

**MINUTES
WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING
SEPTEMBER 20, 2017 7:00 P.M.**

MEMBERS PRESENT

Chad Banks
Elizabeth Deckard
John Johnson
Kenneth Kerch
Mark Mynhier
Tom Western
Brad Wolfe
Doug Wright
John Woodmansee

STAFF

Nathan Bilger
Jennifer Shinabery

ATTORNEY

Dawn Boyd

VISITORS

There were 38 visitors who registered their attendance at the September 20, 2017 regular meeting of the Whitley County Plan Commission.

CALL TO ORDER

Mr. Wright called the meeting to order at 7:02 P.M.

ROLL CALL

Ms. Shinabery read the roll with those members present listed above.

CONSIDERATION AND ADOPTION OF THE AUGUST 16, 2017 REGULAR MEETING MINUTES

Mr. Wright asked if there were any additions or corrections to the August 16, 2017 regular meeting minutes. There being none, Mr. Western made a motion to approve the minutes as submitted, seconded by Mr. Johnson. The minutes were approved by a unanimous 9-0 vote.

OATH TO WITNESSES

Mrs. Boyd administered the oath to those present who wished to speak during the meeting on behalf of the petitions.

OLD BUSINESS

Consideration of amendments from the County Commissioners to 17-W-ZOA-2.

Mr. Bilger explained that when the County Commissioners voted on 17-W-ZOA-2, they made some amendments. He reviewed the amendments and also explained the various decision options the Plan Commission has regarding these amendments.

Mr. Johnson made the motion to approve the amendments as presented. The motion was seconded by Mr. Banks and carried with a unanimous 9-0 vote.

NEW BUSINESS

17-W-SUBD-11 Ryan & Stacy Barnett, 4060 N. State Road 9. Columbia City, requested primary plat approval for a 2-lot subdivision to be known as “Cardinal Acres”. The property is located on the north side of County Road 400 North, approximately 530 feet east of N. State Road 9 in Section 14 of Thorncreek Township, containing 31.53 acres and zoned AG, Agricultural.

Mr. Bilger reviewed the staff report, explaining that the overall plat size is 7.61 acres. He explained that the plat appears to meet the zoning code requirements. He explained that platting is required as the parcel was split previously. He referred to the aerial view of the property, explaining that the intent is for farm buildings. He explained that no soil testing is required at this time as there will be no septic system; however, a note will be on the plat that Health Department approval will be required prior if plumbing is added in the future. He stated that the County Engineer submitted a letter after the staff report was written indicating that the driveway location for Lot #1 meets all requirements; however the proposed driveway location for Lot #2 would not meet the minimum sight distance requirement. He stated that staff suggests adding an access easement for Lot #2 across Lot #1.

Kevin Michel of Walker & Associates, 4242 S. 700 East, Columbia City, stated he was representing the petitioners and distributed larger copies of the plat to the Commissioners. He stated that he was not aware of the Highway Department’s letter until this evening and will meet with the petitioners and the Highway Department to determine where the driveway for Lot #2 should be located. He explained that an ingress/egress easement will need to be created over the south part of Lot #1 to access Lot #2.

Mr. Western made a motion to approve the petition with the following conditions:

1. Add notation on the plat that soil testing for septic systems was not done and Health Department approval is required prior to construction of any residence or any structure that uses plumbing.
2. Secondary plat approval delegated to the Plan Commission Staff.
3. Add access easement on Lot #1 for Lot #2 per the recommendations and requirements of the Highway Department and the County Engineer.

The motion was seconded by Mr. Mynhier and carried with a unanimous 9-0 vote.

OTHER BUSINESS

Interpretation of the Whitley County Zoning Map regarding various unzoned parcels.

Mr. Bilger reviewed the staff report, explaining that since the last major zoning code revision in 2006, the official Zoning Map of Whitley County has designated zoning districts only for tax parcels. He explained that recently the ownership of an “unknown” strip of ground between the Crooked Lake shore line and the platted lots in the Forest Park Addition has been confirmed and the Auditor created a new parcel out of the former “unknown” area. He explained that the new parcel is adjacent to LR-zoned properties. He explained that in cases, such as this, when the Zoning Administrator is unable to definitely determine the location of a district boundary, the Plan Commission is to make that determination. He referred to an aerial view, showing the land in question.

Mr. Woodmansee commented that there does not seem to be any other reasonable zoning for the two parcels other than LR, Lake Residential. Mr. Wright agreed. There was some discussion about the two lake access strips and whether or not those would be maintained. Mr. Bilger explained that this would depend on how the plat is laid out. Mr. Western asked if the Plan Commission could be given an update.

Mr. Wolfe pointed out what appeared to be another parcel of unzoned land at the southern end of the strip that was not highlighted in the map distributed to the Commission. Mr. Bilger stated that this land could also be included in the decision.

Mr. Bilger also recommended that all land in the county be reviewed and zoned at some point in the near future and consider revising the zoning map so that it is not based upon taxable parcels.

Mr. Woodmansee made the motion to determine the two parcels, as well as the area to the southeast end of the strip, as LR, Lake Residential. The motion was seconded by Mr. Wolfe and carried with a unanimous 9-0 vote.

Formation of Code Development Committee.

Mr. Bilger explained that the current purpose would be to have a group of people to research, review, discuss and propose pending code changes. He stated that this committee is being developed to discuss CFO and residential issues; however, ideally the committee would continue to discuss other code changes with the benefit of public input. He referred to a list of names of people that have shown interest in being a part of the committee. He recommended a chairperson be nominated from the Plan Commission. He suggested meetings be held on Monday or Friday mornings.

There was some discussion regarding the process of placing someone on the committee. It was decided that Mr. Bilger would contact those on the initial list for availability and interest and return to the Plan Commission at a later date with a more confirmed list. Mr. Johnson mentioned that the ideal is for the list to be more geographically diverse to include all townships.

ADJOURNMENT

There being no further business to discuss, Mr. Wright declared the meeting adjourned at 7:40 p.m.

GUEST LIST

A complete Guest List accompanies these minutes.