

**MINUTES**  
**WHITLEY COUNTY PLAN COMMISSION**  
**REGULAR MEETING**

**September 21, 2022**

**7:00 p. m.**

**Whitley County Government Center**  
**Lower Level, Meeting Room A/B**

<b>MEMBERS</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>STAFF</b>
Dane Drew	X		Nathan Bilger
Brent Emerick	X		Brent Bockelman
Jack Green	X		
Thor Hodges	X		<b>LEGAL COUNSEL</b>
Mark Johnson	X		Elizabeth Deckard
Kim Kurtz-Seslar	X		
George Schrupf	X		<b>NONVOTING ADVISOR</b>
Joe Wolf	X		John Woodmansee
Doug Wright	X		

**AUDIENCE MEMBERS**

The audience list of in-person and electronic guests is attached below.

**CALL TO ORDER/ROLL CALL**

Mr. Hodges called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Mr. Bockelman read the roll call with members present and absent listed above. Mr. Green was welcomed as the new member.

**CONSIDERATION OF PREVIOUS MEETING MINUTES**

The minutes for the August 17, 2022, regular meeting were presented for consideration. Mr. Hodges asked if members required time to review the minutes. Hearing nothing, he called for a motion. Mr. Emerick made a motion to approve the August 17, 2022, minutes as presented; seconded by Mr. Drew. Motion passed, 8-0-1 by roll call vote, with Mr. Green abstaining due to not being present at the August meeting.

**ADMINISTRATION OF OATH**

Ms. Deckard administered the oath to audience members wishing to speak.

**NEW BUSINESS**

**22-W-SUBD-9, Birchwood Acres Replat**

Anthony Agular, owner of the majority of the subject property, requested to replat the previously approved Birchwood Acres to reconfigure the existing platted Lots 1 and 2 and add acreage to the subdivision to create a new Lot 3. The site was located on the south side of 200 North, about 700' east of 450 East and 2,500' west of State Road 205 in Section 32 of Smith Township. The additional property was unimproved; the existing lots have residences under construction.

Mr. Bilger presented the staff report. He described the history of this property and actions that had been taken to this point to allow for a third building site. He stated that the BZA had granted a land use variance to permit the third platted lot without the need for rezoning from the AG, Agricultural district, with some conditions. He concluded with the following suggested conditions:

1. The plat document be condensed into a single document, with the suggested title of “Birchwood Acres, Amended” or similar.
2. The property owner signatures must be updated to reflect the current ownerships.
3. The subdivision shall not be further subdivided, unless the property is rezoned or additional variances obtained.
4. Secondary plat approval delegated to the Plan Commission Staff.

Anthony Agular, petitioner, addressed the Commission and confirmed the intentions of the replat. He stated that the third lot would be for his parents to construct a dwelling and that there was no plan to further subdivide any of the lots.

Mr. Hodges asked for public comment. Hearing no comments, Mr. Hodges closed the public hearing.

Mr. Wolf made a motion to approve 22-W-SUBD-9 with the staff’s recommended conditions. The motion was seconded by Ms. Kurtz-Seslar. Motion passed, 9-0 by roll call vote.

### **22-W-SUBD-10, Twisted Hickory**

Michael Butts, owner of the subject property, requested an approval for a one-lot subdivision to be named Twisted Hickory. The proposed plat was located on the east side of 600 East, about 1,500’ south of Old Trail Road in Section 11 of Union Township. The site was improved with a residence constructed in 2020.

Mr. Bilger presented the staff report. He stated that with the house already being on the lot, the comments from reviewing agencies were minimal, and the Health Department requirements had already been met. Aerial views were provided with overlay of the survey. He concluded by recommending that secondary plat approval be delegated to Plan Commission Staff.

Kevin Michel, Walker and Associates, addressed the Commission as the representative for the petitioner and explained the proposed plat.

Mr. Hodges asked for public comment. Hearing no comments, Mr. Hodges closed the public hearing.

Ms. Kurtz-Seslar made a motion to approve 22-W-SUBD-10 with staff’s recommended condition. The motion was seconded by Mr. Johnson. Motion passed, 9-0 by roll call vote.

### **22-W-SUBD-11**

Rick Stetzel, owner of the subject property, requested an approval for a one-lot subdivision to be named Stetzel Family Farm. The proposed plat was located on the south side 1000 South, about 1,300’ west of 600 East in Section 34 of Jefferson Township. The site was improved with farm buildings.

Mr. Bilger presented the staff report and described the intention of what was a somewhat unusual subdivision. He explained that the plat would separate the ground with the agricultural buildings

apart from the larger acreage of farm ground. Due to the letter of the subdivision rules, a plat was required even though in the future, the two areas might be recombined. Aerial views were provided to show detail of the proposed split. He concluded with the following suggested conditions of approval:

1. Health Department requirements shall be met prior to permit issuance for any structure needing a septic system.
2. Secondary plat approval delegated to the Plan Commission Staff.

Kevin Michel, Walker and Associates, addressed the Commission as the representative for the petitioner and explained the project.

Rick Stetzel, 4101 E. 1000 South-92, addressed the Commission and stated that the main reason was to allow the ground with the improvements to be put in his name while the tillable acreage would be kept in the partnership name.

Mr. Hodges asked for public comment. Hearing no comments, Mr. Hodges closed the public hearing.

Mr. Drew made a motion to approve 22-W-SUBD-11, with staff's recommended conditions. The motion was seconded by Ms. Kurtz-Seslar. Motion passed, 9-0 by roll call vote.

### **OTHER BUSINESS**

Mr. Bilger updated the Commission on the status of the Solar Energy Code. He stated that the Commissioners may make some changes; if so, those would return to the Commission for affirmation.

### **ADJOURNMENT**

Having no further business, Mr. Hodges adjourned the meeting at 7:22 P. M.

### **GUEST LIST**

1. Jarryd Myers .....4640 S. 275 West
2. Kathy Butts .....735 S. 600 East
3. Anthony Agular .....4730 E. 200 North
4. Kevin Michel .....4242 S. 700 East
5. Rick Stetzel .....4101 E. 1000 South-92

### **GUEST LIST-ELECTRONIC**

6. Robert Kehmeyer .....8411 S. 600 East
7. Judy Kehmeyer .....8375 S. 600 East
8. Kurt Kehmeyer.....8244 S. 600 East
9. John Meister.....5995 S. Woodstrail Dr.-57
10. Sonya Emerick .....5865 E. State Road 14