

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

22-W-SUBD-16 PRIMARY REPLAT APPROVAL

Todd & Kimberly Shepherd
Blue Heron Bay

NOVEMBER 15, 2023

AGENDA ITEM: 2

SUMMARY OF PROPOSAL

Current Zoning:	LR, Lake Residential		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	1.53 acres.	Lot size:	10,000 sq. ft.	10,000 sq. ft.
Number of lots:	3 lots	Lot width:	70'	106'±
Dedicated ROW:	NA	Lot frontage:	50'	106'

The petitioners, owners of the subject property, are requesting an approval for a 3-lot subdivision replat to be named "Blue Heron Bay." The proposed plat is located on the east end of Crescent Avenue, about 1,000' east of Fish Hatchery Road in Section 12 of Thorncreek Township.

The subject property is comprised of parts of Lots 1, 2, 3, and part of Lot 4 of Beech Grove Addition, a lakefront subdivision recorded in 1916, a roughly 0.17-acre parcel split from the "Round Beach play grounds" that were platted between the lots and lakeshore, and an unplatted parcel. The petitioner acquired their portion of the "play grounds" area by court action in May of 2022, as did other adjacent property owners.

The intention of this replat is to reconfigure the petitioner's three parcels to combine the lake front parcel and the parcel with the residence, create a 2nd lot with access to lake frontage, and include a 3rd lot to be sold to a neighbor.

Note that the plat shows the garage being partially located in Crescent Avenue Right-of-Way. That garage was constructed in 1945 and is considered legal nonconforming for zoning purposes.

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

No additional right-of-way is proposed to be dedicated, which is typical of property reconfiguration replats. Building setbacks and drainage/utility easements are shown.

The Parcel Committee had no comment from its review.

New restrictive covenants have been discussed and will be recorded with the Plat. Covenants and restrictions from the original plat, if any, would continue in effect.

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. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 11/08/2023

PLAN COMMISSION RECORD OF ACTION

Motion:

By:

Second by:

Approve

Approve w/conditions

Deny

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



Natural Resources

Young, Cary M & Lori A

Anderson, Lanny L

Sordelet, Teresa

Toole, John W & Michael A

M & Eugene A Jr

Spreen, Mark E

Yagel, Matthew S & Jennifer J

Hochstetler Family Trust

Van Houten, Virgil

Kronewitter, Cole & Elizabeth A

Dorais, Sweet, Carol C

Eric & Jody

Green, Myron & Twyla JG

Hunter, Gregory J & Twyla JG

Keller, Randall L & Hilary A

Shepherd, Todd C & Kimberly A

Tri Lakes Lions Inc

Dreyer, Timothy L & Knafel, Michele L

Childrens, Tom

Schroeder, Jim & Susan K

Tri Lakes Regional Sewer Dist

Whitley County Board Of Commissioners

E Basin St

E Colony Ave

N Lake Dr

Whitley County Board Of Commissioners

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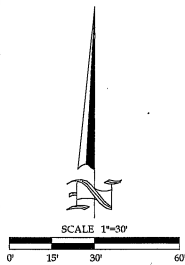
Green, Myron

Green, Myron

Green, Myron

BLUE HERON BAY (PRELIMINARY)

BEING A REPLAT OF LOTS NUMBERED 1, 2, 3, AND PART OF 4 IN BEECH GROVE ADDITION TO TRI-LAKES RESORT, TOGETHER WITH PART OF THE EAST HALF OF THE FRACTIONAL SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 32 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA



LEGEND

M = MEASURED C = CALCULATED
P = PLAT R = RECORDED
✕ = WALKER MONUMENT
U. & D.E. = UTILITY & DRAINAGE EASEMENT

FIELD WORK COMPLETED ON 8-3-2023

PROPERTY ADDRESS

2949 E Crescent Ave
Columbia City, IN 46725

BASIS OF BEARINGS

The basis of bearings for this drawing is a platted bearing of N70°-54'-00"E for the North right-of-way line of Crescent Avenue. Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey.

SURVEY RECORDING NOTE

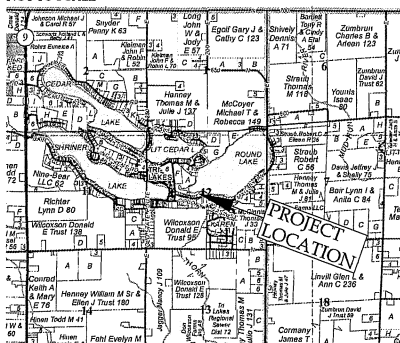
The retracement boundary survey for this Plat is recorded in Document Number 2023100274 in the records of Whitley County, Indiana.

AREA NOTES

The Plat of Blue Heron Bay contains 1.53 acres.
Lot Number 1 contains 0.93 acres.
Lot Number 2 contains 0.37 acres.
Lot Number 3 contains 0.23 acres.

VICINITY MAP

NOT TO SCALE



WALKER & ASSOCIATES
EST. 1984

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

LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING

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RV-130C-08-03-23

