

WHITLEY COUNTY ADVISORY PLAN COMMISSION

STAFF REPORT

23-W-SUBD-8 PRIMARY PLAT APPROVAL

David & Yvonne Behm

Behm Estates

6445 N. Old 102

SEPTEMBER 20, 2023

AGENDA ITEM: 2

SUMMARY OF PROPOSAL

Current Zoning:	RR, Rural Residential		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	22.40 acres	Lot size:	80,000 sq. ft.	2.44 acres
Number of lots:	3 lot	Lot width:	225'	268'±
Dedicated ROW:	0.48 acre	Lot frontage:	50'	270.41'

The petitioner, owner of the subject property, is requesting preliminary plat approval for a three lot subdivision to be named "Behm Estates." The proposed plat is located on the west side of Old 102, about 1,100' north of the intersection with Linker Road in Section 2 of Thorncreek Township. The parent property is currently improved with a dwelling and outbuildings.

The purpose of the proposed plat is to create two new building sites and include the existing dwelling in the subdivision. Platting is required due to previous splits from the 1979 parcel and the sizes of the proposed lots. Being zoned RR already, no rezoning is required.

Sanitary sewer is about 400' from this property at the nearest point, so a connection is not required. The proposed plat appears to comply with the development standards of the zoning code as shown in the above table.

UTILITY AND REVIEW COMMENTS

Comment letters received (as of date of staff report)

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

Received comments indicated the proposed plat was adequate. The County Engineer noted that sight distance on Lot 2 may limit the placement of a driveway, but the final determination would be made as part of driveway permitting.

A 35' wide right-of-way for Old 102 would be dedicated. No right-of-way for Linker Road is proposed as that road already has a 40' ROW; however, the transportation plan designates local (non-subdivision) streets as needing 60' ROW, so an additional 10' should be dedicated. 10' drainage and/or utility easements are shown on the perimeter of the lots.

No covenants have been submitted, but it is expected that covenants will be drafted.

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. 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. An additional 10' of ROW be dedicated along the Linker Road frontage.
3. Covenants and restrictions to be recorded with the plat.
4. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 9/12/23

PLAN COMMISSION RECORD OF ACTION

Motion: _____ By: _____ Second by: _____
 Approve _____
 Approve w/conditions _____
 Deny _____

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

SITUATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 32 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA



