

WHITLEY COUNTY ADVISORY PLAN COMMISSION

STAFF REPORT

24-W-SUBD-16 PRIMARY REPLAT APPROVAL

Ira G. Jr. & Melisa Listenberger  
Bearz Blue Heaven, 7084 E. Zolman Drive

OCTOBER 16, 2024

AGENDA ITEM: 1

**SUMMARY OF PROPOSAL**

Current zoning:	LR, Lake Residential		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	2.081 acres	Lot size:	10,000 sq. ft.	24,263± sq. ft.
Number of lots:	2 lot	Lot width:	70'	133'±
Dedicated ROW:	<i>Previously dedicated</i>	Lot frontage:	35' (cul-de-sac)	54.98'±

The petitioners, owners of the subject property, are requesting preliminary plat approval for a two-lot resubdivision to be named "Bearz Blue Heaven." The proposed replat is located on the south side of Zolman Drive, 520 feet south of Harrold Road, more commonly known as 7084 E. Zolman Drive, in Section 15 of Smith Township.

The property is comprised of Lot 3 & 4 of Zolman's Addition, recorded in 1980. The purpose of the proposed replat is to separate the existing dwelling from the barn. The petitioners wish to sell one lot and retain the other. With right-of-way dedication included with the previous subdivision plat, no additional is proposed.

The proposed replat appears to comply with the development standards of the zoning code as shown in the above table. Note that the 40' front setback/building line is carried over from the existing plat; the current standard in the LR district is 35'.

**UTILITY AND REVIEW COMMENTS**

*Comment letters received (as of date of staff report)*

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

Being a replat of an existing subdivision with existing improvements, comments received stated the proposal would be adequate.

The existing barn and dwelling share a driveway. If this arrangement is planned to continue after the sale of the lot, it is suggested that the petitioner record a covenant on the maintenance and usage of the driveway.

Note that the 14' utility easements as shown on the south and west perimeter of the lots aligns with that of the existing Zolman's Addition.

The Recorder noted that the length of the proposed subdivision name would not be able to be indexed properly and would be truncated. That would not create a duplication problem, but reducing the length was still recommended.

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

**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. Label the lot areas in square feet instead of, or in addition to, acres.
2. Correct, or remove, the zoning requirements notation.
3. Consider recording maintenance and usage covenants if the driveway is to be shared.
4. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 10/03/2024

**PLAN COMMISSION RECORD OF ACTION**

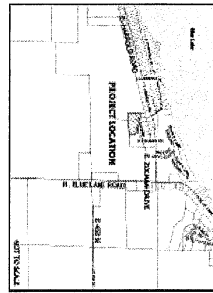
Motion: \_\_\_\_\_ By: \_\_\_\_\_ Second by: \_\_\_\_\_  
Approve \_\_\_\_\_  
Approve w/conditions \_\_\_\_\_  
Deny \_\_\_\_\_

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

# BEARZ BLUE HEAVEN ADDITION

BEING A REPLAT OF LOTS 3 AND 4 IN ZOLMAN'S ADDITION, SITUATED IN THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 32 NORTH, RANGE 10 EAST, WHITLEY COUNTY, INDIANA

## VICINITY MAP



**LEGEND**  
 M - MEASURED  
 C - CALCULATED  
 P - PLAT  
 R - RECORDED

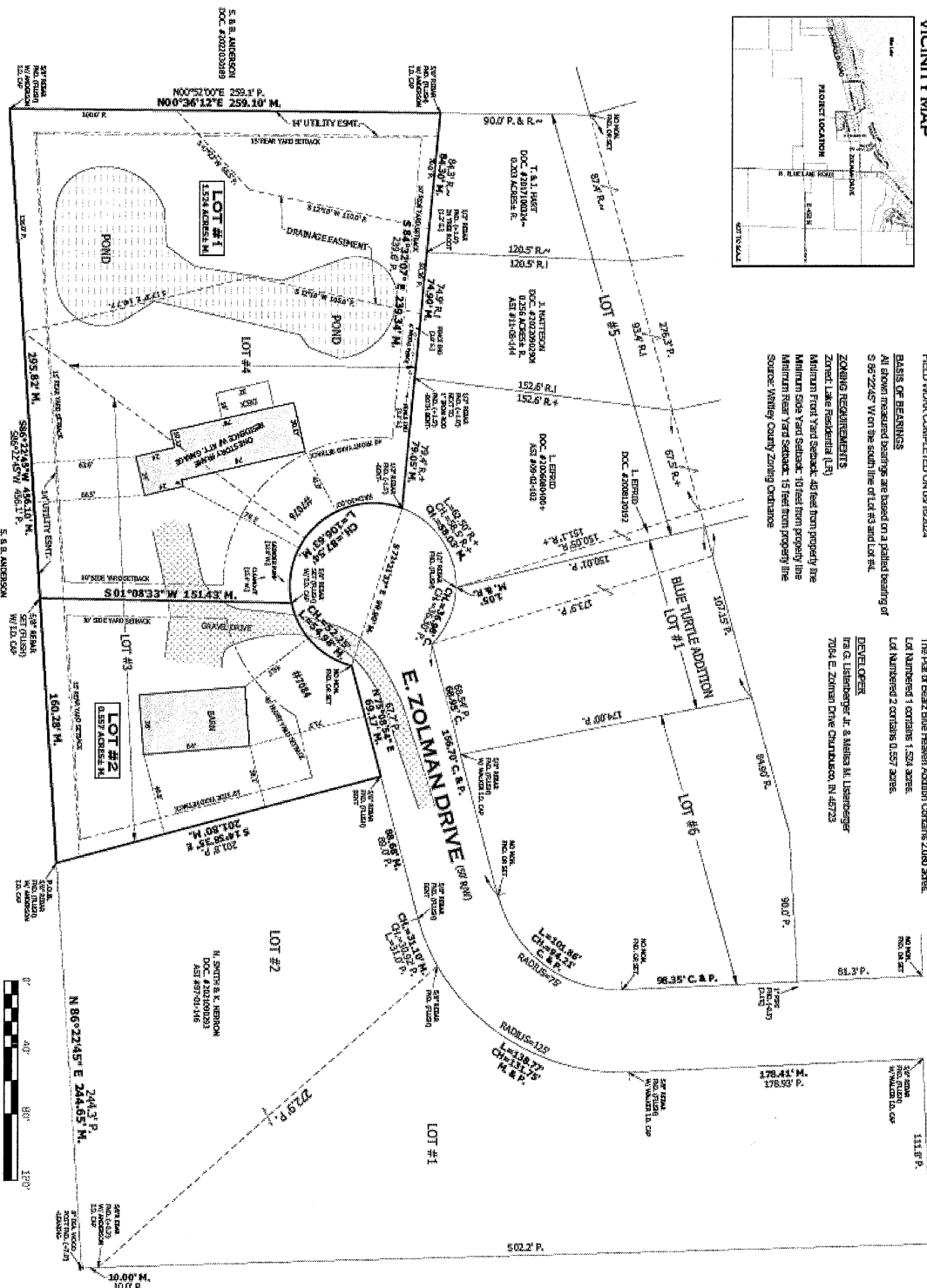
**AREA NOTE**  
 The Plat of Bearz Blue Heaven Addition contains 2.080 acres.  
 Lot Numbered 1 contains 1.524 acres.  
 Lot Numbered 2 contains 0.557 acres.

**HARROLD ROAD**  
 (100' WIDE)

**PLAT OF BEARINGS**  
 All shown measured bearings are based on a plat bearing of S 86°22'45" W on the south line of Lot #3 and Lot #4.

**ZONING REQUIREMENTS**  
 Zoned: Lake Residential (LR)  
 Minimum Front Yard Setback: 40 feet from property line  
 Minimum Side Yard Setback: 10 feet from property line  
 Minimum Rear Yard Setback: 15 feet from property line  
 Source: Whitley County Zoning Ordinance

**DEVELOPER**  
 Ira G. Listenberg Jr. & Melissa M. Listenberg  
 7084 E. Zolman Drive, Columbus, IN 47223



SEE PAGE 2 OF 2 FOR SIGNATURES, DESCRIPTION, SURVEYOR'S REPORT, AND DEED OF DEDICATION

PAGE 1 OF 2

PLAT - The lands of Ira G. Listenberg Jr. & Melissa M. Listenberg  
 7084 E. Zolman Drive, Columbus, IN 47223  
 Lot #3 and Lot #4 in Zolman's Addition, Smith Twp., Whitley County, IN

SURVEY NO.: 17-04-119-1

**PLAT**

DATE: 09/17/2024  
 DRAWN BY: E.J.S.  
 CHECKED BY: E.J.S.  
 SCALE: 1" = 40'

NO.	REVISION	DATE	BY

**ANDERSON SURVEYING, INC.**  
 Registered Professional Engineers and Land Surveyors  
 Indiana Land Surveying Firm Identification Number: 29A

1354 Henry Avenue  
 Fort Wayne, IN 46808  
 Phone: (260) 483-4724  
 Fax: (260) 482-6855  
 Toll Free: (888) 483-1724

1947 E. Schug Road  
 Columbus City, IN 47225  
 Phone: (260) 693-3425  
 Fax: (260) 482-6855

**AS INC.**  
 EST. 1978  
 CIVIL ENGINEERING  
 LAND SURVEYING  
 LAND PLANNING  
 WWW.ANDERSONSURVEYING.COM





Davis Lakeside  
Campground, Inc.

Johns, Jennifer L & Timmy L  
Johns, Jennifer L & Timmy L  
Carlson, Thomas G & Joann  
Revocable Trust  
Thompson, Jason L & Aimee M  
Johnson, Ronald J  
Kable, Kami A & Ackley, Kara A & Brickley, Kyan A  
Kable, Kami A & Ackley, Kara A & Brickley, Kyan A  
Anderson, Kelly  
Scott, Jon P

Johnson, Ronald J  
Keplinger, Bryn D & Keplinger, Ronald J  
White Oaks Rentals LLC  
Jones, Garry W & Sherri L  
Zolman, Gary W  
Jones, Garry W & Sherri L  
Zolman, Gary W  
Hart, Tim J & Jill C  
Hart, Tim J & Jill C

Gasdon, Michael  
Zolman, Gary W  
Jones, Garry W & Sherri L  
Zolman, Gary W  
Hart, Tim J & Jill C  
Hart, Tim J & Jill C

Johns, Jennifer L & Timmy L

Matteoson, Jacob

Matteoson, Jacob

Elfrid, Lori A

Elfrid, Lori A

Leazier, Joseph S & Leazier, Isabelle L

Leazier, Joseph S & Leazier, Isabelle L

Leazier, Joseph S & Leazier, Isabelle L

Leazier, Joseph S & Leazier, Isabelle L

Everts, Brody J & Hannah N

Everts, Brody J & Hannah N

Hamilton, Richard C Jr & Sandra L

Hamilton, Richard C Jr & Sandra L

Smith, Nicholas D & Herron, Keisie E

Smith, Nicholas D & Herron, Keisie E

Anderson, Scott D & Anderson, Barry D

Anderson, Scott D & Anderson, Barry D

Listenberger, Ira G Jr & Melissa M

Listenberger, Ira G Jr & Melissa M

Listenberger, Ira G Jr & Melissa M

Listenberger, Ira G Jr & Melissa M

Listenberger, Ira G Jr & Melissa M