

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

**February 15, 202**

**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>
Travis Baker	X		Nathan Bilger
Dane Drew	X		Brent Bockelman
Brent Emerick	X		
Jack Green	X		<b>LEGAL COUNSEL</b>
Thor Hodges	X		Elizabeth Deckard
Mark Johnson	X		
Rob Schuman	X		<b>NONVOTING ADVISOR</b>
Kim Kurtz-Seslar	X		John Woodmansee      X
Joe Wolf	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.

**INTRODUCTION OF NEW MEMBERS AND ELECTION OF OFFICERS**

Mr. Hodges opened nominations for President. Mr. Emerick nominated Mr. Johnson. Ms. Kurtz-Seslar nominated Mr. Hodges. Mr. Emerick made motion to close the nominations. Seconded by Mr. Wolf. All voted in favor of closing the nominations. Mr. Hodges then asked for a vote for President. Mr. Johnson was elected President by roll call vote of 8-1 with eight members voting for Mr. Johnson and Ms. Kurtz-Seslar voting for Mr. Hodges.

At this time Mr. Johnson took over the meeting. He thanked Mr. Hodges for his leadership serving as President.

Mr. Johnson opened nomination for Vice President. Mr. Drew nominated Mr. Emerick. Mr. Hodges nominated Ms. Kurtz-Seslar. Mr. Wolf made a motion to close the nominations. Mr. Johnson asked for a vote. Mr. Emerick was elected Vice-President by roll call vote of 8-1 with eight members voting for Mr. Emerick and Mr. Hodges voting for Ms. Kurtz-Seslar.

Mr. Johnson opened nominations for Secretary. Ms. Kurtz-Seslar nominated Mr. Wolf. There were no other nominations. Mr. Wolf was elected as Secretary by roll call vote of 9-0.

Mr. Johnson and Mr. Bilger explained the BZA appointment and the members who could qualify for the position. Mr. Emerick nominated Mr. Green. Mr. Green expressed that he was new to this

but was willing to learn if needed. With no other nominations, Mr. Green was elected as the BZA representative by roll call vote of 9-0.

Mr. Johnson opened nominations for the Joint Advisory Board member. Mr. Bilger reminded the Commission of the purpose of the Board and its responsibilities. Mr. Emerick nominated Ms. Kurtz-Seslar. With no other nominations, Ms. Kurtz-Seslar was elected as the Joint Advisory Board member by roll call vote of 8-0-1, with Ms. Kurtz-Seslar abstaining.

### **CONSIDERATION OF PREVIOUS MEETING MINUTES**

The minutes for the December 21, 2022 regular meeting were presented for consideration. Mr. Johnson called for any comments or a motion. Mr. Wolf asked that the spelling of his last name be corrected. Mr. Wolf made a motion to approve the minutes as presented with the correction; seconded by Ms. Kurtz-Seslar. Motion passed, 9-0 by roll call vote.

### **ADMINISTRATION OF OATH**

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

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

#### **23-W-SUBD-1, Scott and Jessica Smith Replat**

Scott and Jessica Smith requested preliminary approval of a 1-lot replat subdivision proposed to be known as “Scott and Jessica Smith Subdivision.” The property was located on the west side of State Road 9, approximately ½ mile north of 150 East, in section 27 of Thorncreek Township.

Mr. Bilger presented the staff report. He explained the project would add a fifty foot wide strip from the adjacent property to the existing platted lot. Aerial views were provided to further explain the need for the replat, and an overlay of the plat was shown for reference. He discussed the recommended conditions, emphasizing the condition that the parent parcel must be combined with an adjacent parcel to maintain the required 50’ of road frontage. The recommended conditions were:

1. Consider shortening the proposed subdivision name.
2. The “Larry J. Alles” parent parcel must be combined with an adjacent parcel to retain the required 50’ of road frontage.
3. Secondary plat approval delegated to the Plan Commission Staff.

Greg Hockemeyer, representative for the petitioner, addressed the Commission and explained the project and the proposed property splits and combinations involved.

Having no comments for the petitioner, Mr. Johnson opened the public hearing. Having no comments, Mr. Johnson closed the public hearing. Mr. Hodges made a motion to approve 23-W-SUBD-1 with the recommended conditions. Mr. Green seconded the motion. The motion was passed by roll call vote of 9-0.

## **23-W-ZOA-1 Text Amendment**

Mr. Bilger presented a proposed amendment of the text of §5.23, Solar Energy Collection Systems in order to correct a typographical error.

Mr. Bilger discussed the error in the buffer/setback formula that was printed in the code. The printed formula was “Additional setback =  $0.009x^2 - 0.783x + 164$ ” while the correct formula was “Additional setback =  $0.0009x^2 - 0.783x + 164$ ”. The omission of a zero in the formula meant that the sliding scale concept discussed during the Plan Commission’s public hearing would always revert to the maximum buffer/setback. He stated that no other changes were proposed. Had the error been found closer to the adoption of the code, it may have been fixed by a less formal process, but due to the time that had passed, legal counsel and he felt it was best handled by the formal text amendment process.

Mr. Johnson asked if this is open for public comment. Mr. Bilger confirmed that it was a public hearing but comments should regard the formula change. Ms. Kurtz-Seslar confirmed that the correct formula was used in the discussions and previous meetings.

Mr. Johnson opened the public hearing. Having no comments, he closed the public hearing and asked for a motion. Mr. Wolf made a motion to approve amendment 23-W-ZOA-1 with a favorable recommendation; Mr. Emerick seconded. Motion passed by a vote of 9-0.

## **OTHER BUSINESS**

Mr. Bilger discussed the Rules of Procedure that were distributed earlier in the year. He discussed changes in the rules that included electronic participation in meetings. Decision was made to review and discuss at an upcoming meeting.

## **ADJOURNMENT**

Having no further business, Mr. Johnson adjourned the meeting at 7:27 P. M.

## **GUEST LIST**

1. Greg Hockemeyer .....116 N. Chauncey St.
2. Brandt Mowrey .....3935 E. Mowrey Rd.
3. Tery Mowrey .....3935 E. Mowrey Rd.
4. Karen Rust .....1846 E. Paige Rd.
5. David Trimmer.....2060 E. Fox Dr.
6. Larry Alles .....2220 Wilcken Rd.
7. Candy Hull .....1200 Raber Road
8. Jason Dafforn .....3134 E. Mowrey Rd.
9. Teresa A. Hall .....37 Jeffery Dr.
10. Amy Herron .....1901 S. Coffeetree Ln.
11. Gale Herron.....1901 S. Coffeetree Ln.
12. Mark Mowrey .....3934 E. 300 South
13. Debbie Gay .....1980 E. Robin Hood Rd.
14. Donna Hearld .....1959 E. Robin Hood Rd.
15. Doug Morrow.....1160 S. 500 East
16. Marilyn Hively .....1946 E. Robin Hood Rd.

17. Connie Forrester.....614 W. Columbia Parkway
18. Barbara Lahrman .....1690 W. Westgate
19. Nathan Patterson .....4880 W. 500 North
20. Doug Hosler.....3700 E. 300 South
21. Sonya Emerick.....5865 E. State Road 14
22. Emily Studebaker.....5147 W. 200 South
23. Larry Long .....5835 W. 800 South

**GUEST LIST-ELECTRONIC**

- Kelly Inns.....200 S. Wacker Dr. Chicago, IL
- Alayne Johnson.....6906 E. 150 North
- John Meister.....5995 S. Woodstrail Drive-57
- Joan Null .....8099 S. 200 East
- Silas Scott.....3 Stortz Drive, Bloomington