

WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, FEBRUARY 19, 2020, 7:00 P.M.

MEMBERS PRESENT

Thor Hodges
Mark Mynhier
Tom Western
Joe Wolf
Brad Wolfe
John Woodmansee
Doug Wright

MEMBERS ABSENT

John Johnson

LEGAL COUNSEL

Sam Ladowski

STAFF

Nathan Bilger
Mark Cullnane

VISITORS

Twenty-five visitors signed the guest list at the February 19, 2020 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 7:00 P.M. and led the Pledge of Allegiance. Mr. Cullnane read the roll call with all members present and absent listed above.

CONSIDERATION AND ADOPTION OF THE JANUARY 15, 2020 MEETING MINUTES

The January 15, 2020 regular meeting minutes were presented for approval. Mr. Western made a motion to approve the minutes as presented. Mr. Wolfe seconded the motion. The motion was approved by a vote of 6-0-1, with Mr. Hodges abstaining.

ADMINISTRATION OF THE OATH TO WITNESSES

Approximately 18 guests were sworn in by Mr. Ladowski.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 20-W-SUBD-1

Pamela Hitzeman requested primary plat approval of a 1-lot subdivision proposed to be called Pamela P. Hitzeman Estates. The subject property is located on the south side of E. State Road 14, approximately 1/3 mile west of S. 800 East in Section 12 of Jefferson Township. The property is zoned AG, Agricultural District, and contains approximately 3.28 acres.

Mr. Bilger presented the staff report. Mr. Bilger stated that the 60' gap between Lot 1 and the western boundary of the property at 7702 E. State Road 14 is a result of the legal drain easement and floodplain immediately west of the proposed lot. This gap had been included in the plat so that equipment and future development can access the field to the south of the proposed lot without being in the legal drain easement and floodplain.

Mr. Bilger reviewed the staff's suggested conditions. He stated that parcel committee suggested renaming the subdivision from Pamela P. Hitzeman Estates to Hitzeman Subdivision or something similar to avoid confusion in the future. He recommended that secondary plat approval be delegated to Plan Commission staff.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, he asked the petitioner or the petitioner's representative to speak.

Kevin Michel, 4242 S. 700 East, Columbia City, representative of the petitioner, confirmed the existence of and reasoning behind inclusion of the 60' gap between Lot 1 of the proposed subdivision and the western boundary of the property at 7702 E. State Road 14. Mr. Michel discussed the requested name change of the subdivision.

Mr. Wright asked the Commission if it had any questions. Hearing none, he asked the public if it had any questions or comments. Hearing none, he closed the public hearing.

Mr. Woodmansee made a motion to approve 20-W-SUBD-1 with the following conditions:

1. Revise plat name to address Parcel Committee request.
2. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Western seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 7-0.

2. 20-W-SUBD-2

Adam and Cassandra Trabert requested primary plat approval of a 1-lot subdivision proposed to be called Trabert Subdivision. The subject property is located on the south side of E. Keiser Road, approximately ½ mile east of S. Meridian Road in Section 26 of Columbia Township. The property is zoned AG, Agricultural District, and contains approximately 2.47 acres.

Mr. Bilger presented the staff report. He pointed out that the name and document number of the parcel directly to the south of the subject property, as depicted on the plat, was incorrect.

Mr. Bilger reviewed the staff's suggested conditions. The name and document number of the adjacent parcel would need to be corrected. He recommended that secondary plat approval be delegated to the Plan Commission staff.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, he asked the petitioner or the petitioner's representative to speak.

Adam Trabert, 1307 Meade Boulevard, Columbia City, stated that he and his wife are looking to acquire part of his parent's property to build a new home because his family has outgrown their current home and they want to live in the country.

Mr. Wright asked if the Commission had any questions for Mr. Trabert. Hearing none, he asked the public if it had any questions or comments. Hearing none, he closed the public hearing.

Mr. Western and Mr. Bilger discussed the history of the Knafel Subdivision on the north side of the road across from the subject property.

Mr. Western made a motion to approve 20-W-SUBD-2 with the following conditions:

1. Correct owner name and document number of the property south of the proposed lot.
2. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Hodges seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 7-0.

3. 20-W-SUBD-3

Ned and Delores Byall requested primary plat approval of a 1-lot subdivision proposed to be called Arrowhead Subdivision, Section 2. The subject property is located on the east side of S. 600 East, approximately ½ mile south of E. State Road 14 in Section 11 of Jefferson Township. The property is zoned AG, Agricultural District, and contains approximately 8.00 acres.

Mr. Bilger presented the staff report. He stated that Arrowhead Subdivision is at the northern end of the parent tract, whereas the proposed Section 2 would be at the southern end. This would not be consistent with naming convention, but also would not be confusing. He stated that there is floodplain in the far southeastern corner of the lot as noted on the plat. The petitioner has indicated to staff that the lot will remain an agricultural field through this growing season and possibly into the future. The petitioner wants to do the split now to be ready in the event that a buyer is interested in the property.

He reviewed the comment letters. Northeastern REMC commented that it would like to see a 14' utility easement along the northern property line. The Highway Department provided stipulations regarding driveway placement when this lot is developed.

Mr. Bilger reviewed the staff's suggested conditions. A 14' utility easement should be placed along the northern property line, that soil testing in compliance with the Health Department requirements must be made prior to the construction of any dwelling, and that secondary plat approval be delegated to the Plan Commission staff.

Mr. Bilger and Mr. Wright discussed the Highway Department's requirements that would need to be met prior to constructing a driveway.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, he asked the petitioner or the petitioner's representative to speak.

Delores Byall, 6563 S. 600 East, Columbia City, stated that she is selling the majority of the property to her son for farming and she wants to split off the proposed lot for residential development.

Mr. Wright asked if the Commission had any questions for Ms. Byall. Hearing none, he asked the public if it had any questions or comments.

Joe Zoda, 6085 S. 600 East, Columbia City, stated that he lives at the northern end of the subject property and has no objections to the proposed subdivision.

Hearing no other comments, Mr. Wright closed the public hearing.

Mr. Wolfe made a motion to approve 20-W-SUBD-3 with the following conditions:

1. Placement of a 14' utility easement along the northern property line.
2. Soil testing in compliance with the Health Department Requirements must be made prior to the construction of any dwelling.
3. Meet Highway Department requirements prior to constructing a driveway.
4. Secondary plat approval delegated to the Plan Commission Staff.

Mr. Wolf seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 7-0.

4. 20-W-SUBD-4

Keith and Linda Robinson requested secondary replat approval of Lot 9, Legacy Preserve, Phase II. Mr. Wright stated that 20-W-SUBD-4 was continued to the March meeting due to lack of public notice.

5. 20-W-REZ-1

Kenneth and Barbara Rupley requested an amendment to the Zoning Map by reclassifying approximately 18 acres from AG, Agricultural District, to GC, General Commercial District. The property, more commonly known as 10850 S. Washington Road, Columbia City, IN 46725, is located on the northwest corner of S. Washington Road and State Road 114 in Section 33 of Washington Township.

Mr. Bilger presented the staff report. He stated that the property has been used as a farm equipment dealership since 1982, at which time petitioner received a special exception, S-82, to operate. He stated that the special exception is contingent on ownership, and that petitioner is seeking a rezoning to avoid potential difficulties upon selling the business. There is a telecommunications tower on the property which received special exception approval in 2016, but this rezoning would not impact that special exception as towers require special exception approval in both AG and GC districts.

Mr. Bilger presented the future land use map from the Comprehensive Plan, noting that this property was contemplated as general commercial in the future land use map. He then discussed the criteria the Commission must pay "reasonable regard" to when considering zoning ordinance amendments, as provided in detail in the staff report.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, he asked the petitioner or the petitioner's representative to speak.

Jared Hesting, 2830 S. Washington Road, Columbia City, spoke on behalf of the petitioner. Mr. Hesting stated that the rezoning is being requested to ensure that the existing business, Rupley Farm Equipment, can continue to operate at its current location.

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

Mr. Woodmansee made a motion to send a favorable recommendation to the County Commissioners. Mr. Hodges seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 7-0.

6. 20-W-REZ-2

Cidermill Propane LLC requested amendments to the Whitley County Zoning Map by reclassifying an approximately 0.22 acre portion from GC, General Commercial District, to AG, Agricultural District, and by reclassifying an approximately 0.43 acre portion from AG, Agricultural District, to IPM, Industrial Park/Manufacturing. The property is located on the north side of E. Cider Mill Road, approximately 790' west of E. State Road 205 in Section 31 of Smith Township.

Mr. Bilger presented the staff report. He stated that currently the property is zoned AG, GC, and IPM, and that petitioner wishes to rezone the GC area to AG and part of the AG area to IPM. He stated that the GC district was created in 1998 to allow an automobile repair shop in one of the outbuildings. The shop has since closed and the petitioner requests a reversion of this district to AG. The other part of the rezoning, to expand the IPM district, is to permit the use of an existing outbuilding as an office for the propane business. The current IPM district was established in 2011, which was followed by a special exception to allow placement of the first two propane tanks, and a second one in 2015 for three propane tanks.

Mr. Bilger presented the future land use map from the Comprehensive Plan and discussed the classification of the subject property along with nearby properties. He also presented a survey of the new IPM district. He discussed the criteria the Commission must pay "reasonable regard" to when considering zoning ordinance amendments, as provided in detail in the staff report.

Mr. Wright asked the Commission if it had any questions for Mr. Bilger. Hearing none, he asked the petitioner or the petitioner's representative to speak.

Braden Coffelt, 455 South 300 East, Columbia City, stated that his family's propane business is expanding and the expansion of the IPM district is for business offices. Mr. Coffelt added that it makes sense to rezone the GC district back to AG because the automobile repair shop is no longer in business.

Mr. Wright asked if the Commission had any questions for Mr. Coffelt. Hearing none, he asked the public if it had any questions or comments.

Mary Schrader, 3880 E. Cider Mill Road, Columbia City, stated that she lives across Cider Mill Road from Cidermill Propane, that Mr. Coffelt does a very good job operating his business, that it is very quiet and well lit, and that she supports his petition.

Mr. Wright asked the public if it had additional questions or comments. Hearing none, he closed the public hearing

Mr. Wolfe made a motion to send a favorable recommendation to the County Commissioners. Mr. Hodges seconded the motion. Having no further discussion, the motion passed unanimously by a vote of 7-0.

OTHER BUSINESS

Mr. Bilger discussed the ongoing Comprehensive Plan update process. Mr. Bilger stated that he, Mr. Western, Mr. Wright, Danny Wilkinson, Mr. Cullnane, and Jennifer Shinabery had taken part in the consultant interviews and that a meeting was scheduled for Thursday, February 20 to score the consultants and possibly make a recommendation to the County Commissioners. Mr. Western and Mr. Bilger agreed that cost was an important factor in the review process. Mr. Bilger stated that cultural fit was also an important factor.

Mr. Bilger stated that the Joint Advisory Board has a meeting scheduled for Friday, February 21, and the Department's 2019 Annual Report was almost completed.

ADJOURNMENT

Mr. Wright declared the meeting adjourned at approximately 7:52 P.M.