

WHITLEY COUNTY ADVISORY PLAN COMMISSION

STAFF REPORT

25-W-SUBD-3 PRIMARY PLAT APPROVAL

James & Joyce Webb

"Lake Luther"

FEBRUARY 19, 2025

AGENDA ITEM: 3

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural/ GC General Commercial		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	3.303 acres	Lot 1 size (AG):	1.837 acre	1.684 acres (variance req'd)
Number of lots:	2 lots	Lot 1 width:	225'	327'±
Dedicated ROW:	0.626 acres	Lot frontage:	50'	385'
		Lot 2 size (GC):	10,000 sq. ft.	43,272 sq. ft.
		Lot 2 width:	75'	160'±
		Lot frontage:	75'	160'

The petitioner, owner of the subject property, is requesting preliminary plat approval for a two-lot subdivision to be named "Lake Luther." The proposed plat is located on the north side of State Road 114, ¾ mile west of State Road 5 in the southern Section 35 of Cleveland Township. The property address is 5144 W. SR 114. The property is currently improved with a home, business, and outbuildings.

The eastern one acre of the parcel was rezoned to B-2 in 1986, which was converted to GC with the zoning code revisions of 2006. An auto repair/parts business has operated in the eastern outbuilding in the commercial-zoned area.

The purpose of the proposed plat is to split the residence from the business area. Platting is required due to the number of previous splits since 1979. This is the first platted lot from the 2018 parcel, so no rezoning is required for the AG-portion.

The proposed lots align roughly with the zoning districts, but lot line is designed to follow an existing partition fence, resulting in the skewed dividing line.

The proposed plat does not comply with the development standards of the zoning code, as shown in the above table. Variance requests have been filed with the Whitley County Board of Zoning Appeals to address the reduced lot size and side setback. Approval of these requests is stated as a condition of plat approval.

UTILITY AND REVIEW COMMENTS

Comment letters received (as of date of staff report)

Electric	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 if the property is redeveloped.

The County Engineer submitted no comments at the time of this writing. Redevelopment of the business property will need INDOT review.

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

Parcel Committee had no comment.

A 50' dedicated right-of-way is proposed for State Road 114. 10' and 5' 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, but staff suggests that the petitioner consider them because of the separated business and residential uses.

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):

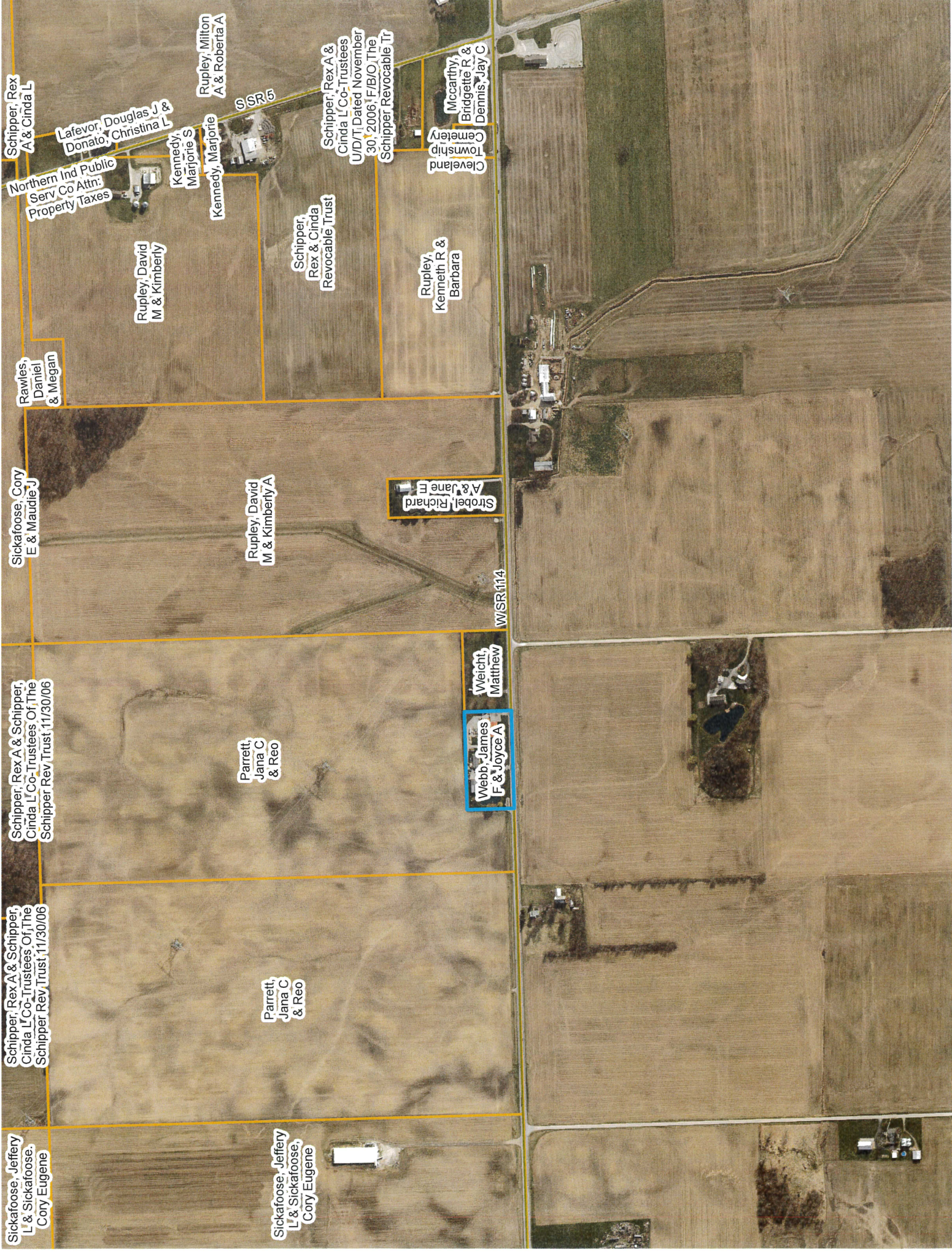
- 1. Variances for the lot area and side setback must be obtained.
- 2. Consider covenants and restrictions.
- 3. Secondary plat approval delegated to the Plan Commission staff.

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>									



Sickafoose, Jeffery
L & Sickafoose,
Cory Eugene

Sickafoose, Jeffery
L & Sickafoose,
Cory Eugene

Schipper, Rex A & Schipper,
Cinda L Co-Trustees Of The
Schipper Rev Trust, 11/30/06

Parrett,
Jana C
& Reo

Schipper, Rex A & Schipper,
Cinda L Co-Trustees Of The
Schipper Rev Trust, 11/30/06

Parrett,
Jana C
& Reo

Webb, James
F & Joyce A

Weicht,
Matthew

Sickafoose, Cory
E & Maudie J

Rupley, David
M & Kimberly A

Strobel, Richard
A & Jane E

Rawles,
Daniel
& Megan

Rupley, David
M & Kimberly

Schipper,
Rex & Cinda
Revocable Trust

Rupley,
Kenneth R &
Barbara

Northern Ind Public
Serv Co Attn:
Property Taxes

Kennedy, Marjorie S

Rupley, Milton
A & Roberta A

Lafavor, Douglas J &
Donato, Christina L

Schipper, Rex A &
Cinda L Co-Trustees
U/D/T Dated November
30, 2006; F/B/O The
Schipper Revocable Tr

McCarthy,
Bridgette R &
Dennis, Jay C

SITUATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 30 NORTH, RANGE 8 EAST, WHITLEY COUNTY, INDIANA



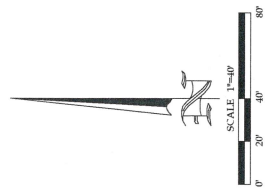
M = MEASURED C = CALCULATED
P = PLAT R = RECORDED
* = WALKER MONUMENT
U. & D.E. = UTILITY & DRAINAGE EASEMENT
FIELD WORK COMPLETED ON 1-23-2025

BASIS OF BEARINGS

The basis of bearings for this drawing is GPS bearings. Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey.

SURVEY RECORDING NOTE

The retracement boundary survey for this Plat is recorded in Document Number 2025010292 in the records of Whitley County, Indiana.



PROPERTY ADDRESS OF LOT #1

5144 W State Road 114-92
Huntington, IN 46750

PROPERTY ADDRESS OF LOT # 2

5084 W State Road 114
Huntington, IN 46750

AREA NOTES

The Plat of Lake Luther contains 3,303 acres.
Lot Number 1 contains 1,684 acres.

Lot Number 1 contains 1,684 acres.
Lot Number 2 contains 0,993 acres.

There are 0.626 acres of Dedicated Right-of-Way.



1112 WEST VAN BUREN STREET
COLUMBIA CITY, IN 46725
Phone: (260) 244-3640
Fax: (260) 244-4640
www.walkersurveying.net
E-mail: mail@walkersurveying.net
EST. 1984

LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING