

MINUTES
WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING

March 20, 2024

7:00 p.m.

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

MEMBERS	PRESENT	ABSENT	STAFF
Travis Baker	X		
Chad Banks	X		Brent Bockelman
Dane Drew	X		
Brent Emerick	X		LEGAL COUNSEL
Jack Green	X		
Thor Hodges	X		
Mark Johnson	X		NONVOTING ADVISOR
Kim Kurtz-Seslar	X		John Woodmansee
Joe Wolf	X		

AUDIENCE MEMBERS

The 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.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The minutes for the February 21, 2024, regular meeting were presented for consideration. Ms. Kurtz-Seslar made a motion to approve the minutes as presented. Seconded by Mr. Green. Motion passed 8-0-1 by roll call vote, with Mr. Johnson abstaining due to being absent from the February meeting.

ADMINISTRATION OF OATH

Mr. Bockelman administered the oath to audience members wishing to speak.

OLD BUSINESS

There was no old business.

NEW BUSINESS

24-W-SUBD-4 Watering Hole

Troy Wilcoxson, owner of the subject property, is requesting preliminary plat approval for a three-lot subdivision to be named “The Watering Hole.” The proposed plat is located on the west side of Washington Road, 1400 feet north of 800 South, in Section 16 of Washington Township.

Mr. Bockelman presented a summary of the staff report. He reviewed the proposed plat and code minimums. He explained that the plat would include three lots with dedicated Right-of-Way. Aerial views were presented with overlays for reference. Discussion was made regarding drainage on the property. Review criteria and suggested conditions were discussed.

Ryan Pepler, 3490 N. Etna Road, addressed the Commission as the petitioner representative and explained the proposed plat. He distributed copies of the plat to the Commission members showing the updated property lines. Descriptions of the easements, setbacks, lot sizes, and rights-of-way were discussed. He explained that the changes were made to allow for additional building area.

Mr. Hodges opened the public hearing.

Tammi & James Hurd, 7624 S. Washington road, addressed the Commission and expressed his concern with the number of houses being built and wanted to make sure that structures would not be being built in the easement.

Ryan Pepler, 3490 N. Etna Road, explained that the easements would not be encroached upon without further approval. He also explained the locations of the build lines and setbacks on the property.

Tammi & James Hurd, 7624 S. Washington road, also shared her concern with run off from construction getting into the open waterway. It was explained that the Building Department and Soil and Water Conservation would mandate and regulate the erosion control. She also explained that they are used to a quiet neighborhood concerned with increased traffic and noise.

Hearing no additional comment, Mr. Hodges closed the public hearing.

Mr. Drew made a motion to approve the petition with the staff recommended conditions. The motion was seconded by Mr. Johnson. Petition 24-W-SUBD-4 was approved by roll call vote of 9-0 with the following conditions.

1. Two septic sites per lot are to be determined and approved by the Health Department prior to issuance of a building permit for a primary structure.
2. Covenants and restrictions are highly recommended.
3. Consider designating a drainage easement across Lot 2 between Lot 3 and the legal drain.
4. Secondary plat approval delegated to the Plan Commission staff.

24-W-SUBD-5 Grayson Acres

Christopher & Jordan Dillree, owners of the subject property, are requesting preliminary plat approval for a two-lot subdivision to be named "Grayson Acres." The proposed plat is located on the south side of Morsches Road at the intersection of State Road 109, More commonly known as 52 E. Morsches Road, in Section 4 of Thorncreek Township.

Mr. Bockelman presented a summary of the staff report. He reviewed the proposed plat and code minimums. He explained that the plat would be further subdivision of Lot 1 of Bishop Ridge Addition. It was stated that the existing recorded covenants and restrictions of Bishop Ridge Addition would still apply to this subdivision. Further discussion was made regarding the acre

restriction on lot size and driveway locations. Aerial views were presented with overlays for reference.

Chris Dillree, 6650 E. McGuire Road, owner of the subject property, addressed the Commission and discussed the project. He explained that his intention was not to sell the property right away. He just wanted to set up the option for the future.

Douglas Ruckman, 1361 Freedom Parkway in Winona Lake, addressed the Commission. He is the owner of the lot to the south. He stated his concern that the existing Bishop Ridge Addition being 5 lots and was designed to remain that way with covenants and restrictions in place to keep it from being divided further. His other concern was with the possibility of having additional adjoining neighbors that he had not planned on having. He explained that he had purchased the property and invested money to build a new home with the anticipation of having a limited number of neighbors. He also stated that he thought there was a prospective buyer for the new parcel.

Clarification was given, and discussion was made regarding the restrictions and covenants pertaining to acreage of lots.

Hearing no additional comment, Mr. Hodges closed the public hearing.

Mr. Wolf discussed the subdivision, and ingress and egress concerns. Mr. Wolf made a motion to postpone the item to the next meeting for further investigation. Mr. Hodges seconded the motion to open discussion. Mr. Johnson explained that he understood the concerns but as the covenants were written, the split would be allowed. He also mentioned that Mr. Ruckman would possibly have the option to purchase the new lot.

With no further discussion, Mr. Hodges asked for a roll call vote. The motion was denied by a vote of 2-7, with Mr. Wolf and Mr. Hodges voting in favor.

Mr. Hodges allowed the property owners to speak again.

Chris Dillree, 6650 E. McGuire Road, stated that he made the purchase of the property with the understanding that he would be allowed to split the property.

Mr. Ruckman, 1361 Freedom Parkway, Winona Lake, discussed the restrictive covenants. He asked for clarifications about the application of the covenants for Bishop Ridge covenants to the new subdivision. It was explained that the covenants and restrictions of Bishop Ridge would still apply to the new subdivision. However, the new subdivision could put in place additional or more restrictive covenants that would apply only to the two new lots.

Mr. Emerick made a motion to approve 24-W-SUBD-5 with the staff recommended conditions. The motion was Seconded by Mr. Green. Ms. Kurtz-Seslar stated that she felt this was the correct motion. Petition 24-W-SUBD-5 was approved by roll call vote of 8-1 with Mr. Wolf voting against, and with the following condition.

1. Secondary plat approval delegated to the Plan Commission Staff.

24-W-SUBD-6 Green & Tran Addition

Myron Green, owner of the subject property, is requesting preliminary plat approval for a four-lot subdivision to be named "Green & Tran Addition." The proposed plat is located on the north side of Colony Ave, on the northeast corner of the intersection with Fish Hatchery Road. More commonly known as 2735 E. Colony Avenue, in Section 12 of Thorncreek township.

Mr. Bockelman presented a summary of the staff report. He reviewed the proposed plat and code minimums. He explained that the plat would include four lots. He explained that the original plat consisted of four lots, and they had been combined at some time. The petitioner is now looking to split the current parcel back into four lots. One lot with the existing home and a second lot with a detached garage. Discussion was made regarding a shed that would have to be moved to meet the setback requirements for one of the new property lines. Review criteria and suggested conditions were discussed.

Ryan Peppler, 3490 N. Etna Road, addressed the Commission as the petitioner representative and explained the proposed plat. He distributed copies of the plat to the Commission members showing the updated property lines. Descriptions of the easements, setbacks, lot sizes, and rights-of-way were discussed. He explained that the changes were made from the original four lots to meet the current code requirements.

Mr. Hodges opened the public hearing.

Becky Mangan, 5481 North Fish Hatchery Road, addressed the commission in support of the petition. She stated that they were great neighbors and always kept their properties nice.

Hearing no additional comment, Mr. Hodges closed the public hearing.

Mr. Drew made a motion to approve petition 24-W-SUBD-6 with staff recommended conditions. The motion was seconded by Ms. Kurtz-Seslar. Petition 24-W-SUBD-6 was approved by roll call vote of 9-0 with the following conditions.

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.

OTHER BUSINESS

ADJOURNMENT

Having no further business, Mr. Hodges adjourned the regular meeting at 7:50 p.m.

GUEST LIST

1. Ryan Peppler.....3490 N. Etna Road.
2. Chris Dillree.....6650 E. McGuire Rd.
3. Myron Green.....2871 E. Crescent Ave.
4. Linh Green2871 E. Crescent Ave.
5. Minh Green2871 E. Crescent Ave.
6. James Hurd.....7624 S. Washington Rd.
7. Tammi Hurd.....7624 S. Washington Rd.
8. Jay Hilgenberg365 E. Morsches Rd.
9. John Meister.....5995 S. Woodstrail Dr.
10. Doug Ruckman6762 N. State Road 109

11. Becky Mangan5481 N. Fish Hatchery Rd.

GUEST LIST-ELECTRONIC

There were no electronic attendees.

DRAFT