

WHITLEY COUNTY ADVISORY PLAN COMMISSION

STAFF REPORT

24-W-SUBD-12 PRIMARY PLAT APPROVAL

Garry & Teresa Ingram
Ingram Estates, Section 2

JUNE 19, 2024

AGENDA ITEM: 3

SUMMARY OF PROPOSAL

| | | | <u>Code Minimum</u> | <u>Proposed Minimum</u> |
|-----------------|-----------------------------|--------------------|---------------------|-------------------------|
| Current Zoning: | AG, Agricultural | | | |
| Area of plat: | 4.04 acres | Lot size (septic) | 1.837 acre | 4.04 acre |
| | | (sewer) | 20,000 sq. ft. | |
| Number of lots: | 1 lot | Lot width (septic) | 225' | 225' |
| | | (sewer) | 100' | |
| Dedicated ROW: | 0.15 acre (as ROW easement) | Lot frontage: | 50' | 225' |

The petitioners, owners of the subject property, are requesting preliminary plat approval for a one-lot subdivision to be named "Ingram Estates, Section 2." The proposed plat is located on the west side of 350 East, about 750' south of 500 North in Section 13 of Thorncreek Township.

The petitioners previously platted the one-lot subdivision Ingram Estates immediately to the south of the subject property in 2013. Similarly, the purpose of this proposed plat is to create a new building site. Platting is required due to the number of splits since 1979. This is the first platted lot from the 2018 parcel, so no rezoning is required.

A variance was granted in April for the proposed lot depth to width ratio. Otherwise, the proposed plat appears to comply with the development standards of the zoning code as shown in the above table. Sanitary sewer is located along 350 East, but the proposal could meet the minimum lot standards if septic is needed.

UTILITY AND REVIEW COMMENTS

Comment letters received (as of date of staff report)

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

The Soil & Water Conservation District provided standard information on erosion control and requirements if the disturbed area exceeds 1 acre. He also commented that there are drainage courses that construction should be avoided.

The County Engineer noted that driveway location will likely need to be toward the south side of the lot, but would be subject to final review by the Highway Department.

A 30' wide right-of-way easement for the county road is shown on the plat. Note that this would not be dedicated right-of-way, which is excluded from the lot area, but a right-of-way easement, which is included within the lot. Either method satisfies the subdivision code requirement for designating right-of-way; the petitioner preferred the easement method here as it would match what was done in the previous Ingram Estates plat.

Drainage and/or utility easements are not shown. The adjacent Ingram Estates lot 1 included a 20' wide D&UE that could serve this lot. Easements on the other sides of the subject lot were not deemed necessary for drainage or utilities.

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. Unless sanitary sewer is to be utilized, 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. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 6/12/2024

PLAN COMMISSION RECORD OF ACTION

Motion:

By:

Second by:

- Approve _____
- Approve w/conditions _____
- Deny _____

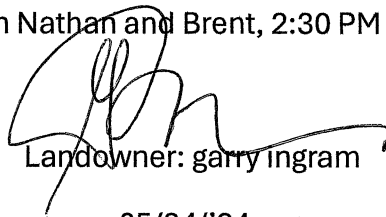
| <i>Vote:</i> | Baker | Banks | Drew | Emerick | Green | Hodges | Johnson | Kurtz-Seslar | Wolf |
|---------------------|--------------|--------------|-------------|----------------|--------------|---------------|----------------|---------------------|-------------|
| <i>Yes</i> | | | | | | | | | |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

Letter to address the plat absence of a peripheral lot easement, Ingram Estates 2:

Point 1: A land-locked peripheral easement on this four-acre plot would be of no use. The west side is bounded by a deep drainage hollow and the adjoining west high-ground property has full access to 500N.

Point 2: the adjoining five-acre lot south of this lot, Ingram Estates 1, divided off in 2013, bears a twenty-foot peripheral easement, which meets code compliance for the twenty-foot adjacent lot peripheral drainage and utility easement. No need for more.

Recourse agreed upon in discussion with Nathan and Brent, 2:30 PM on May 24, 2024.



Landowner: garry ingram

05/24/24