

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

24-W-SUBD-6 PRIMARY REPLAT APPROVAL

**MARCH 20, 2024
AGENDA ITEM: 3**

Myron Green

“Green and Tran Addition”, northeast corner Fish Hatchery/Colony Ave.

SUMMARY OF PROPOSAL

Current Zoning:	LR, Lake Residential		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	0.96 acres	Lot size:	10,000 sq. ft.	10,000 sq. ft.
Number of lots:	4 lots	Lot width:	70'	70'
Dedicated ROW:	0.0 acre	Lot frontage:	50'	70'

The petitioner, owner of the subject property, is requesting primary approval for a replat to be called Green and Tran Addition. The proposed four-lot plat is located on the east side of Fish Hatchery Road, between Colony and Crescent Avenues in Thorncreek Township. The site is improved with a residence and outbuildings. Historically, some resort cabins were on the property, which were removed around 10 years ago.

This property is comprised of Lots 17, 18, 19, and 20 of the Beech Grove Addition to Tri-Lakes Resort, recorded in 1945. These lots have since been combined by the Auditor to create the current single tax parcel. The petitioner proposes to realign the four platted lots and reestablish them as individual parcels. No additional dedicated right-of-way for the adjacent roads is proposed.

Note that the petitioner could reestablish the existing platted lots without the need for replatting or conformance with current zoning standards. However, the desired reconfiguration of the lots triggers the need for this replatting; it also creates lots in compliance with current zoning standards (per previous precedent, replats of LR-zoned lots retain 5' side yards). The legal nonconforming status of the existing improvements will not change, with the exception of a small shed that would be within a proposed setback on Lot 3.

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

COMMENTS AND STANDARDS

Comment letters received (as of date of staff report)

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

5' drainage and utility easements are shown on the perimeters of the lots.

The property is on sanitary sewer, and the utility provided comment that the developer would be responsible for any infrastructure connections.

No comment had been received from the Health Department at the time of writing. Any wells would need to be permitted through that department.

Being a replat of a subdivision that previously dedicated right-of-way, it is policy not to require additional right-of-way for the perimeter roads. If additional right-of-way were to be required to meet the minimum 50' width for subdivision roads, roughly 10' would need to be dedicated along Crescent and Fish Hatchery, and a varying amount up to 10' along Colony.

The other comment letters received have stated that the proposed plat is generally adequate.

Separate restrictive covenants have not been submitted, which is not atypical for plats of previously platted areas. Existing covenants, if any, are not extinguished with a replatting process.

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. Move the shed currently located on proposed Lot 3 to conform to the minimum setback prior to sale of the lot.
2. The Health Department should be consulted to affirm that the location of any existing wells meets their requirements.
3. Secondary plat approval delegated to the Plan Commission staff.

Date report completed: 3/12/2024

PLAN COMMISSION RECORD OF ACTION

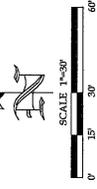
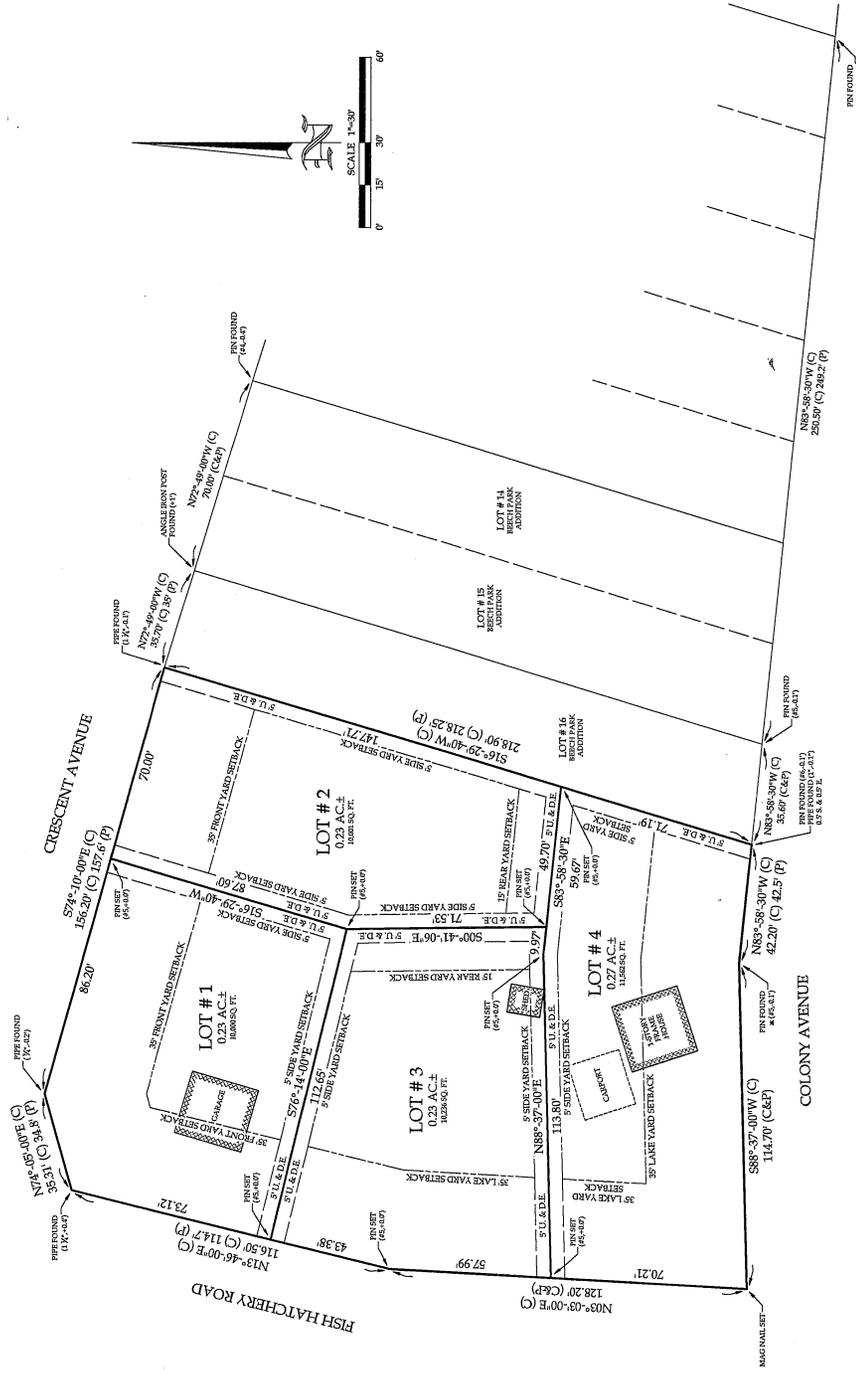
Motion: Approve Approve w/conditions Deny

By: _____ Second by: _____

<i>Vote:</i>	Baker	Banks	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Wolf
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

GREEN & TRAN ADDITION (PRELIMINARY)

BEING A REPLAT OF LOTS NUMBERED 17, 18, 19 AND 20 IN THE PLAT OF BEECH PARK ADDITION TO TRI LAKES RESORT, WHITLEY COUNTY, INDIANA



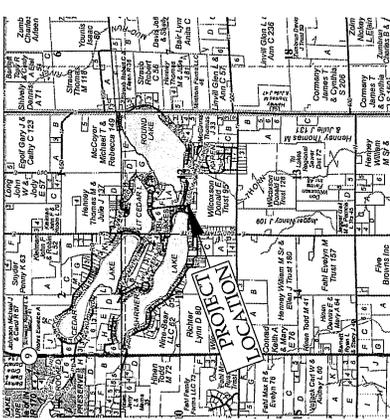
LEGEND
 M = MEASURED
 P = PLAT
 R = RECORDED
 * = WALKER MONUMENT
 U. & D.E. = UTILITY & DRAINAGE EASEMENT
 C = CALCULATED
 R = RECORDED
 * = WALKER MONUMENT
 U. & D.E. = UTILITY & DRAINAGE EASEMENT

FIELD WORK COMPLETED ON 2-15-2024

BASIS OF BEARINGS
 The basis of bearings for this drawing is GPS bearings.
 Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey.

AREA NOTES
 The Plat of Green & Tran Addition contains 0.96 acres.
 Lot Number 1 contains 0.23 acres.
 Lot Number 2 contains 0.23 acres.
 Lot Number 3 contains 0.23 acres.
 Lot Number 4 contains 0.27 acres.

VICINITY MAP
 NOT TO SCALE



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LAND SURVEYING, CIVIL ENGINEERING,
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