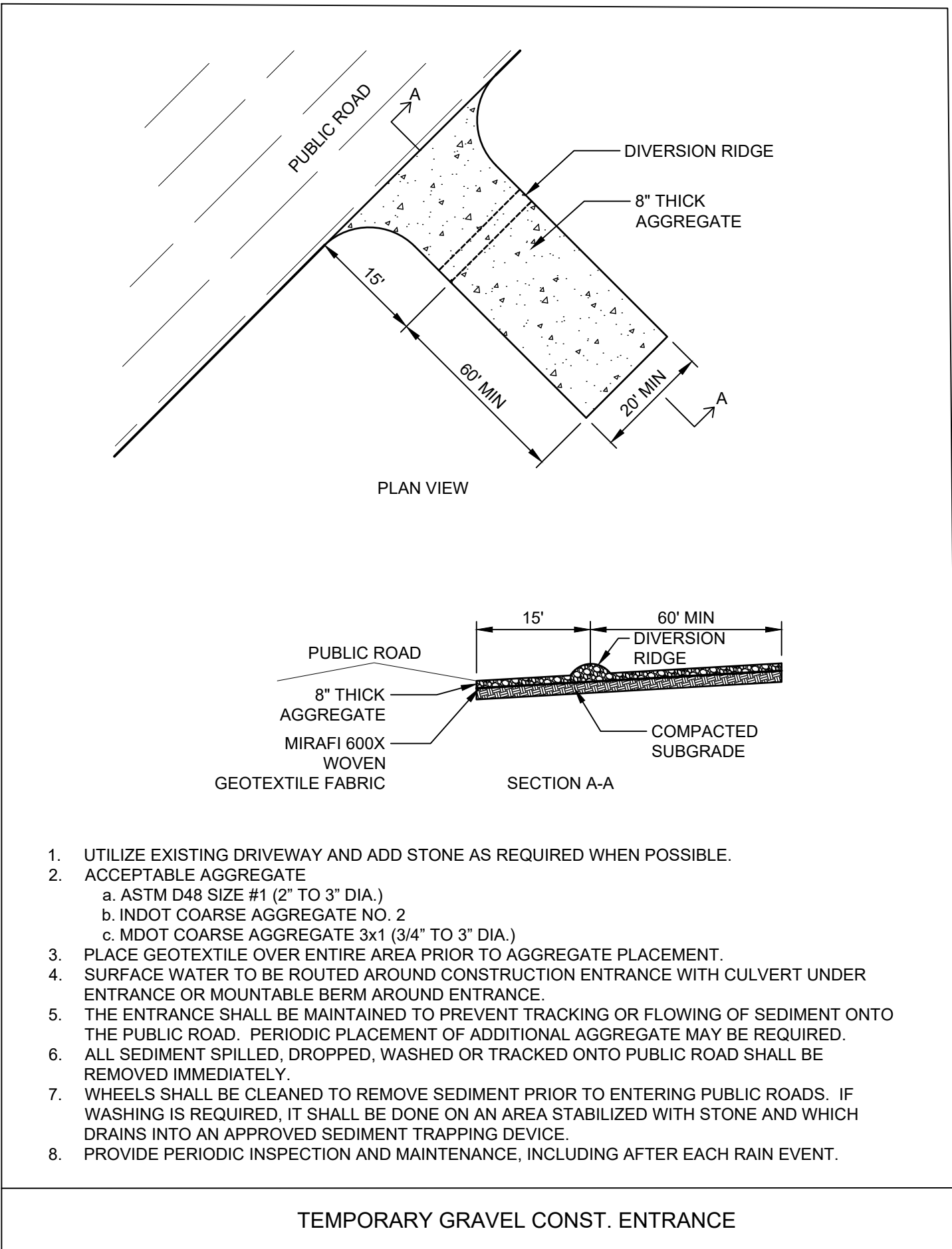
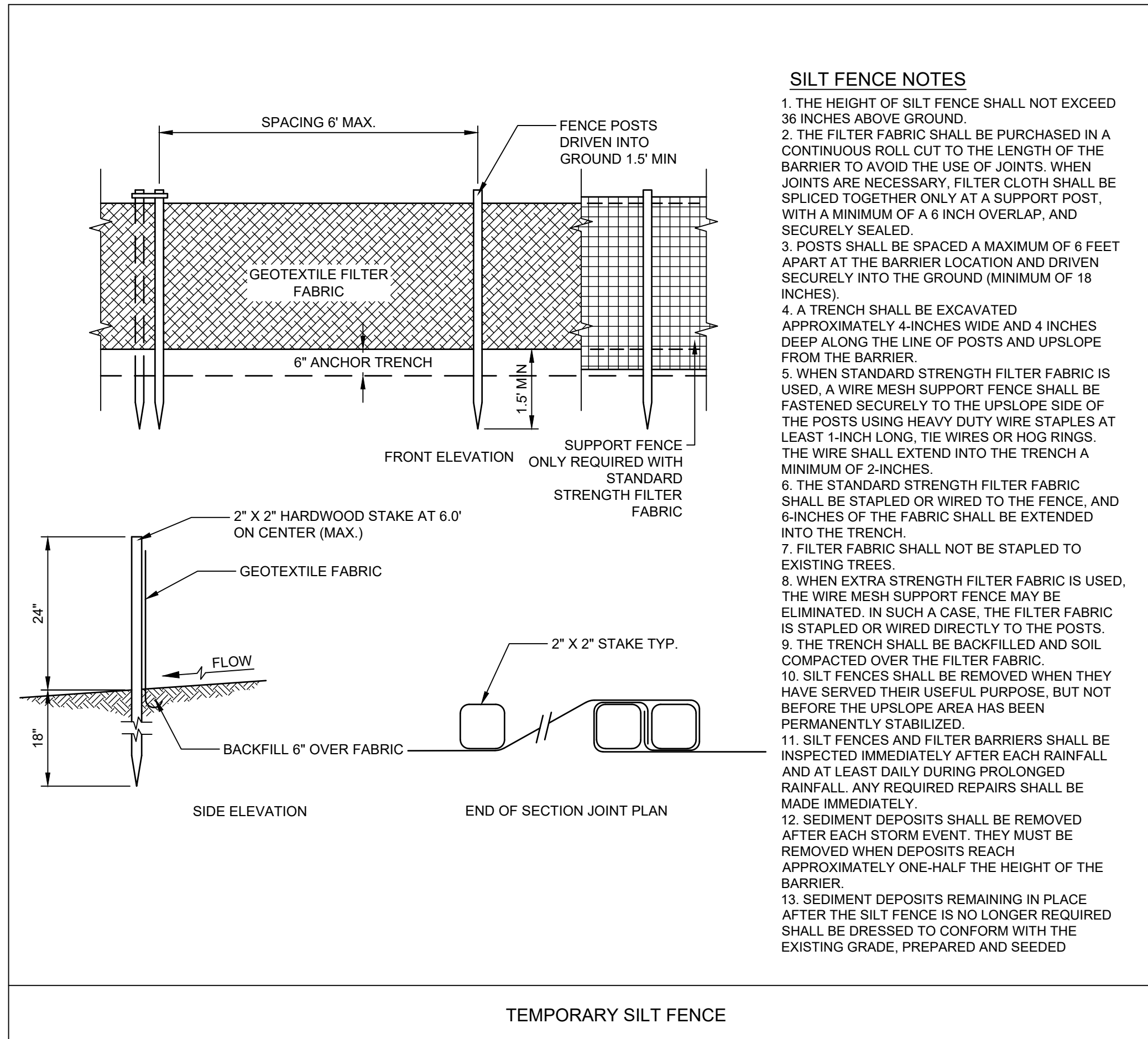
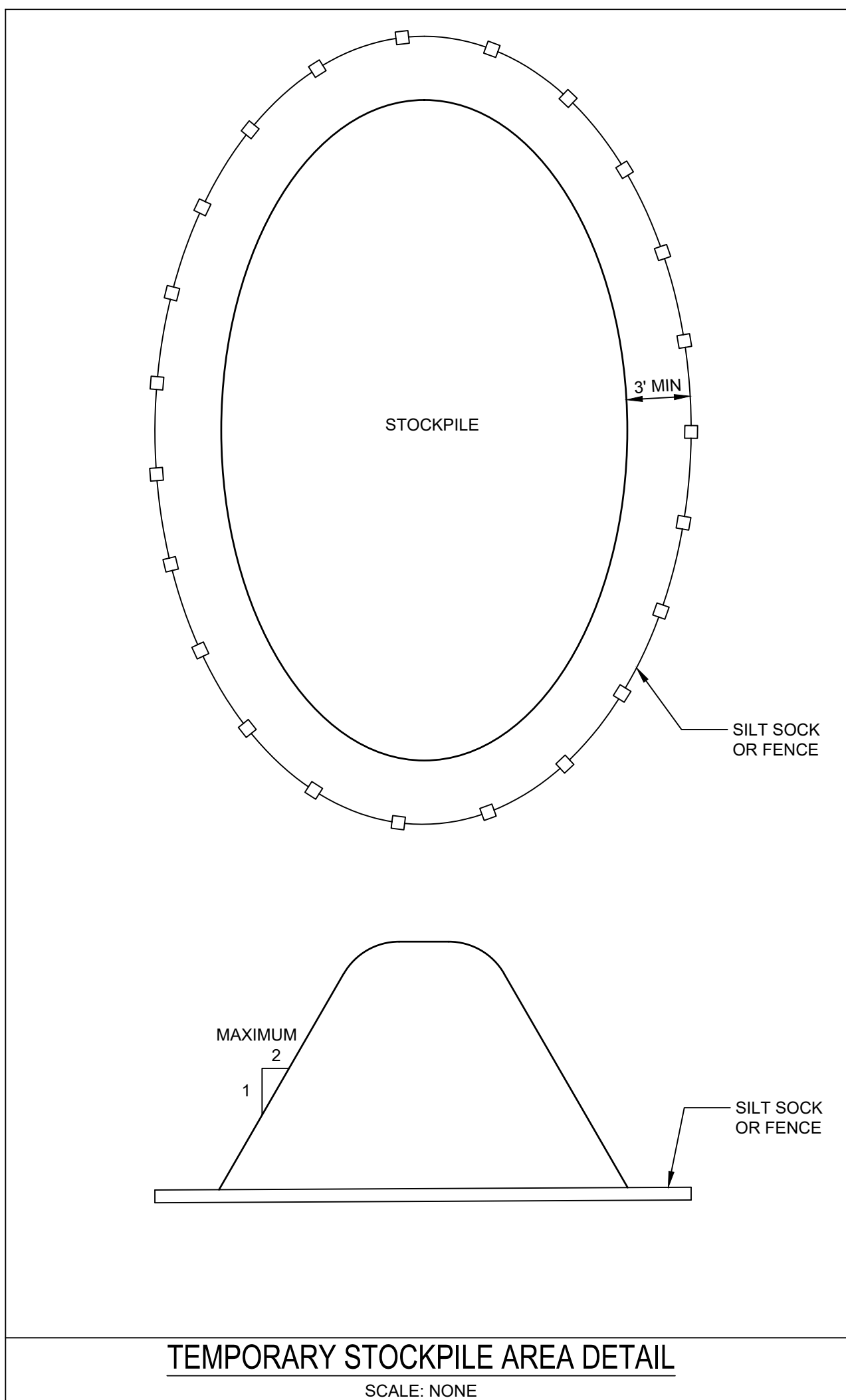
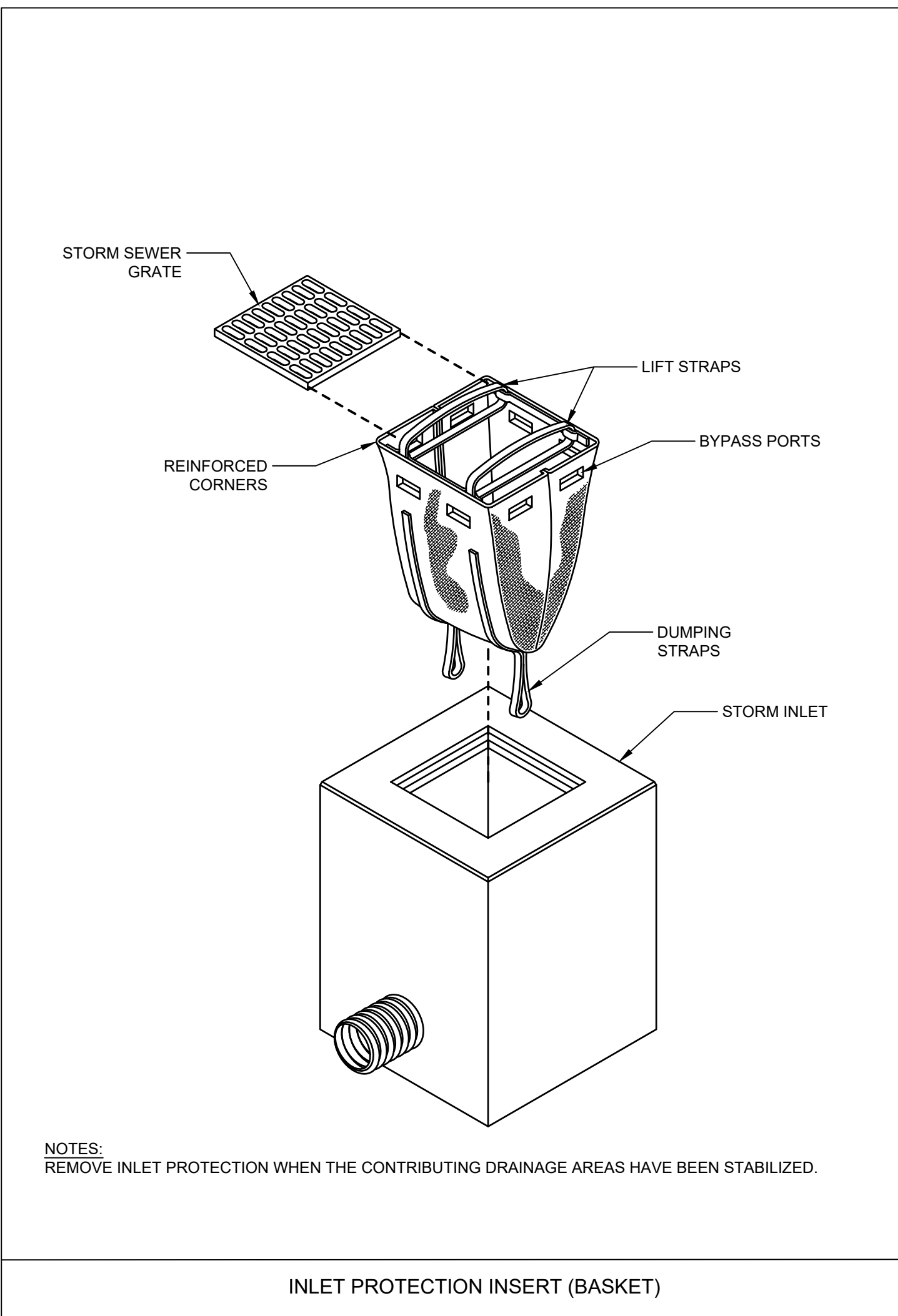
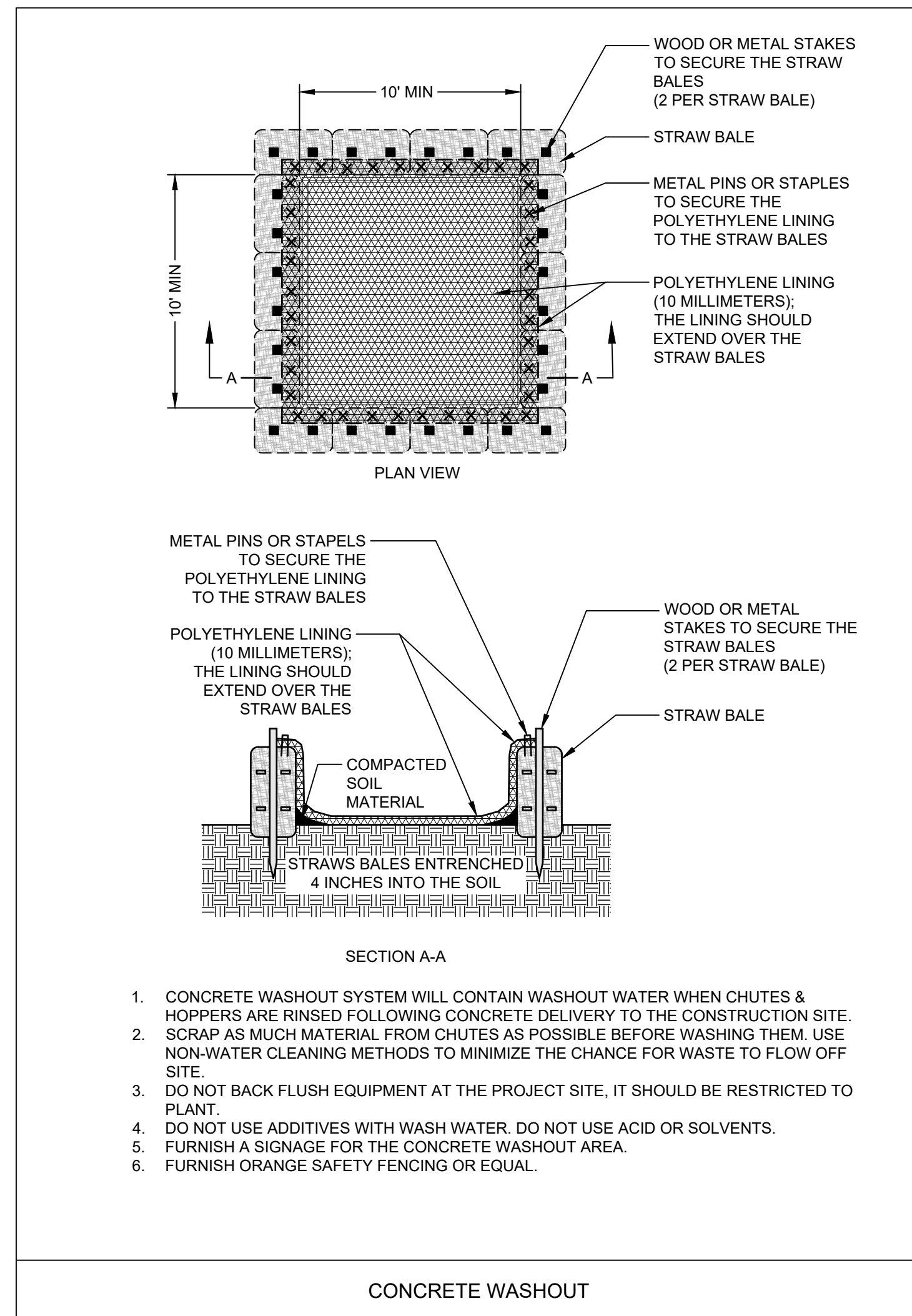
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EROSION CONTROL DETAILS

JOB NO. 251268

7 OF 9

**D & M SALES DPUD
1ST AMENDMENT**
**PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA**



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J. Bernard Feeney
PS 80040309
tfeeney@gowightman.com



TYPICAL EROSION CONTROL DETAILS

D & M SALES DPUD
1ST AMENDMENT

Part of the Southeast Quarter of Section 16, Township 37 North, Range 7 East,
Middlebury Township, Elkhart County, Indiana.

Owner

D & M Sales, LLC
13487 County Road 22
Middlebury, Indiana 46540

Property Address

Same as above

Prepared by:

Land Surveyor: Wightman
1405 N. Michigan St.
Plymouth, In. 46530
574-936-3469

J. Bernard Feeney, PS
Registration #80040309

September 16, 2025

LEGAL DESCRIPTION PER ORIGINAL DPUD, ELKHART COUNTY RECORDS:

D & M SALES DPUD

EXISTING DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER (SE $\frac{1}{4}$) OF SECTION SIXTEEN (16), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE SEVEN (7) EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A $\frac{3}{4}$ INCH IRON PIPE MARKING THE SOUTHWEST CORNER OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 16; THENCE NORTH 00 DEGREES 20 MINUTES 00 SECONDS EAST (ASSUMED BEARING) ALONG THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 417.06 FEET TO THE CENTERLINE OF COUNTY ROAD 22, THENCE NORTH 76 DEGREES 53 MINUTES 45 SECONDS EAST ALONG THE CENTERLINE OF COUNTY ROAD 22, A DISTANCE OF 248.76 FEET TO A MAG NAIL AND THE BEGINNING OF THIS DESCRIPTION; THENCE

1. NORTH 00 DEGREES 20 MINUTES 00 SECONDS EAST PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST $\frac{1}{4}$, A DISTANCE OF 575.65 FEET TO A REBAR WITH CAP MARKED BRADS-KO 0041; THENCE
2. NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 233.04 FEET TO A REBAR WITH CAP MARKED BRADS-KO 0041 IN THE WEST LINE OF LAND OWNED BY TK DEVELOPMENT ENTERPRISES, LLC (INSTRUMENT #98-016915) SAID LAND ALSO BEING JOMAR P.U.D. M-2 (ORDINANCE NO PC95-32); THENCE
3. SOUTH 00 DEGREES 20 MINUTES 00 SECONDS WEST ALONG SAID JOMAR P.U.D. A DISTANCE OF 521.33 FEET TO A MAG NAIL IN THE CENTERLINE OF COUNTY ROAD 22; THENCE
4. SOUTH 76 DEGREES 53 MINUTES 45 SECONDS WEST ALONG SAID CENTERLINE, A DISTANCE OF 239.60 FEET TO THE BEGINNING.

CONTAINING 2.94 ACRES, MORE OF LESS.

SUBJECT TO PUBLE RIGHTS-OF-WAY, EASMENTS AND RESTRICTIONS OF RECORD.

D & M SALES DPUD

PROPOSED DESCRIPTION:

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA AS SHOWN ON A SURVEY BEARING JOB NUMBER 251268, PREPARED AND CERTIFIED BY J. BERNARD FEENEY, PROFESSIONAL SURVEYOR #80040309 ON SEPTEMBER 10, 2025 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE PLAT OF D & M SALES DPUD RECORDED IN PLAT VOLUME 32, PAGE 25 IN THE RECORDS OF THE ELKHART COUNTY RECORDER, SAID BEGINNING POINT BEING LOCATED IN THE CENTERLINE OF COUNTY ROAD 22; THENCE SOUTH 75°59'45" WEST (ALL BEARINGS SHOWN HEREIN ARE RELATIVE TO INDIANA STATE PLANE COORDINATES AS DETERMINED FROM INCORS, EAST ZONE), ALONG SAID CENTERLINE, A DISTANCE OF 239.59 FEET TO THE SOUTHEAST CORNER OF SAID PLAT; THENCE NORTH 0°34'03" WEST ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 193.24 FEET TO A POINT; THENCE SOUTH 89°25'57" WEST, A DISTANCE OF 9.10 FEET TO A POINT; THENCE NORTH 1°02'40" WEST ALONG A LINE EQUIDISTANT FROM TWO ADJACENT BUILDINGS, A DISTANCE OF 97.27 FEET TO A POINT; THENCE SOUTH 88°57'20" WEST A DISTANCE OF 21.28 FEET; THENCE NORTH 0°34'03" WEST PARALLEL WITH SAID WEST LINE OF LOT 1 IN SAID PLAT, A DISTANCE OF 285.14 FEET TO A POINT; THENCE NORTH 89°05'30" EAST A DISTANCE OF 23.93 FEET TO A POINT THAT IS 1 FOOT

EAST OF AN EXISTING FENCE LINE; THENCE NORTH 0°43'01" WEST, PARALLEL WITH AND 1 FOOT DISTANT FROM SAID FENCE LINE A DISTANCE OF 516.74 FEET TO THE NORTH LINE OF LANDS CONVEYED TO DEVON AND MATTIE MILLER BY INSTRUMENT NUMBER 2000-20816 IN SAID ELKHARFT COUNTY RECORDER'S OFFICE; THENCE SOUTH 89°55'32" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 241.65 FEET TO THE NORTHEAST CORNER OF SAID MILLER LANDS; THENCE SOUTH 0°34'03" EAST ALONG THE EAST LINE OF SAID MILLER LANDS AND ALONG THE EAST LINE OF SAID PLAT OF D& M SALES DPUD, A DISTANCE OF 1034.01 FEET TO THE PLACE OF BEGINNING CONTAINING 6.02 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.
SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.

1. Intention for ownership

The current owners of this site wish to construct an addition to their operations. This addition, as proposed, will add another 24,000 sq. ft. of warehouse space and 1200 sq. ft. of loading dock area to the existing 27,130 sq. ft. of buildings currently on site. The addition will be primarily for warehouse space to streamline the current operation. No additional parking spaces shall be provided since there is no anticipated increase in the number of employees. The site shall be serviced by the existing septic located at the southeast corner of the site and the potable water supplied by a line from the common well used by the residence and the building. All Parking lots shall be asphalt and/or concrete. Landscape criteria shall be met to satisfy the Ordinance requirements. On-site drainage is being directed to a retention basin located in the north part of the property.

2. Phasing of Project

Since this is an addition to the existing facility all construction will be accomplished in single phase.

3. Proposed Land Uses - Percentage of site for each use

- Warehousing Operation 6.02 acres or 100%.
Building Space 1.20 acres or 19.93%
Asphalt Space 0.74 acres or 12.33%
Concrete Space 0.53 acres or 8.82%
Open Space 3.55 acres or 58.97%

4. Intentions regarding water and sewer disposal

The site shall be serviced by the existing septic located at the southeast corner of the site and the potable water supplied by a line from the common well used by the residence and the building. This will be adequate since there is no anticipated increase in the number of employees at this location.

5. Listing of all deviations from the development standards required

This proposed parcel will require an M-2 zoning designation:

- (1) Deviation from the required boundary buffer screening along the west property line shall occur. No space is available along the west property line in the first 600 '. Existing buildings for the business as well as the residence prohibit buffering in the area as well as required truck turning distances west of the proposed truck dock. Buffering has been provided along the West property line where possible between future expansion area and the horse pasture to the West.
- (2) This site plan will also require a deviation from the 50' required setback along the west property line. There are a mix of buildings along the west side of the M-2 zoned property. Some of these buildings are used by the residential property to the west. The property line has been weaved through these closely spaced buildings to keep the residential buildings with residentially zoned property while the buildings used in the business are kept on the M-2 zoned property. To do this where we have existing buildings requires a variance from the 50' setback on the west side of the property.
- (3) This site plan will require a variance from the number of required parking spaces on this land. There are a total of 11 people who work at this location and there is no intention to hire more employees with the construction of the new warehouse. Consequently, we would request a variance from the required 6 office spaces (1800 +/- sq. ft.) and the required 20 warehouse spaces (50,530 +/- sq. ft.) to the 18 spaces shown on the plan. Many of these workers are picked up and transported to work each day and returned home in the same fashion. Consequently the required number of spaces is generally more than are required for normal operations at this location.

6. Dwelling densities for residential per acre

Does not apply

7. How development related with surrounding land uses

The proposed addition will be to structures that have existed on this property for as much as 20 years. The property was purchased in 2000 by Devon Miller and his wife. Since that time a portion of the property has been devoted to the business while a portion remained dedicated to the homesite. As the business has grown, the amount of land used has increased and the relationship between the residence and the business has thrived. Agricultural use is located on the north of this site and a manufacturing use is located immediately east of the proposed expansion.

8. Other information reports (see DPUD Application for details)

a) Soil Report

Soils are favorable for construction and storm water retention. The existing retention facility is to be moved to the far north end of the property to allow for possible expansion without disruption to drainage storage.

b) Municipal Sewer and Water Report

This site is in the County on CR 22 and located remotely. It is to continue to be serviced by well and septic.

c) Traffic Projection and Thoroughfare report

County Road 22 is a well-developed major arterial road in the area. No additional truck traffic or deliveries are anticipated as a result of construction of the facility. Existing entrance drives shall continue to furnish all necessary access to all parts of this facility. TIVE documentation included in submittal.

d) Project Demographic for all Residential Developments (over 5 acres)

Does not apply

e) Site Improvement Report

The addition to be constructed will service deliveries to this site. Every effort has been made to create an accessible environment for vehicular traffic. Construction of concrete pavement will be a significant portion of this development.

f) Storm water Drainage Report

Soil conditions are favorable for storage of storm water runoff. Since soils in this area have been evaluated by the Elkhart County Soil Report as suitable for this site's drainage facilities, no borings have been taken.

DATE: November 19, 2025

TO: Plan Commission

FROM: Daniel Dean

SUBJECT: Minor Change / Sign Deviation

Alan Eiker, North American Signs, is requesting a minor change to add a signage deviation for Elkhart East Area B Phase III lot 3B, on property located on the south side of Innovation Dr. between CR 15 and CR 17 in Osolo Township, with a common address of 22214 Innovation Dr. The DPUD site plan and support materials were approved October 16, 2017 (PC 2017-20).

The request is to place a 206 sq. ft. illuminated wall sign on the building's south facade, where the development ordinance limit per wall sign in E-3 is only 32 sq. ft. No signage deviations are listed in any of the DPUD support materials.

Because portions of Elkhart East north of Innovation Dr. are still undergoing buildout under M zoning (which has a higher limit on area per wall sign), and because signs in Elkhart East are also subject to architectural committee approval, staff recommends approval of this minor change request.

Attached are the request email received November 18, 2025, the site plan for the proposed sign, illustrations, and the original approved DPUD site plan showing no signage deviations.

This minor change staff item will be on the December 11, 2025, Plan Commission agenda.

Danny Dean

From: Alan Eiker <abe@northamericansigns.com>
Sent: Tuesday, November 18, 2025 11:46 AM
To: Danny Dean
Cc: H. Jason Auvil
Subject: RE: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Caution! This message was sent from outside your organization.

Danny.

We'd like this request go as a minor change request to the plan commission. Please let me know if this will suffice.

Thank you.

Alan Eiker

Regional Installation/Service Manager
North American Signs



☎o: 800-348-5000 ✉abe@northamericansigns.com

📍PO Box 30 South Bend, IN 46624

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From: Danny Dean <DDean@elkhartcounty.com>
Sent: Tuesday, November 18, 2025 10:04 AM
To: Alan Eiker <abe@northamericansigns.com>
Cc: H. Jason Auvil <HJAuvil@elkhartcounty.com>
Subject: *EXT* FW: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Alan, I'm responding to your message from yesterday by forwarding you the info I sent you in October below.

Because of the layout of the sign, I can treat the logo and letters separately and get the sign area down to 206 sq. ft., but it is still well over the allowed 32 sq. ft. in the E-3 zone, and there are no predetermined variances in the DPUD to allow it.

I still need the following:

- An email response requesting this go as a minor change request to the plan commission. If you request now it will be on the agenda for December 11.
- The letter from Pete Letherman. Needs to be ASAP. I can't release the permit until I have it.

Standing by for you to request that I put a minor change on the agenda.



Danny Dean, Planner
Elkhart County Planning & Development
4230 Elkhart Road
Goshen, Indiana 46526
(574) 971-4594

From: Danny Dean
Sent: Wednesday, October 8, 2025 10:59 AM
To: Alan Eiker <abe@northamericansigns.com>
Cc: Mae Kratzer <MKratzer@elkhartcounty.com>; H. Jason Auvil <HJAuvil@elkhartcounty.com>; Diane Krempec <dlk@northamericansigns.com>; Carmen Pruitt <cdp@northamericansigns.com>
Subject: RE: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Alan, the sign in your example was 450 sq. ft. If it's going to be in the range of 150 to 450 sq. ft., we can support doing this as a minor change request to the plan commission. They will have final say whether it is minor and just needs a building permit.

I need the following from you, please:

- An email response requesting this be brought as a minor change request.
- Markings & notes on the attached site plan showing exact dimensions, type, illumination, and location.
- An illustration/mockup of the exact sign again showing exact dimensions, type, illumination, and location on a sketched south elevation.
- The letter from Pete would be good at this stage but not critical.

You can let me know.



Danny Dean, Planner
Elkhart County Planning & Development
4230 Elkhart Road
Goshen, Indiana 46526
(574) 971-4594

From: Alan Eiker <abe@northamericansigns.com>
Sent: Wednesday, October 8, 2025 8:23 AM
To: Danny Dean <DDean@elkhartcounty.com>
Cc: Mae Kratzer <MKratzer@elkhartcounty.com>; H. Jason Auvil <HJAuvil@elkhartcounty.com>; Diane Krempec <dlk@northamericansigns.com>; Carmen Pruitt <cdp@northamericansigns.com>
Subject: RE: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Caution! This message was sent from outside your organization.

Hello Danny,

Lippert wanted either channel letters or just a flat panel with vinyl sign. Due to the size of their building I am sure they were wanting to go with something substantial like 150 – 200 sq ft. See the attached, this was done at Plant 119 in Bristol. Let me know your thoughts.

Thank you.

Alan Eiker
Regional Installation/Service Manager
North American Signs



☎o: [800-348-5000](tel:800-348-5000) ✉abe@northamericansigns.com
📍PO Box 30 South Bend, IN 46624

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From: Danny Dean <DDean@elkhartcounty.com>
Sent: Tuesday, October 7, 2025 2:56 PM
To: Alan Eiker <abe@northamericansigns.com>
Cc: Mae Kratzer <MKratzer@elkhartcounty.com>; H. Jason Auvil <HJAuvil@elkhartcounty.com>
Subject: *EXT* RE: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Alan, the wall sign limit for most of these Elkhart East sites is small, 32 sq. ft. in addition to a limit of no more than 5 percent of facade area.

No relief from that standard was requested at the time of development approval for this Lippert site.

What type and size do you have in mind?



Danny Dean, Planner
Elkhart County Planning & Development
4230 Elkhart Road
Goshen, Indiana 46526
(574) 971-4594

From: H. Jason Auvil <HJAuvil@elkhartcounty.com>
Sent: Sunday, October 5, 2025 12:29 PM
To: Alan Eiker <abe@northamericansigns.com>
Cc: Mae Kratzer <MKratzer@elkhartcounty.com>; Danny Dean <DDean@elkhartcounty.com>
Subject: RE: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

Alan,

I am going to defer your question to Danny Dean.

He is the lead planner when it comes to signs.

Thanks!

H. Jason Auvil, MRCP, CPM, CECIMS4
Zoning Administrator & Planning Manager
Elkhart County Planning & Development
4230 Elkhart Rd.
Goshen, IN 46526
574-971-4582
hjauvil@elkhartcounty.com

From: Alan Eiker <abe@northamericansigns.com>
Sent: Friday, October 3, 2025 12:09 PM
To: D PS <dps@elkhartcounty.com>
Cc: Carmen Pruitt <cdp@northamericansigns.com>
Subject: Lippert - Plant 80 - 22244 Innovation Dr, Elkhart, IN 46514

You don't often get email from abe@northamericansigns.com. [Learn why this is important](#)

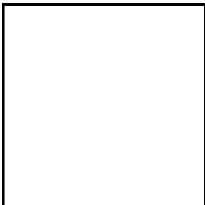
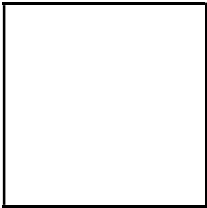
Caution! This message was sent from outside your organization.

Hello Mae,

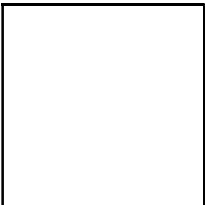
We received a request from the customer wanting us to put the largest sign code will allow on the back of their building at the address above. I know this a quite a long building, over 1,500 ft, so I wanted to confirm what code is for the rear of this building facing the toll road.
I appreciate your help.

Thank you.

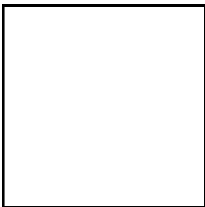
Alan Eiker
*Regional
Installation/Service
Manager*
North American
Signs



o: [800-348-5000](tel:800-348-5000)

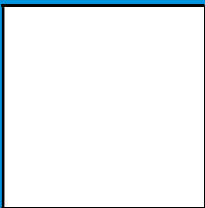
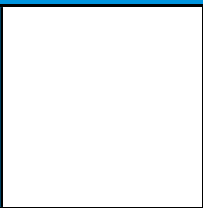
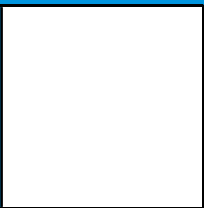
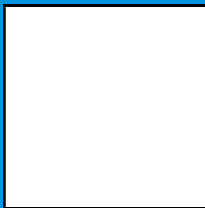


abe@northamericansigns.com



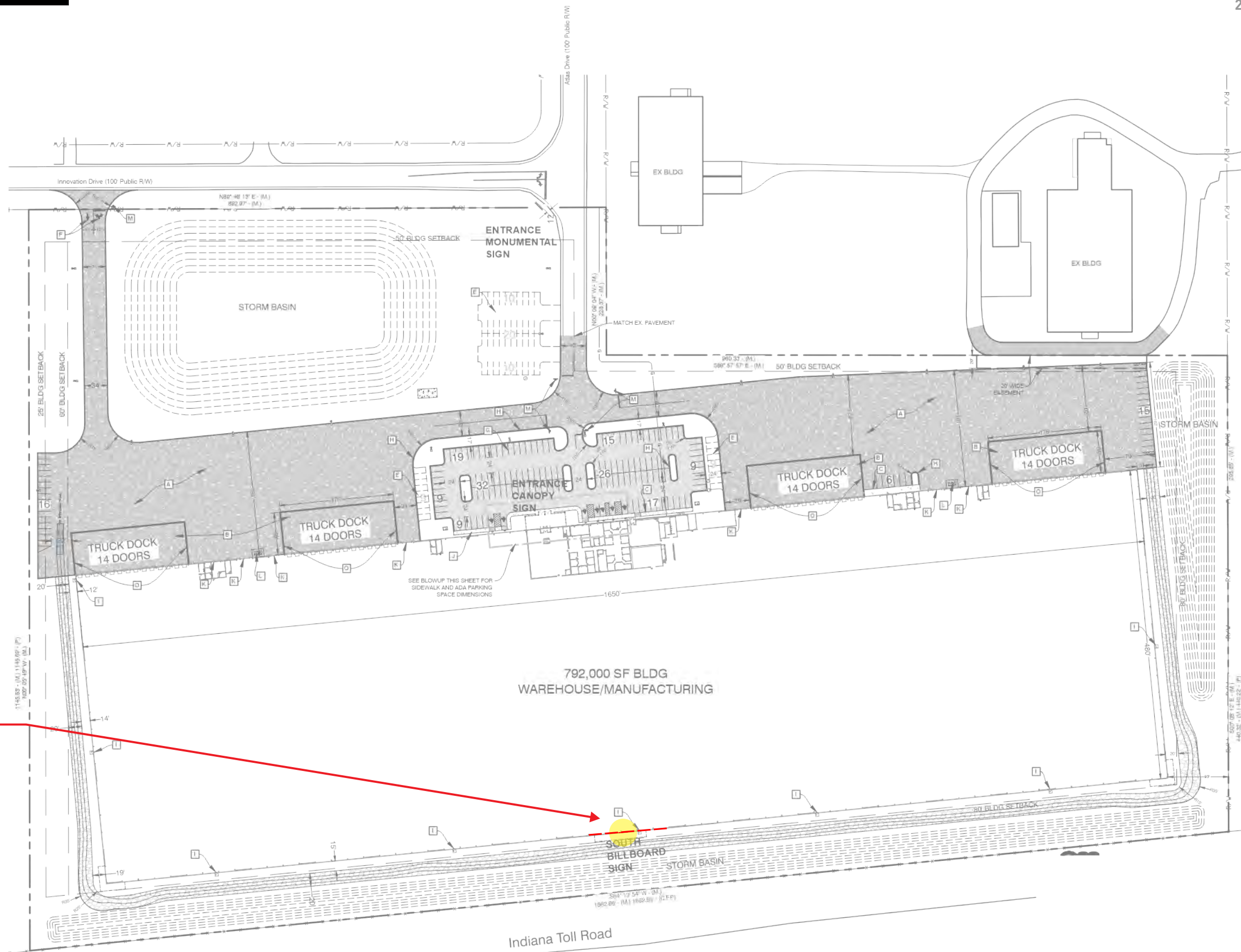
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PROPOSED
SIGNAGE
LOCATION
OPTION 1

A



SITE MAP
SCALE: 1" = 180'

DISTRIBUTION OF PRINTS

MATERIAL LIST

WORK



Face-lit Channel Ltrs. Installed Flush to Corrugated Facade

COAST COURT
22244 Innovation Dr., Elkhart, IN 46514

SIGN LOCATION



PROPOSED SOUTH ELVATION (TOLL ROAD SIDE)
NTS



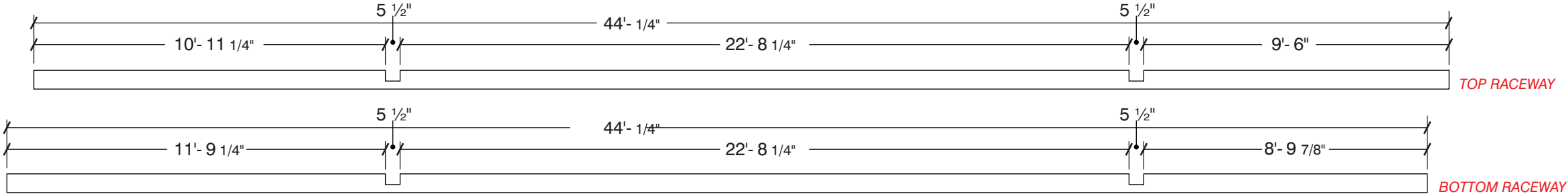
NIGHTTIME RENDERING
NTS

* SEE PAGE 3 FOR SIGN DETAILS

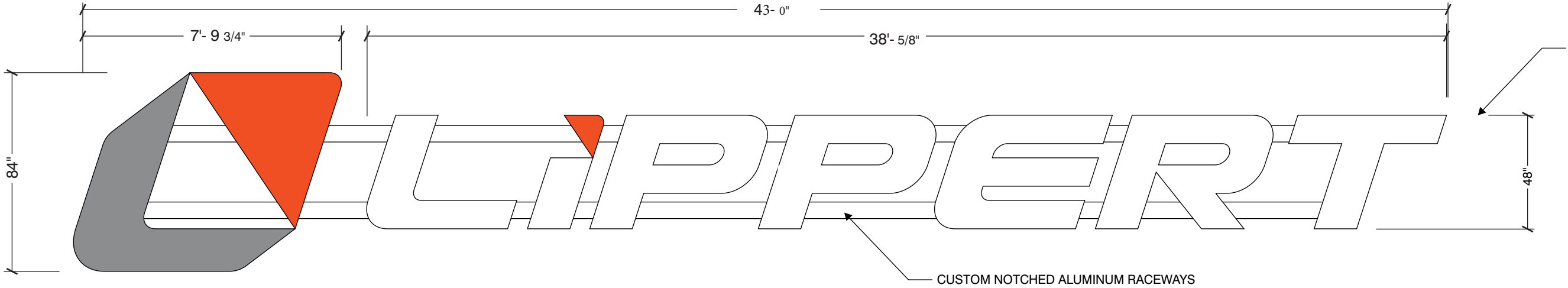


Face-lit Channel Ltrs. Installed Flush to Corrugated Facade

COAST COURT
22244 Innovation Dr., Elkhart, IN 46514



CUSTOM NOTCHED RACEWAY - TOP VIEW
SCALE: 1/4" = 1'-0"



CUSTOM NOTCHED ALUMINUM RACEWAYS

A REMOTE FACE-LIT CHANNEL LOGO / LETTERS INSTALLED ON CUSTOM NOTCHED ALUMINUM RACEWAY -
SCALE: 1/4" = 1'-0"
SQ FT: 308.13

QTY: 1

FACES
WHITE ACRYLIC FACES w/
TRANSLUCENT GREY & ORANGE
TO MATCH BRANDING COLORS.
(VINYL COLORS)
VINYL APPLIED 1ST SURFACE.

RETURNS
5" DEEP .040" ALUMINUM.
INSIDE TO BE WHITE.
OUTSIDE TO BE PAINTED BLACK.
WEEP HOLES.

BACKS
.050" WHITE ALUMINUM.

TRIMCAP
1" BLACK JEWELITE.

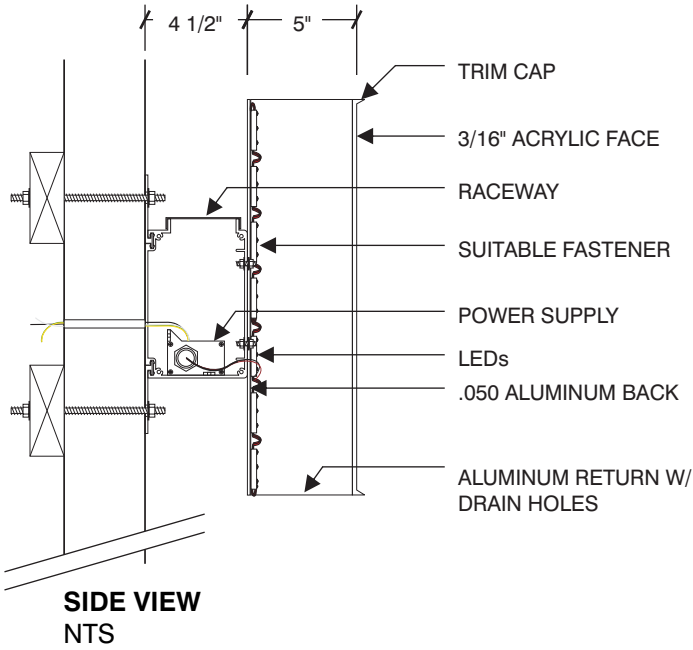
ILLUMINATION
WHITE LED'S

MOUNTING
LETTERS MOUNTED TO
CUSTOM NOTCHED
ALUMINUM RACEWAYS.
RACEWAYS PAINTED TO
MATCH FACADE COLOR. (TBD)

ELECTRIC
EXTERNAL DISCONNECT SWITCH.
UL LISTED/EXTERIOR.

■ LIPPERT RED-ORANGE: PMS 3516C
■ LIPPERT GREY: PMS COOL GRAY 7C

EXAMPLE OF EXISTING
CHANNEL LTRS ON SITE



SIDE VIEW
NTS

ELKHART COUNTY PLAN COMMISSION
WRITTEN ORDER FOR THE AMENDMENT OF THE
MIDDLEBURY DOWNTOWN TIF DISTRICT

On the 11th day of December, 2025, the Elkhart County Plan Commission did consider the Declaratory Resolution Amending the Middlebury Downtown Economic Development Area (“**Resolution**”) issued by the Town of Middlebury Redevelopment Commission. The Elkhart County Plan Commission, serving as the Plan Commission for the Town of Middlebury, Indiana, finds that the Resolution and the Middlebury Downtown Economic Development Plan, as amended, (“**Plan**”) conforms to the plan of development for the Town of Middlebury, Indiana and hereby approves the Resolution and Plan as proposed. This shall serve as the Written Order approving the Resolution and Plan for the Middlebury Downtown Economic Development Area pursuant to the requirements of IC 36-7-14-16.

Dated this 11th day of December, 2025.

ELKHART COUNTY PLAN COMMISSION

Lori Snyder, Chairman

Roger Miller, Vice Chairman

Steve Warner, Secretary

Steven Edwards

Brian Dickerson

Brad Rogers

Dan Carlson

Steven Clark

Philip Barker