



July 19, 2023

Town Council of Bristol  
303 E. Vistula St.  
Bristol, IN 46507

Council,

The following is being submitted with no recommendation at the August 3, 2023, and August 17, 2023, Town Council of Bristol meetings:

1. Petitioner: Swank & White LLC represented by Abonmarche.  
Petition: For a zone map change from R-1 to R-3.  
Location: Northwest side of SR 120, 3,105 ft. northeast of CR 19, common address of 20551 SR 120, in Washington Township.

(RZ-0275-2023)

Sincerely,

*H. Jason Auvil*

H. Jason Auvil  
Zoning Administrator & Planning Manager



PLANNING &  
DEVELOPMENT  
ELKHART COUNTY

Public Services Building • 4230 Elkhart Road, Goshen, Indiana 46526  
(574) 971-4678 • DPS@ElkhartCounty.com • ElkhartCountyPlanningandDevelopment.com

July 17, 2023

Swank & White, LLC  
215 Prairie St.  
Elkhart, IN 46516

Case #RZ-0275-2023

You are hereby notified that the petition for a zone map change from R-1 to R-3, on property located on the northwest side of SR 120, 3,105 ft. northeast of CR 19, common address of 20551 SR 120 in Washington Township, zoned R-1, was presented and considered by the Elkhart County Advisory Plan Commission on the 13<sup>th</sup> day of July, 2023 and was acted upon as follows:

Passed on to the Bristol Town Council without a recommendation.

This will be presented to the Bristol Town Council on **August 3, 2023 & August 17, 2023 at 7:00 p.m.** at the Bristol Town Hall, 303 E. Vistula Bristol, Indiana. You or your representative must be present at this public meeting.

A handwritten signature in black ink that reads "Lori Snyder".

Lori Snyder, Secretary  
Elkhart County Advisory Plan Commission

# Plan Commission Staff Report

Prepared by the Department of Planning and Development

**Hearing Date:** July 13, 2023

**Transaction Number:** RZ-0275-2023.

**Parcel Number(s):** 20-03-29-378-004.000-030, 20-03-29-451-015.000-030, 20-03-29-451-017.000-030, 20-03-32-127-006.000-030, 20-03-32-127-007.000-030.

**Existing Zoning:** R-1.

**Petition:** For a zone map change from R-1 to R-3.

**Petitioner:** Swank & White, LLC, represented by Abonmarche Consultants.

**Location:** Northwest side of SR 120, 3,105 ft. northeast of CR 19, in Washington 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	St. Joseph River
South	R-1, M-2	SR 120, power substation, Earthway Rail Park, Town of Bristol
East	A-1, DPUD R-1	Residential
West	R-1	St. Joseph River

**Site Description:** The site is composed of 5 parcels totaling 12.8 acres. It is bordered by the St. Joseph River at the north and west, Longboat Pointe subdivision at the east, and SR 120 and mixed uses at the south. Earthway Rail Park at the south is within Bristol town limits. Floodplain and wetland across the west and north parts of the property leave approximately 2 acres of developable area.

## **History and General Notes:**

- **June 8, 2023** – The Plan Commission approved the petitioner's request to table one month.

**Zoning District Purpose Statement:** The purpose of the R-3, Multiple Family Residential, zoning district is to accommodate a variety of housing types, including multiple-family dwellings (apartments) and other compatible and supporting uses. The district should be applied within or in close proximity to a municipality.

**Staff Analysis:** The purpose of this rezoning petition is to allow approximately 9 apartment buildings with parking, retention, a clubhouse-office, and other accessory uses.



# *Plan Commission Staff Report (Continued)*

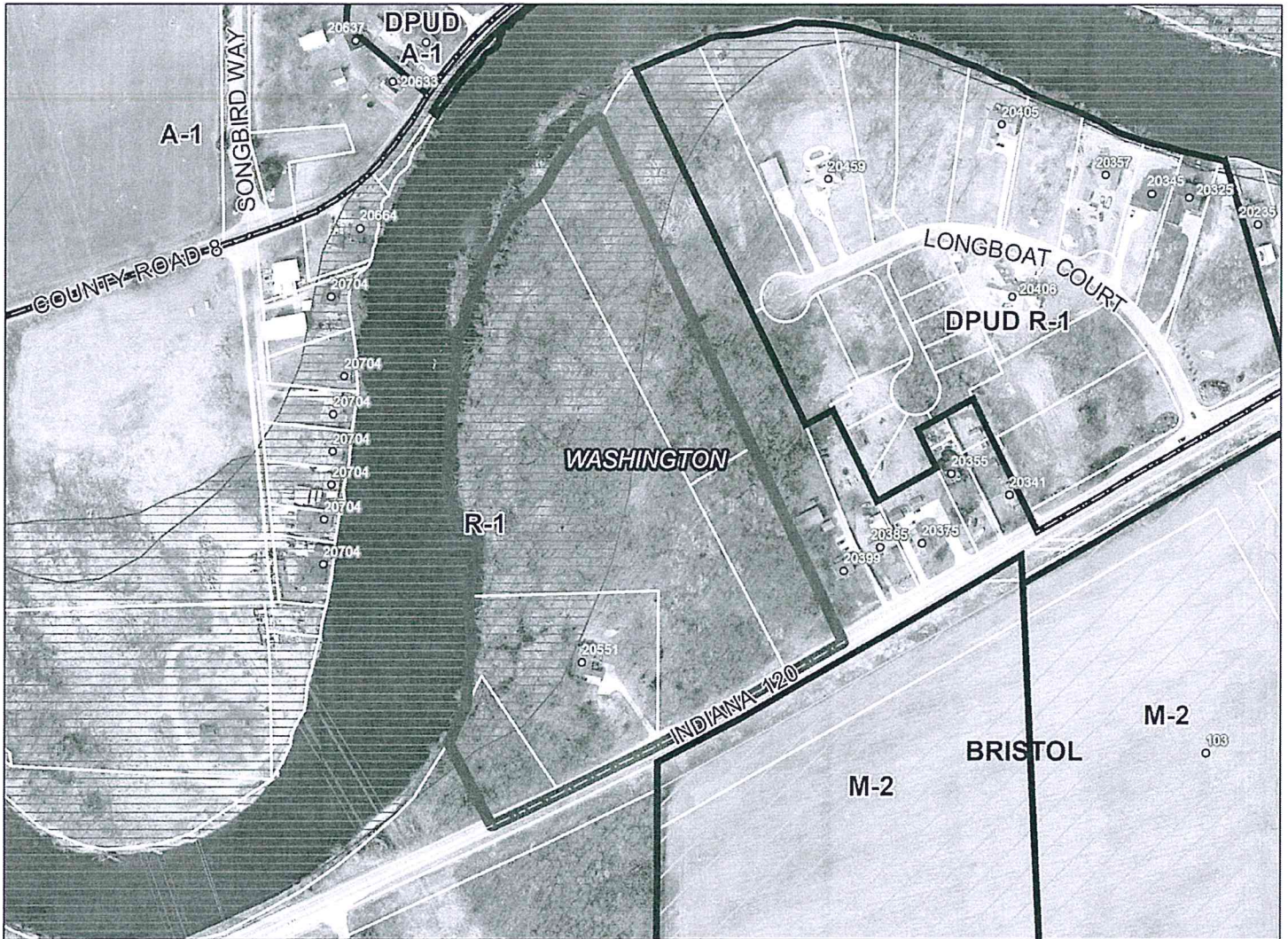
*Hearing Date:* July 13, 2023

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

1. The requested Zoning Map Amendment does not comply with the Comprehensive Plan. The plan states that “high-intensity . . . development should not be considered where municipal utilities are not available” and that “existing residential communities should be supported and protected from conflicting land uses.” The petitioner should provide the Plan Commission a timeline for annexation and utility extension. A DPUD, rather than the current application, would show plans for protection of the existing residents to the east, stormwater retention, and protection of the natural resources to the north and west.
2. The request is not in character with current conditions, structures, and uses on the subject property and in its surroundings. The development, as presented, introduces a stark change of scale along the north side of SR 120. The zoning ordinance requires that there be no more than 1 building with dwelling units per zoning lot. This standard is intended to achieve reduced impact of dense multiunit housing.
3. The most desirable use of the subject property is low-density residential on private wastewater or medium-density residential on utilities.
4. The request does not conserve property values. The proposed rezoning does not include the technical review of multiple county departments nor the control offered by a DPUD in order to conserve neighboring property values.
5. The proposed rezoning does not promote responsible growth and development. This petition places technical review, which is necessary in this case because of the severely limited developable area, after the rezoning approval process rather than before (review for considerations like stormwater retention and floodplain and wetland avoidance). The petition leaves the requirement that there be no more than 1 building with dwelling units per zoning lot (a requirement best met through subdivision but alternatively through a DPUD) unaddressed. And the petition does not address any of the deviations from development standards that might be needed (standards like building and parking setbacks and buffering to the east). Whereas a DPUD would have covered all of the above in a single proceeding.



RZ-0275-2023



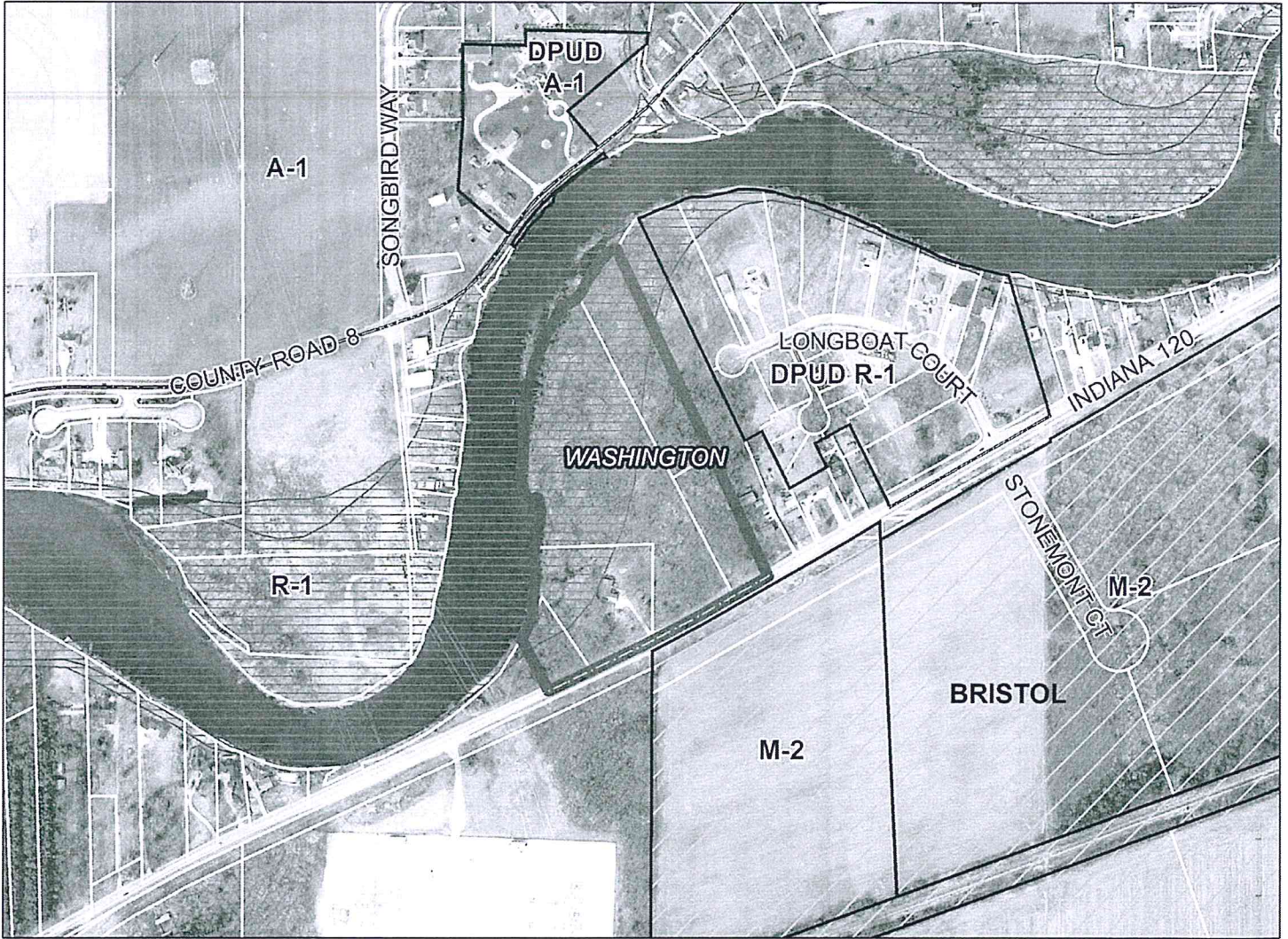
2021 Aerials

1 inch = 250 feet

N



RZ-0275-2023



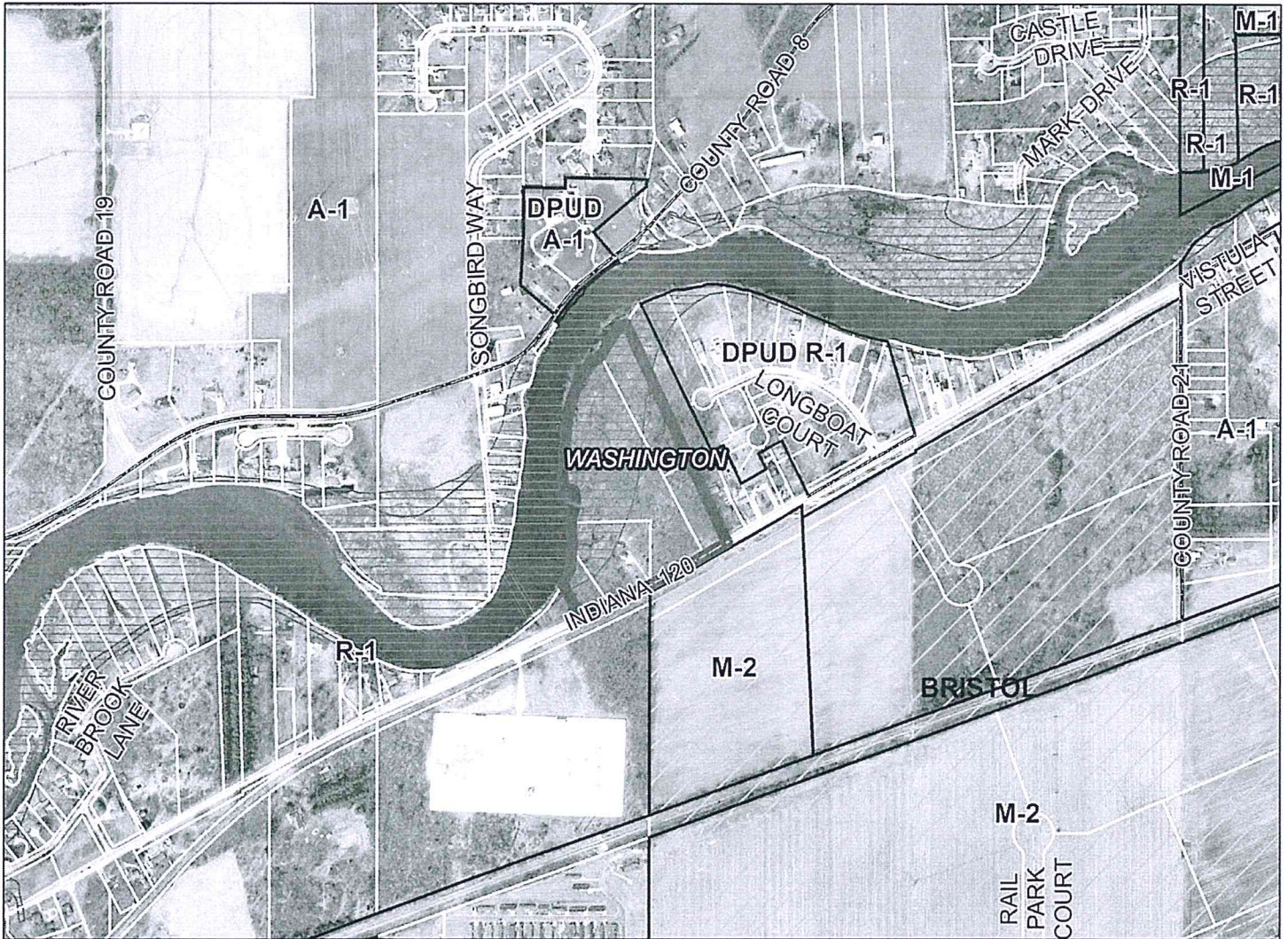
2021 Aerials

1 inch = 400 feet

N  
A



RZ-0275-2023



2021 Aerials

1 inch = 600 feet

N  
A



**Application for a Zone Map Change**

Current zoning: R-1 Requested zoning: R-3  
Proposed land use: ☐ Agricultural ☒ Residential ☐ Commercial ☐ Manufacturing  
☐ Mixed use: \_\_\_\_\_  
☐ Other: \_\_\_\_\_

Use This Box Only if GPUD or DPUD Requested

Development name: \_\_\_\_\_  
If DPUD, number of lots: \_\_\_\_\_ If DPUD, subdivision type: ☐ Minor ☐ Major

Jurisdiction: ☒ Unincorporated ☐ Bristol ☐ Middlebury ☐ Millersburg ☐ Wakarusa

Location: (N) S E W corner (side) end of SR 120,  
1,285 ft. N S E (W) of Longboat/Stonemont CT.

Site address: 20551 SR 120 Bristol, In 46507

Parcel numbers: 20-03-32-127-007.000-030; 20-03-32-127-006.000-030 ☐ Part of  
20-03-29-378-004.000-030; 20-03-29-451-017.000-030 ☐ Part of  
20-03-29-451-015.000-030 ☐ Part of

**Current landowner**

Name: Swank & White, LLC  
Address: 215 Prairie St. Elkhart, In 46516  
Phone: 574-596-3598 Email: cwhiterealtor@hotmail.com

**Other party 1** ☐ Developer ☐ Buyer ☐ Surveyor, engineer, or agent

Name: \_\_\_\_\_ State license no.: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Other party 2** ☒ Developer ☐ Buyer ☐ Surveyor, engineer, or agent

Name: Ancon Construction State license no.: \_\_\_\_\_  
Address: 2146 Elkhart Road, Goshen, IN 46526  
Phone: 574-971-6732 Email: mschneider@anconconstruction.com

**Other party 3** ☐ Developer ☐ Buyer ☒ Surveyor, engineer, or agent

Name: Abonmarche Consultants State license no.: \_\_\_\_\_  
Address: 315 West Jefferson Blvd. South Bend, In 46601  
Phone: 574-968-7346 Email: jschaffer@abonmarche.com

Signature of current landowner or agent: \_\_\_\_\_

Notes: \_\_\_\_\_

July 13, 2023 Elkhart County Plan Commission – Bristol Apartments R-1 to R-3

Abonmarche notes

Setbacks on proposed subdivision are generalized but lots constitute zoning lots per Mae Kratzer Plan Director – exactness comes at plating time.

Updated conceptual site plan – consideration of the neighbors – May 24<sup>th</sup> meeting – The buildings on the SE side of the property, the most 3 southernly buildings, were rotated 90 degrees in order that the side of the building will face the east neighbor while not having a front or rear face the neighbor

Driveway access will follow all INDOT requirements – geometric design, any passing blisters if needed

Buffering on east side is a consideration.

Development will happen on area which is elevated and outside any floodplain/wetland area.

Timeline:

July 13<sup>th</sup> Plan Commission

July – Annexation finalized in town

August 3<sup>rd</sup> Town Council 1<sup>st</sup> and 2<sup>nd</sup> readings

August 17<sup>th</sup> Town Council 3 and final readings

August 21<sup>st</sup> County Commissioners for portion of lot not yet annexed

September 2<sup>nd</sup> Annexation finalized in town

August - Oct plating

October building commences

November bonding finalized with Town

SHEET TITLE	PHASE I ANNEXATION
DATE	4/19/2023
DESIGNED BY	JOE
PER REVIEWED	JOE
DATE	4/19/2023
DATE	4/19/2023

PROJECT NO.	23-0547
ACTIVITY	PHASE I ANNEXATION
SCALE	HORIZ: 1" = 80'
DATE	4/19/2023
DATE	4/19/2023



Legend  
 Phase I Annexation





