

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

22-W-SUBD-16 PRIMARY PLAT APPROVAL

Schwartz Enterprizes LLC
Eel Creek, East side of State Road 9, ½ mile south of 200 South

DECEMBER 21, 2022

AGENDA ITEM: 4

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	16.77 acres	Lot size:	1.837 acre	5.27 acres
Number of lots:	2 lots	Lot width:	225'	225'±
Dedicated ROW:	0.39 acre	Lot frontage:	50'	50'±

The petitioner, owner of the subject property, is requesting an approval for a two-lot subdivision to be named Eel Creek. The proposed plat is located on the east side of State Road 9, ½ mile south of 200 South, in Section 23 of Columbia Township. The site is currently improved with an outbuilding. The adjacent parcel with an existing house was a recent plat-exempt split from the parent parcel.

Proposed are two lots with dedicated right-of-way. Platting is required due to previous splits from the 1979 parent tract. These are the first platted lots from the 2018 parent tract, so no rezoning is required. The nearest current CFO is about 8,350'± to the east. The anticipated use is for residential for at least one, if not both, of the lots.

The proposed plat appears to comply with the development standards of the zoning code as shown in the above table.

Comment letters received (as of date of staff report)

Electric	X	Health	X	Cable TV		Parcel Cmte.	X
Gas		Co. Engineer	X	Sanitary Sewer	NA		
Telephone		SWCD	X	Water	NA		

A 40' wide half right-of-way for the State Road would be dedicated along the frontages. 10' drainage and/or utility easements are shown on the perimeters of the lots with 75' legal drain easement from top of bank of Eel River on the north side of the lots.

The Health Department returned comment concerning the amount of available area outside of the floodplain. The SWCD also commented concerning the floodplain area as well as the possibility of wetlands present on the property. For reference, the buildable area (net of setbacks, floodplain, and easements) is about 1.56 acres for Lot 1 and 1.65 acres for Lot 2. This is greater than the nominal net area of a code-minimum 80,000 sq. ft. lot, which is about 1.15 acres; however, the shape of the buildable area will constrain any development configuration.

INDOT commented on possible issues with access in this location meeting the minimum sight distance requirements for additional highway entry.

Otherwise, the comments received have stated that the proposed plat is generally adequate.

Separate restrictive covenants have not been submitted at the time of this writing.

WAIVER REQUESTS

There are no waiver requests.

REVIEW CRITERIA

Subdivision primary plats are reviewed for compliance with the standards of Subdivision Control Ordinance and the Zoning Code. Staff finds that the proposed primary plat appears consistent with the standards, with the following condition(s):

1. Address any review comments received including SWCD and INDOT.
2. Any Health Department requirements must be met prior to recordation of the plat.
3. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 12/2/22

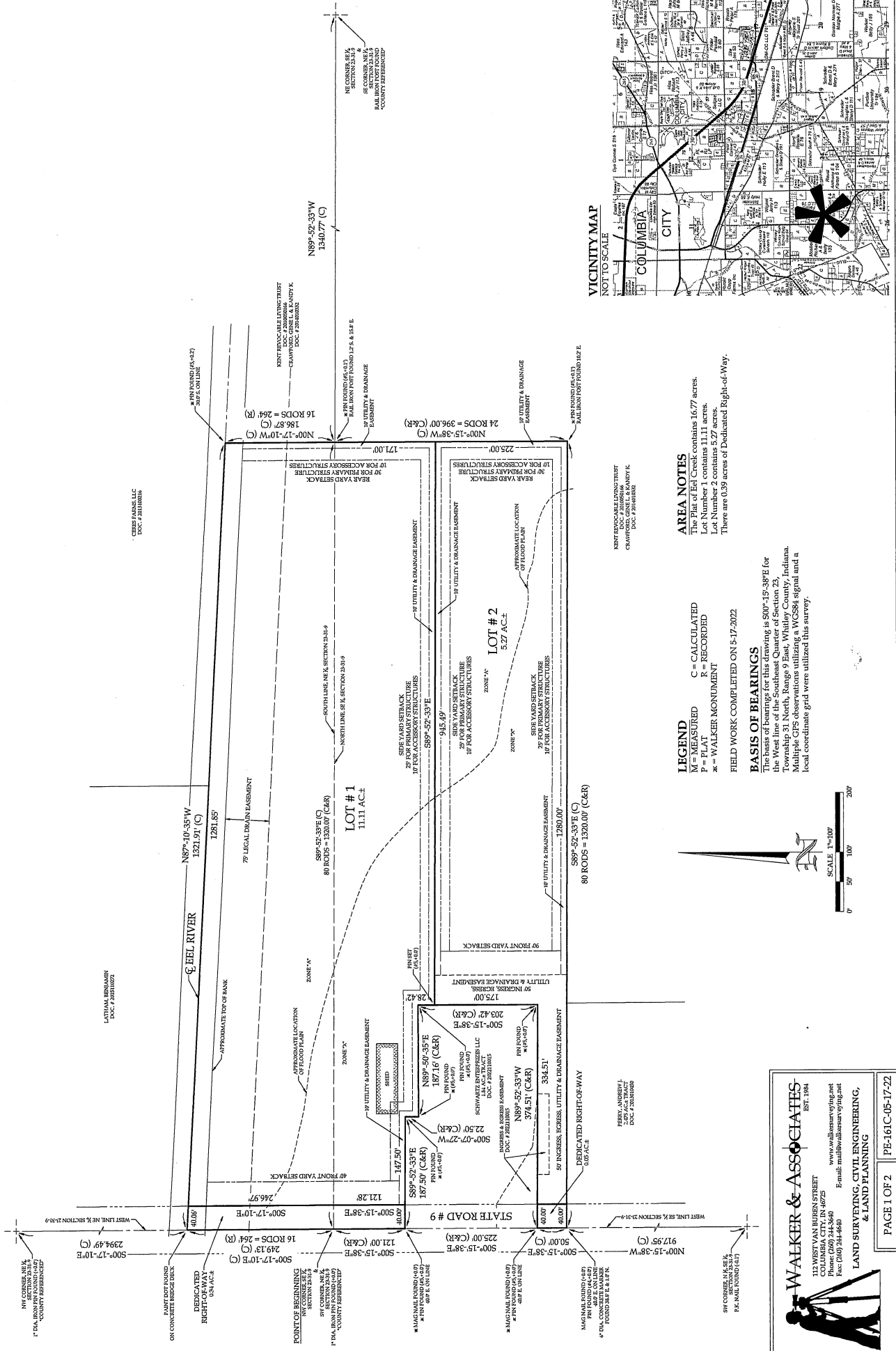
PLAN COMMISSION RECORD OF ACTION

Motion: _____ By: _____ Second by: _____
 Approve _____
 Approve w/conditions _____
 Deny _____

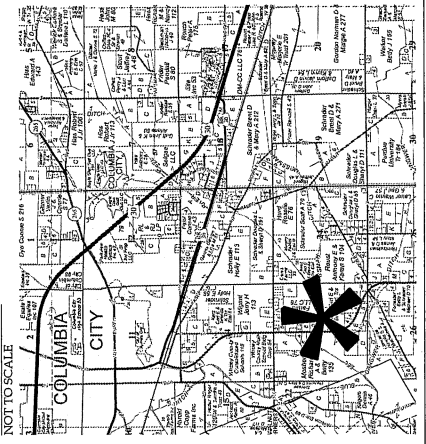
<i>Vote:</i>	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Schrumpf	J. Wolf	Wright
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

EEL CREEK (PRELIMINARY)

SITUATED IN THE SOUTHEAST QUARTER AND NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 31 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA



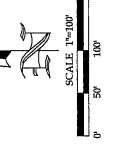
NOT TO SCALE



AREA NOTES
 The Plat of Eel Creek contains 16.77 acres.
 Lot Number 1 contains 11.11 acres.
 Lot Number 2 contains 5.27 acres.
 There are 0.39 acres of Dedicated Right-of-Way.

LEGEND
 M = MEASURED
 P = PLAT
 * = WALKER MONUMENT

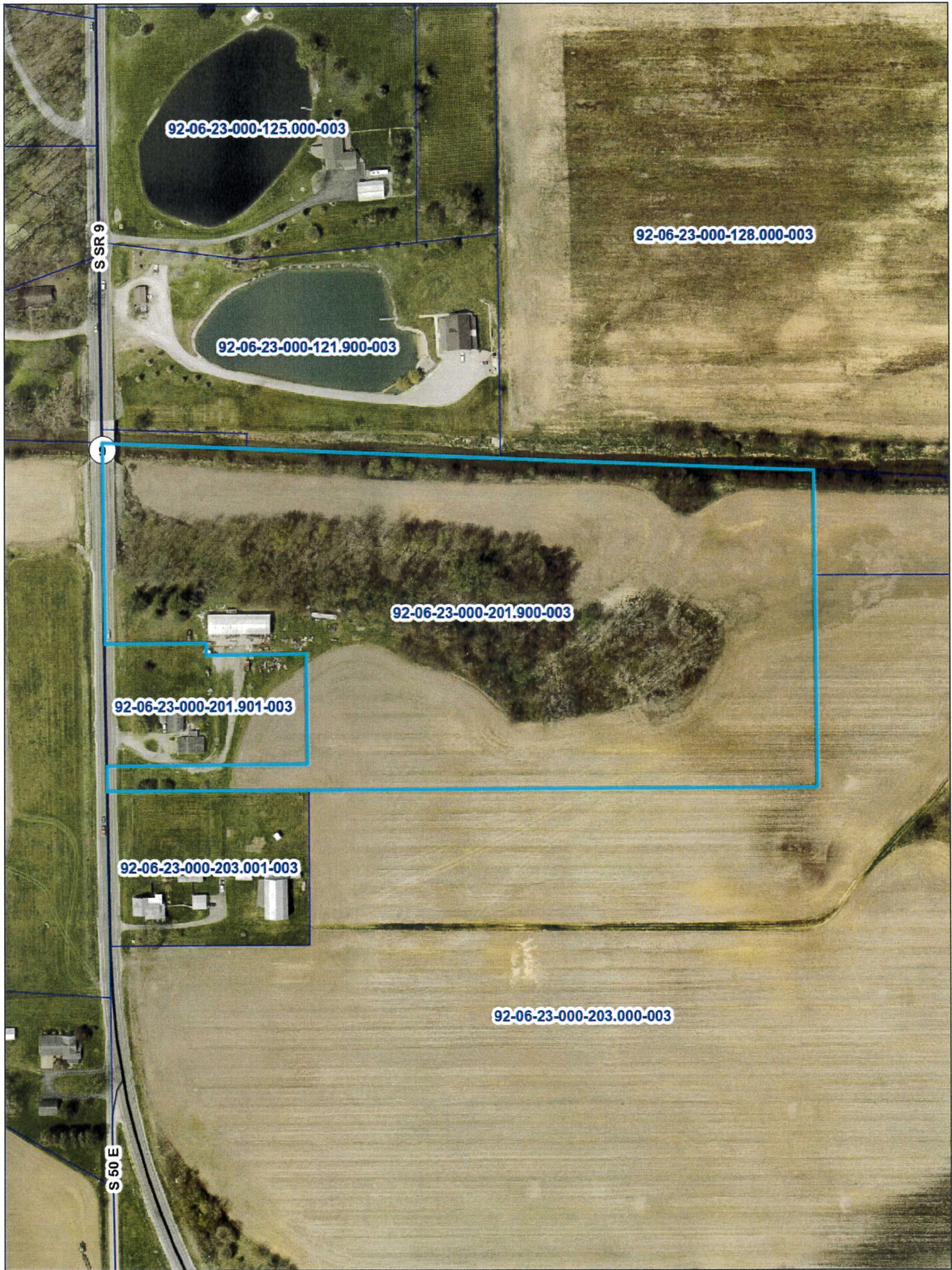
BASIS OF BEARINGS
 The basis of bearings for this drawing is S89°-15'-39"E for the West line of the Southeast Quarter of Section 23, Township 31 North, Range 9 East, Whitley County, Indiana. Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized in this survey.



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LAND SURVEYING, CIVIL ENGINEERING,
 & LAND PLANNING

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92-06-23-000-125.000-003

92-06-23-000-128.000-003

92-06-23-000-121.900-003

92-06-23-000-201.900-003

92-06-23-000-201.901-003

92-06-23-000-203.001-003

92-06-23-000-203.000-003

S SR 9

S 50 E



Davisson, Michael J & Jane A

Mosher, Richard A & Betty J

Mosher, Richard A & Betty

Mosher, Richard A & Betty

Mosher, Richard A & Betty J

Mosher, Douglas Adam & Jill Ann

Dennis, Cheryl Ann

Boyd, Orin Alexander

Strupp, Melinda S

Slavich, John William & Susannah Kay

Bennett, Robert C & Bennett, Debra S Trustess Of, The Robert C Bennett & Debra S Bennett Revocable Tr

Clary, Kenneth R

Kaufman, Esther M

Puckett, Roy L & Susan D

Kellermeyer, Kevin J & Maetta J

Latham, Benjamin

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Kellermeyer, Kevin J & Maetta J

Latham, Benjamin

Schwartz Enterprizes LLC

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Perry, Andrew J

Kent, Carl E & Brenda K, Trustees & Crawford, Gene L & Kandy K

Watson, Stephen W & Ronda A

Keen, Chad W & Aker, Natalie N

Grube, Jarrett G & Alyssa L

Perry, Roderick A

Kent, Carl E & Brenda K, Trustees & Crawford, Gene L & Kandy K

Mosher, Richard A & Betty

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Witek, Ronald J

Ceres Farms, Llc

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Reust, Anthony E & Karen S

Nord, Joel D & Penny L

Gross, Joseph Charles & Julie Ann

Wilkerson, Shantal Lee

Cole, Rick L & Michele A

Smith, Stephen James

Perry, Brady W & Ashley

SR 60

S 50 E

E 300 S

Platz, Gregory & Michelle

Davies, Mr Eric B

Perry, Roderick A

Reust, Anthony E & Karen S

Alexander, Bobbie

Smith, Michael R & Twila L

Reust, Anthony E & Karen S

Nord, Joel D & Penny L

Gross, Joseph Charles & Julie Ann

Reust, Anthony E & Karen S

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