

MINUTES
WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING

September 18, 2024

7:00 p.m.

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

MEMBERS	PRESENT	ABSENT	STAFF
Travis Baker	X		Nathan Bilger
Chad Banks	X		Brent Bockelman
Dane Drew	X		
Brent Emerick	X		LEGAL COUNSEL
Jack Green	X		Elizabeth Deckard
Thor Hodges	X		
Mark Johnson		X	NONVOTING ADVISOR
Kim Kurtz-Seslar	X		John Woodmansee (absent)
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 August 21, 2024 regular meeting were presented for consideration. Mr. Emerick suggested a correction to Elizabeth Deckard under the Administration of Oath. Mr. Green made a motion to approve the minutes with corrections. Seconded by Ms. Kurtz-Seslar. Motion passed 7-0-1 by roll call vote, with Mr. Baker abstaining due to being absent at the previous meeting.

ADMINISTRATION OF OATH

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

24-W-SUBD-15 “Lee Acres” Subdivision

Maggee and Kyle Lee, purchasers of the subject property, are requesting preliminary plat approval for a one-lot subdivision to be named “Lee Acres.” The proposed plat is located on the

north side of Anderson Road, about 2,200 feet west of Sheldon Road, in Section 16 of Smith Township.

Mr. Bilger presented a summary of the staff report. He reviewed the proposed plat and code minimums. He explained that additional Right-of-Way is being dedicated. Aerial views were presented with overlays for reference. Discussion was made regarding the zoning of the properties in the area to the north and south were LR districts. Review criteria and suggested conditions were discussed.

Kyle Lee, 11605 US 33, addressed the Commission as the petitioner representative and explained the proposed plat. He explained that the purpose of the split was to purchase and construct a new home. He explained that it would be constructed on a slab.

Mr. Hodges opened the public hearing.

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

Mr. Drew discussed the comment letter received on this petition and asked for their property to be displayed on the screen and show county regulated tiles. Seeing that there were no county tiles in the area. He had no further comment.

Mr. Banks made a motion to approve the petition with the staff recommended conditions. The motion was seconded by Mr. Drew. Petition 24-W-SUBD-15 was approved by roll call vote of 8-0 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 structure utilizing septic.
2. Secondary plat approval delegated to the Plan Commission Staff.

24-W-VAC-2 Fosnaugh Partial Vacation

Brian and Stevie Fosnaugh, owners of the subject property are requesting approval for a partial vacation of Lot 2 of Amos Yoder Subdivision, to be sold to an adjacent property owner. The property is located on the east side of 500 West, 1225 feet south of 300 South, More commonly known as 4749 W. 300 South, in Section 25 of Cleveland Township.

Mr. Bilger presented a summary of the staff report. He reviewed the proposed vacation and existing plat of Amos Yoder Subdivision. He explained that vacation was requested to allow for the split property to be combined with an adjacent property. Aerial views were presented with overlays for reference. Discussion was made regarding the dedicated Right-of-Way on 500 West remaining. Review criteria and suggested conditions were discussed.

Brian Fosnaugh, 4757 W. 300 South, addressed the Commission and explained that the reasons for the vacation.

Mr. Hodges opened the public hearing.

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. Emerick. Petition 24-W-VAC-2 was approved by roll call vote of 8-0 with the following conditions.

1. The vacated remainder acreage must be combined with the adjacent parcel.

2. The right-of-way previously dedicated in Amos Yoder Subdivision is not vacated.

OTHER BUSINESS

Mr. Hodges turned the meeting over to Mr. Bilger for further discussion regarding shooting range being included in the Zoning Code. Mr. Bilger discussed deferring the discussion on farm restaurant standards to a later time as part of a bigger agritourism and agricultural business code discussion. Mr. Bilger reviewed the goals and objectives that were discussed in the Ad Hoc committee meetings. Prescriptive and adaptive standards were discussed. Mr. Bilger discussed the rough draft of possible code was reviewed including definitions of indoor and outdoor ranges. Permitted incidental uses were discussed to address game and general hunting, unorganized discharging of firearms on private property for personal benefit, and temporary events at sites approved by the INDNR. Discussion was made about possible development standards location in the code. Discussion was made regarding having detailed definitions for language being used in the code. Private and Commercial ranges were compared. Areas and locations in the zoning districts were discussed along with permitted and special exception uses. Proposed standards for indoor and outdoor ranges were displayed. Guidelines of the NRA Guide Range Source Book. Baffles were stated to be included in the standards as required. Discussion was made about further defining number of sides required for berms and backstops for outdoor ranges. Discussion was made about the code including violations, investigation, and penalties. Differences of Zoning Code and General Code was discussed. Setbacks were discussed and reviewed. 500' from residential property, 300' from public road right -of-way, and 50' from any property line. Down range setback was discussed and included minimum distance from a school, park, and residence, with a 30-degree range to either side. Maximum effective distance of ammunition was also discussed as a distance to use. Additional requirements of hours of operation, security, warning signage, noise mitigation measures, and compliance with NRA guidelines were included. Aerial views were displayed showing the proposed setback distances at the different locations referenced. Discussion was made about if the code regulates a range to the point that it is nearly impossible for a round to escape, the range setbacks would not need to be large for down range distances. Further discussion was made about noise mitigation along with safety. Discussion was made about the NRA guidelines and the heights that they recommend. It was discussed about including the county's own requirements and definitions.

Mr. Hodges invited any of the meeting attendees to

Jim Cormany, 3776 N. 450 East, addressed the Commission and shared his concern about the setback distances and number of berm sides pertaining to shooting ranges. He suggested a 1000-foot setback for a property with a dwelling on it. Discussion was made about backstops and berms at the existing Hiler Road range.

Todd Linvill, 4525 N. 450 East, addressed the Commission with his concern about the number of berms. He liked the idea of keeping the projectiles inside the range. He asked if research had been done regarding best practices with companies that install and construct shooting ranges.

Mr. Bilger stated that he would edit and make the suggested changes to the draft code and bring it back at the next meeting for the Commission to review before advertising for a public hearing.

ADJOURNMENT

Having no further business, Mr. Hodges adjourned the regular meeting at 8:08 p.m.

GUEST LIST

1. Jennifer Gaff5921 E. Anderson Road
2. Toby Gaff.....5921 E. Anderson Road
3. Doug Thompson.....4150 N. Sheldon Road
4. Cindy Thompson.....4150 N. Sheldon Road
5. Brian Fosnaugh4757 W. 300 South
6. Karen Crandall5820 E. 900 South
7. Sonya Emerick5865 E. State Road 14
8. Nathan Lundy.....119 S. Main Street
9. Cindy Cormany3776 N. 450 East
10. Jim Cormany3776 N. 450 East
11. Todd Linvill4525 N. 450 East
12. Maggee Lee.....11605 US Highway 33
13. Kyle Lee.....11605 US Highway 33
14. Diana du Pont.....1676 S. 700 East

GUEST LIST-ELECTRONIC