#### *AGENDA*

#### **ELKHART COUNTY PLAT COMMITTEE**

August 8, 2024 9:00 A.M.

ADMINISTRATION BUILDING MEETING ROOMS 104, 106, & 108 117 N. 2<sup>nd</sup> STREET, GOSHEN, INDIANA

Call to Order

Roll Call

Approval of the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 11th day of July 2024.

Acceptance of the Elkhart County Development Ordinance, and Staff Report materials as evidence for today's hearings.

#### PRIMARY APPROVALS 9:00 A.M.

A. Petitioner: Scott Tuttle (page 1)

represented by Prince Land Surveying LLC

Petition: for primary approval of a 2-lot minor subdivision to be known as **TUTTLE** 

MINOR SUBDIVISION.

Location: east side of CR 29, 3,160 ft. south of CR 50, in Jackson Township.

(MI-0448-2024)

B. Petitioner: Jeffrey Chupp (page 2)

represented by Land & Boundary LLC

Petition: for primary approval of a 2-lot minor subdivision to be known as **JACOB'S** 

**CORNER MINOR SUBDIVISION.** 

Location: south side of CR 6, 2,260 ft. east of CR 17, common address of 21504 CR 6

in Washington Township. (MI-0451-2024)

C. Petitioner: Jonathan Paul Davis (page 3)

represented by Jone Petrie Rafinski

Petition: for primary approval of a 2-lot minor subdivision to be known as *DAVIS* 

SUBDIVISION.

Location: north side of Lakeview Dr. 950 ft. west of SR 19/Cassopolis St., common

address of 26587 Lakeview Dr. in Osolo Township. (MI-0458-2024)

D. Petitioner: Lein, LLC (page 4)

represented by Advanced Land Surveying of Northern Indiana, Inc.

Petition: for primary approval of a 3-lot minor subdivision to be known as LEJN

MINOR SUBDIVISION.

west side of SR 13, south of CR 12, common address of 55171 SR 13 in Location:

Middlebury Township.(MI-0459-2024)

The Elkhart County Plat Committee is meeting on Thursday August 8, 2024, at 9:00 am in Rooms 104, 106 & 108 of the Administration Building, Goshen, Indiana. Pursuant to advice of the Indiana Public Access Counselor, general public comment will not be permitted at this public meeting on non-public hearing matters. To the extent you wish to make comment remotely during any public hearings scheduled during this public meeting, please call (574) 971-4678 to learn how to remotely submit your public comment for the public hearing. The public is encouraged to attend the meeting remotely by going to www.elkhartcountyplanninganddevelopment.com at 9:00 am on August 8, 2024 If you have further questions regarding how to remotely attend the public meeting please call (574) 971-4678. https://elkhartcountyin.webex.com/elkhartcountyin/j.php?MTID=me49879b63106858c7c77adf3968b

b0b2

#### **MINUTES**

# ELKHART COUNTY PLAT COMMITTEE MEETING HELD ON THE 11TH DAY OF JULY 2024 AT 9:00 A.M. IN THE MEETING ROOM OF THE ADMINISTRATION BUILDING 117 N. $2^{ND}$ ST., GOSHEN, INDIANA

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairman, Lori Snyder. The following staff members were present: Mae Kratzer, Plan Director; Jason Auvil, Planning Manager; Danielle Richards, Planner; Danny Dean, Planner; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder.

**Absent: Steven Clark.** 

- 2. A motion was made and seconded (*Edwards/Barker*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 13th day of June 2024, be approved as submitted. The motion was carried with a unanimous vote.
- 3. A motion was made and seconded (*Edwards/Snyder*) that the Elkhart County Development Ordinance be accepted as evidence for today's hearings. The motion was carried with a unanimous vote.
- 4. The application for primary approval of a 2-lot minor subdivision to be known as DENNIS R. SETTERBERG, for Galen D. Bontrager & Demetria A. Bontrager, Husband & Wife represented by Midwest Land Surveying, LLC, on property located on the east side of CR 127, 1,300 ft. north of CR 29, common address of 69234 CR 127 in Jackson Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0321-2024*.

Mr. Edwards stated his copy of the plat was blurry and could not make out what was on the site plan. Mrs. Richards explained the home was built. She stated there was a primary residence, an accessory dwelling, and a third residence was added.

The Board examined said request, and after due consideration and deliberation:

**Motion:** Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steve Edwards that this request for primary approval of a 2-lot minor subdivision to be known as DENNIS R. SETTERBERG be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

5. The application for primary approval of a 1-lot minor subdivision to be known as DANIEL'S CR 50 MINOR, for Daniel F. Graber & Barbara Ann L. Graber, Husband & Wife represented by B. Doriot & Associates, Inc., on property located on the north side of CR 50, 260 ft. west of CR 35, common address of 14037 CR 50 in Benton Township, zoned A-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0376-2024*.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Steve Warner, Seconded by Phil Barker that this request for primary approval of a 1-lot minor subdivision to be known as DANIEL'S CR 50 MINOR be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

The application for primary approval of a 1-lot minor subdivision to be known as 6. HARMONY HALL, for Yuriy & Tetyana Astakhov represented by Abonmarche Consultants, on property located on the north side of CR 20, 2,490 ft. west of CR 19, in Jefferson Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as Case #MI-0311-2024.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Phil Barker, Seconded by Steve Edwards that this request for primary approval of a 1-lot minor subdivision to be known as HARMONY HALL be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for primary approval of a 3-lot minor subdivision to be known as JEFFERSON FARMS, for Shawn R. Schrader & Erin E. Schrader Co-Trustees of the Shawn R. & Erin E. Schrader Trust represented by Abonmarche Consultants, on property located on the west side of CR 27, 2,290 ft. north of CR 24, common address of 59097 CR 27 in Jefferson Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as Case #MI-0312-2024.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Lori Snyder, Seconded by Phil Barker that this request for primary approval of a 3-lot minor subdivision to be known as JEFFERSON FARMS be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

The application for primary approval of a 1-lot minor subdivision to be known as 8. GARY MILLER CR 38 MINOR SUBDIVISION, for AMMF Trustee Corporation represented by Wightman & Associates, Inc., on property located on the south side of CR 38, 800 ft. east of Ash Road, common address of 30846 CR 38 in Olive Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as Case #MI-0313-2024.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Steve Edwards, Seconded by Lori Snyder that this request for primary approval of a 1-lot minor subdivision to be known as GARY MILLER CR 38 MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

9. The application for secondary approval of a 34-lot major subdivision to be known as HIDEAWAY AT HERITAGE PINES, for Triple I Enterprises LLC represented by Abonmarche Consultants, on property located on the south side of SR 120, 3,620 ft. west of CR 35, in York Township, zoned A-1, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as Case #MA-0380-2024.

Mr. Warner asked for details about the septic systems.

Crystal Welsh, Abonmarche Consultants, 303 River Race Dr., Goshen, was present representing the petitioner. She stated during the primary and secondary approval process, soil borings were taken as a sample. Mrs. Welsh explained that as the construction phase progresses and a building permit is applied for, they will obtain the septic permits individually. She also mentioned that soil borings were not conducted on each individual lot.

The Board examined said request, and after due consideration and deliberation:

Motion: Action: Approve, Moved by Steve Warner, Seconded by Steve Edwards that this request for secondary approval of a 34-lot major subdivision to be known as HIDEAWAY AT HERITAGE PINES be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

10.	The meeting was adjourned at 9:10 AM
Respe	ectfully submitted,
Ambe	er Weiss, Recording Secretary

Prepared by the Department of Planning and Development

Hearing Date: August 8, 2024

Transaction Number: MI-0448-2024.

*Parcel Number(s):* 20-15-25-200-024.000-018.

Existing Zoning: A-1.

Petition: For primary approval of a 2-lot minor subdivision to be known as TUTTLE MINOR

SUBDIVISION.

**Petitioner:** Scott Tuttle, represented by Prince Land Surveying.

Location: East side of CR 29, 3,160 ft. south of CR 50, in Jackson Township.

*Site Description:* Proposed lot 1 is 3 acres, rectangular in shape, with a proposed residence. Proposed lot 2 is 3 acres, rectangular in shape, with a proposed residence and easement access to CR 29 across lot 1.

#### History and General Notes:

➤ August 14, 2024 – The Hearing Officer will consider a variance to allow a residence on property with no road frontage served by an access easement.

*Staff Analysis:* The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

# MI-0448-2024

### **PLAN COMMISSION & BOARD OF ZONING APPEALS**

#### **Elkhart County Planning & Development Public Services Building**

4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

Minor Subdivision - Primary

Fax - (574) 971-4578

Date: 06/28/2024		st 08, 2024 Hearing (Subdivision) Transaction #:	MI-0448-2024		
Description: for primary approval of a 2-lot minor subdivision to be known as TUTTLE MINOR SUBDIVISION.					
Contacts: Applicant Scott J. Tuttle 13165 N Eastshore Dr. Syracuse, IN 46567	Land Owner Scott J. Tuttle 13165 N Eastshore Dr. Syracuse, IN 46567	Private Surveyor Prince Land Surveying Llc P.O. Box 805 Winonna Lake, IN 465900805			
Site Address: 00000 Cr 29 SYRACUSE, IN	46567	Parcel Number: 20	)-15-25-200-024.000-018		
Township: Jackson Location: EAST SIDE OF CR	29, 3,160 FT SOUTH OF CR 50				
Subdivision:		Lot#			
Lot Area:	Frontage:	Dep	th:		
Zoning: A-1		NPO List:			
Present Use of Property:					
Legal Description:					
Comments:					
Applicant Signature:		Department Signature:			



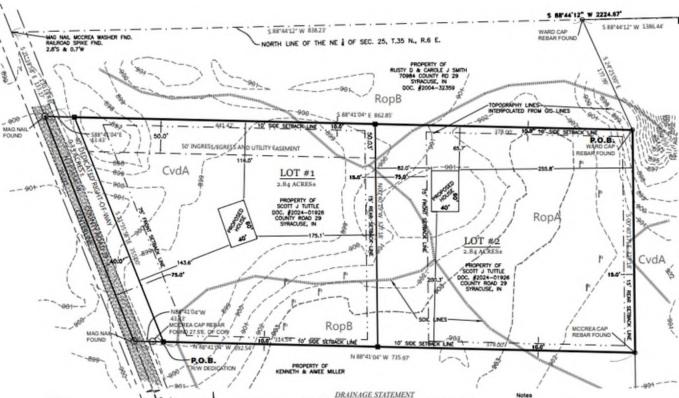




#### PRINCE LAND SURVEYING LLC PO. BOX 805 WINONA LAKE IN 46590-0805 574-549-3029 princelandsurveying.com

#### PRIMARY PLAT **TUTTLE MINOR SUBDIVISION**

6.0 ACRE TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA



JOB NUMBER 24-0612

SYRACUSE IN

SCALE 1"-60

CUENT SCOTT & TUTTLE COUNTY ROAD 29

FELD DATE JUNE 20, 2024

AN PRIAM

GISTER

No. LS22200010 STATE OF

MOINT

AND SURVE

NORTH

O to 1 percent slopes Riddles-Oshtemo fine sandyy loams.

O to 1 percent slopes FGddles-Oshtemo fine sondyy looms,

**SOILS LEGEND** 

CvdA - Crosier loam,

The maintenance of all dininge facilities, including culverts, and swoles, shall be the responsibility of each owner, and noner shall permit, allow, or couse any of said facilities to be obstructed or removed or to in any way impacts the flow of water across or through said facilities. In the event any such facilities become damaged or in disrepoir, it shall be the responsibility of the lot owner to repair such facilities or

in the event of owner's follure to maintain such drainage facilities in good order and repair, appropriate governmental authority of Elkhart County, Indiana, may repair such drainage facilities and invoice the costs of such repair to the last owner. Elkhort County, Indiana, is granted an easement ocross a lot owner's real estate for the purpose of repairing any drainage facilities on said lot owner's real estate. The amount crainings recitities on soid into owner's result estate. The amount of any dissement for the costs of such repoil, as assessed by sold governmental authority, shall constitute a lien upon the real estate of the lot owner and an encumbrance upon the title to sold lot.

Elkhart County, Indiana, is further granted a right of action for the collection of said indebtedness from the lot center and for the foreclosure of said lies in the manner in which mortgages are foreclosed under the laws of the State of Indiana, Any such collection and/or foreclosure actions shall be maintained in the courts of general jurisdiction of the State of Indiana and shall be commenced in Elkhart County, Indians.

I offirm, under the penalties for perjury, that I have taken reasonable care to reduct each Social Security Humber in this socurent, unless required by law.

The basis of bearings this survey are based upon INDOT VRS Base, using NAD63 Indiana East coordinate system with a Topcon Hiper VR GPS.

No title commitment or obstract of title was provided in this survey. A complete title search may reveal information that may change portions of this

This survey is subject to any building setback per Elkhart County zoning regulations and any drainage

Soll overlays were taken from Natural Resources Conservation Service, Elkhart County, Indiana. Topographic lines were taken from Elkhart GIS and adjusted to best fit field spot shots.

CE 48. C2.48 CR 50 138.52 LOCATION MAP

PAGE 1 CIF

IOR NUMBER 24-06T

#### DESCRIPTION DOCUMENT NUMBER 2024-01926

MAG NAIL W/N NE CORNER OF NE 1/4 OF SEC. COUNTY ROAD

This original description is part of the property conveyed to Jerry D. Whetten in Decument Number 2021-2997? In the Recorders Office of Elbert County, Indone, being a tract of land in the Northeast Quarter of Section 25, Tawaship 35 North, Range 6 East, Jackson Township, Elbert County, Indiano and is from a survey by Christopher W. McCrea dated January 15, 2024, Job Number Jk-23516 with John Kimpel & Rascolates and is more particularly described as follows:

Commencing at a Mag nail with a McCrea Washer at the Northeast corner of the Northeast Courter of sold Section 25 and within the right-of-way of County Road 31; thereas South 88\*4412" West (basis at bearings established by INDOT VIS Base. using NADB3 Indiana East coordinate system), along the North line of said Northeast Quarter, 1386.44 feet to the Northeast corner of Rusty and Corole Smith's property recorded in Document Number 2004-32359; thence South 24'25'00" East, along the recorded in Decument Number 2004-32309; thence South 24/25/00° Cost, along the East line of solid Smith property, 177-39 feet (rescreded 175.66 feet) to a Word cap pin at the Southeast corner of sold Smith property being on the West line of the Cost Holf of solid Northeast Quorter and the Point of Beginning; thence South 00'40'19° Cest, along sold West line, 327.18 feet to a McCros cap pin; thence North 88'41'04° West, 755.97 feet to a Mag noll with a McCros washer on the contentine of County Rood 20; thence North 21'35'58° West, along sold centerine, 355.00 feet to a Mag noll with a McCros washer at the Southwest corner of sold Smith property; thence South 88'41'04° East, along the South line of sold Smith property. 562.85 feet (recorded 560.74 feet) to the Point of Beginning, containing 6.00 acres

Subject to all covenants, easements, or restrictions of record and all applicable building and zoning laws and ordinances and possible rights-of-way and rights of

#### RIGHT-OF-WAY DEDICATION DESCRIPTION

This original description is part of property conveyed to Scott J. Tuttle in Document Number 2024-01926 is the Recorders Office of Eshart County, Indiana, being a tract of land in the Northeast Quarter of Section 25, Te

Commencing at a Mag Nail with a McCrea washer at the Northeast corner of the Northeast Guarter of said Section 25 being within the right-of-way of County Road 31; thence South 85'412' West (loss of bearing established by INCOT VRS Base, using NAOE3 Indiana East coordinate system), along the North fine of said Northeast Course of Rusty and Caralle Northeast Quorter, 1366.44 feet to the Northeast corner of Rusty and Carale Smith's grosperty recarded in Document Number 2004—23259; thence South 247250° Cost, along the Cast line of sold Smith property, 177.99 feet (recorded 175,66 feet) to a Ward cap rebor at the Southeast corner of sold Smith property being on the West line of the East Half of sold Northeast Quorter; therae South 00/4019° Cast, clong sold West line, 327.16 feet to a Wickrox cap rebor; thence North 86/4104° West, 692.54 feet to a Prince ap rebor at the Point of Beginning; thence North 86/4104° West, 43.45 feet to a Mag nation with a McCrea washer on the centerline of County Road 29; thance North 213556° West, along sold centerline, 355.00 feet to a Mag nation with a McCrea washer on the Centerline of County Road 29; thance North 213556° West, along sold centerline, 355.00 feet to a Mag nation with a McCrea washer at the Southwest corner of acid Smith property, thance South 86/4104° East, doing the South Rea of sold Smith property, AlAJ feet to a Prince cap rebor; therae South 21135/65° Cast, 355.00 feet to the Point of Beginning, containing 0.33 cores more or less.

#### PLAN COMMISSION APPROVAL

This Subdivision is found to be in compliance with the Elikhart County Subdivision Control Ordinance and the dedications shown on this Part are hereby approved and accepted to the benefit of Elikhart County this \_\_\_\_\_\_\_ day of

ELKHART COUNTY PLAN COMMISSION

Mae Kratzer, Plan Director

#### A1 ZONING SETBACKS

'RYAN PRINCE LS-22200010'

20,000 SQFT MIN. LOT AREA W/O SEWER 30" MAX. HEIGHT BUILDINGS 75" ROAD/FRONT SETBACK

LEGEND

Section Corner - 23

Monument Found = 0 Set 5/8" Relser with ID Cap-

Soli Boring Location +

15' REAR SETBACK 10' SIDELINE SETBACK MAX. LOT COVERAGE 25% 100" MIN. LOT WIDTH

E Ryan Prince, hereby certify that I am a registered Professional Surveyor, licensed in compliance with the the laws of the State of Indiana; That this plat correctly represents a surveyed completed or certified by me dated this 24th day of June 2024. The location, size, and material of all monuments are accurately shown, and monuments will be installed in accordance with the provisions of the Platting Ordinance:

mune RYAN PRINCE

INDIANA LAND SURVEYOR # 22200010

Prepared by the **Department of Planning and Development** 

Hearing Date: August 8, 2024

Transaction Number: MI-0451-2024.

*Parcel Number(s):* 20-03-30-201-001.000-030.

Existing Zoning: A-1.

**Petition:** For primary approval of a 2-lot minor subdivision to be known as JACOB'S CORNER MINOR

SUBDIVISION.

**Petitioner:** Jeffrey Chupp, represented by Land & Boundary LLC.

Location: South side of CR 6, 2,260 ft. east of CR 17, in Washington Township.

*Site Description:* Proposed lot 1 is 0.5 acres, rectangular in shape, with an existing residence. Proposed lot 2 is 0.5 acres, rectangular in shape, with a proposed residence.

#### History and General Notes:

None.

*Staff Analysis:* The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

# MI-0451-2024

### **PLAN COMMISSION & BOARD OF ZONING APPEALS**

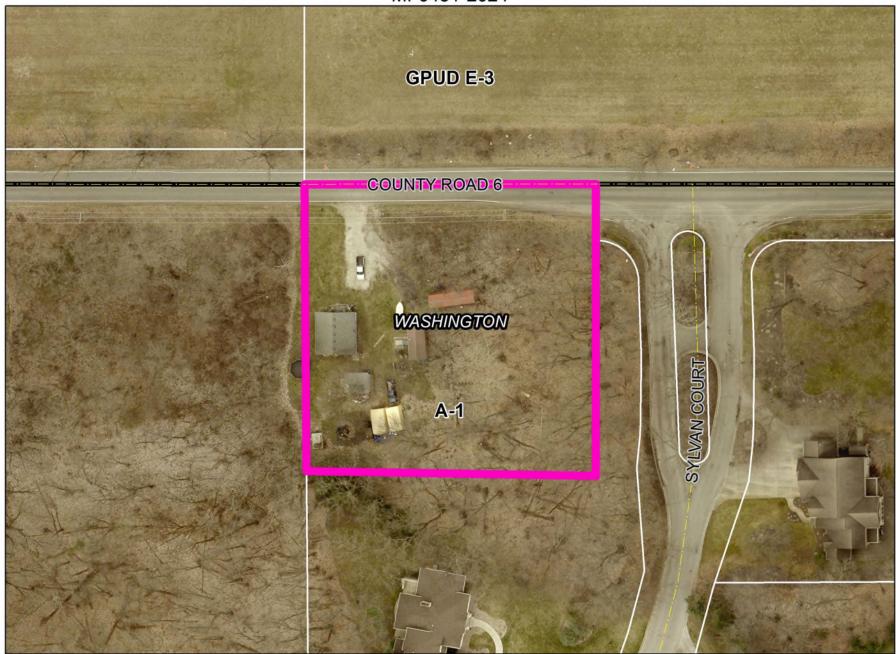
#### **Elkhart County Planning & Development Public Services Building**

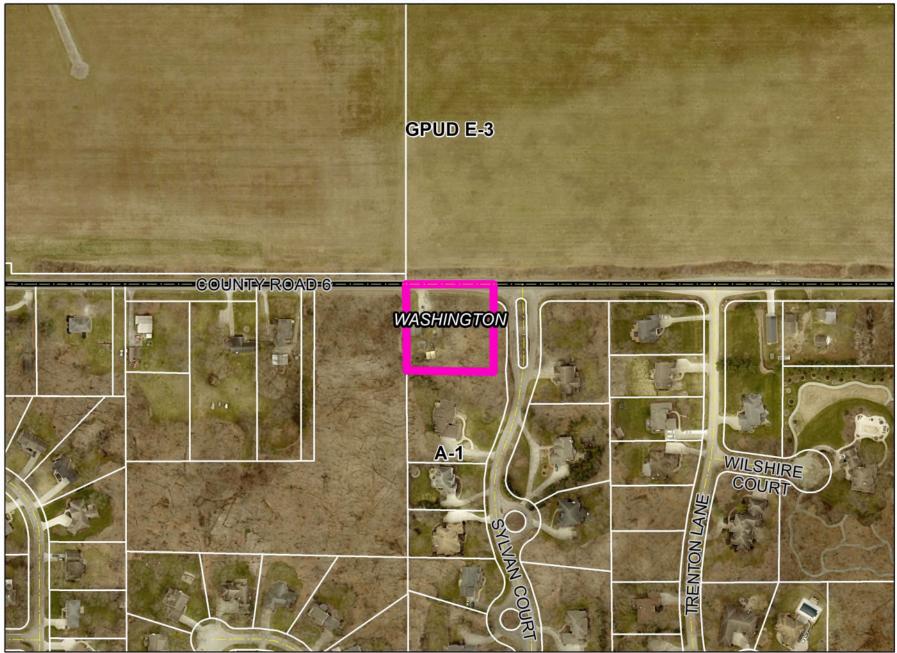
4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678

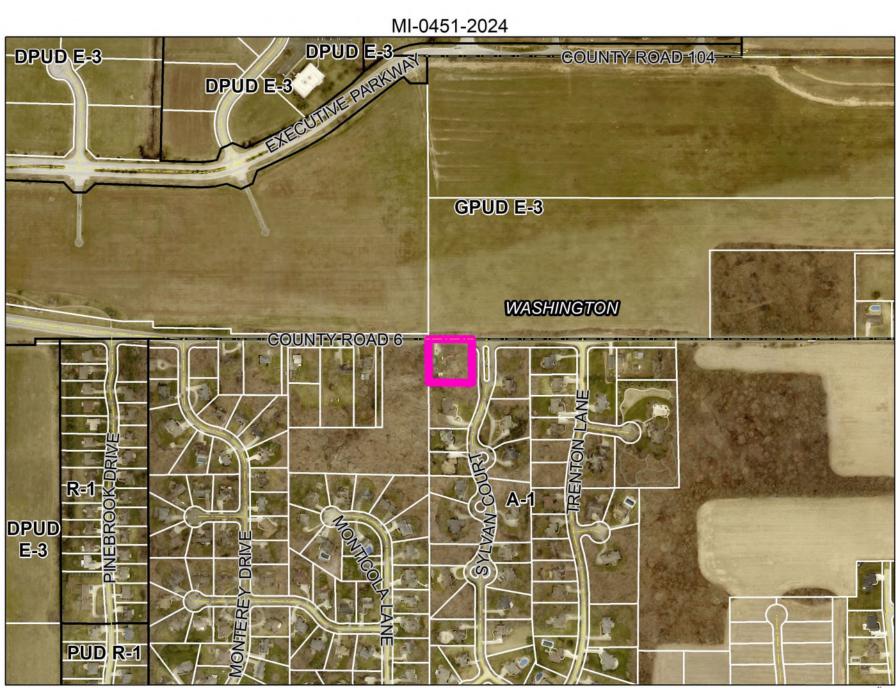
Minor Subdivision - Primary

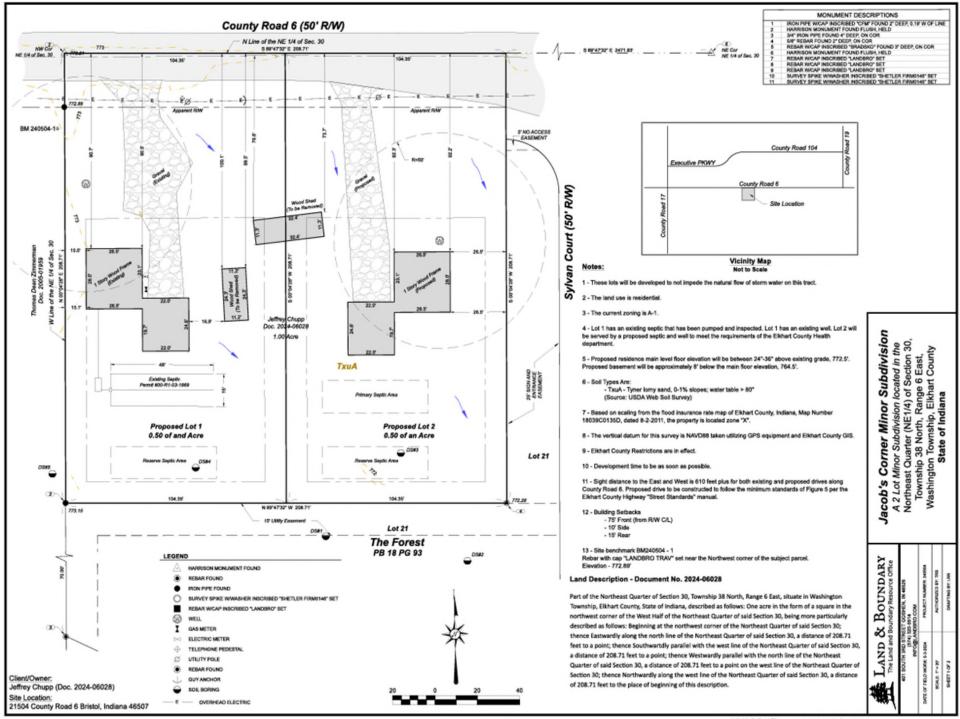
Fax - (574) 971-4578

Date: 07/01/2024		st 08, 2024 Hearing (Subdivision)	Transaction #: MI-0451-2024		
Description: for primary approval of a 2-lot minor subdivision to be known as JACOB'S CORNER MINOR SUBDIVISION					
Contacts: Applicant  Land & Boundary Llc  401 South 3Rd St  Goshen, IN 46526	Authorized Agent Land & Boundary Llc 401 South 3Rd St Goshen, IN 46526	Land Owner  Jeffrey Chupp 69710 Sunset Blvd Union, IN 49130	Private Surveyor Land & Boundary Llc 401 South 3Rd St Goshen, IN 46526		
Site Address: 21504 Cr 6 BRISTOL, IN 4	6507	Parcel Number:	20-03-30-201-001.000-030		
Township: Washington Location: SOUTH SIDE OF CI	R 6. 2260 FT. EAST OF CR 17				
Subdivision:		Lot #			
Lot Area:	Frontage:	•	Depth:		
Zoning: A-1		NPO List:			
Present Use of Property:					
Legal Description:					
Comments: PERMITS BR-0720-2	024, BR-0721-2024				
Applicant Signature:		Department Signature	e:		









Prepared by the Department of Planning and Development

Hearing Date: August 8, 2024

Transaction Number: MI-0458-2024.

*Parcel Number(s):* 20-02-17-326-026.000-026, 20-02-17-326-025.000-026.

Existing Zoning: R-2.

**Petition:** for primary approval of a 2-lot minor subdivision to be known as DAVIS SUBDIVISION.

**Petitioner:** Jonathan Paul Davis, represented by Jone Petrie Rafinski.

Location: north side of Lakeview Dr., 950 ft. west of SR 19/Cassopolis St., in Osolo Township.

*Site Description:* Proposed lot 1 is 1.61 acres and irregular in shape, with an existing residence and detached accessory structures. Proposed lot 2 is 0.46 acres, rectangular in shape, with an existing residence, existing detached accessory structures, and an existing pool.

#### History and General Notes:

None.

*Staff Analysis:* The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

# MI-0458-2024

## **PLAN COMMISSION &**

#### **Elkhart County Planning & Development Public Services Building**

**BOARD OF ZONING APPEALS** 4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678 Minor Subdivision - Primary Fax - (574) 971-4578 August 08, 2024 07/01/2024 MI-0458-2024 Date: Meeting Date: Transaction #: Plan Commission Hearing (Subdivision) Description: for primary approval of a 2-lot minor subdivision to be known as DAVIS SUBDIVISION Contacts: Applicant Land Owner Private Surveyor Jones Petrie Rafinski Jonathan Paul Davis Jones Petrie Rafinski 325 S Lafayette Blvd 26587 Lakeview Dr 325 S Lafayette Blvd South Bend, IN 46601 Elkhart, IN 46514 South Bend, IN 46601 20-02-17-326-025.000-026 Site Address: 26587 Lakeview Dr Parcel Number: ELKHART, IN 46514 20-02-17-326-026.000-026 Osolo Township: NORTH SIDE OF LAKEVIEW DRIVE, 950 FEET WEST OF SR 19 / CASSOPOLIS ST Location: 97 Subdivision: LAKE VIEW ADD Lot# Lot Area: Frontage: Depth: Zoning: R-2, R-2 NPO List:

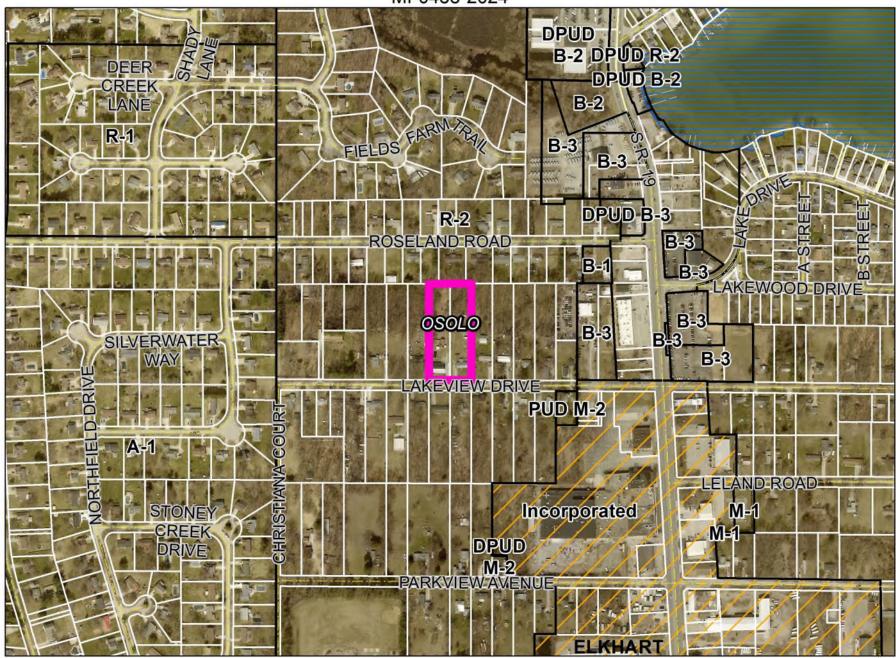
Present Use of Property:

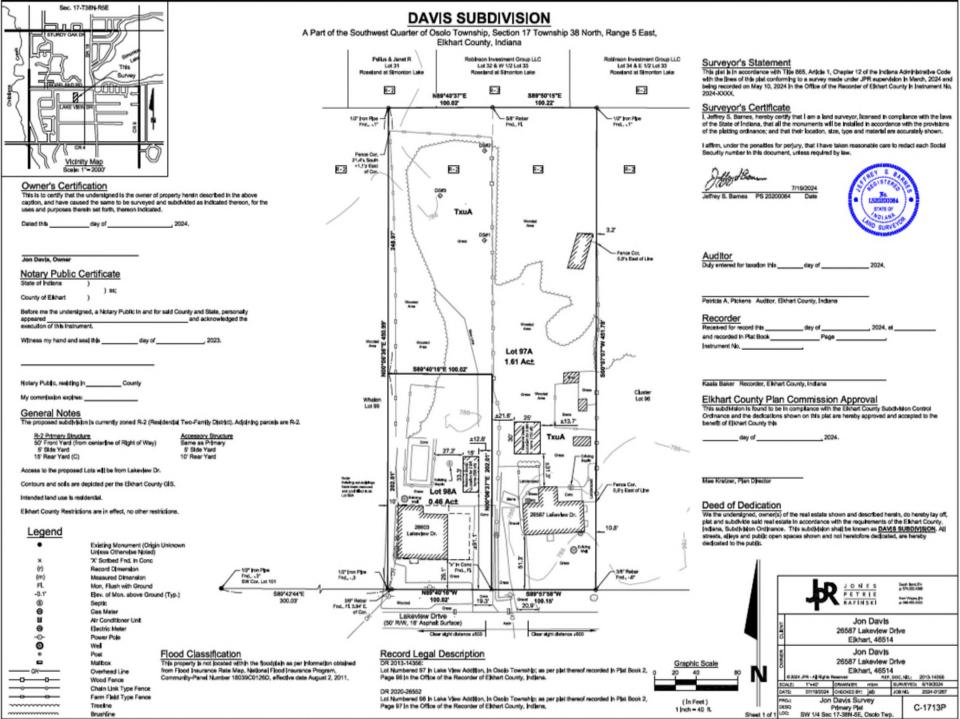
Legal Description:

OK TO PROCEED PER MAE - KB 7/1/2024 Comments:

Applicant Signature: Department Signature:







Prepared by the Department of Planning and Development

Hearing Date: August 8, 2024

Transaction Number: MI-0459-2024.

*Parcel Number(s):* 20-08-02-100-003.000-034, 20-08-02-100-004.000-034.

Existing Zoning: A-1.

**Petition:** for primary approval of a 3-lot minor subdivision to be known as LEJN MINOR SUBDIVISION.

**Petitioner:** Lejn, LLC, represented by Advanced Land Surveying of Northern Indiana, Inc.

**Location:** west side of SR 13, 1,060 ft. south of CR 12, in Middlebury Township.

**Site Description:** Proposed lot 1 is 5.73 acres and irregular in shape, with existing accessory structures. Proposed lot 2 is 0.66 acres and irregular in shape, with an existing single-family residence. Proposed lot 3 is 0.64 acres and irregular in shape, with an existing single-family residence and detached accessory structure.

#### History and General Notes:

None.

*Staff Analysis:* The staff, after reviewing this petition with the assistance of the Elkhart County Technical Committee, finds that this primary approval request meets the requirements of the Development Ordinance.

# MII-0459-2024

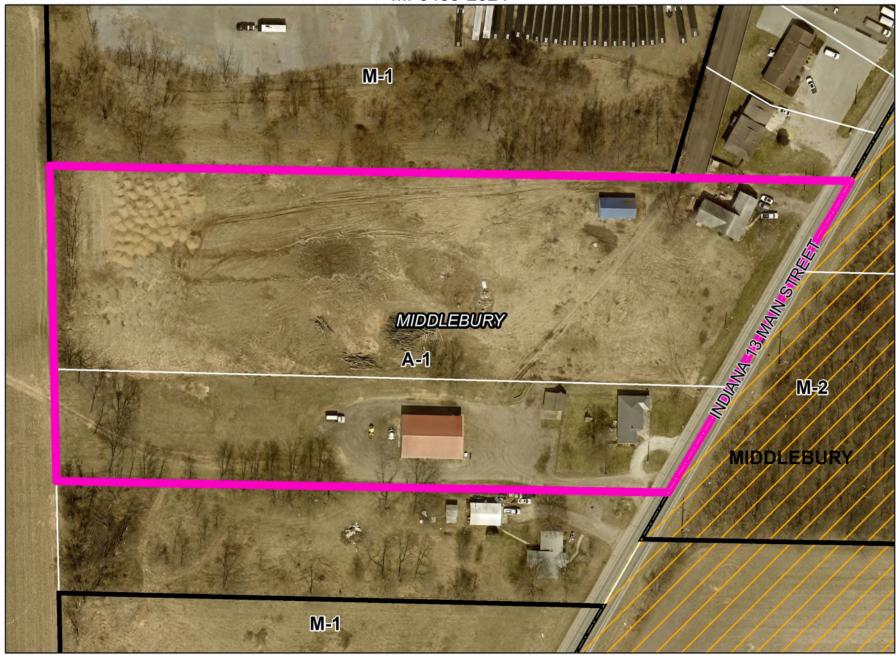
# PLAN COMMISSION & BOARD OF ZONING APPEALS

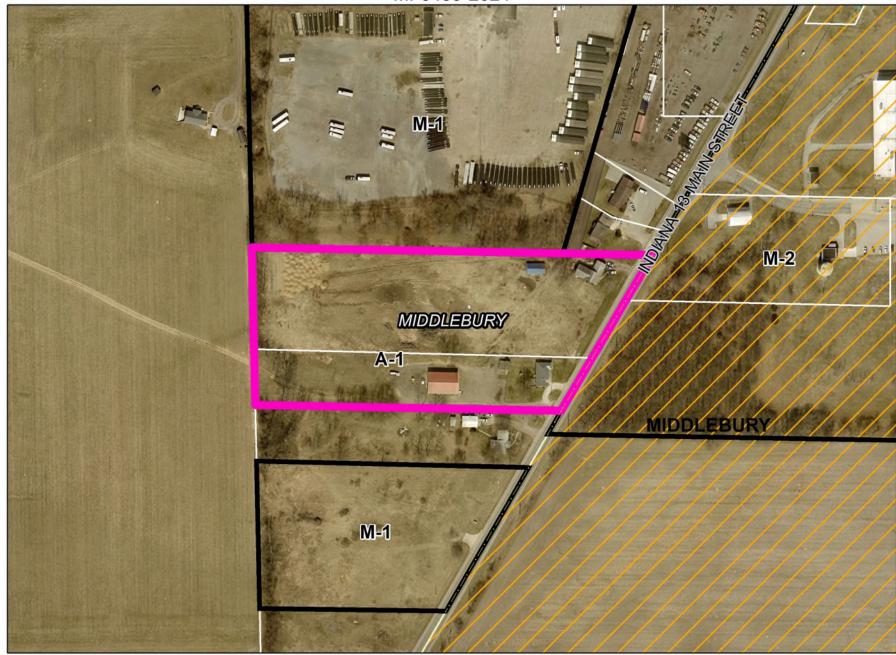
#### Elkhart County Planning & Development Public Services Building

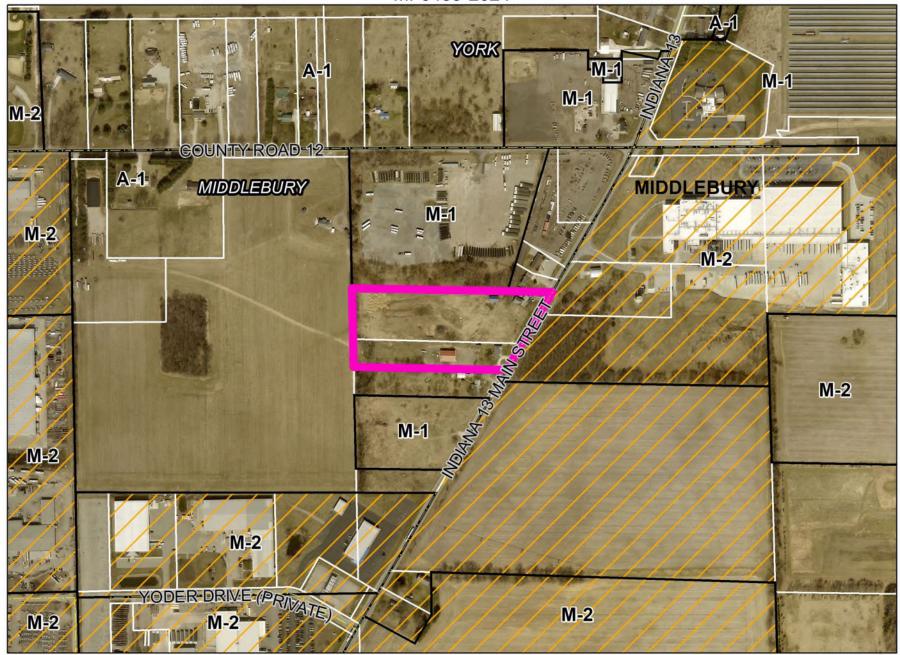
4230 Elkhart Road, Goshen, Indiana, 46526 Phone - (574) 971-4678 Fax - (574) 971-4578

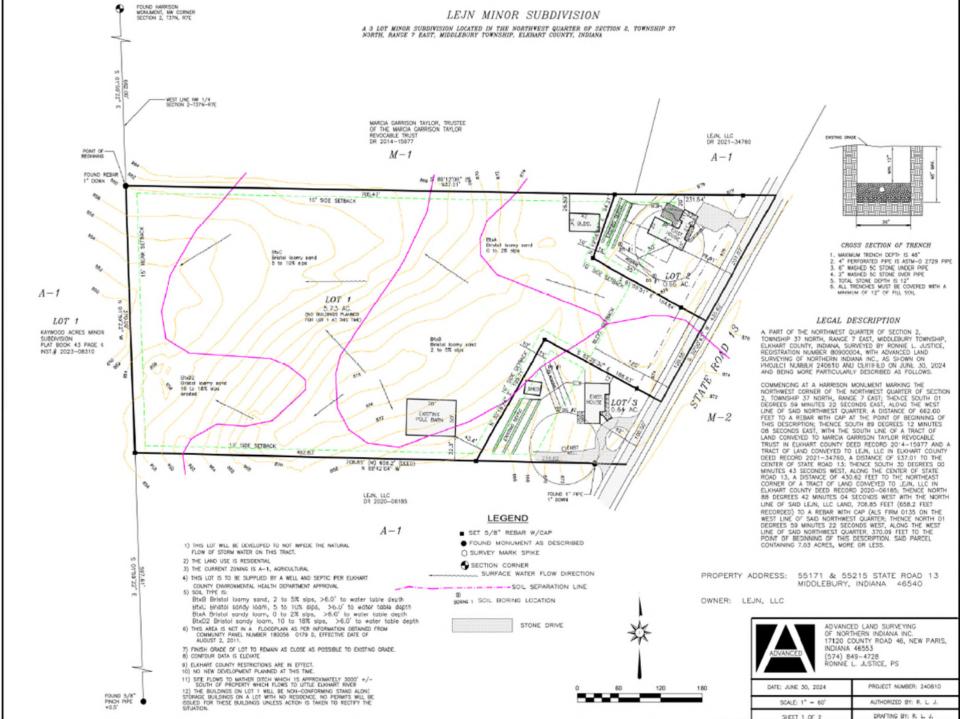
Minor Subdivision - Primary

August 08, 2024 07/01/2024 MI-0459-2024 Date: Meeting Date: Transaction #: Plan Commission Hearing (Subdivision) Description: for primary approval of a 3-lot minor subdivision to be known as LEJN MINOR SUBDIVISION Contacts: Applicant Land Owner Private Surveyor Advanced Land Surveying Of Lejn, Llc Advanced Land Surveying Of Northern Indiana, Inc. 11751 County Road 12 Northern Indiana, Inc. 17120 County Road 46 Middlebury, IN 46540 17120 County Road 46 New Paris, IN 46553 New Paris, IN 46553 Site Address: 55215 Sr 13 Parcel Number: 20-08-02-100-003.000-034 20-08-02-100-004.000-034 MIDDLEBURY, IN 46540 Middlebury Township: WEST SIDE OF SR 13, 1,150 FEET SOUTH OF CR 12 Location: Subdivision: Lot# Lot Area: Frontage: Depth: A-1 Zoning: NPO List: Present Use of Property: Legal Description: Comments: Applicant Signature: Department Signature:









#### LEJN MINOR SUBDIVISION

A 3 LOT MINOR SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA

STATEMENT OF COMPLIANCE					
THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELEMART COUNTY SUBDIVISION CONTROL ORTHONORS AND THE INTENTATIONS SHOWN for THE PLAT ARE HERSTRY APPRINCED AND ACCEPTED TO THE BENEFIT OF ELEMART COUNTY THIS					
ELICHART COUNTY PLAN COMMISSION					
MAE KHALZEN, PLAN DIRECTOR					
RECORDER					
RECEIVED FOR RECORD THISDAY OF2024					
AT AND RECORDED IN PLAT BOOKPAGE					
KAALA BAKER - RECORDER OF ELKHART COUNTY					
AUDITOR					
DULY ENTERED FOR TAXATION THISDAY OF2024					
and the second state of the second se					
PATRICIA A. PICKINS - AUDITOR OF ELIOWAT COUNTY					
DRAINAGE MAINTENANCE CERTIFICATION:					
THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS AND SWALES SHALL BE					
THE RESPONSIBILITY OF EACH LOT OWNER, AND NO OWNER SHALL PERMIT, ALLOW OR CAUSE ANY OF SAID FACILITIES TO BE OBSTRUCTED OR REPORTED OR TO IN ANY WAY IMPEDE THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.					
IN THE EVENT ANY SUCH FACILITIES BECOMES DAMACED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE LOTY OF OWNER'S FALIRE TO MAINTAIN SUCH DRAINAGE FACILITIES IN COOL OFFICER AND REPAIR, APPROPRIATE GOVERNMENTAI, AUTHORITY OF ELXMANT COUNTY, INDIANA, MAY REPAIR SUCH DRAINAGE FACILITIES AND INMODE THE COSTS OF SUCH BEFAIR TO THE LAST OWNER. BEAUTHOR ON THE ART OWNER'S REAL ESTATE FOR THE FUNDESSE OF SAME DOT OWNER'S REAL ESTATE FOR THE FUNDESSE OF SAME DOT OWNER'S REAL ESTATE. SHE ARROWS ALL AUTHORITY STALL CONSTITUTE OF SAME OWNER'S REAL AUTHORITY STALL CONSTITUTE A LICH OFFICE REAL ESTATE OF THE LOT OWNER'S REAL AUTHORITY STALL CONSTITUTE A LICH OFFICE REAL ESTATE OF THE LOT OWNER'S REAL OWNERS AND AUTHORITY STALL CONSTITUTE TO SAME LOTS ON THE REAL ESTATE OF THE LOT OWNER'S REAL OWNERS AND AUTHORITY STALL CONSTITUTE TO SAME LOTS.					
ELMHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID INDESTEDNESS FROM THE LOT OWNER AND TOR THE FORECOUSTING OF SAID LIEN IN THE SAID RIGHT OF THE STATE OF INDIANA, ANY SUCH COLLECTION AND/OF FORECOUSTING ACTION SHALL BE CAMPATIANED IN THE COUNTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE CAMPACINED IN EXHART					

THIS SURVEY IS LOCATED IN AN AREA THAT IS CHREENTLY ZONED A-1 (AGRICULTURAL) AS SUCH NORMAL AGRICULTURAL OFFRATION IN FLAUDING THE OPERATION OF MACHINERY, THE PRIMARY PROCESSING OF AGRICULTURAL PRODUCTS, AND ALL NEWALL AGRICULTURAL, OPERATIONS PERFORMED IN ACCORDANCE WITH GOOD HUSBANDRY PRACTICES ARE PERMITTED TO BE CONDUCTED ON ADJOINING PROPERTIES.

THE BOUNDARY SURVEY FOR THIS BOUNDARY IS RECORDED IN INSTRUMENT NUMBER 2024-IN THE OFFICE OF THE RECORDER OF ELICHART COUNTY, INDIANA,

#### DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE CONNER'S) OF THE LAND DESCRIBED IN THE PLAT HEREN, AND THAT WE HAVE CAUSED THE SAME TO BE SUMPLYED AND SUBBONDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THERM SET PORTH, AND DO HEREBY AGKNOWLEDGE AND ADOPT THE PLAT UNDER THE STYLE AND TITLE THEREON INDICATED.

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, AS PROPRIETORS, HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PIAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS LEJN MINOR SUBDIVISION, THAT THE LOTS ARE NUMBERED AND HAVE THEIR RESPECTIVE DIMENSIONS GIVEN IN FEET AND DECIMAL PARTS THEREOF, AND THAT THE FACILITIES INCLUDED IN SAID SUBDIVISION ARE HEREOF (EDICATED FOR PUBLIC USE.

LOREN D. BEACHY

STATE OF INDIANA )55: COUNTY OF ELKHART )

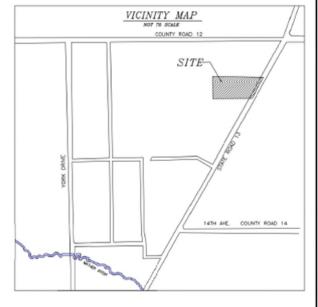
BEFORE ME THE UNDERSIONED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LORDN D. BEACHY AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE FOREGONG INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREIN EXPRESSED. WITNESS MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_\_DAY OF \_\_\_\_\_\_\_2024.

\_NOTARY

JENNIFER L. JUSTICE

RESIDENT OF ELICHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030



PROPERTY ADDRESS: 55171 & 55215 STATE ROAD 13 MIDDLEBURY, INDIANA 46540

OWNER: LEJN, LLC

I, HUNNE L. JUSTICE, AFRIKA UNDER THE PENALTIES FOR PERJURT, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY JAW.

I, RONNIE L. JUSTICE, HEREBY CERTIFY THAT I AM A LAND SURVEYOR , LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDANA, I CERTIFY THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 865, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 41 OF THE INDAMA ADMINISTRATIVE COOLE, THAT ALL MONINGRISHS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDAMA

SIGNATURE\_

RONNIE L. JUSTICE, PS IN REG. NO. 80900004

0F NOF 17120 INDIAN/ (574)	CED LAND SURVEYING RTHERN INDIANA INC. COUNTY ROAD 46, NEW PARIS, A 46553 849-4728 L. JUSTICE, PS
DATE: JUNE 30, 2024	PROJECT NUMBER: 240810
SCALE: 1" = 60"	AUTHORIZED BY: R. L. J.
SHEET 2 OF 2	DRAFTING BY: R. L. J.