

LAGRANGE COUNTY PLAN COMMISSION
OCTOBER 25TH, 2021

THE LAGRANGE COUNTY PLAN COMMISSION MET IN REGULAR SESSION ON **MONDAY, OCTOBER 25TH, 2021 AT 7:00 PM.** IN THE COUNTY OFFICE BUILDING WITH THE FOLLOWING AGENDA:

CALL TO ORDER: Tyler Young called the meeting to order at 7:00 p.m.

ROLL CALL: Zach Holsinger, Jim Young, Rich Sherman, Lynn Bowen, Terry Martin, Freeman Miller, Steve Engleking, Miriam Carnahan & Tyler Young.

INVITATION FOR PUBLIC COMMENT ON NON-PUBLIC HEARING ITEMS:

ADOPT AGENDA: Lynn Bowen made a motion to adopt the agenda, Freeman Miller seconded the motion. A vote was taken, motion carried.

APPROVE MINUTES OF PREVIOUS MEETING: None.

NEW BUSINESS

REZONE

(Public Hearing)

BACHMAN, ROBERT ~ By: Robert Kruger **(21-R-08)** Johnson Twp., Sect. 34, T36N R10E, zoned B-3. Located at 7205 S SR 9, Wolcottville. Application is to rezone 28 +/- acres from B-3 (Highway Business District) to A-1 (General Agricultural District) zoning.

Robbie Miller introduced the petition.

Rob Kruger, 200 E. Main St., Ft. Wayne, was present on behalf of the petitioner. Robert Bachman, landowner, was also present.

Tyler Young asked for public comment on the petition. Mike Strawser, 4775 E 700 S, Wolcottville, spoke in favor of the petition, stating from a real estate perspective, there is more of a residential need than commercial.

The board discussed the petition.

Steve Engleking made a motion to send the petition to LaGrange County Commissioners with a positive recommendation. Freeman Miller seconded the motion.

A vote was taken 8 Yes / 1 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

BONTRAGER, HOMER ~ By: Hand to Plow Surveying **(21-R-09)** Newbury Twp., Sect. 23, T37N R08E, zoned L-1. Located Northwest of 0845 N 740 W, Shipshewana. Application is to rezone 0.39 +/- acres from L-1 (Lake Residential District) to A-1 (General Agricultural District) zoning.

Robbie Miller introduced the petition.

Scott Ziegler, Hand to Plow Surveying, was present on behalf of the petitioner, explained that the land use variance was denied at the June 22nd BZA hearing. Home Bontrager, landowner, was also present.

The board discussed the petition at length, stating their concerns about spot rezoning.

Tyler Young asked for public comment on the petition. There was none.

Zach Holsinger made a motion to send the petition to LaGrange County Commissioners with a negative recommendation. Tyler Young seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

YODER INVESTMENT PROPERTIES, LLC ~ By: Midwest Land Surveying **(21-R-10)** Newbury Twp., Sect. 02, T37N R08E, zoned PUD. Located East of 1175 N VanBuren St., Shipshewana. Application is to rezone 9.6 +/- acres from PUD (Planned Unit Development District) to U-1 (Urban Residential District) zoning.

Robbie Miller introduced the petition.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner and explained the reason for the petition, stating only Lots 13 & 14 were developed as PUD. Paul Yoder, Dallas Lake Construction, was also present.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Zach Holsinger made a motion to send the petition to LaGrange County Commissioners with a positive recommendation. Terry Martin seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

SUBDIVISION

(Public Hearing)

YODER INVESTMENT PROPERTIES, LLC ~ By: Midwest Land Surveying (21-SB-60) Newbury Twp., Sect. 02, T37N R08E, zoned PUD. Located East of 1175 N Van Buren St., Shipshewana. Application is for a proposed 27 lot residential subdivision and for a waiver from the standard cul-de-sac setback for lots 2, 11, 12, 13, and 14.

Robbie Miller introduced the petition.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner and explained the reason for the petition.

The board discussed the subdivision. Robbie Miller read the letter from Town of Shipshewana, stating a favorable recommendation.

Tyler Young asked for public comment on the petition. There was none.

Zach Holsinger made a motion to approve the petition, pending the approval of the fore mentioned rezone petition (21-R-10) by the Board of LaGrange County Commissioners. Freeman Miller seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

SITE PLAN

(Non-Public Hearing)

LAMBRIGHT, VERNON ~ L & M AG ~ By: Lehman Construction (21-SP-65): Newbury Twp., Sect. 26, T05N R08E, zoned A-1. Located at 7345 W 100 S, Topeka. Application is for a proposed 64'x120' building for hay and fertilizer business.

Robbie Miller introduced the site plan.

Scott Ziegler, Hand to Plow Surveying, was present on behalf of the petitioner and explained the reason for the petition, stating there will be no retail sales and the maintenance easement had been recorded

The board discussed the site plan. Robbie Miller stated a copy of the recorded maintenance easement needs to be in the file.

Tyler Young asked for public comment on the petition. There was none.

Steve Engleking made a motion to approve the site plan, pending the following conditions: 1) Recorded maintenance easement is brought to Planning & Zoning, and 2) Updated site plan showing the location of the floodplain. Terry Martin seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

YODER, DANIEL & IRENE ~ HEARTLAND BIKE SHOP ~ By: Hand to Plow Surveying (21-SP-68) Eden Twp., Sect. 36, T36N R08E, zoned A-1. Located at 6125 W 800 S, Topeka. Application is for a proposed 64'x120' building for an existing bike shop.

Robbie Miller introduced the petition.

Scott Ziegler, Hand to Plow Surveying, was present on behalf of the petitioner and explained the site plan.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.
Freeman Miller made a motion to approve the site plan. Lynn Bowen seconded the motion.
A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

MILLER, AUSTIN & ALLEN ~ LAKELAND TOWING & RECOVERY ~ By: Taylor Land Surveying (21-SP-71) Johnson Twp., Sect. 21, T36N R10E, zoned A-1. Located at 2980 E 500 S, Wolcottville.

Application is for site review of an existing towing & recovery business.

Robbie Miller introduced the petition.

Amber Taylor, Taylor Land Surveying, was present on behalf of the petitioner and explained the site plan, addressing the drainage tile issue. Austin Miller, landowner, was also present.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Lynn Bowen made a motion to approve the site plan. Freeman Miller seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

BEST FORAGE, LLC ~ By: Taylor Land Surveying (21-SP-72) Milford Twp., Sect. 01, T36N R11E, zoned A-1. Located South of 11615 E 275 S, LaGrange. Application is for a proposed 34x48 addition to an agribusiness.

Robbie Miller introduced the petition.

Amber Taylor, Taylor Land Surveying, was present on behalf of the petitioner, stating there is no expansion and the landowners are wanting to come into today's compliance for the business.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Steve Engleking made a motion to approve the site plan. Lynn Bowen seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

(Non-Public Hearing)

MILLER, SAMUEL & EMILY ~ SUPERIOR HARDSCAPES ~ By: Midwest Land Surveying (21-SP-74) Newbury Twp., Sect. 18, T37N R08E, zoned A-1. Located at 1835 N 1200 W, Middlebury. Application is for a proposed 40'x60' storage addition to an existing business.

Robbie Miller introduced the petition.

Josh Lash, Midwest Land Surveying, was present on behalf of the petitioner, addressing the drainage issues. Mr. Lash also stated he has not heard back from Elkhart County Highway Department clarifying the residential and commercial drive.

The board discussed the site plan.

Tyler Young asked for public comment on the petition. There was none.

Jim Young made a motion to approve the site plan, pending the clarification of the driveway from Elkhart County. Terry Martin seconded the motion.

A vote was taken 8 Yes / 0 No / 0 Abstain and the motion carried.

COMMUNICATIONS: None.

COMMITTEE REPORTS / ZONING ADMINISTRATORS REPORT: None.

OTHER BUSINESS: Robbie Miller informed the board that Rich Sherman's term expires at the end of 2021 and he will not be renewing. Mrs. Miller also stated we are taking applications for a potential new board member.

Mrs. Miller also reminded the board of the Special Plan meeting for Lake Area Designs (21-R-11) for November 8, 2021 at 5 pm. Steve Engleking made a motion to waive the special meeting filing fee for Lake Area Designs, due to this special meeting was result from an office error. Tyler Young seconded the motion. A vote was taken, motion carried.

ADJOURNMENT: Freeman Miller made a motion to adjourn, Lynn Bowen seconded the motion. A vote was taken, motion carried. The meeting was adjourned at 8:15 p.m.

NOTICE STATEMENT

The County of LaGrange does not illegally discriminate because of race, color, national origin, sex, religion, disability, or age with regards to admission, participation, or treatment in its facilities, programs, activities, or services, as required by Title III and Title VI of the American Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and their related statutes, regulations, and directives. The County has established an Anti-Discrimination Compliance Division to ensure compliance with these laws. If you would like more information concerning the provisions of these laws and about the rights provided thereby, or if you have a suggestion on how the County can better meet the needs of persons protected thereby, please contact the Division at 300 E. Factory St., LaGrange, IN 46761 or by telephone at (260)499-6352. LAGRANGE COUNTY, INDIANA

ANTI-DISCRIMINATION