

WHITLEY COUNTY ADVISORY PLAN COMMISSION

STAFF REPORT

25-W-SUBD-2 PRIMARY PLAT APPROVAL

Charles & Jennifer Magers

"Eagle Acres"

FEBRUARY 19, 2025

AGENDA ITEM: 2

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	14.97 acres	Lot size:	1.837 acre	5 acres
Number of lots:	2 lots	Lot width:	225'	308'±
Dedicated ROW:	1.47 acres	Lot frontage:	50'	308'

The petitioner, owner of the subject property, is requesting preliminary plat approval for a two-lot subdivision to be named "Eagle Acres." The proposed plat is located on the southwest corner of SR 205 and 500 West in Section 35 of Cleveland Township, with an address of 5145 W. State Road 205. The property is currently improved with an agriculture building.

The purpose of the proposed plat is to create two building sites from the property. Platting is required due to the number of previous splits since 1979. These are the first platted lots from the 2018 parcel, so no rezoning is 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	X	Health	X	Cable TV		Parcel Cmte.	X
Gas		Co. Engineer		Sanitary Sewer	NA		
Telephone		SWCD	X	Water	NA		

The Soil & Water Conservation District commented on the requirements for erosion control and guidelines that are to be shared with the petitioner. He also noted the extensiveness of the floodplain and presence of wetlands on the property, although sufficient building area is available outside of these. Three culverts that drain water onto the property were discussed along with soil types and construction recommendations.

The County Engineer had not submitted written comments at the time of this writing, but did indicate that Lot 2 would need to be accessed only from the county road, with more specifics on permissible driveway locations to come.

INDOT also commented that the access to Lot 2 must be from County Road 500 West.

The Health Department noted that soil testing has already been completed for the septic sites on both lots.

Parcel Committee stated that the legal description did not match the property lines on the survey drawing.

A 30' dedicated right-of-way is proposed for 500 West, 40' for State Road 205, and 10' drainage and/or utility easements are shown on the perimeter of the lots.

No covenants and restrictions were submitted as of the time of writing. This is not unusual for one- or two-lot plats.

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. Any limitations on access be noted on the plat.
3. Secondary plat approval delegated to the Plan Commission staff.

Date report completed: 02/11/2025

PLAN COMMISSION RECORD OF ACTION

Motion:

By:

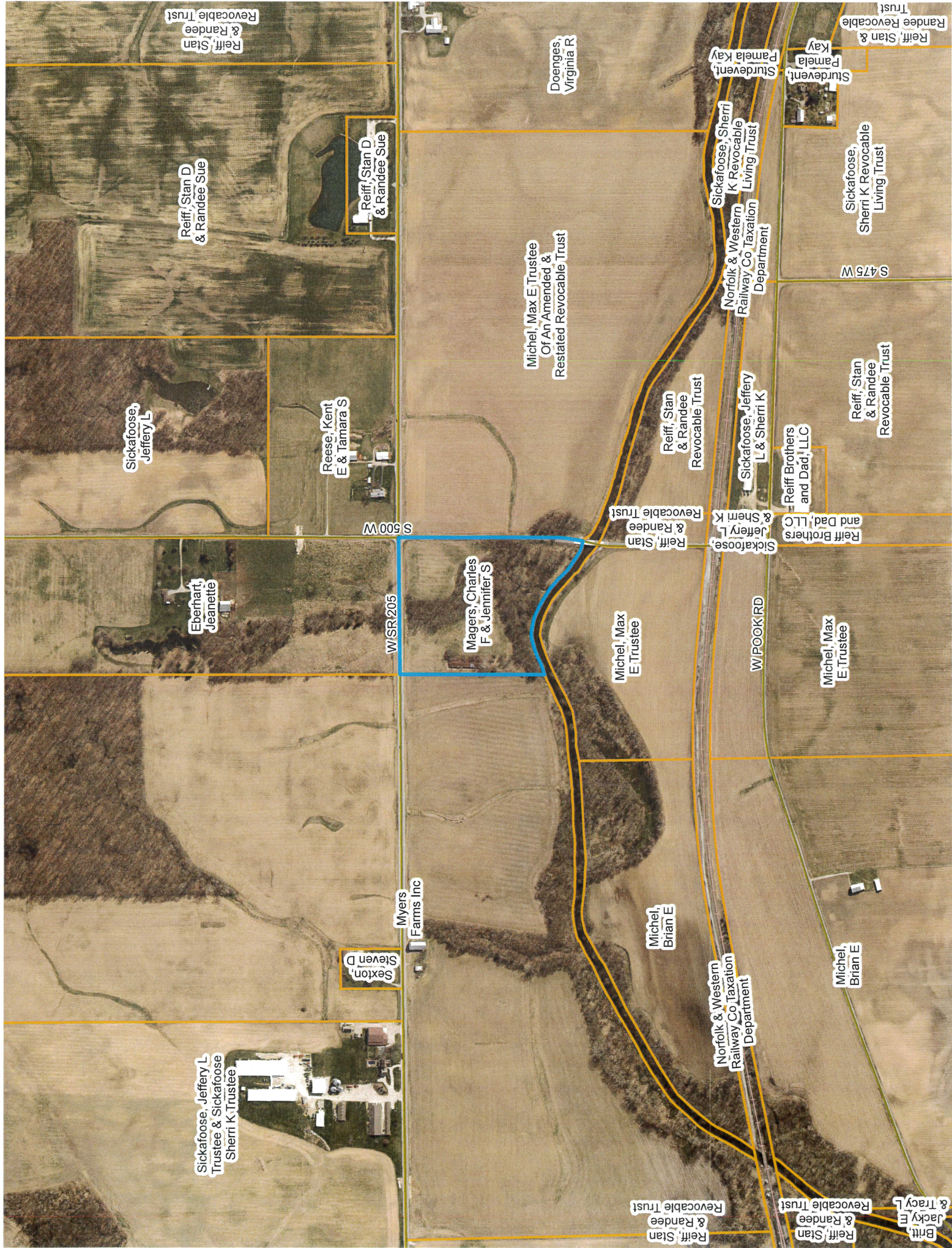
Second by:

Approve

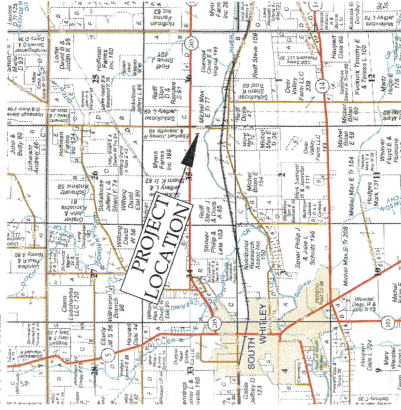
Approve w/conditions

Deny

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



SITUATED IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 31 NORTH, RANGE 8 EAST, WHITLEY COUNTY, INDIANA



LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING