

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

23-W-SUBD-3 PRIMARY PLAT APPROVAL
Marvin & Shirlene Spencer
Spencer Subdivision
3131 E. State Road 114

APRIL 19, 2023
AGENDA ITEM: 1

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	14.09 acres	Lot size:	1.837 acre	2.06 acre
Number of lots:	2 lots	Lot width:	225'	225'±
Dedicated ROW:	0.86 acre	Lot frontage:	50'	175'± (70' at narrowest point)

The petitioner, owners of the subject property, is requesting preliminary plat approval for a two lot subdivision to be named "Spencer Subdivision." The proposed plat is located on the north side of State Road 114, about 700' east of Raber Road in Section 32 of Jefferson Township. The property is currently improved with a house at 3131 E. SR 114, outbuildings, and a 1-acre pond.

The proposed plat would split the property into two lots, with the smaller lot intended to be used to construct a residence. The subdivision is required due to prior splits from the 1979 parent tract and the sizes of the proposed lots. No rezoning is required as these are the first two platted lots from the 2018 parent parcel. Under the current code, if there is any future resubdivision to create new lots, it would require rezoning.

The proposed plat appears to comply with the development standards of the zoning code as shown in the above table. An existing shed would be moved to comply with the required setback from the new lot line.

UTILITY AND REVIEW COMMENTS

Comment letters received (as of date of staff report)

Electric	X	Health	X	Cable TV		Parcel Cmte.	X
Gas		Co. Highway	X	Sanitary Sewer	NA	INDOT	X
Telephone		SWCD	X	Water	NA		

Most comments received stated the proposed plat would be adequate.

Staff understands that the current plan is to share the existing driveway. If so, it would be advisable to create an ingress/egress easement for the driveway and have covenants regarding its shared maintenance.

No covenants were submitted. Again, if there are improvements to be shared—e.g., driveway, pond, drainage—having covenants to provide for their maintenance would be suggested.

A 40' wide right-of-way for the state road would be dedicated. 10' drainage and/or utility easements are shown on the perimeter of the lot.

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. If there are to be shared improvements, consider recording covenants and restrictions to provide for their shared maintenance.

2. If the driveway is to be shared, there should be an ingress/egress easement designated.
3. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 4/10/23

PLAN COMMISSION RECORD OF ACTION

Motion:

Approve

Approve w/conditions
 Deny

By:

Second by:

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

Raichart,
Kevin L

Hunt, Tyler

Hoffman, Kirk
W & Judy K

Moore, Stephen
K & Bonnie B

Brown, Walter Jr
& Brown, Suzie K

Raichart,
Kevin L

Rhodenbaugh,
Terry &
Patricia A

Spencer,
Marvin S &
Shirlene R

Tourney,
Joseph J &
Meredith J

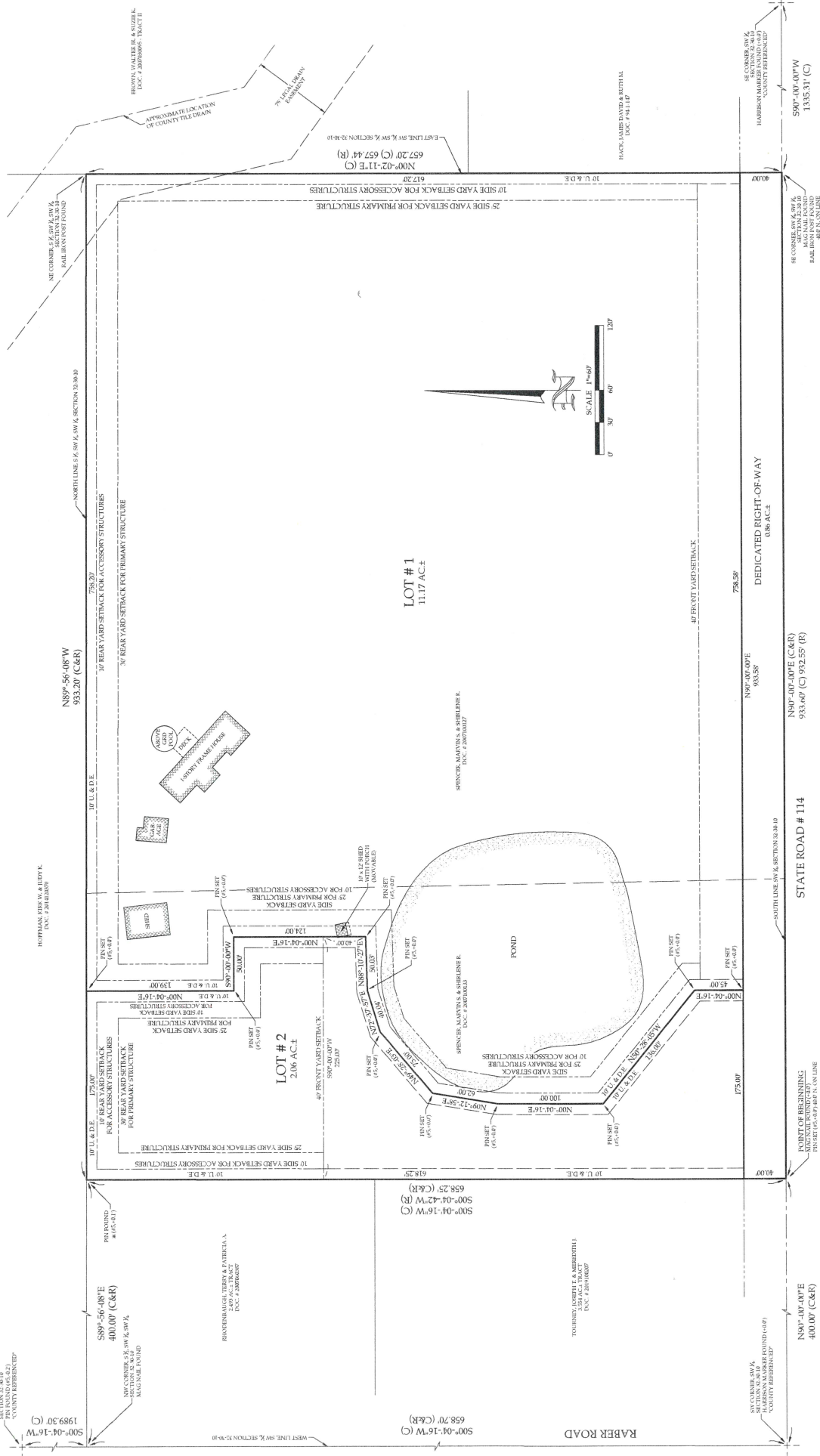
Hack, James
David &
Ruth M

State Of
Indiana

ESR 114

SPENCER SUBDIVISION (PRELIMINARY)

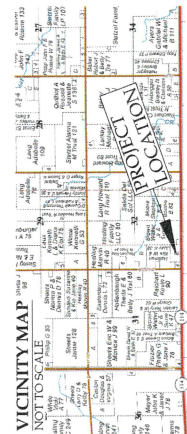
SITUATED IN THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 30 NORTH, RANGE 10 EAST, WHITLEY COUNTY, INDIANA



AREA NOTES
The Plat of Spencer Subdivision contains 14.09 acres.
Lot Number 1 contains 11.17 acres.
Lot Number 2 contains 2.06 acres.
There are 0.86 acres of Dedicated Right-of-Way.

BASIS OF BEARINGS
The basis of bearings for this drawing is a deed bearing of N90°-00'-00"E for the South line of the Southwest Quarter of Section 32, Township 30 North, Range 10 East, Whitley County, Indiana. Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey.

LEGEND
M = MEASURED
P = PLAT
W = WALKER MONUMENT
U & D.E. = UTILITY & DRAINAGE EASEMENT
FIELD WORK COMPLETED ON 3-14-2023
PROPERTY ADDRESS FOR LOT 1
3131 E SR 114 - 92
Kokomo, IN 46763



WALKER & ASSOCIATES
EST. 1964
112 WEST VAN BUREN STREET
COLUMBIA CITY, IN 46725
www.walkerandassociates.com
Phone: (203) 244-6660
E-mail: andrew@walkerandassociates.com
LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING

