

WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 20, 2019, 7:00 P.M.

MEMBERS PRESENT

Elizabeth Deckard (arrived 7:10)
John Johnson
Mark Mynhier
Joe Wolf
John Woodmansee
Doug Wright

MEMBERS ABSENT

Thor Hodges
Tom Western
Brad Wolfe

STAFF

Nathan Bilger
Mark Cullnane

LEGAL COUNSEL

Dawn Boyd (absent)

VISITORS

Fourteen visitors signed the guest list at the November 20, 2019 Whitley County Plan Commission meeting. The original guest list is kept on record in the Columbia City/Whitley County Planning & Building Department.

CALL TO ORDER/ROLL CALL

Mr. Wright called the meeting to order at 7:03 P.M. and led the Pledge of Allegiance. Mr. Cullnane read the roll call with all members present and absent listed above.

Mr. Wright stated that only five members of the Commission were currently present. He explained to the public that this constituted a quorum, but that any motion that did not receive at least five votes in favor or against would be automatically tabled to the next meeting.

CONSIDERATION AND ADOPTION OF THE SEPTEMBER 18, 2019 AND OCTOBER 16, 2019 MEETING MINUTES

The minutes for the September 18, 2019 and October 16, 2019 regular meetings were presented for approval.

Mr. Bilger stated that he had received an email submitted from Mr. Wolfe that contained corrections to the September 18, 2019 meeting minutes. Mr. Bilger reviewed the corrections.

Mr. Wright asked the Commission if it had any other comments on the minutes. Hearing none, Mr. Wright asked for a motion on the September 18, 2019 and October 16, 2019 meeting minutes. Mr. Wolf made a motion to approve the September 18, 2019 meeting minutes with the corrections suggested by Mr. Wolf and the October 16, 2019 minutes as presented. Mr. Mynhier seconded, and the motion passed by a vote of 5-0.

ADMINISTRATION OF THE OATH TO WITNESSES

Approximately 7 guests were sworn in by Mr. Bilger.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 19-W-SUBD-13

Tim & Joelene Papenbrock request primary plat approval of a 1-lot subdivision proposed to be called Papenbrock Farms. The subject property is located on the south side of 700 North, approximately ½ mile east of 900 East in Section 01 of Smith Township. The property is zoned AG, Agricultural District, and contains approximately 8.86 acres.

Mr. Cullnane presented the staff report. He stated that the property abuts Noble and Allen Counties in the far northeast corner of Whitley County, and is currently improved with a single-family dwelling and a detached garage. Mr. Cullnane stated that CR 700 North/CR 600 South is under the jurisdiction of the Noble County Highway Department. He stated that Noble County Highway Department typically requires a driveway permit for existing unpermitted drives prior to a petition being heard by the Noble County Plan Commission. In addition, the Noble County Highway Department typically requires a shared driveway agreement when a driveway is to be shared by two or more property owners, as is planned here. Mr. Cullnane stated that the Noble County Highway Department indicated that these requirements could be waived since Whitley County does not have the same.

Mr. Cullnane stated that the petitioner wants to remove the acreage that contains the existing dwelling from the tillable and wooded acreage to the east that comprises the remainder of the parent tract. He reviewed the features of the preliminary plat and aerial photography for reference.

Ms. Deckard arrived at 7:10 P.M.

Mr. Cullnane stated that the proposed plat appeared to comply with the development standards of the Subdivision and Zoning Codes. He stated that comment letters received were generally favorable, and that Parcel Committee had no comments on the plat. Mr. Cullnane reviewed the suggested conditions found in the staff report. Mr. Bilger added that separate covenants had not been provided as of the time of the meeting.

Mr. Wright called the petitioner to the podium. Tim Papenbrock, 9330 E. 700 North, Churubusco, stated that he had come into possession of the property via his father and that he would like to pass along some of his family's property to his son. He stated that he is no longer able to properly take care of the log home that currently exists on the

proposed lot, and added that he is planning on improving an existing pole building located on the remainder of the property into a dwelling for him and his wife.

Mr. Wright asked the Commission if it had any questions for the petitioner. Hearing none, he asked if any audience members had questions or comments regarding this petition. Hearing none, Mr. Wright closed the public hearing.

Mr. Wright asked the Commission if it would like to take action to ensure that covenants are included. Mr. Bilger stated that, in the case of a 1-lot subdivision, the only party who could enforce covenants would be the owner of the lot and are of relatively little value.

Mr. Woodmansee made a motion to approve 19-W-SUBD-13 with the following conditions:

1. Clearly define front yard setback on plat.
2. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Johnson seconded, and the motion passed by a vote of 6-0.

2. 19-W-SUBD-14

Corey Sheckler requests primary plat approval of a 1-lot subdivision proposed to be called Copper Creek. The subject property is located on the north side of Sheckler Road, approximately ½ mile east of 250 West in Section 30 of Thorncreek Township. The property is zoned AG, Agricultural District, and contains approximately 5.59 acres.

Mr. Cullnane presented the staff report. Mr. Cullnane stated that this split has been requested to remove the house area from the remainder of the wooded acreage. He reviewed the preliminary plat and aerial images of the property.

Mr. Cullnane stated that comment letters received were generally favorable, and that Parcel Committee had no comments on the plat. He stated that restrictive covenants had not been provided at the time of the meeting, and added that the proposed plat appeared to comply with the development standards of the Subdivision and Zoning Codes. Mr. Cullnane reviewed the suggested condition found in the staff report.

Mr. Wright called the petitioner to the podium. Kevin Michel, 4242 S. 700 East, Columbia City, approached the podium to speak on behalf of the petitioner. Mr. Michel presented the Commission with sets of the preliminary plat for its review. He stated that the remainder of the property contains approximately 20 acres.

Being no more questions from the Commission, Mr. Wright asked if any audience members had questions or comments regarding this petition.

Ronald Myer, 2355 W. Sheckler Road, Columbia City, stated that he owns the property directly to the west of the petitioner and asked the Commission if there are any state or local restrictions on hunting within proximity to the remaining acreage in the event that Mr. Sheckler sells it. Mr. Bilger stated that the state does have regulations, but he was

uncertain of details and suggested contacting the Department of Natural Resources for clarification.

Mr. Wright asked if any other audience members had questions or comments regarding this petition. Hearing none, Mr. Wright closed the public hearing.

Mr. Johnson made a motion to approve 19-W-SUBD-14 with the following conditions:

1. Add notation of “Front Yard Setback” to both parts of the setback.
2. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Woodmansee seconded, and the motion passed by a vote of 6-0.

3. Consideration of Redevelopment Commission Larwill TIF Declaratory Resolution

Mr. Bilger reviewed the staff report summarizing an order determining that the Larwill Economic Development Plan (“EDP”) conforms to the County's Comprehensive Plan. He presented the land map from the Comprehensive Plan, the map of the Economic Development Area (“EDA”) and Allocation Area (“TIF district”) from the EDP, and aerial photos of the EDA and TIF district. Mr. Bilger reviewed projects that could result from the creation of the EDA and TIF district.

Jon Myers, 2100 E. Cider Mill Road, Columbia City, President of the Whitley County Economic Development Corporation, stated that he has been in discussion with the Larwill Town Council regarding creation of a TIF district for several years. He stated that creation of the district could help Larwill extend sewer lines to provide service to commercial properties such as Red Star Contract Manufacturing on SR 5. Mr. Bilger added that extension of water from either Columbia City or Pierceton could come after the extension of sewer lines.

The Commission, Mr. Bilger, and Mr. Myers discussed the potential benefits of establishing the Larwill EDA and TIF district.

Mr. Wright asked if there were any additional questions or comments. Hearing none, Mr. Wright called for a motion.

Mr. Wolf made a motion to approve an “Order of the Whitley County Plan Commission Determining that a Declaratory Resolution Approved and Adopted by the Whitley County Redevelopment Commission Conforms to the Plan of Development for Whitley County.” Mr. Johnson seconded, and the motion passed by a vote of 6-0.

OTHER BUSINESS

REVIEW OF 2020 MEETING DATES

Mr. Wright introduced a review of 2020 Commission meeting dates. Mr. Bilger reviewed the proposed dates. He stated that, although filing or notification deadlines may be affected by holidays, there are no meeting dates that had to be changed from the third Wednesday of every

month due to holidays. Mr. Bilger stated that approval of the 2020 meeting schedule could be made by general consensus.

Mr. Wright asked the Commission if it was in consensus that the proposed 2020 meeting dates were acceptable. The Commission agreed that the proposed 2020 meeting dates were acceptable.

RESIDENTIAL CODE REVIEW

Mr. Bilger reviewed draft district intent, district standards, permitted uses, and special exception uses for the proposed Suburban Residential (“SR”) and Village Residential (“VR”) residential zoning districts. He stated that discussion of the proposed ER, Estate Residential, zoning district will be postponed until a later date in order to more precisely define the purpose of ER districts.

Mr. Bilger and the Commission discussed the proposed districts.

Mr. Bilger and the Commission reviewed a matrix comparing existing subdivisions around the county for comparison to the proposed districts.

Mr. Bilger suggested that the Commission host a workshop on Tuesday, December 3 at 7:00 P.M. to continue discussion of the proposed districts. Several members indicated that they could attend.

Mr. Wright asked if any audience members had questions or comments regarding the proposed districts.

Rhonda Salge, 5465 N. 600 East, Churubusco, stated that she appreciated the Commission examining the need for additional residential districts in the unincorporated areas of the County.

John Meister, 5995 S. Woodstrail Drive-57, Columbia City, stated that he appreciated the Commission examining the need for additional residential districts in the aftermath of disagreement earlier in the year regarding residential development in primarily agricultural areas of the county.

Jon Myers, 2100 E. Cider Mill Road, Columbia City, stated he thinks it is important for the Commission to consider additional residential districts to be better prepared for handling market demand for residential development in areas of Jefferson Township that are adjacent to Aboite Township in Allen County.

Sonya Emerick, 5865 E. SR 14, Columbia City, stated that she is concerned about residential development expanding into what have traditionally been primarily agricultural areas of the county, specifically in Jefferson Township. Ms. Emerick discussed the importance of agriculture to the Whitley County economy.

Alice Eshelman, 6755 E. 900 South, Columbia City, stated that she is concerned about residential development encroaching on areas of Jefferson Township that are primarily agricultural.

ADJOURNMENT

Mr. Wright declared the meeting adjourned at approximately 8:46 P.M.