

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

25-W-SUBD-5 PRIMARY PLAT APPROVAL

Brian & Heather Bauer

"The Forrest South", approx. 8600 S. 700 East

MAY 21, 2025

AGENDA ITEM: 1

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	3.524 acres	Lot size:	1.837 acre	3.484 acres
Number of lots:	1 lot	Lot width:	225'	262'±
Dedicated ROW:	0.040 acres	Lot frontage:	50'	50'

The petitioner, owner of the subject property, is requesting preliminary plat approval for a one-lot subdivision to be named "The Forrest South." The proposed plat is located on the west side of 700 East, about 2,000' north of 900 South in Section 23 of Jefferson Township. The road frontage has an approximate address of 8600 S. 700 East. The subject area is comprised of an existing 1.880-acre tract and part of the petitioner's adjacent 50-acre tract. It is currently unimproved.

The purpose of the proposed plat is to create a code-compliant building site for a new outbuilding that may include living area. The existing 1.880-acre parcel did not meet the minimum lot width for building and would not be a legal nonconforming Lot of Record. 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.

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

The Soil & Water Conservation District submitted no comments at the time of this writing.

The County Engineer submitted no comments at the time of this writing.

The Health Department submitted no comments at the time of this writing.

The Recorder stated during Parcel Committee review that the plat name should not start with "The" due to indexing requirements.

A 35' dedicated right-of-way is proposed for the county road and 10' drainage and/or utility easements are shown on the perimeter of the lot.

A 20' side setback for primary structures is denoted on the plat; this should be 25' as per the AG district standards. Alternatively, the side and rear setbacks may be removed from the plat. Also note that the front building line is shown at 50', while the AG zoning only requires a 40' front setback.

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. Typos in the approval signatures need to be corrected.
3. Adjust plat name to meet Recorder's requirements.
4. Secondary plat approval delegated to the Plan Commission staff.

Date report completed: 5/15/2025

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>									

Bolinger,
Myra &
Ronald

Magno LLC

Sheets, Shawn
& Jennifer

Hartzell Family
Livestock LLC

Hartzell Family
Livestock LLC

Kennedy, Joe
F & Diane

Hartzell Family
Livestock LLC

Somerset
Acres LLC

Somerset
Farm LLC

Eshelman,
Peter T. &
Alice K

Eshelman,
Peter T. &
Alice K

Bauer, Brian
M & Heather M

Bauer, Brian M &
Heather M; Eshelman,
Peter & Alice

Bauer, Brian
M & Heather M

Eshelman,
Peter T. &
Alice K

Emerick
Farms, Inc

Eshelman,
Peter T. &
Alice K

