

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

25-W-REZ-2 ZONE MAP AMENDMENT
Kerry A. & Judy Ann Dunfee
3.68± acres, 8082 S. 700 East

JUNE 17, 2025
AGENDA ITEM: 1

SUMMARY OF PROPOSAL

Current zoning: AG, Agriculture
Proposed zoning: RR, Rural Residential
Property area: 3.68± acres

The petitioner, owner of the subject property area, is requesting a zone map amendment for approximately 3.68 acres located in Section 23 of Jefferson Township on the west side of 700 East, 700 feet south of 800 South. More commonly known as 8082 S. 700 East and consists of Lot 2 of Wagoner Subdivision (platted 2021). The requested zoning is RR, Rural Residential.

Existing zoning classifications and land uses

Currently, the subject area is zoned AG, Agricultural, and has been a field as far back as aerial photography is available (1948).

The following table lists current surrounding zoning classifications and land uses:

	<i>Current zoning</i>	<i>Current land use</i>
<i>North</i>	AG	Lot 1 Wagoner Subdivision, [800 South], residence, Proegler Estates Subdivision, agricultural field
<i>East</i>	RR	[700 East], Burris Estates Subdivision, Westfield Passage Subdivision, residence.
<i>South</i>	AG	Agricultural field, residences
<i>West</i>	AG	Agricultural field, residences

Proposed land use

The petitioner is requesting the zoning amendment to allow for an additional platted lot from the 2018 parcel. This lot would be used for a dwelling building site. Sanitary sewer and public water are not currently available to this property, although there is a private sewer line along 800 South.

Zoning code criteria

The petitioner's current intention is to sell part of the parcel for an additional residential building site. This triggers the need for platting and constitutes the third platted lot since the September 2018 threshold, and so the two-lot replat would be considered a Major Residential Subdivision. Since Major Residential Subdivisions are not permitted in AG, the petitioner seeks this rezoning to RR.

REVIEW CRITERIA

Indiana Code §36-7-4-603 and Section 12.2(F) of the zoning ordinance state the criteria listed below to which the Commission must pay "reasonable regard" when considering amendments to the zoning ordinance. Staff's comments are under each criterion.

1. The most recently adopted Comprehensive Plan;

The 2022 Comprehensive Plan describes the Future Character and Land Use plan as "the overall look and feel of a place—the impression it makes on residents and visitors and the qualities of buildings and spaces that make it different from other places." The plan describes community

character “to help guide growth and change to support places that are attractive, draw people to want to spend time there and are compatible with adjacent areas, without being overly specific to every parcel’s individual land use.” So, the Plan emphasizes that the overall character of an area, while making allowances for some deviations that would not be detrimental to the overall area.

For the subject property, the Future Character is designated as Mixed Rural. For Mixed Rural, the primary character of the area already includes noticeable residential development, with additional development expected, although the area should still be “recognizably rural” over the planning timeframe. The Mixed Rural character is somewhat higher intensity than the Rural-Agricultural character, with “contextually-sensitive” new low- to moderate-intensity residential development to be anticipated alongside agricultural uses.

The proposed platted lot/additional residential building site could be in character with this designation, especially given the existing residential developments immediately to the east. However, since this lot would be on septic, it may erode agricultural land faster than a smaller lot allowable on public utilities would be.

2. The current conditions and the character of current structures and uses in each district;

The property is part of a two-lot residential subdivision. There is a major subdivision to the east, with minor subdivisions along 800 South and 700 East. Within about a mile, there are numerous unplatted residential and farm properties exist along the 800 South road frontage, and a smaller number along 700 East. Farther to the south, there is a commercial-residential PUD.

Other than the Westfield Passage and the PUD areas, the interior of most properties within a mile of the subject property are used for agriculture.

3. The most desirable use for which the land in each district is adapted;

The desirability of the property for residential development is suggested by the proximity of the existing residential development. However, whether it is desirable to continue residential development that is not on public services should be considered.

4. The conservation of property values throughout the jurisdiction;

The creation of a single residential building site would be expected to have negligible effect on the property values throughout the area. If considered as the first site of many to come, the effect would be substantial. Whether that is positive or negative depends on one’s perspective.

5. Responsible development and growth;

The site is near, but not proposed to be on, sanitary sewer. The Commission should consider whether rezoning this property to RR would be misleading, as most RR-zoned properties have access to public utilities. Otherwise, the requested rezoning and building site seems to be a continuation of the surrounding development pattern.

6. The public health, safety and welfare.

While septic is not ideal, the area being rezoned would be large enough to accommodate a functional system. Also, while having another roadcut onto 700 East would not be ideal, it would not be especially unsafe either. And the general welfare is discussed above. Given these factors, it does not seem that the rezoning would be detrimental to public health, safety, and welfare.

Date report completed: 6/10/25

PLAN COMMISSION ACTION

Motion:

By:

Second by:

- Favorable recommendation ____
- Unfavorable recommendation ____
- No recommendation ____
- Conditions/Commitments? ____

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

Stetzel, Alanna M,
Trustee Of The Alanna M
Stetzel Revocable Trust

Stetzel
Family Limited
Partnership

**Bordner,
Mason &
Sonja**

Leeuw,
Joseph
& Amy

McKinzie,
Kirk

Saturn

Christian Church

Saturn
Christian
Church

Proegler,
Eric &
Shannon K

Proegler,
Chester A
& Sherri

Wagoner,
James Dean
& Dawn

**Burkholder,
Earl H &
Beth A**

aner, Terry J
Florence E

Cdi Enterprises,

Higgins,
James M &
Vicki A



Kauffman,
Karen Sue

Kauffman, John W
Etal & Mildred
A Irrevocable Tr Co-Trus

Emerick
Farms, Inc

Emerick,
Brian &
Sonya

Wagoner,
Joe A &
Jane E

Wagoner,
James D
& Dawn T

Wagoner, Joe Allen &
Jane; Dunfee, Judy Ann
& Kerry; & Wagoner,
James Dean & Dawn

Wagoner,
e Allen &
Jane

Joe Wagoner, Joe A' & Jane E Trammel, Dawn

Trammel, Dawn

Somerset
Acres LLC

**Bauer, Brian
M & Heather M**

**Somerset
Farm LLC**

Magno LLC

Bolinger,
Myra &
Ronald

Vorndran,
James A &
Diane L

Heim, Adam D. &
Heim, Dwayne
P. & Susan K.

Gordon,
Sarah Marie

Gionti,
Christopher
J & Tina M

Williams,
Michael H. &
Charlene K.

Stein, Darian

older,
H &
hA



Westfield
Passage
Association

Dunifon,
Jack K. &
Jennifer A

Engelhardt,
Randi L
& Mark R

Peppler,
David A &
Carolyn S

...less, son A