

**WHITLEY COUNTY ADVISORY PLAN COMMISSION  
STAFF REPORT**

**18-W-SUBD-13 PRIMARY PLAT APPROVAL**

Amos Yoder  
Amos Yoder Subdivision, 4757 W. 300 South

**SEPTEMBER 19, 2018**

**AGENDA ITEM: 1**

**SUMMARY OF PROPOSAL**

Current zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	22.83 acres	Lot size:	1.837 acre	6.32 acre
Number of lots:	2 lots	Lot width:	225'	218'± *
Dedicated ROW:	0.64± acre	Lot frontage:	50'	50'

The petitioner, owner of the property, is requesting primary plat approval for the Amos Yoder Subdivision, a proposed two-lot subdivision located on the south side of CR 300 South at the intersection of Whitley Road (house address of 4757 West 300 South). The proposed lots require platting as the split creates parcels that do not meet the exemptions stated in the SCO. Proposed are a 6.32-acre Lot 1, 15.87-acre Lot 2, and dedicated right-of-way for the county road (0.64 acre). The property is improved with an existing residence, farm buildings, woodworking business, and associated outbuildings.

The proposed plat appears to comply with the development standards of the zoning code as shown in the above table, except for the lot width at the building line of Lot 1. One of the existing buildings does encroach into the required front setback, but this would be legal nonconforming. A variance was granted in August for the small setbacks between existing buildings created by the proposed new lot line.

*Comment letters received (as of date of staff report)*

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

A 35' wide right-of-way for both CR 500 West and CR 300 South would be dedicated. 10' drainage and utility easements are shown on the perimeter of the lot, along with the 75' legal drain easement.

At the time of this writing, the comment letters received have generally stated that the proposed plat is adequate. The Health Department has not submitted a letter due to soil testing not being completed for Lot 2.

The Parcel Committee reviewed the plat and had question about the subdivision name being "Amos Yoder" or "Yoder, Amos."

No separate restrictive covenants have been submitted, at this time.

**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. Correct the lot width deficiency of Lot 1.
2. Soil testing must be completed and accepted by the Health Department.
3. Secondary plat approval delegated to the Plan Commission Staff.

Date report completed: 9/13/18

**PLAN COMMISSION ACTION**

Motion:

By:

Second by:

<b><i>Vote:</i></b>	<b>Hodges</b>	<b>Deckard</b>	<b>Johnson</b>	<b>Mynhier</b>	<b>Western</b>	<b>Wolf</b>	<b>Wolfe</b>	<b>Woodmansee</b>	<b>Wright</b>
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									