

ELKHART COUNTY PLAT COMMITTEE

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

Roll Call

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

9:00 A.M.

- A. Petitioner: Middlebury Church of the Brethren Northern Indiana (page 1)
represented by Abonmarche Consultants
Petition: for primary approval of a 1-lot minor subdivision to be known as **BRISTOL AVENUE LIFT STATION MINOR SUBDIVISION**.
Location: west side of Bristol Ave. (CR 8), 515 ft. north of CR 14, common address of 505 Bristol Ave. in Middlebury Township. (MI-0004-2024)

B. Petitioner: Town of Middlebury (page 2)
represented by Abonmarche Consultants
Petition: for primary approval of a 1-lot minor subdivision to be known as **HARDWOODS LIFT STATION MINOR SUBDIVISION**.
Location: west side of S. Main St., 2,500 ft. south of US 20, in Middlebury Township. (MI-0005-2024)

C. Petitioner: Yvonne & Merle Mullet (page 3)
represented by Advanced Land Surveying of Northern Indiana, Inc.
Petition: for primary approval of a 1-lot minor subdivision to be known as **MERLE & YVONNE MULLET ACRES**.
Location: east side of CR 35, 2,700 ft. south of US 20, common address of 57520 CR 35 in Middlebury Township. (MI-0006-2024)

- D. Petitioner: Joel Lederman, Annerose Lederman, Kenyon Lederman, (page 4)
& Darcy Lederman (Buyers)
Thomas O. & Janet Zimmerman (Sellers)
represented by Advanced Land Surveying of Northern Indiana, Inc.
Petition: for primary approval of a 2-lot minor subdivision to be known as **LEDERMAN SUBDIVISION**.
Location: east side of CR 33, 1,765 ft. south of CR 108, common address of 54326 CR
33 in York Township. (MI-0007-2024)

E. Petitioner: Donald Prough & Colleen Prough, Husband & Wife (page 5)
represented by Advanced Land Surveying of Northern Indiana, Inc.
Petition: for primary approval of a 1-lot minor subdivision to be known as **PROUGH MINOR**.
Location: west side of CR 27, 500 ft. north of CR 24, in Jefferson Township.
(MI-0008-2024)

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 11TH DAY OF JANUARY 2024 AT 9:00 A.M. IN THE
MEETING ROOM OF THE ADMINISTRATION BUILDING
117 N. 2ND 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; Danny Dean, Planner; Adam Coleson, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

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

2. A motion was made and seconded (*Edwards/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 14th day of December 2023, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Warner/Edwards*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control 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 ANTONE ROAD MINOR SUBDIVISION, for Duane C. Bragg represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the southeast side of Antone Rd., 3,750 ft northwest of SR 15, common address of 51464 Antone Rd. in Washington Township, zoned A-1, was presented at this time.

Adam Coleson presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0797-2023*.

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

Motion: Action: Approved **Moved by** Steve Clark, **Seconded by** Steve Warner that this request for primary approval of a 2-lot minor subdivision to be known as ANTONE ROAD MINOR SUBDIVISION 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 GRANGER DELUXE MINOR, for Emerald Chase Land Development represented by Abonmarche Consultants, on property located on the south side of CR 1, 2,315 ft. west of CR 5, common address of 29696 CR 1 in Cleveland 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-0779-2023*.

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

Motion: Action: Approved **Moved by** Steve Warner **Seconded by** Steve Clark that this request for primary approval of a 1-lot minor subdivision to be known as GRANGER DELUXE MINOR be

approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

6. The application for primary approval of a 2-lot minor subdivision to be known as MILLERS CR 36 MINOR, for Devon Martin & Lucy Martin, Husband & Wife represented by B. Doriot & Associates, Inc., on property located on the south side of CR 36, 785 ft west of CR 15, common address of 23150 CR 36 in Harrison Township, zoned A-1, was presented at this time.

Adam Coleson presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0730-2023*.

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

Motion: Action: Approved **Moved by** Steve Warner **Seconded by** Steve Edwards that this request for primary approval of a 2-lot minor subdivision to be known as MILLERS CR 36 MINOR be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The meeting was adjourned at 9:04 AM

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: February 8, 2024

Transaction Number: MI-0004-2024.

Parcel Number(s): Part of 20-08-03-351-012.000-035.

Existing Zoning: A-1.

Petition: for primary approval of a 1-lot minor subdivision to be known as BRISTOL AVENUE LIFT STATION MINOR SUBDIVISION .

Petitioner: Middlebury Church of the Brethren Northern Indiana , represented by Abonmarche Consultants .

Location: west side of Bristol Ave. (CR 8), 515 ft. north of CR 14, in Middlebury Township.

Site Description: Proposed Outlot A is 0.18 acres (7,818 ft²) and will be used to construct a wastewater sewer lift station for the Town of Middlebury.

History and General Notes:

- **October 15, 1992** – The BZA approved a special use permit for a church.
- The proposed outlot is part of a property owned by Middlebury Church of the Brethren Northern Indiana.
- Outlot” is a term for a piece of property with a separate legal description used for open space, recreation, and or infrastructure purposes. Generally, an outlot is owned under common ownership or by a government entity.

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 Subdivision Control Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Minor Subdivision - Primary

Elkhart County Planning & Development
Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

MI-0004-2024

Date: 01/02/2024 Meeting Date: February 08, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0004-2024

Description: for primary approval of a 1-lot minor subdivision to be known as BRISTOL AVENUE LIFT STATION
MINOR SUBDIVISION

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Middlebury Church Of The Brethren Northern Indiana 507 Bristol Ave Middlebury, IN 465409048	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526

Site Address: 505 Bristol Ave
MIDDLEBURY, IN 46540

Parcel Number: Part of 20-08-03-351-012.000-035

Township: Middlebury
Location: WEST SIDE OF BRISTOL AVE (CR 8), 515 FT. NORTH OF CR 14

Subdivision: Lot #

Lot Area: Frontage: Depth:

Zoning: A-1 NPO List:

Present Use of Property:

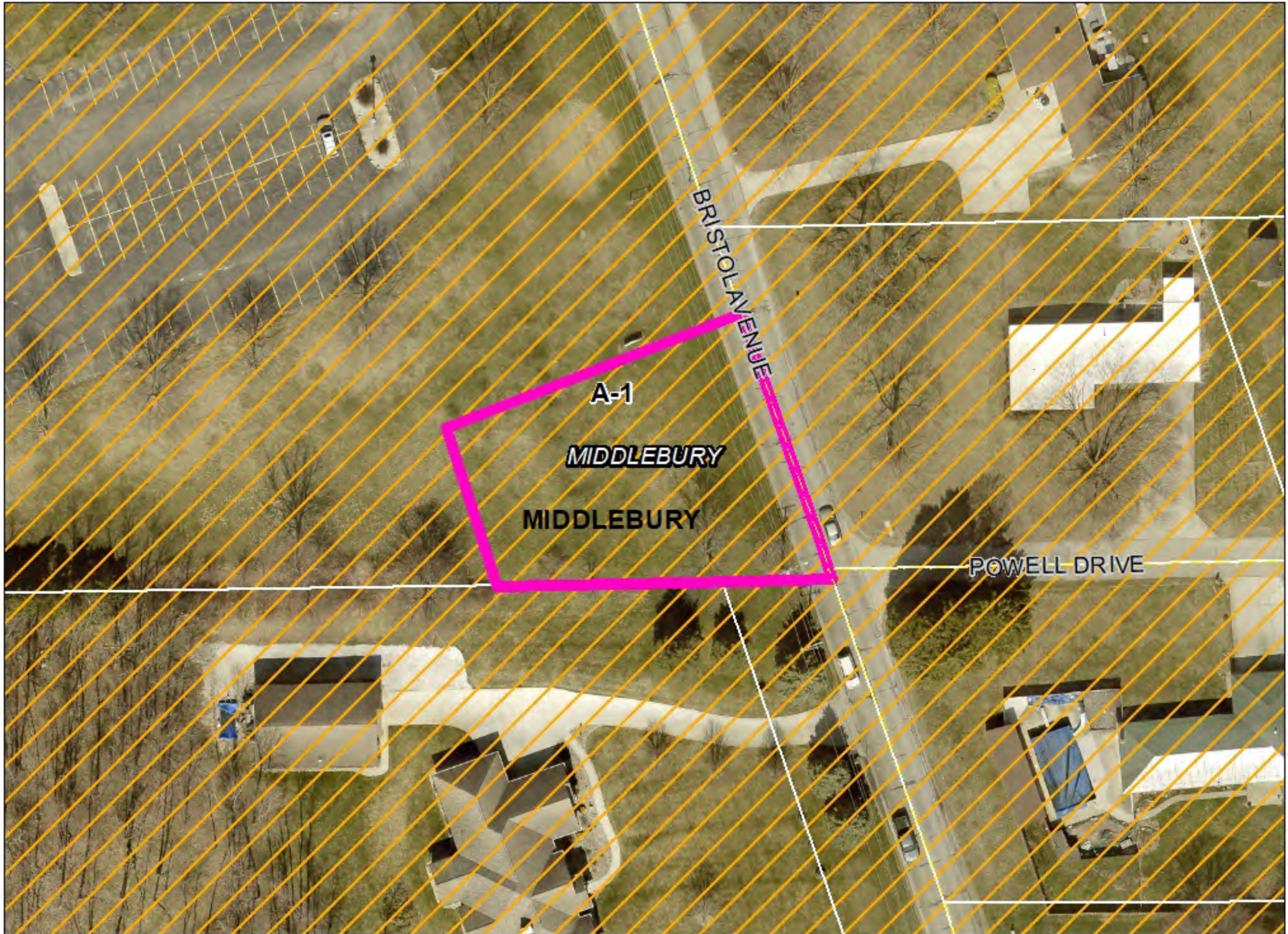
Legal Description:

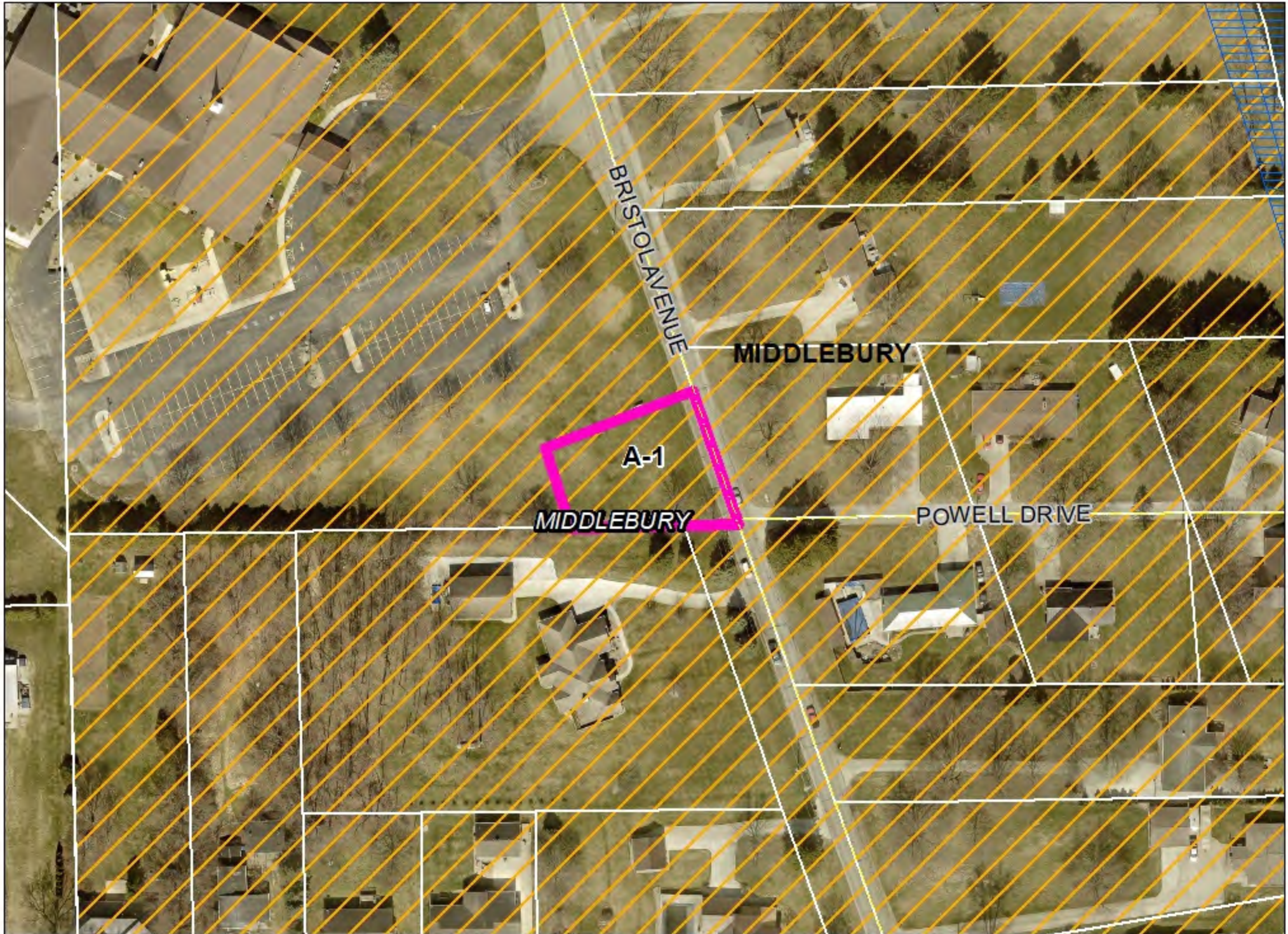
Comments:

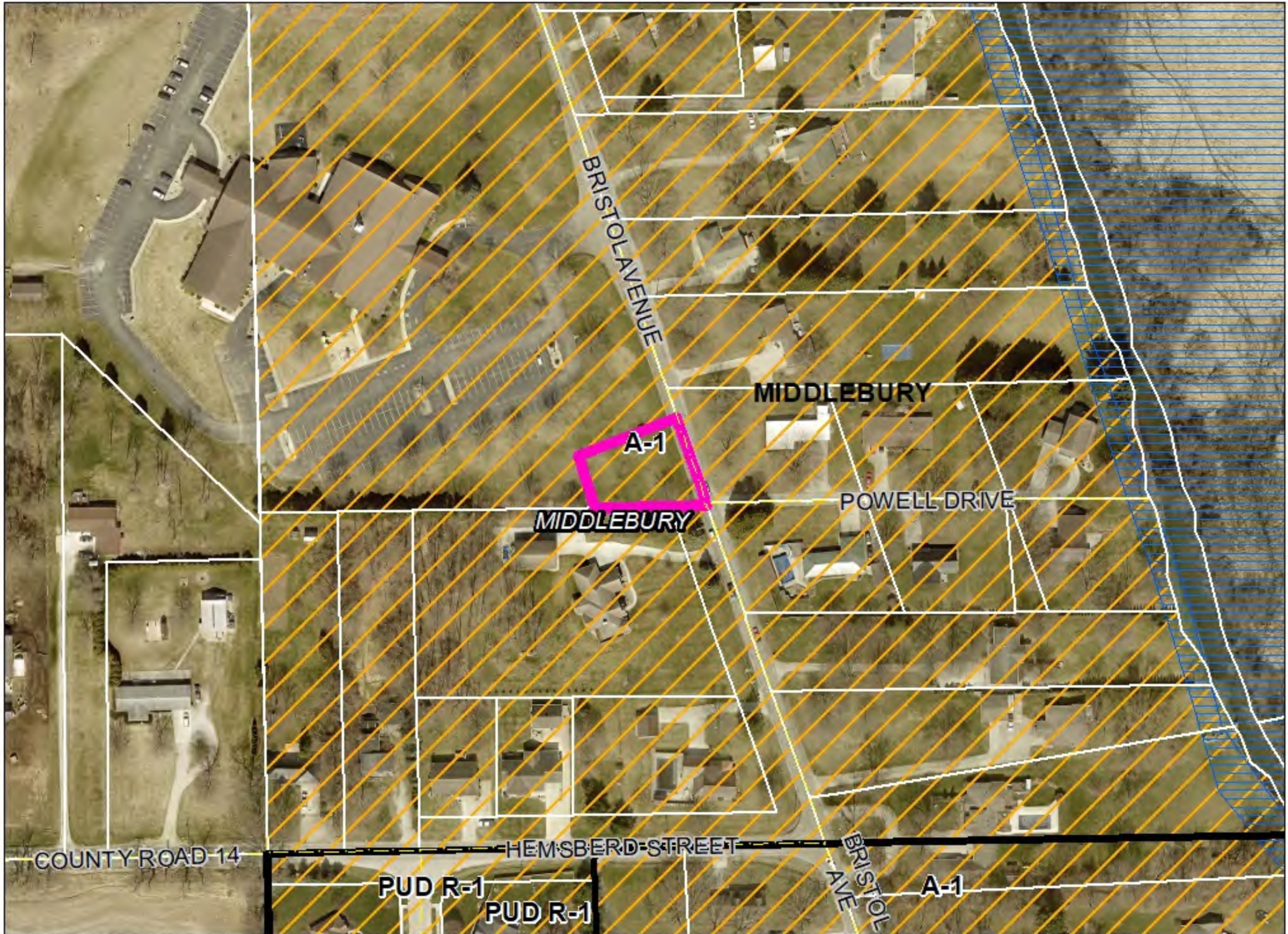
Applicant Signature:

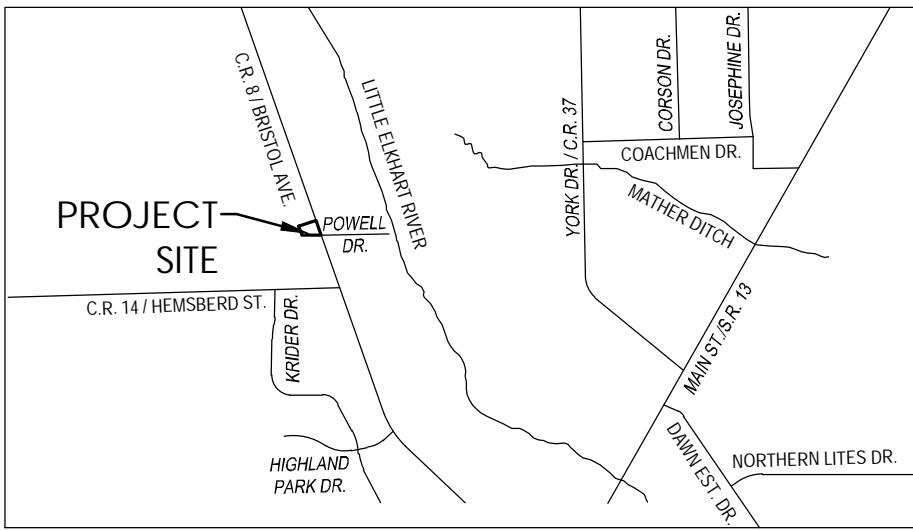
Department Signature:

MI-0004-2024









LOCATION MAP

NOT TO SCALE



TOTAL SUBDIVISION AREA
10,603 S.F.
±0.24 ACRES

AREA IN OUTLOT A
6,341 S.F.
±0.14 ACRES

AREA IN RIGHT OF WAY
4,261 S.F.
0.10 ACRES

BRISTOL AVENUE LIFT STATION MINOR SUBDIVISION

A PART OF THE SOUTHWEST QUARTER OF SECTION 3,
TOWNSHIP 37 NORTH, RANGE 7 EAST,
MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA.

LEGAL DESCRIPTION

A PART OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01°11'34" WEST, 400.11 FEET TO A REBAR WITH CAP STAMPED "BRADS-KO" ON THE SOUTH LINE OF A TRACT OF LAND DEEDED TO MIDDLEBURY CHURCH OF THE BRETHREN AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #92 029523; THENCE NORTH 88°57'29" EAST, ALONG SAID SOUTH LINE, 453.46 FEET TO A REBAR WITH CAP STAMPED "ABONMARCHÉ 0050" AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°57'29" EAST ALONG SAID SOUTH LINE, 117.62 FEET TO THE CENTERLINE OF BRISTOL STREET; THENCE NORTH 19°07'39" WEST ALONG SAID CENTERLINE, 113.06 FEET; THENCE SOUTH 70°54'05" WEST, 111.80 FEET TO A 5/8 INCH REBAR WITH CAP STAMPED "ABONMARCHÉ 0050"; THENCE SOUTH 19°07'39" EAST, 76.61 FEET TO THE POINT OF BEGINNING. CONTAINING 0.24 ACRES, MORE OR LESS.

GENERAL NOTES

ZONING LAND USE

ZONING FOR THE SUBJECT PARCEL IS CURRENTLY A-1. THE AREA IMMEDIATELY SURROUNDING THE SUBJECT PARCEL IS ENTIRELY A-1.

THE SUBJECT PARCEL IS LOCATED ON THE WEST SIDE OF BRISTOL AVENUE, DIRECTLY ACROSS FROM POWELL DRIVE. THE SUBJECT PARCEL IS UNDER THE OWNERSHIP OF THE MIDDLEBURY CHURCH OF THE BRETHREN PER INSTRUMENT #95 024073 AND IS BEING CREATED TO CONTAIN A NEW SANITARY SEWER LIFT STATION THAT THE TOWN OF MIDDLEBURY IS PLANNING TO RELOCATE FROM ITS CURRENT LOCATION ON POWELL DRIVE.

PLEASE REFER TO THE PROVIDED "LIFT STATION FACILITIES AND PIPING PLAN" PREPARED BY DONOHUE & ASSOCIATES DATED AUGUST 2023 FOR MORE INFORMATION.

THE PURPOSE OF THIS SUBDIVISION IS TO CREATE AN OUTLOT FOR A NEW TOWN SANITARY LIFT STATION.

BUILDING SETBACKS - A-1 ZONE ELKHART COUNTY

FRONT YARD = 75 FEET FROM CENTERLINE OF BRISTOL AVENUE PER THE ZONING ORDINANCE.
SIDE YARD = 10 FEET
REAR YARD = 15 FEET

DENSITY

PROPOSED PARCEL = ±0.24 ACRES
AREA OF OUTLOT A = ±0.14 ACRES
AREA OF R/W = ±0.10 ACRES

LANDSCAPING - NEW TREES WILL BE PLANTED AROUND THE NEW LIFT STATION SITE.

SIGNS - NO NEW SIGNS WILL BE INSTALLED WITH THIS SUBDIVISION.

LIGHTING - NO NEW LIGHTING WILL BE INSTALLED WITH THIS SUBDIVISION.

PARKING - NO NEW PARKING IS PROPOSED WITH THIS SUBDIVISION.

STREETS - NO NEW STREETS WILL BE CREATED WITH THIS SUBDIVISION; HOWEVER, A NEW ACCESS DRIVE IS PROPOSED ONTO BRISTOL AVENUE TO ACCESS THE NEW LIFT STATION. PLEASE REFER TO THE INCLUDED SITE PLAN FOR THE LOCATION OF THE PROPOSED ACCESS DRIVE.

SANITARY SEWER

THE TOWN OF MIDDLEBURY WILL BE PLACING A NEW SANITARY SEWER LIFT STATION ON OUTLOT A WHICH WILL BE REPLACING AN EXISTING LIFT STATION ON POWELL STREET.

WATER SUPPLY

THE NEW SANITARY SEWER LIFT STATION DOES NOT REQUIRE CONNECTION TO THE TOWN OF MIDDLEBURY MUNICIPAL WATER SYSTEM.

SOILS

THE ENTIRE SUBJECT PARCEL IS COMPOSED OF BtxA (BRISTOL LOAMY SAND, 0 TO 2% SLOPES) KNOWN TO BE AN EXCESSIVELY DRAINING SOIL WITH A PERMEABILITY RATE RANGING 6.00-20.00 INCHES PER HOUR AT A DEPTH OF 0-55 INCHES. SEASONAL HIGH WATER TABLE IS GREATER THAN 80 INCHES.

THE ABOVE SOIL INFORMATION WAS OBTAINED FROM THE "SOIL SURVEY OF ELKHART COUNTY, INDIANA" WHICH IS PUBLISHED BY THE USDA AND NRCS IN COOPERATION WITH PURDUE UNIVERSITY AND THE STATE SOIL CONSERVATION BOARD.

BENCHMARK

TBM "A" - MAG NAIL IN THE PAVEMENT AT THE INTERSECTION OF BRISTOL STREET AND POWELL DRIVE @ ELEV. = 831.67 FEET (NAVD 88)

PROJECTED DATE OF DEVELOPMENT: JUNE 2024

CONTOURS

EXISTING CONTOURS SHOWN ARE BASED ON A FIELD SURVEY PERFORMED BY ABONMARCHÉ CONSULTANTS FOR THIS MINOR SUBDIVISION. VERTICAL DATUM IS NAVD88.

FLOOD NOTE

THIS PROJECT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) (100 YEAR FLOOD BOUNDARY) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL #18039C0187D, EFFECTIVE MAP DATE: AUGUST 2, 2011.

ELEVATIONS OF BUILDINGS

NOT APPLICABLE. PROPOSED OUTLOT IS FOR A NEW TOWN LIFT STATION.

EROSION CONTROL PLAN

NO EROSION CONTROL PLAN/STORMWATER POLLUTION PREVENTION PLAN (SWPPP) IS REQUIRED, DUE TO LAND DISTURBANCE IS ANTICIPATED TO BE LESS THAN ONE ACRE OF LAND FOR THE CONSTRUCTION OF THE PROPOSED LIFT STATION AND ASSOCIATED PIPING.

PREPARED BY

ABONMARCHÉ CONSULTANTS, INC.
303 RIVER RACE DRIVE, UNIT 206
GOSHEN, IN 46526
PHONE: (574) 533-9913
FAX: (574) 533-9911

OWNER

MIDDLEBURY CHURCH OF THE BRETHREN
507 BRISTOL AVENUE
MIDDLEBURY, IN 46540

CRAIG S. BATDORFF, PS
PROFESSIONAL LAND SURVEYOR #21200006
STATE OF INDIANA

01/02/2024
DATE

NO. 1 REVISION DESCRIPTION: ADDRESSED COUNTY TECH COMMENTS BY: TRM DATE: 1/19/24



Benton Harbor
Grand Haven
Grand Rapids
Kalamazoo
Lafayette
South Bend
Goshen
Valparaiso
Hobart
Ft. Wayne
Engineering - Architecture - Land Surveying

303 River Race Drive, Unit 206
Goshen, IN 46526
1-574-533-9913
f-574-533-9911
abonmarche.com

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PROJECT:

BRISTOL AVENUE LIFT STATION
MINOR SUBDIVISION
VL, BRISTOL AVE.,
MIDDLEBURY, IN 46540

SHEET TITLE:

PRIMARY SUBDIVISION

DRAWN BY:

TRM

DESIGNED BY:

PM REVIEW:

BEM

QA/QC REVIEW:

CSB

DATE:

01/02/2024

SCALE:

HORZ: 1" = 20'

VERT:

ACI JOB #

23-1994

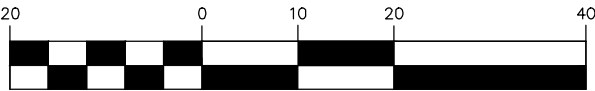
SHEET NO.

1 of 1

LEGEND

- SCI = SET 5/8" REBAR "ABONMARCHÉ 0050"
- FCI = FOUND CAPPED IRON
- FIR = FOUND REBAR
- FMAG = FOUND MAG NAIL
- W = WATER VALVE
- G = GAS VALVE
- PP = POWER POLE
- MH = MANHOLE
- ← = GUYWIRE
- [XXX]--- = EXISTING GROUND CONTOUR
- TBM "A" = BENCHMARK LOCATION
- A-1 = ZONING
- BtxA = SOIL DESIGNATION

GRAPHIC SCALE



(IN FEET)

1 inch = 20 ft.

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: February 8, 2024

Transaction Number: MI-0005-2024.

Parcel Number(s): 20-08-22-177-014.000-035.

Existing Zoning: M-1.

Petition: for primary approval of a 1-lot minor subdivision to be known as HARDWOODS LIFT STATION MINOR SUBDIVISION .

Petitioner: Town of Middlebury, represented by Abonmarche Consultants .

Location: west side of S. Main St., 2,500 ft. south of US 20, in Middlebury Township.

Site Description: Proposed Outlot A is 0.26 acres (11,326 ft²) and will be used to construct a wastewater sewer lift station for the Town of Middlebury.

History and General Notes:

- The proposed outlot is part of Lot 1 of the Replat of Lots 1, 4, 5, & 6 Middlebury Industrial Park subdivision.
- “Outlot” is a term for a piece of property with a separate legal description used for open space, recreation, and or infrastructure purposes. Generally, an outlot is owned under common ownership or by a government entity.

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 Subdivision Control Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

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

Date: 01/02/2024 Meeting Date: February 08, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0005-2024

Description: for primary approval of a 1-lot minor subdivision to be known as HARDWOODS LIFT STATION MINOR
SUBDIVISION

Contacts: <u>Authorized Agent</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Abonmarche Consultants	Town Of Middlebury	Abonmarche Consultants
303 River Race Dr. Suite 206	418 N Main St	303 River Race Dr. Suite 206
Goshen, IN 46526	Middlebury, IN 46540	Goshen, IN 46526

Site Address: 00000 State Road 13
MIDDLEBURY, IN 46540

Parcel Number: 20-08-22-177-014.000-035

Township: Middlebury
Location: WEST SIDE OF SOUTH MAIN ST, 2,500 FT. SOUTH OF US 20

Subdivision: Lot #

Lot Area: Frontage: Depth:

Zoning: M-1 NPO List:

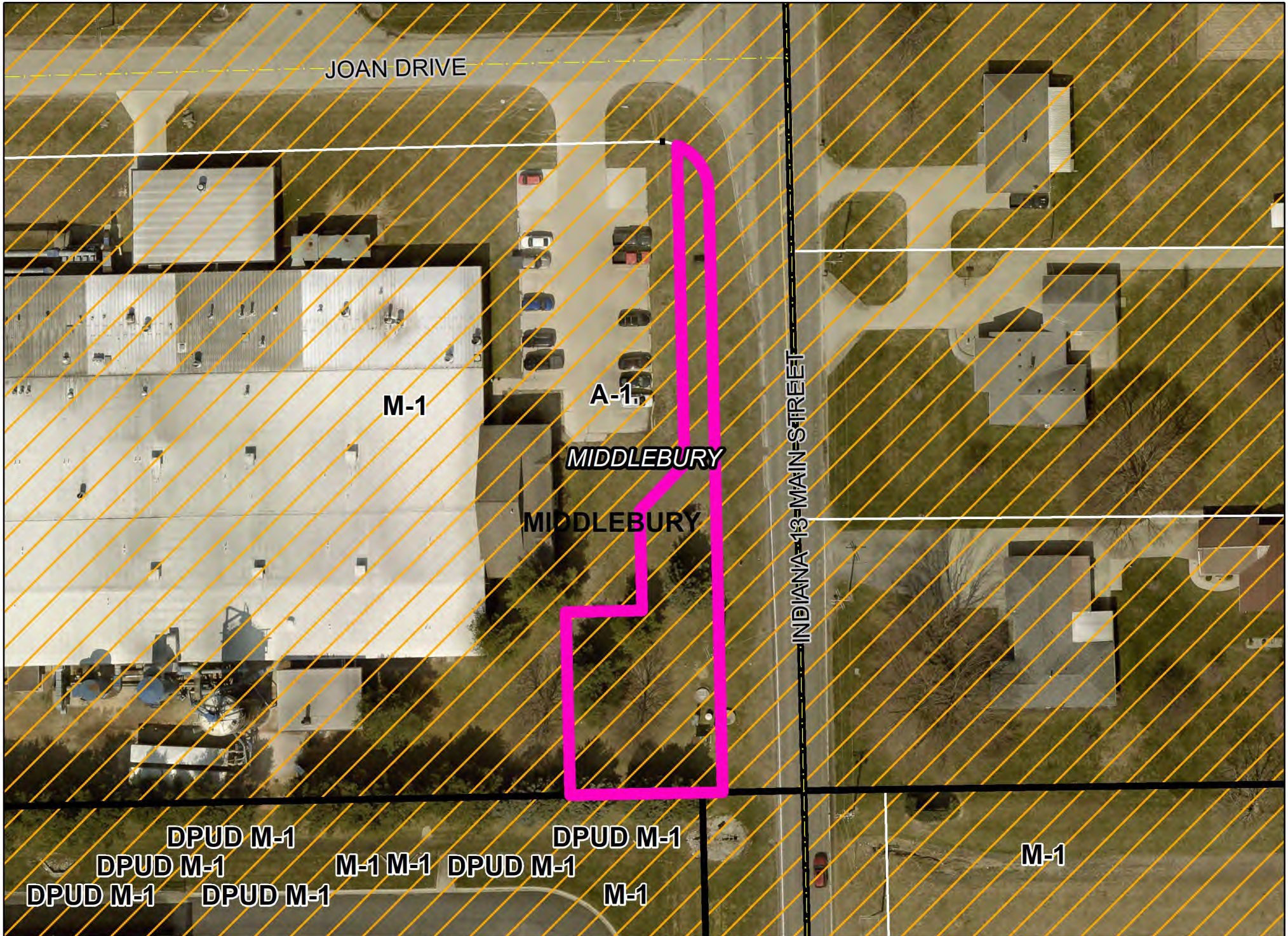
Present Use of Property:

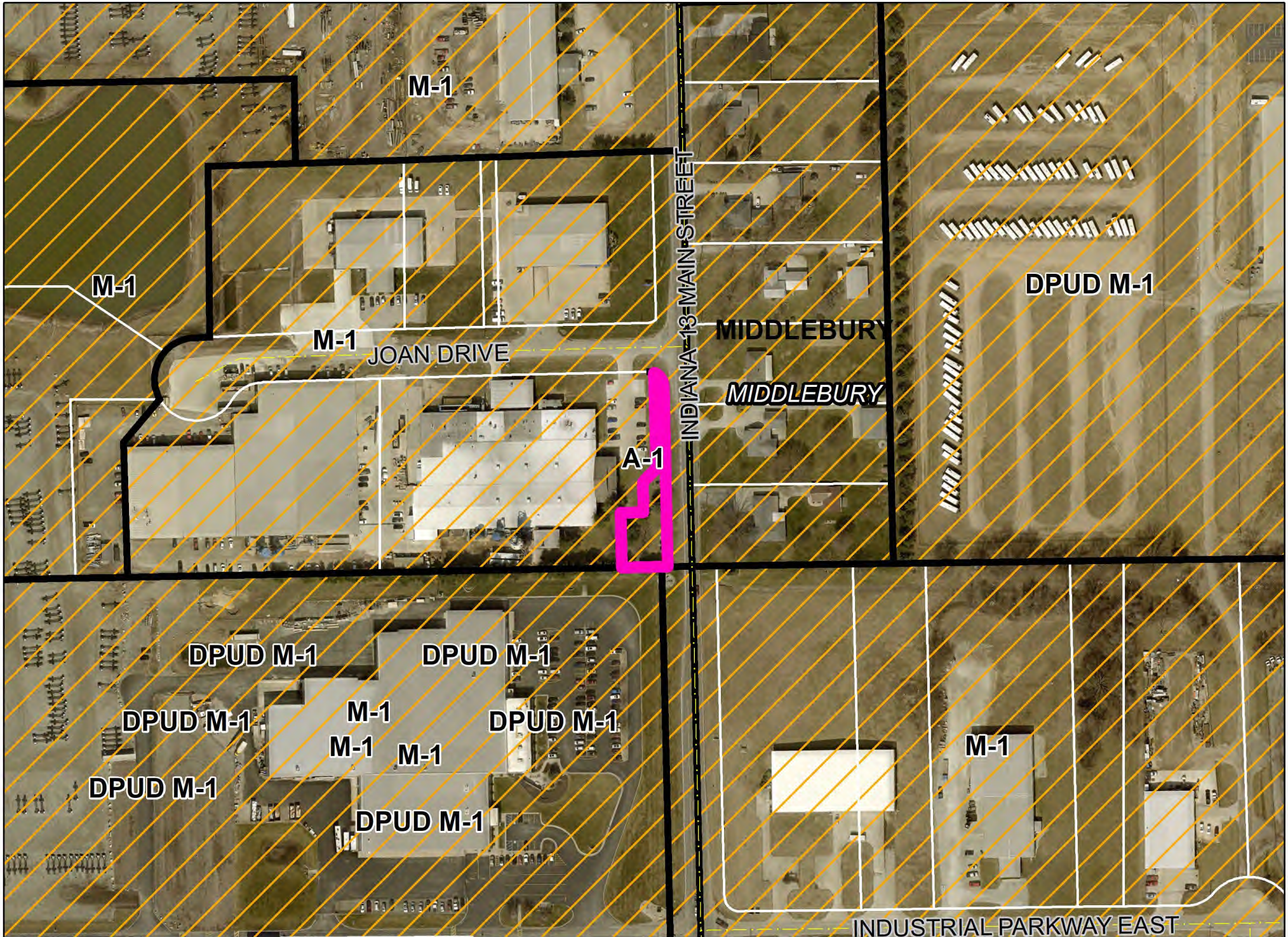
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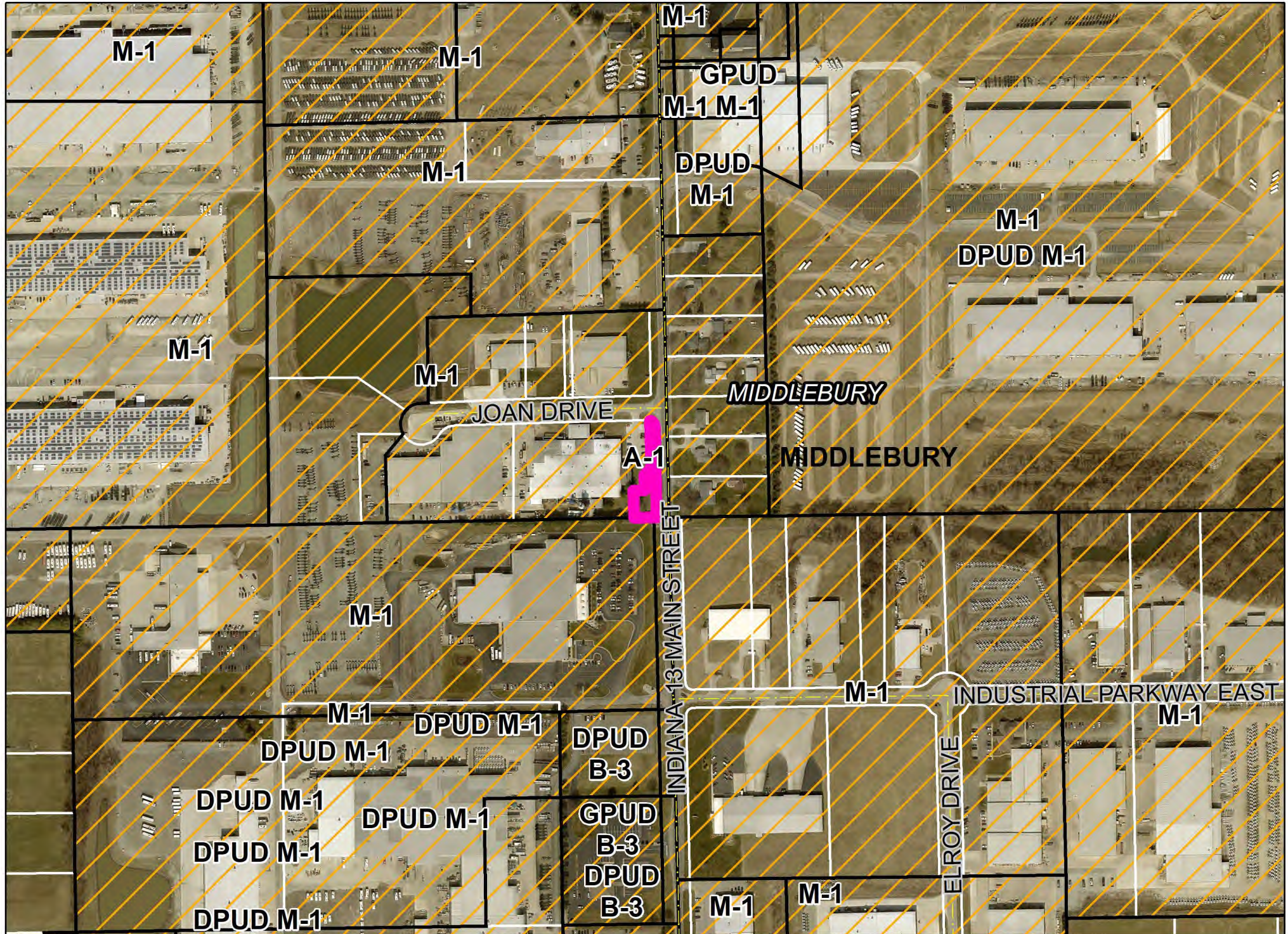
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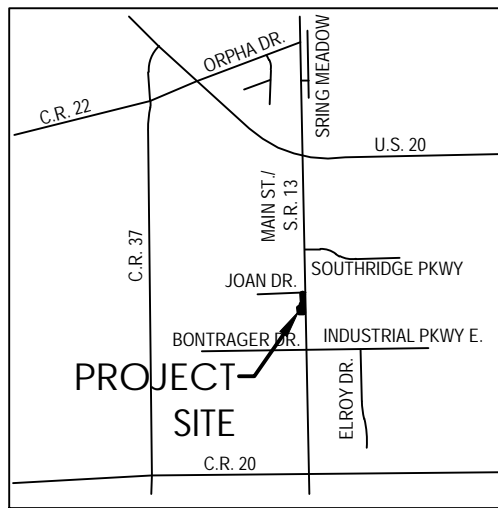
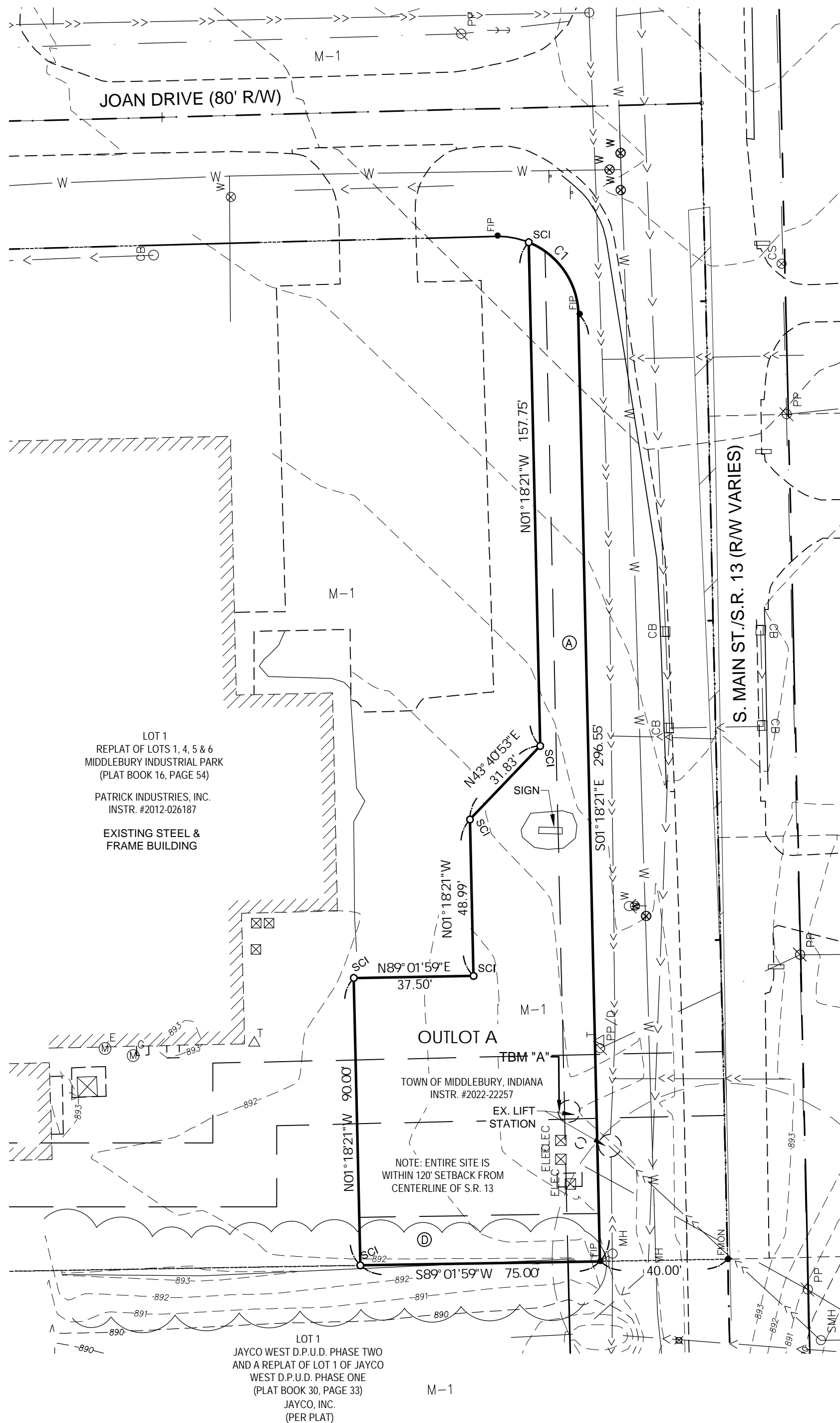
Applicant Signature:

Department Signature:









LOCATION MAP
NOT TO SCALE

TOTAL SUBDIVISION AREA
11,326 S.F.
±0.26 ACRES

AREA IN OUTLOT A
11,326 S.F.
±0.26 ACRES

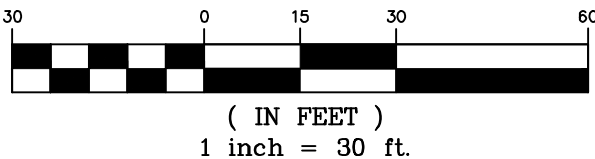
LEGEND

- SCI = SET 5/8" REBAR "ABONMARCHE 0050"
- FIP = FOUND IRON PIPE
- W = WATER VALVE
- CB = CATCH BASIN
- CB = CURB INLET
- FD = FIRE HYDRANT
- PP = POWER POLE
- PP/D = POWER POLE W/DROP
- MB = MAILBOX
- ET = EVERGREEN TREE
- DT = DECIDUOUS TREE
- EM = ELECTRIC METER
- GM = GAS METER
- MH = MANHOLE
- ELEC = ELECTRIC TRANSFORMER
- SMH = SANITARY MANHOLE
- ACU = AIR CONDITIONING UNIT
- 10' = 10' NON-ACCESS EASEMENT (PER PLAT)
- 15' = 15' DRAINAGE EASEMENT (PER PLAT)
- XXX = EXISTING GROUND CONTOUR
- TBM "A" = BENCHMARK LOCATION
- M-1 = ZONING
- BtxA = SOIL DESIGNATION

PREPARED BY
ABONMARCHE CONSULTANTS, INC.
303 RIVER RACE DRIVE, UNIT 206
GOSHEN, IN 46526
PHONE: (574) 533-9913
FAX: (574) 533-9911

OWNER
TOWN OF MIDDLEBURY, INDIANA
418 N. MAIN STREET
MIDDLEBURY, IN 46540

GRAPHIC SCALE



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	28.98'	25.00'	66° 25'19"	S34° 31'00"E	27.39'

HARDWOODS LIFT STATION MINOR SUBDIVISION

A PART OF LOT 1 OF THE REPLAT OF LOTS 1, 4, 5 & 6 MIDDLEBURY INDUSTRIAL PARK; SUBDIVISION RECORDED IN PLAT BOOK 15, PAGE 54 OF THE RECORDS OF ELKHART COUNTY AND IS A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA.

LEGAL DESCRIPTION- PER INSTR. #2022-22257

A PART OF LOT 1 OF THE REPLAT OF LOTS 1, 4, 5, & 6 MIDDLEBURY INDUSTRIAL PARK AS RECORDED IN PLAT BOOK 16, PAGE 54, IN THE RECORDER'S OFFICE OF ELKHART COUNTY, INDIANA, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 37 NORTH, RANGE 7 EAST, TOWN OF MIDDLEBURY, MIDDLEBURY TOWNSHIP, ELKHART COUNTY, INDIANA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 89°01'59" WEST ALONG THE SOUTHERLY LINE OF SAID LOT 1, 75.00 FEET; THENCE NORTH 01°18'21" WEST PARALLEL WITH THE EASTERLY LINE OF SAID LOT 1, 90.00 FEET; THENCE NORTH 89°01'59" EAST PARALLEL WITH THE SOUTHERLY LINE OF SAID LOT 1, 37.50 FEET; THENCE NORTH 01°18'21" WEST PARALLEL TO THE EASTERLY LINE OF SAID LOT 1, 48.99 FEET; THENCE NORTH 43°40'53" EAST, 31.83 FEET; THENCE NORTH 01°18'21" WEST PARALLEL TO THE EASTERLY LINE OF SAID LOT 1, 157.75 FEET TO A POINT ON A CURVE TO THE RIGHT, BEING A POINT IN THE NORTHERLY LINE SAID LOT 1 AND BEING A POINT IN THE SOUTHERLY RIGHT OF WAY LINE OF JOAN DRIVE, HAVING A RADIUS OF 25.00 FEET, SUBTENDED BY A CHORD LENGTH OF 27.39 FEET BEARING SOUTH 34°31'00" EAST; THENCE SOUTHEASTERLY ALONG SAID CURVE 28.98 FEET TO A NORTHEASTERLY CORNER OF SAID LOT 1; THENCE SOUTH 01°18'21" EAST ALONG THE EASTERLY LINE OF SAID LOT 1, 296.55 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.26 ACRE, MORE OR LESS.

GENERAL NOTES

ZONING LAND USE

ZONING FOR THE SUBJECT PARCEL IS CURRENTLY M-1. THE AREA IMMEDIATELY SURROUNDING THE SUBJECT PARCEL IS ENTIRELY M-1. DIRECTLY ACROSS SOUTH MAIN STREET ARE RESIDENCES ZONED A-1 WITH M-1 ZONING SURROUNDING THOSE RESIDENCES.

THE SUBJECT PARCEL IS LOCATED ON THE WEST SIDE OF SOUTH MAIN STREET/S.R. 13, AT THE CORNER OF JOAN DRIVE AND SOUTH MAIN STREET/S.R.13. THE SUBJECT PARCEL IS UNDER THE OWNERSHIP OF THE TOWN OF MIDDLEBURY PER INSTRUMENT #2022-22257 AND CONTAINS AN EXISTING SANITARY SEWER LIFT STATION THAT THE TOWN IS PLANNING TO REPLACE WITH A NEW LIFT STATION.

PLEASE REFER TO THE PROVIDED "CIVIL LIFT STATION FACILITIES, GRADING AND PIPING PLAN" PREPARED BY DONOHUE & ASSOCIATES DATED SEPTEMBER 2023 FOR MORE INFORMATION.

THE PURPOSE OF THIS SUBDIVISION IS TO CREATE AN OUTLOT FOR A NEW TOWN SANITARY LIFT STATION.

BUILDING SETBACKS - M-1 ZONE ELKHART COUNTY

FRONT YARD = 120 FEET FROM CENTERLINE OF STATE ROAD PER THE ZONING ORDINANCE.
SIDE YARD = 25 FEET AND 50 FEET ADJACENT TO RESIDENTIAL USE OR DISTRICT
REAR YARD = 15 FEET

DENSITY

SUBJECT PARCEL = ±0.26 ACRES
PROPOSED OUTLOT A = ±0.26 ACRES

LANDSCAPING - NEW TREES WILL BE PLANTED AROUND THE NEW LIFT STATION SITE.

SIGNS - NO NEW SIGNS WILL BE INSTALLED WITH THIS SUBDIVISION.

LIGHTING - NO NEW LIGHTING WILL BE INSTALLED WITH THIS SUBDIVISION.

PARKING - NO NEW PARKING IS PROPOSED WITH THIS SUBDIVISION.

STREETS - NO NEW STREETS WILL BE CREATED WITH THIS SUBDIVISION. A NEW PAVED DRIVE IS PROPOSED TO THE SOUTH WITH ACCESS THROUGH THE ADJACENT PROPERTY (100 BONTRAGER DRIVE).

SANITARY SEWER

THE EXISTING TOWN OF MIDDLEBURY SANITARY SEWER LIFT STATION LOCATED ON THE SUBJECT PARCEL IS PROPOSED TO BE REPLACED WITH A NEW LIFT STATION.

WATER SUPPLY

THE NEW SANITARY SEWER LIFT STATION DOES NOT REQUIRE CONNECTION TO THE TOWN OF MIDDLEBURY MUNICIPAL WATER SYSTEM.

SOILS

THE ENTIRE SUBJECT PARCEL IS COMPOSED OF BtxA (BRISTOL LOAMY SAND, 0 TO 2% SLOPES) KNOWN TO BE AN EXCESSIVELY DRAINING SOIL WITH A PERMEABILITY RATE RANGING 6.00-20.00 INCHES/HR AT A DEPTH OF 0-55 INCHES. SEASONAL HIGH WATER TABLE IS GREATER THAN 80 INCHES.

THE ABOVE SOIL INFORMATION WAS OBTAINED FROM THE "SOIL SURVEY OF ELKHART COUNTY, INDIANA" WHICH IS PUBLISHED BY THE USDA AND NRCS IN COOPERATION WITH PURDUE UNIVERSITY AND THE STATE SOIL CONSERVATION BOARD.

BENCHMARK

TBM "A" - M375 2018 INDOT BENCHMARK SET IN CONCRETE STRUCTURE @ ELEV. = 891.83 FEET (NAVD 88)

PROJECTED DATE OF DEVELOPMENT: JUNE 2024

CONTOURS

EXISTING CONTOURS ARE BASED ON A FIELD SURVEY PREVIOUSLY PERFORMED BY ABONMARCHE CONSULTANTS FOR DONOHUE & ASSOCIATES, INC., ACI PROJECT #20-0552. VERTICAL DATUM IS NAVD88.

FLOOD NOTE

THIS PROJECT DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) (100 YEAR FLOOD BOUNDARY) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL #18039C0189D, EFFECTIVE MAP DATE: AUGUST 2, 2011.

ELEVATIONS OF BUILDINGS

NOT APPLICABLE. PROPOSED OUTLOT IS FOR A NEW TOWN LIFT STATION.

EROSION CONTROL PLAN

AN EROSION CONTROL PLAN/STORMWATER POLLUTION PREVENTION PLAN IS REQUIRED FOR THE OVERALL LIFT STATION AND ASSOCIATED FORCE MAIN REPLACEMENT PROJECT, AND WAS REVIEWED AND APPROVED BY THE ELKHART COUNTY SOIL AND WATER CONSERVATION DISTRICT ON JUNE 15, 2023.

I, the undersigned, an Indiana Registered Land Surveyor hereby certify that on the date shown, A SURVEY WAS COMPLETED UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT IS A REPRESENTATION OF SAID SURVEY.

Craig S. Batdorff, PS
PROFESSIONAL LAND SURVEYOR #21200006
STATE OF INDIANA
01/02/2024
DATE



Benton Harbor
Grand Haven
Grand Rapids
Kalamazoo
Lafayette
South Bend
Goshen
Valparaiso
Hobart
Ft. Wayne
Engineering - Architecture - Land Surveying

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HARDWOODS LIFT STATION
MINOR SUBDIVISION
VL, STATE ROAD 13,
MIDDLEBURY, IN 46540

PRIMARY SUBDIVISION

PROJECT:

SHEET TITLE:

DRAWN BY:

TRM

DESIGNED BY:

PM REVIEW:

BEM

QA/QC REVIEW:

CSB

DATE:

01/02/2024

SCALE:

HORZ: 1" = 30'

VERT:

ACI JOB #

23-1994

SHEET NO.

1 of 1

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: February 8, 2024

Transaction Number: MI-0006-2024.

Parcel Number(s): 20-08-17-400-021.000-034, 20-08-17-400-022.000-034, 20-08-17-279-003.000-034.

Existing Zoning: A-1.

Petition: For primary approval of a 1-lot minor subdivision to be known as MERLE & YVONNE MULLET ACRES.

Petitioner: Yvonne & Merle Mullet, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: East side of CR 35, 2,700 ft. south of US 20, in Middlebury Township.

Site Description: Proposed lot 1 is 4 acres, square in shape, with an existing residence, barn, and 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 Subdivision Control Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

PLAN COMMISSION & BOARD OF ZONING APPEALS

Minor Subdivision - Primary

Elkhart County Planning & Development Public Services Building

4230 Elkhart Road, Goshen, Indiana, 46526

Phone - (574) 971-4678

Fax - (574) 971-4578

MI-0006-2024

Date: 01/02/2024 Meeting Date: February 08, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0006-2024

Description: for primary approval of a 1-lot minor subdivision to be known as MERLE & YVONNE MULLET ACRES.

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Yvonne & Merle Mullet 57520 Cr 35 Middlebury, IN 46540	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 57520 County Road 35 MIDDLEBURY, IN 46540	Parcel Number: 20-08-17-279-003.000-034 20-08-17-400-021.000-034 20-08-17-400-022.000-034
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Township: Middlebury
Location: EAST SIDE OF CR 35, 2700 FT. SOUTH OF US 20

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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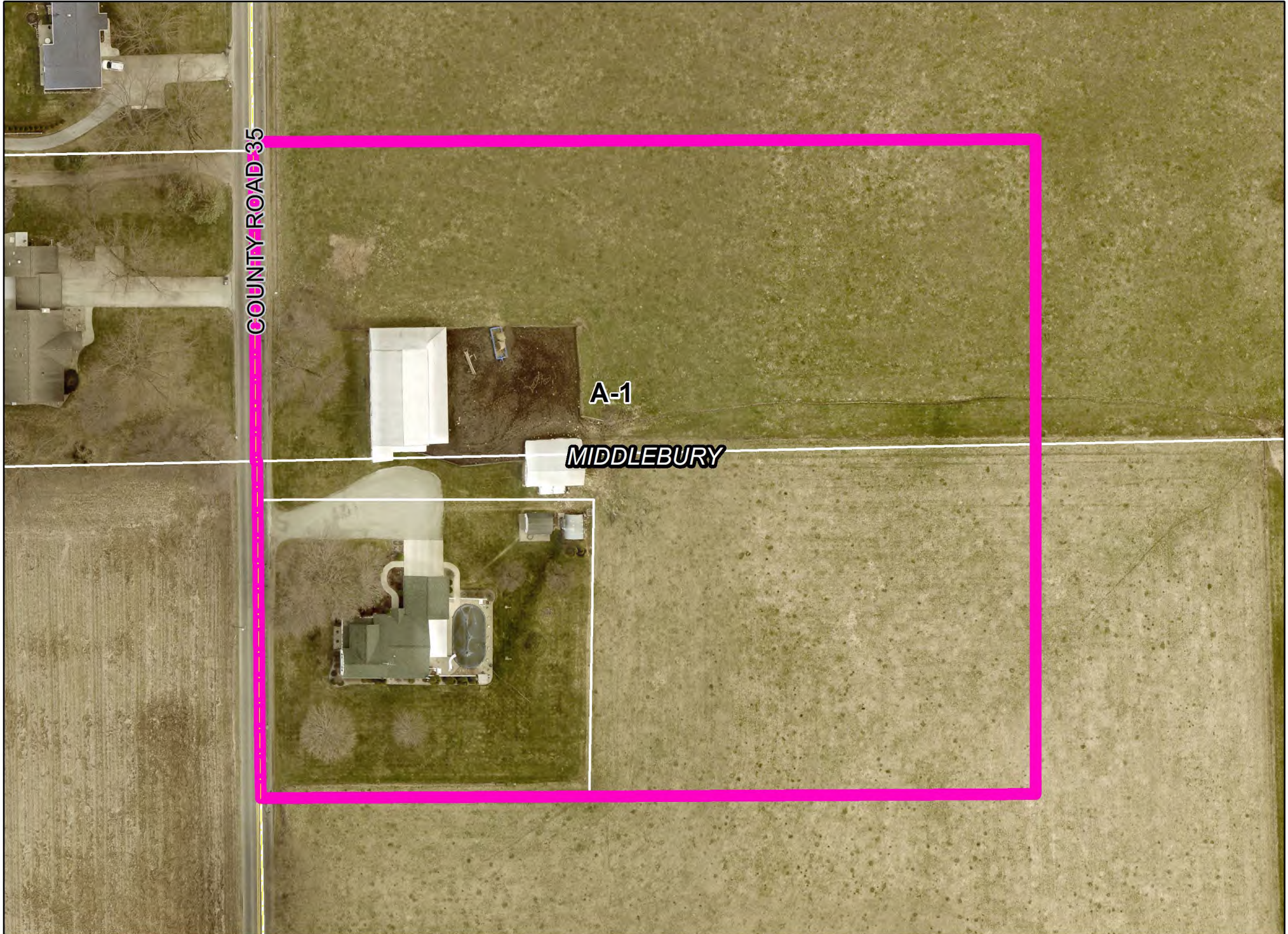
Zoning: A-1	NPO List:
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Present Use of Property:

Legal Description:

Comments:

Applicant Signature:	Department Signature:
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COUNTY ROAD 35

A-1

MIDDLEBURY

MI-0006-2024

GPUD R-4

R-1 MIDDLEBURY

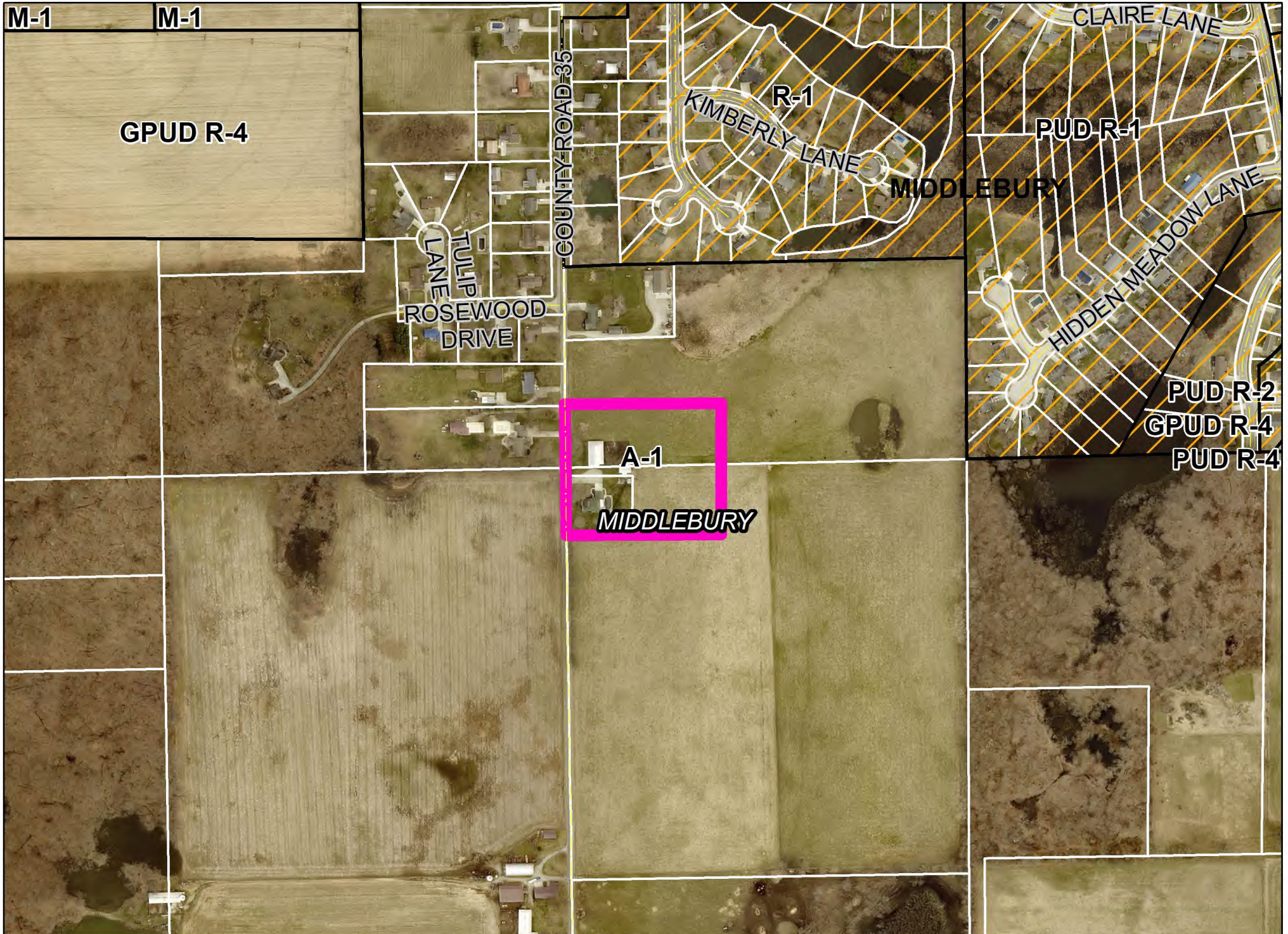
TULIP LANE

ROSEWOOD DRIVE

COUNTY ROAD 35

A-1

MIDDLEBURY



MERLE & YVONNE MULLET ACRES

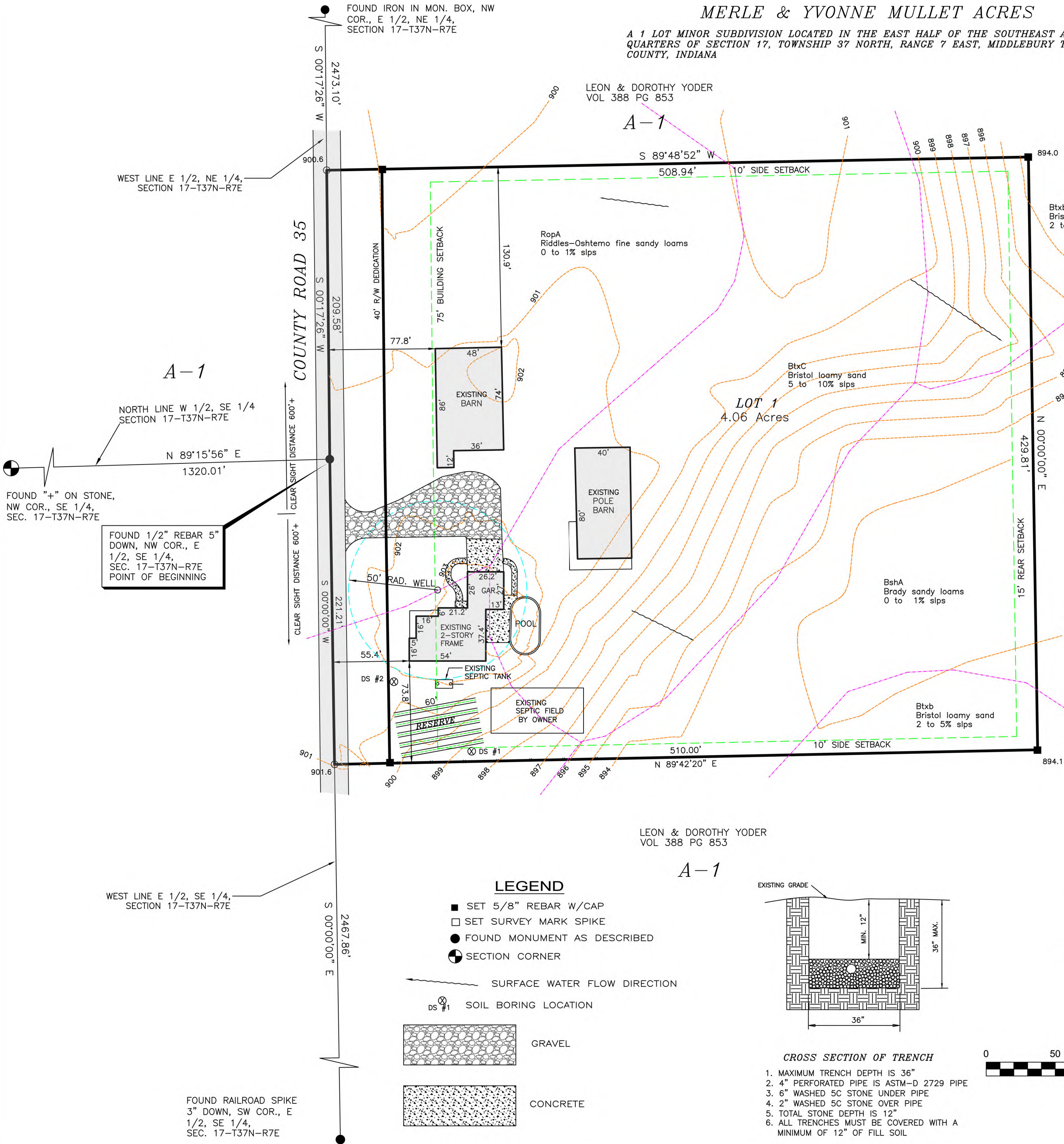
A 1 LOT MINOR SUBDIVISION LOCATED IN THE EAST HALF OF THE SOUTHEAST AND NORTHEAST
QUARTERS OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART
COUNTY, INDIANA

LEGAL DESCRIPTION

A PART OF THE EAST HALF OF THE SOUTHEAST AND NORTHEAST QUARTERS
OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP,
ELKHART COUNTY, INDIANA, SURVEYED BY RONNIE L. JUSTICE, REGISTRATION
NUMBER 80900004, WITH ADVANCED LAND SURVEYING OF NORTHERN INDIANA
INC., AS SHOWN ON PROJECT NUMBER 220408 CERTIFIED ON DECEMBER 2,
2022, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ONE-HALF INCH REBAR MARKING THE NORTHWEST CORNER
OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP
37 NORTH, RANGE 7 EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 00
SECONDS EAST, ALONG THE WEST LINE OF THE EAST HALF OF SAID
SOUTHEAST QUARTER AND COUNTY ROAD 35, A DISTANCE OF 221.21 FEET TO
A SURVEY MARK SPIKE; THENCE NORTH 89 DEGREES 42 MINUTES 20
SECONDS EAST, 510.00 FEET TO A REBAR WITH CAP STAMPED ALS FIRM
0135; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 429.81
FEET TO A REBAR WITH CAP STAMPED ALS FIRM 0135; THENCE SOUTH 89
DEGREES 48 MINUTES 52 SECONDS WEST, 508.94 FEET TO A SURVEY MARK
SPIKE SET ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST
QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST; THENCE
SOUTH 00 DEGREES 17 MINUTES 26 SECONDS WEST, ALONG THE WEST LINE
OF THE EAST HALF OF SAID NORTHEAST QUARTER, 209.58 FEET TO THE POINT
OF BEGINNING OF THIS DESCRIPTION. SAID TRACT CONTAINING 4.06 ACRES,
MORE OR LESS.

- 1) THIS LOT WILL BE DEVELOPED TO NOT IMPEDE THE NATURAL
FLOW OF STORM WATER ON THIS TRACT.
- 2) THE LAND USE IS RESIDENTIAL
- 3) THE CURRENT ZONING IS A-1, AGRICULTURAL
- 4) THIS LOT IS TO BE SUPPLIED BY A WELL AND SEPTIC PER ELKHART
COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL
- 5) SOIL TYPE IS:
BtxB Bristol loamy sand, 2 to 5% slps, >6.0' to water table depth
BtxC Bristol loamy sand, 5 to 10% slps, >6.0' to water table depth
BshA Brady sandy loams, 0 to 1% slps, 0.5' to 2.0' to water table depth
RopA Riddles-Oshtemo fine sandy loams, 0 to 1% slps, >6.0' to water
table depth
- 6) THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM
COMMUNITY PANEL NUMBER 180056 0186 D, EFFECTIVE DATE OF
AUGUST 2, 2011.
- 7) FINISH GRADE OF LOT TO REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADE.
- 8) CONTOUR DATA OBTAINED UTILIZING GPS (INDOT CORS) ON THE NAVD88 DATUM
- 9) ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- 10) DEVELOPMENT TIME TO BE AS SOON AS POSSIBLE
- 11) SITE FLOWS TO LITTLE ELKHART RIVER WHICH IS APPROXIMATELY 10000' +/-
NORTHEAST OF PROPERTY.
- 12) POSTED SPEED LIMIT 45 MPH



PROPERTY ADDRESS: 57520 COUNTY ROAD 35
MIDDLEBURY, INDIANA 46540
OWNER: MERLE & YVONNE MULLET



ADVANCED LAND SURVEYING OF NORTHERN
INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS,
INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 50'	DRAWN BY: RLJ	PROJECT NUMBER: 231206
DATE: DEC. 26, 2023	APPROVED BY: RLJ	SHEET NUMBER: 1 OF 2

MERLE & YVONNE MULLET ACRES
A 1 LOT MINOR SUBDIVISION LOCATED IN THE EAST HALF OF THE SOUTHEAST AND NORTHEAST
QUARTERS OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 7 EAST, MIDDLEBURY TOWNSHIP, ELKHART
COUNTY, INDIANA

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY SUBDIVISION
CONTROL ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND
ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS _____DAY OF
_____2024

ELKHART COUNTY PLAN COMMISSION

BY: _____
MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS _____DAY OF _____2024

AT ____:____ AND RECORDED IN PLAT BOOK _____PAGE_____

KAALA BAKER – RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS _____DAY OF _____2024

PATRICIA A. PICKENS – AUDITOR OF ELKHART 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 REMOVED OR TO IN ANY WAY IMPEDE THE
FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOMES DAMAGED OR IN DISREPAIR, IT SHALL BE THE
RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE
EVENT OF OWNER'S FAILURE 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.
ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS A LOT OWNER'S REAL ESTATE
FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNER'S REAL
ESTATE. THE AMOUNT OF ANY ASSESSMENT FOR THE COSTS OF SUCH REPAIR, AS ASSESSED BY
SAID GOVERNMENTAL AUTHORITY SHALL CONSTITUTE A LIEN UPON THE REAL ESTATE OF THE LOT
OWNER AND AN ENCUMBRANCE UPON THE TITLE TO SAID LOT.

ELKHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF
SAID INDEBTEDNESS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN IN THE
MANNER IN WHICH MORTGAGES ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA.
ANY SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS
OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE COMMENCED IN ELKHART
COUNTY, INDIANA.

THIS SURVEY IS LOCATED IN AN AREA THAT IS CURRENTLY ZONED A-1 (AGRICULTURAL). AS
SUCH NORMAL AGRICULTURAL OPERATION INCLUDING THE OPERATION OF MACHINERY, THE
PRIMARY PROCESSING OF AGRICULTURAL PRODUCTS, AND ALL NORMAL 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 2023-01305
IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE LAND
DESCRIBED IN THE PLAT HEREIN, AND THAT WE HAVE CAUSED THE SAME TO BE
SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES
THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE 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 PLAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS
MERLE & YVONNE MULLET ACRES, 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 HEREBY DEDICATED FOR PUBLIC
USE.

MERLE MULLET

YVONNE MULLET

STATE OF INDIANA)
COUNTY OF ELKHART)SS:

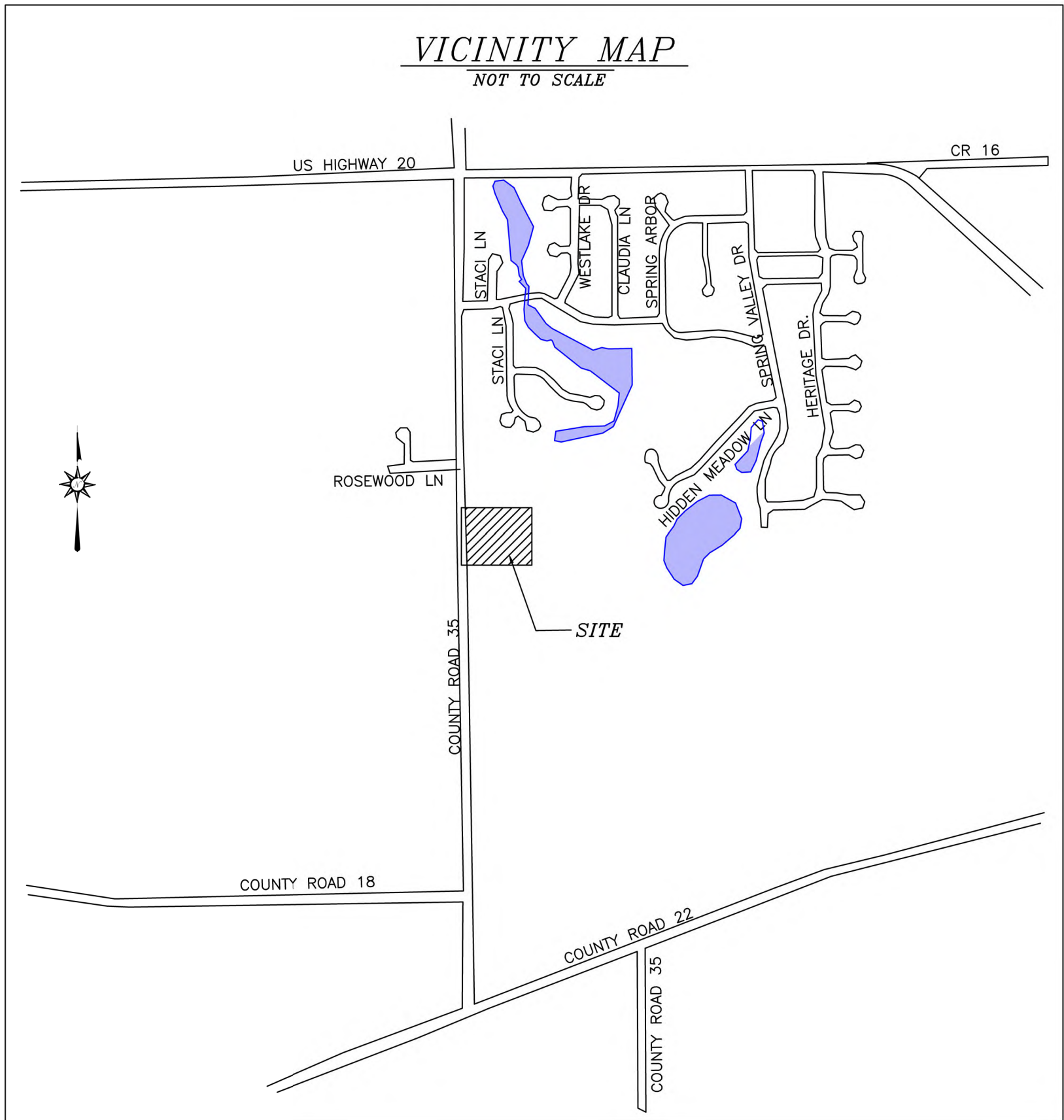
BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED MERLE MULLET AND YVONNE MULLET AND EACH SEPARATELY AND
SEVERALLY ACKNOWLEDGED THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND
DEED FOR THE PURPOSES HEREIN EXPRESSED.
WITNESS MY HAND AND NOTARIAL SEAL THIS _____DAY OF _____2023.

NOTARY

JENNIFER L. JUSTICE

RESIDENT OF ELKHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030



I, RONNIE L. JUSTICE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE
TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW.

I, RONNIE L. JUSTICE, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN
COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. 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 INDIANA
ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE
PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA

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

PROPERTY ADDRESS: 57520 COUNTY ROAD 35
MIDDLEBURY, INDIANA 46540
OWNER: MERLE & YVONNE MULLET



ADVANCED LAND SURVEYING OF NORTHERN
INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS,
INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 50'	DRAWN BY: RLJ	PROJECT NUMBER: 231206
DATE: DEC. 26, 2023	APPROVED BY: RLJ	SHEET NUMBER: 2 OF 2

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: February 8, 2024

Transaction Number: MI-0007-2024.

Parcel Number(s): 20-04-32-100-029.000-032.

Existing Zoning: A-1.

Petition: For primary approval of a 2-lot minor subdivision to be known as LEDERMAN SUBDIVISION.

Petitioner: Joel Lederman, Annerose Lederman, Kenyon Lederman & Darcy Lederman (Buyers) and Thomas O. & Janet Zimmerman (Sellers), represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: East side of CR 33, 1,765 ft. south of CR 108, in York Township.

Site Description: Proposed lot 1 is 10 acres, irregular in shape, with a proposed residence, existing barn, and existing accessory structure. Proposed lot 2 is 32 acres, irregular in shape, with a proposed residence.

History and General Notes:

- **January 17, 2024** – The Hearing Officer approved a 7:1 variance for proposed lot 2.

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 Subdivision Control Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

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

Date: 01/02/2024 Meeting Date: February 08, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0007-2024

Description: for primary approval of a 2-lot minor subdivision to be known as LEDERMAN SUBDIVISION

Contacts: <u>Applicant</u>	<u>Contract Purchaser</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Joel Lederman, Annerose Lederman, Kenyon Lederman Lederman, Darcy Lederman (Buyer) 16947 County Road 18 Goshen, IN 46528	Thomas O & Janet Zimmerman (Seller) 54326 County Road 33 Middlebury, IN 465408741	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 54326 County Road 33
MIDDLEBURY, IN 46540

Parcel Number: 20-04-32-100-029.000-032

Township: York
Location: EAST SIDE OF CR 33, 1765 FT SOUTH OF CR 108

Subdivision: Lot #

Lot Area: Frontage: Depth:

Zoning: A-1 NPO List:

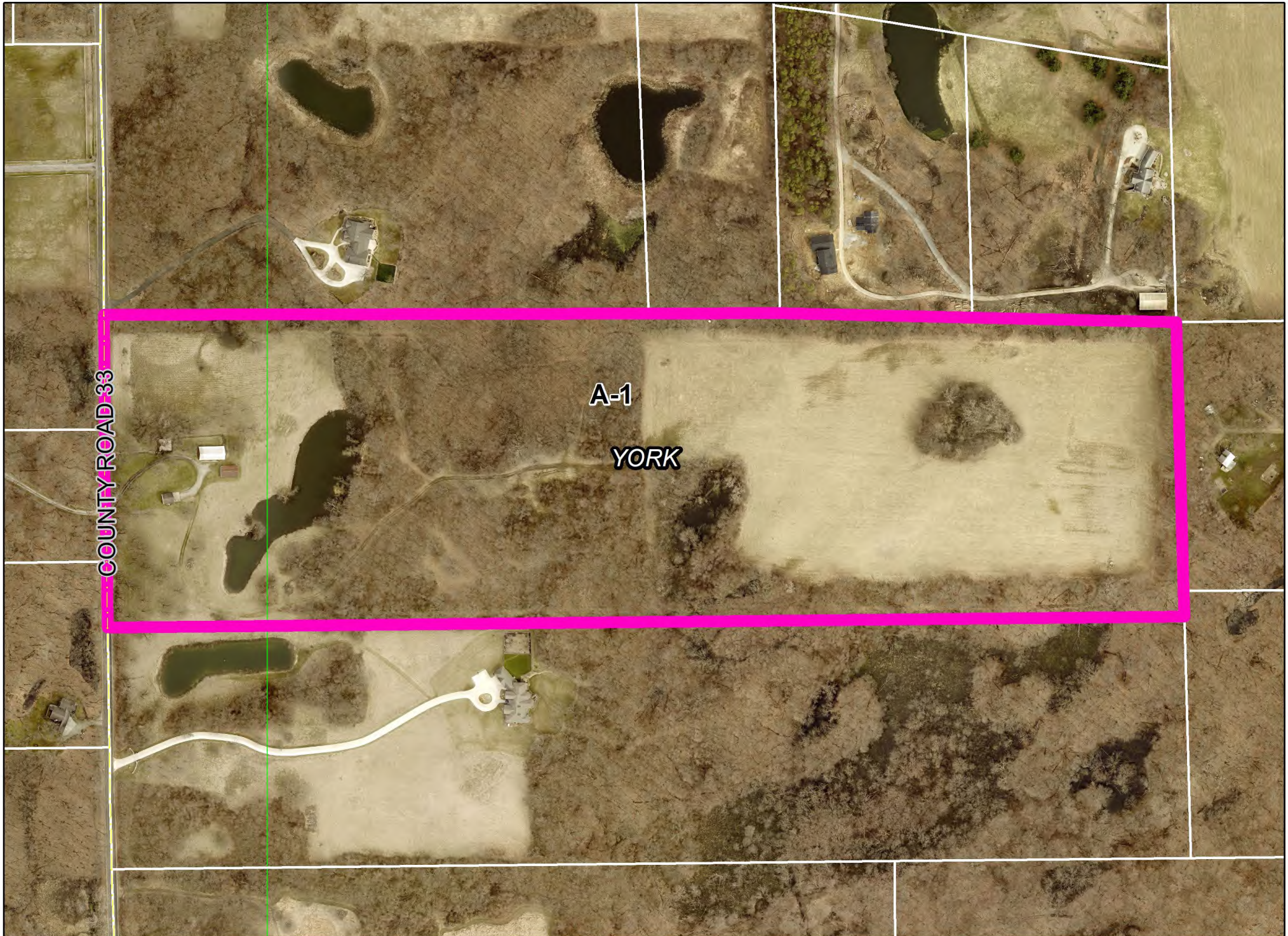
Present Use of Property:

Legal Description:

Comments: DV -0819-2023 FOR 7:1

Applicant Signature:

Department Signature:



COUNTY ROAD 33

MI-0007-2024



2021 Aerials

1 inch = 400 feet





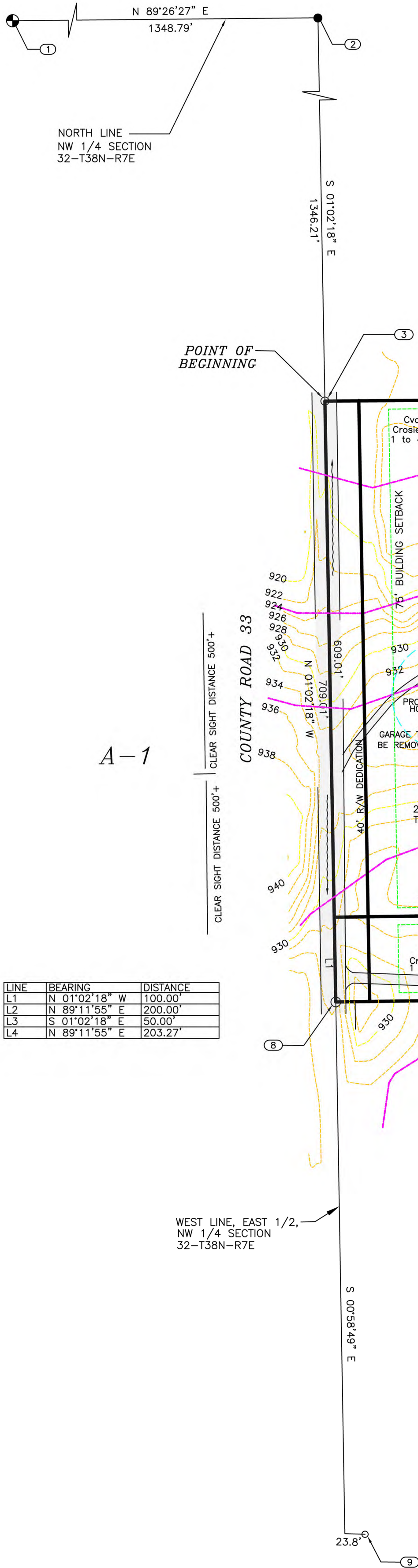
LEDERMAN SUBDIVISION
A 2 LOT MINOR SUBDIVISION LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER AND WEST
HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 7 EAST, YORK
TOWNSHIP, ELKHART COUNTY, INDIANA

MILTON C. & JANET E. SMITH
INST. # 2020-28535

JAMES ALAN & KRISTINA R. MILLER
INST. # 2022-20332

MATTHEW JAY & SHANDA A. MILLER
INST. # 2022-20328

JUSTIN & SARA GRANBERG
INST. # 2021-30963



LINE	BEARING	DISTANCE
L1	N 01°02'18" W	100.00'
L2	N 89°11'55" E	200.00'
L3	S 01°02'18" E	50.00'
L4	N 89°11'55" E	203.27'

SOIL TYPES

CvdB Crosier loam, 1 to 4% slps, 0.5' - 2.0' to water table depth
SnIA Southwest silt loam, 0 to 1% slps, 0.0 to 0.5' to water table depth
RoqD2 Riddles Metea complex, 10 to 18% slps, > 6.0' to water table depth
RoqC2 Riddles Metea complex, 5 to 10% slps eroded, > 6.0' to water table depth
ReyA Rensselaer loam, 0 to 1% slps, 0.0' to 1.0' to water table depth
RosE Riddles Tyner complex, 10 to 18% slps, > 6.0' to water table depth
BtxC Bristol loamy sand, 5 to 10% slps, > 6.0' to water table depth
BtxE Bristol loamy sand, 18 to 30% slps, > 6.0' to water table depth
BtxD2 Bristol loamy sand, 10 to 180% slps, > 6.0' to water table depth
CvdA Crosier loam, 0 to 1% slps, 0.5' - 2.0' to water table depth
RopB Riddles-Oshstemo fine sandy loams, 1 to 5% slps, > 6.0' to water table depth
HtbAU Houghton muck undrained, 0 to 1% slps, > 0.0' -0.5' to water table depth

WILLIAM D. & SARAH C. WEED
INST. # 2019-18682

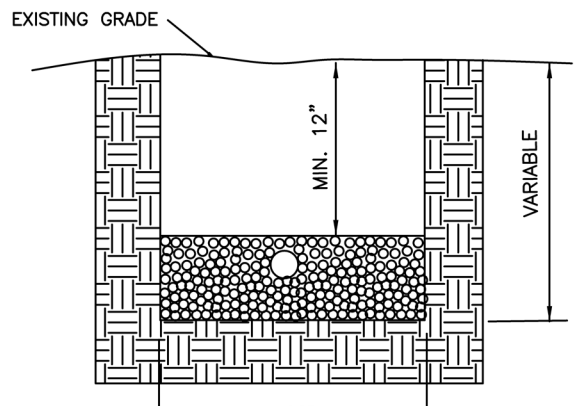
A-1

MONUMENT TABLE

Point	Description
1	HARRISON MONUMENT FLUSH, NW CORNER SECTION 32-T38N-R7E
2	FOUND 1/2" REBAR 3" DOWN (NW COR. E 1/2, NW 1/4 SEC. 32-38-7)
3	SET SURVEY MARK SPIKE W/WASHER ALS FIRM 0135
4	FOUND 1/2" PINCHED PIPE 2" UP
5	FOUND #5 REBAR WITH CAP FLUSH (ZIEGLER)
6	FOUND 1/2" PINCHED PIPE 1" UP (BY FENCE CORNER POST)
7	FOUND #5 REBAR WITH CAP 3" UP (BRADS-KO)
8	SET SURVEY MARK SPIKE W/WASHER ALS FIRM 0135
9	CONCRETE POST WITH 1 1/2" PIPE IN CENTER 23.0' EAST AND 0.50' SOUTH

NOTES

- THIS LOT WILL BE DEVELOPED TO NOT IMPEDE THE NATURAL FLOW OF STORM WATER ON THIS TRACT.
- THE LAND USE IS RESIDENTIAL.
- THE CURRENT ZONING IS A-1, AGRICULTURAL.
- THESE LOTS WILL BE SUPPLIED BY A WELL AND SEPTIC PER ELKHART COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL.
- THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM COMMUNITY PANEL NUMBER 180056 0186 D, EFFECTIVE DATE OF AUGUST 2, 2011.
- FINISH GRADE OF LOT TO REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADE.
- CONTOUR DATA OBTAINED UTILIZING GPS (INDOT CORRS) ON THE NAVD83 DATUM AND ELEVATE.
- ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- DEVELOPMENT TIME TO BE AS SOON AS POSSIBLE.
- SITE FLOWS TO LITTLE ELKHART RIVER WHICH IS APPROXIMATELY 10000' +/- NORTHEAST OF PROPERTY.
- POSTED SPEED LIMIT 45 MPH.
- DRIVE SHALL BE INSTALLED PER ELKHART COUNTY HIGHWAY STANDARDS.



CROSS SECTION OF TRENCH

- MAXIMUM TRENCH DEPTH IS 25" FOR LOT 1, 27" FOR LOT 2
- 4" PERFORATED PIPE IS ASTM-D 2729 PIPE
- 6" WASHED 50 STONE UNDER PIPE
- 2" WASHED 50 STONE OVER PIPE
- TOTAL STONE DEPTH IS 12"
- ALL TRENCHES MUST BE COVERED WITH A MINIMUM OF 12" OF FILL SOIL

LEGAL DESCRIPTION

A PART OF THE EAST HALF OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 7 EAST, YORK TOWNSHIP, ELKHART COUNTY, INDIANA, SURVEYED BY RONNIE L. JUSTICE, REGISTRATION NUMBER 80900004, WITH ADVANCED LAND SURVEYING OF NORTHERN INDIANA INC., AS SHOWN ON PROJECT NUMBER 231104 CERTIFIED ON DECEMBER 28, 2023, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT A HARRISON MONUMENT MARKING THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 7 EAST, THENCE NORTH 89 DEGREES 26 MINUTES 27 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 1348.79 FEET TO A REBAR MARKING THE NORTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER; THENCE SOUTH 01 DEGREES 02 MINUTES 18 SECONDS EAST, ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER, 1346.21 FEET TO A SURVEY MARK SPIKE AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89 DEGREES 32 MINUTES 39 SECONDS EAST WITH THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO MILTON C. AND JANET E. SMITH IN ELKHART COUNTY INSTRUMENT NUMBER 2020-28535, A DISTANCE OF 1676.21 FEET TO A PINCHED PIPE AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO JAMES ALAN AND KRISTINA R. MILLER IN ELKHART COUNTY INSTRUMENT NUMBER 2022-20332; THENCE NORTH 89 DEGREES 26 MINUTES 28 SECONDS EAST WITH THE SOUTH LINE OF SAID MILLER LAND, 456.05 FEET TO A REBAR WITH CAP (ZIEGLER) AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO MATTHEW JAY AND SHANDA A. MILLER IN ELKHART COUNTY DEED INSTRUMENT NUMBER 2022-20328; THENCE NORTH 89 DEGREES 14 MINUTES 08 SECONDS EAST WITH THE SOUTH LINE OF SAID MILLER LAND, 501.48 FEET TO A PINCHED PIPE AT THE NORTHWEST CORNER OF LOT NUMBER FIVE (5) OF COMMON GROUND FARM AS RECORDED IN PLAT BOOK 14, PAGE 12 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE SOUTH 01 DEGREES 47 MINUTES 35 SECONDS EAST WITH THE WEST LINE OF LOTS FIVE (5) AND LOT SIX (6) OF SAID COMMON GROUND FARM, 696.74 FEET TO A REBAR WITH CAP (BRADS-KO) AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO WILLIAM D. AND SARAH C. WEED IN ELKHART COUNTY DEED INSTRUMENT NUMBER 2019-18682; THENCE SOUTH 89 DEGREES 11 MINUTES 55 SECONDS WEST WITH THE NORTH LINE OF SAID WEED LAND, 2642.83 FEET TO A SURVEY MARK SPIKE ON THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 7 EAST; THENCE NORTH 01 DEGREES 02 MINUTES 18 SECONDS WEST ALONG SAID LINE 709.01 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION. SAID TRACT CONTAINING 42.49 ACRES, MORE OR LESS.

PROPERTY ADDRESS: 54326 COUNTY ROAD 33
INDIANA, IN.
MIDDLEBURY, INDIANA 46540
OWNER: THOMAS O. & JANET ZIMMERMAN
CONTRACT OWNERS: JOEL and ANNEROSE LEDERMAN
AND KENYON and DARCY LEDERMAN

ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 100'
DATE: DEC. 26, 2023
DRAWN BY: RLJ
APPROVED BY: RLJ
PROJECT NUMBER: 231104
SHEET NUMBER: 1 OF 2

LEDERMAN SUBDIVISION

A 2 LOT MINOR SUBDIVISION LOCATED IN THE EAST HALF OF THE NORTHWEST QUARTER AND WEST HALF OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 7 EAST, YORK TOWNSHIP, ELKHART COUNTY, INDIANA

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY SUBDIVISION CONTROL ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS DAY OF 2024

ELKHART COUNTY PLAN COMMISSION

BY: MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS DAY OF 2024

AT AND RECORDED IN PLAT BOOK PAGE

KAALA BAKER - RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS DAY OF 2024

PATRICIA A. PICKENS - AUDITOR OF ELKHART 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 REMOVED OR TO IN ANY WAY IMPEDE THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOMES DAMAGED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE EVENT OF OWNER'S FAILURE 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. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS A LOT OWNER'S REAL ESTATE FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNER'S REAL ESTATE. THE AMOUNT OF ANY ASSESSMENT FOR THE COSTS OF SUCH REPAIR, AS ASSESSED BY SAID GOVERNMENTAL AUTHORITY SHALL CONSTITUTE A LIEN UPON THE REAL ESTATE OF THE LOT OWNER AND AN ENCUMBRANCE UPON THE TITLE TO SAID LOT.

ELKHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID INDEBTEDNESS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN IN THE MANNER IN WHICH MORTGAGES ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA. ANY SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE COMMENCED IN ELKHART COUNTY, INDIANA.

THIS SURVEY IS LOCATED IN AN AREA THAT IS CURRENTLY ZONED A-1 (AGRICULTURAL). AS SUCH NORMAL AGRICULTURAL OPERATION INCLUDING THE OPERATION OF MACHINERY, THE PRIMARY PROCESSING OF AGRICULTURAL PRODUCTS, AND ALL NORMAL 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 ELKHART COUNTY, INDIANA.

DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE PLAT HEREIN, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE 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 PLAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS LEDERMAN 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 HEREBY DEDICATED FOR PUBLIC USE.

THOMAS O. ZIMMERMAN

JANET ZIMMERMAN

JOEL LEDERMAN, CONTRACT BUYER

ANNEROSE LEDERMAN, CONTRACT BUYER

KENYON LEDERMAN, CONTRACT BUYER

DARCY LEDERMAN, CONTRACT BUYER

STATE OF INDIANA)
COUNTY OF ELKHART)SS:

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THOMAS O. ZIMMERMAN, JANET ZIMMERMAN, JOEL LEDERMAN, ANNEROSE LEDERMAN, KENYON LEDERMAN AND DARCY LEDERMAN AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE FOREGOING 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 ELKHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030

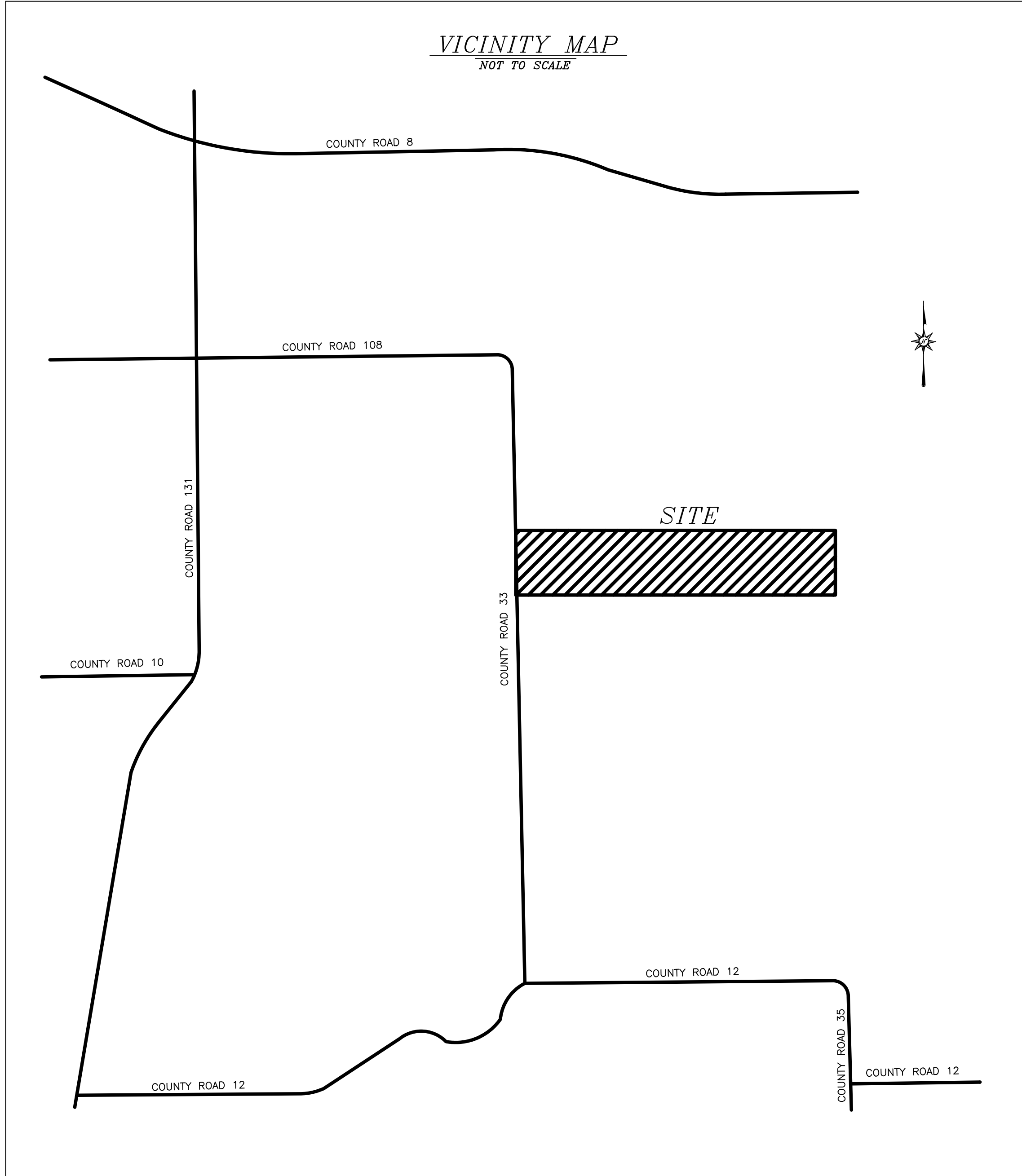


I, RONNIE L. JUSTICE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

I, RONNIE L. JUSTICE, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. 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 INDIANA ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA

SIGNATURE Ronnie L. Justice

IN REG. NO. 80900004



PROPERTY ADDRESS: 54326 COUNTY ROAD 33
MIDDLEBURY, INDIANA 46540
OWNER: THOMAS O. & JANET ZIMMERMAN
CONTRACT OWNERS: JOEL and ANNEROSE LEDERMAN
AND KENYON and DARCY LEDERMAN

PROPERTY ADDRESS: 54326 COUNTY ROAD 33
MIDDLEBURY, INDIANA 46540
OWNER: THOMAS O. & JANET ZIMMERMAN
CONTRACT OWNERS: JOEL and ANNEROSE LEDERMAN
AND KENYON and DARCY LEDERMAN

ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 100'
DATE: DEC. 26, 2023
DRAWN BY: RLJ
APPROVED BY: RLJ
PROJECT NUMBER: 231104
SHEET NUMBER: 2 OF 2

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: February 8, 2024

Transaction Number: MI-0008-2024.

Parcel Number(s): 20-07-26-300-023.000-019.

Existing Zoning: A-1.

Petition: For primary approval of a 1-lot minor subdivision to be known as PROUGH MINOR.

Petitioner: Donald Prough & Colleen Prough, Husband & Wife, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: West side of CR 27, 500 ft. north of CR 24, in Jefferson Township.

Site Description: Proposed lot 1 is 1 acre, square 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 Subdivision Control Ordinance.

Staff therefore recommends **APPROVAL** of this primary.

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

Date: 01/02/2024 Meeting Date: February 08, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0008-2024

Description: for primary approval of a 1-lot minor subdivision to be known as PROUGH MINOR

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Donald & Colleen Prough 59477 County Road 27 Goshen, IN 46528	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 00000 County Road 27 GOSHEN, IN 46528	Parcel Number: 20-07-26-300-023.000-019
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Township: Jefferson
Location: WEST SIDE OF CR 27, 500 FT. NORTH OF CR 24

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: A-1	NPO List:
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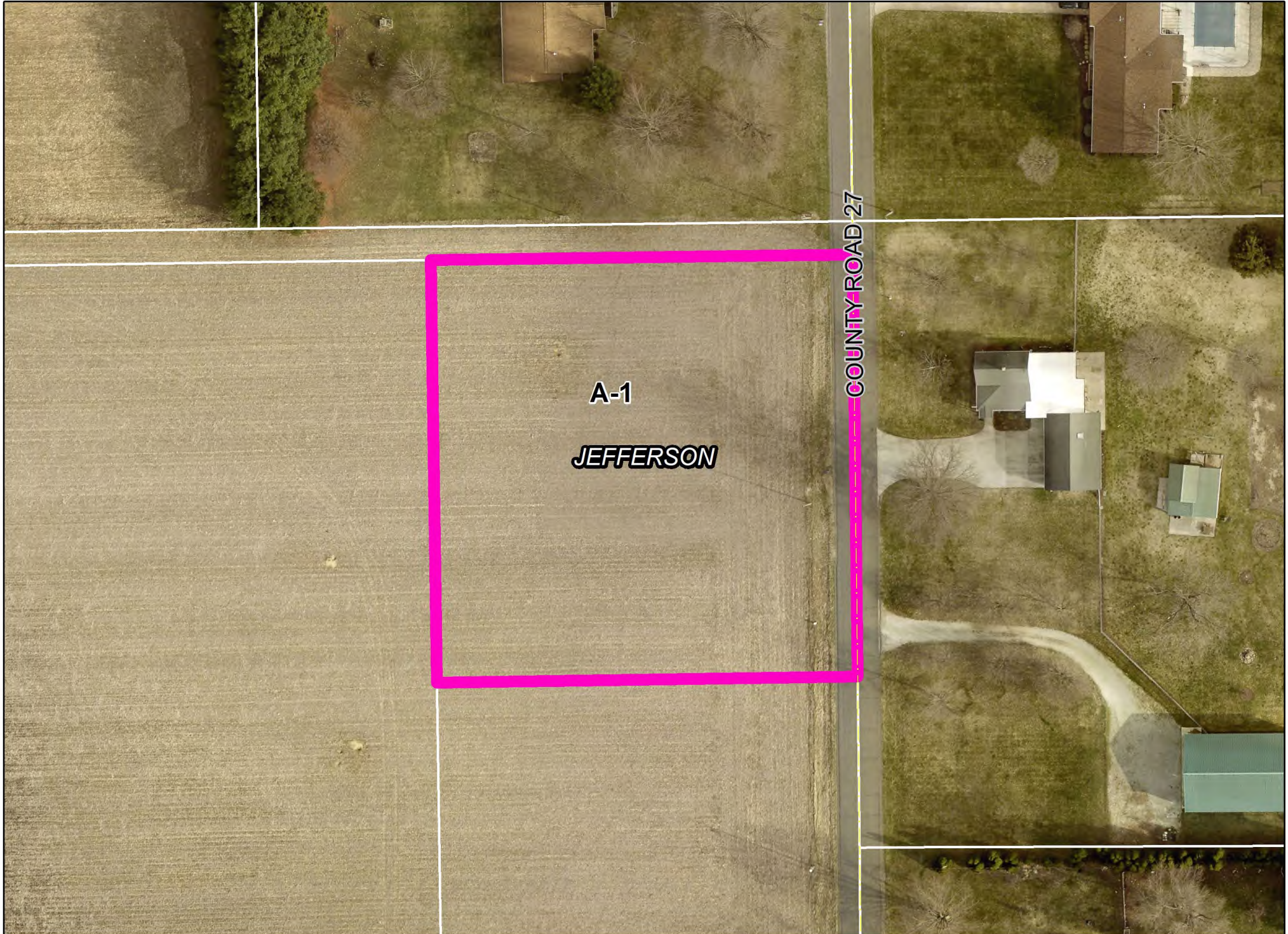
Present Use of Property:

Legal Description:

Comments: RONNIE JUSTICE TO E-MAIL RECORDED DEED INTO PLANS E-MAIL

Applicant Signature:	Department Signature:
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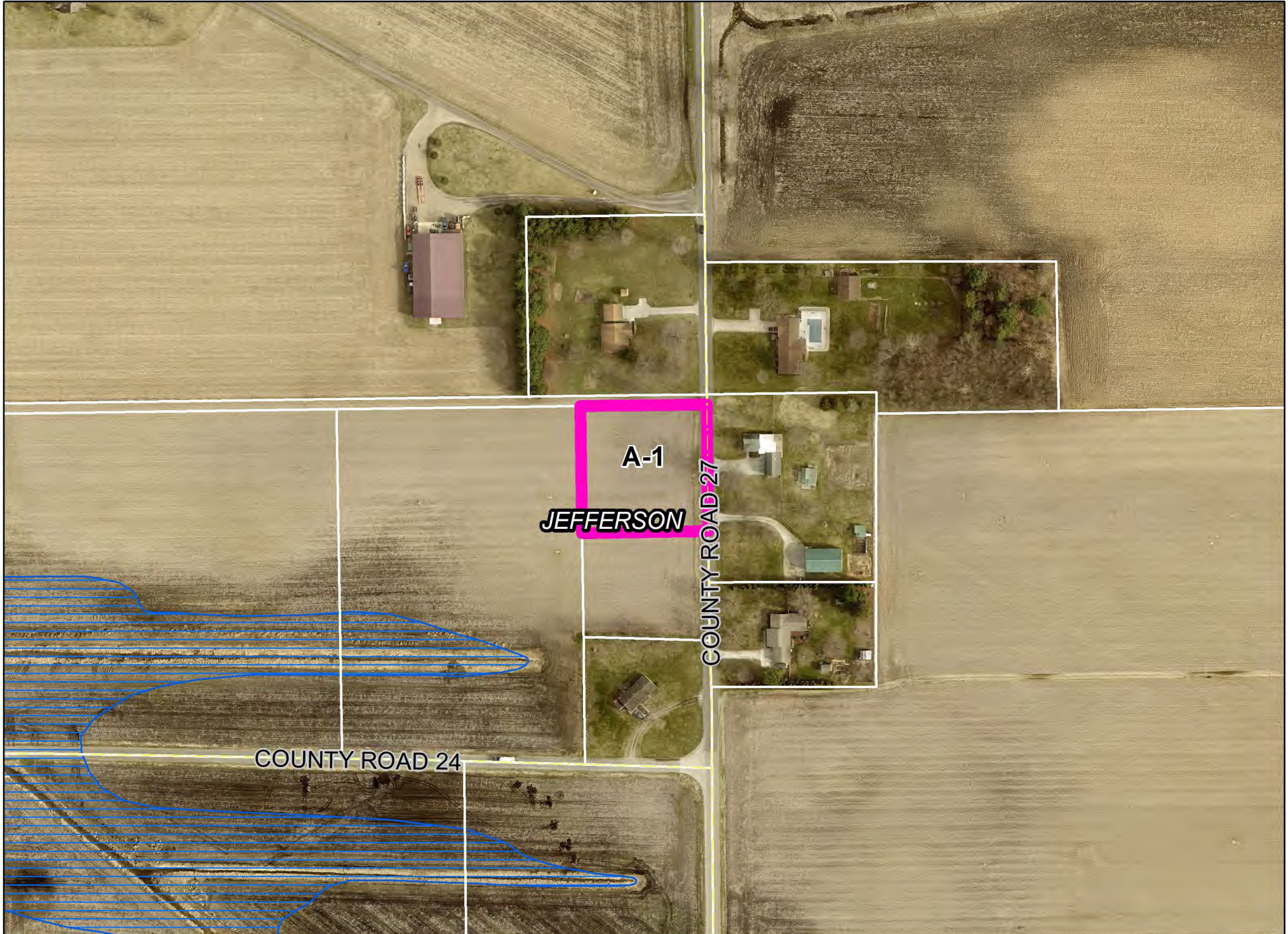
MI-0008-2024



2021 Aerials

1 inch = 60 feet





MI-0008-2024



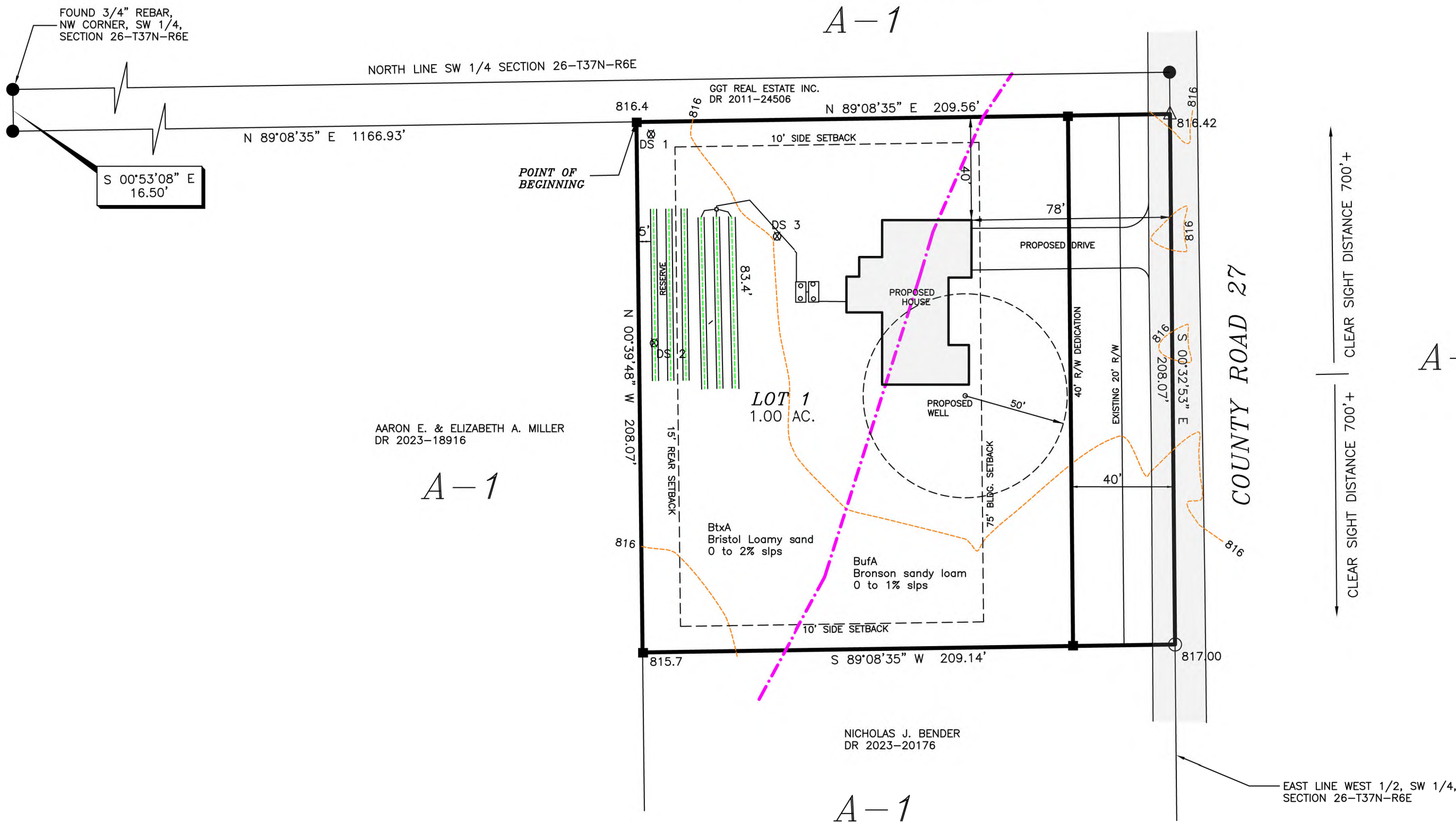
2021 Aerials

1 inch = 400 feet



PROUGH MINOR

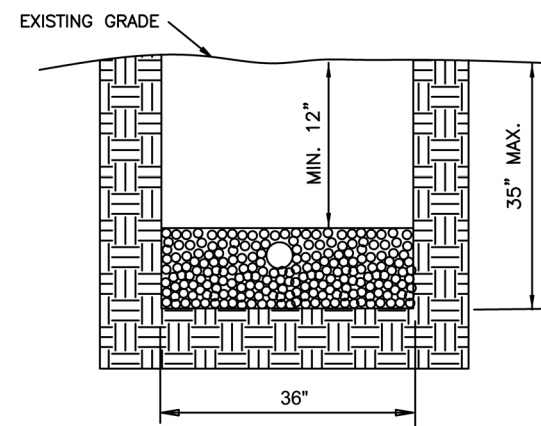
A 1 LOT MINOR SUBDIVISION LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 6 EAST, JEFFERSON TOWNSHIP, ELKHART COUNTY, INDIANA



LEGAL DESCRIPTION

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 6 EAST, JEFFERSON TOWNSHIP, ELKHART COUNTY, INDIANA, SURVEYED BY RONNIE L. JUSTICE, REGISTRATION NUMBER 809C0004, WITH ADVANCED LAND SURVEYING OF NORTHERN INDIANA INC., AS SHOWN ON PROJECT NUMBER 231008 CERTIFIED ON OCTOBER 19, 2023, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3/4 INCH REBAR MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 6 EAST; THENCE SOUTH 00 DEGREES 53 MINUTES 08 SECONDS EAST, 16.50 FEET TO A BAR AND CAP FOUND; THENCE NORTH 89 DEGREES 08 MINUTES 35 SECONDS EAST ALONG THE SOUTH LINE OF LAND CONVEYED TO GGT REAL ESTATE INC. IN ELKHART COUNTY DEED RECORD 2011-24506, A DISTANCE OF 1166.93 FEET TO A REBAR WITH CAP STAMPED ALS FIRM 0135 AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 89 DEGREES 08 MINUTES 35 SECONDS EAST ALONG THE SOUTH LINE OF SAID GGT REAL ESTATE LAND, 209.56 FEET TO A MAG NAIL FOUND ON THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26; THENCE SOUTH 00 DEGREES 32 MINUTES 53 SECONDS EAST, ALONG THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 26, A DISTANCE OF 208.07 FEET TO A SURVEY MARK SPIKE SET; THENCE SOUTH 89 DEGREES 08 MINUTES 35 SECONDS WEST, A DISTANCE OF 209.14 FEET TO A REBAR WITH CAP STAMPED ALS FIRM 0135; THENCE NORTH 00 DEGREES 39 MINUTES 48 SECONDS WEST, A DISTANCE OF 208.07 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION AND CONTAINING 1.00 ACRES, MORE OR LESS.



CROSS SECTION OF TRENCH

1. MAXIMUM TRENCH DEPTH IS 35"
2. 4" PERFORATED PIPE IS ASTM-D 2729 PIPE
3. 6" WASHED 5C STONE UNDER PIPE
4. 2" WASHED 5C STONE OVER PIPE
5. TOTAL STONE DEPTH IS 12"
6. ALL TRENCHES MUST BE COVERED WITH A MINIMUM OF 12" OF FILL SOIL

LEGEND

- ▲ MAG NAIL FOUND
- SET 5/8" REBAR W/CAP
- SET SURVEY MARK SPIKE
- FOUND PROPERTY CORNER
- ⊙ SECTION CORNER
- SOIL SEPARATION LINE
- ⊗ DS #1 SOIL BORING LOCATION

NOTES:

- 1) THIS LOT WILL BE DEVELOPED TO NOT IMPEDE THE NATURAL FLOW OF STORM WATER ON THIS TRACT.
- 2) THE LAND USE IS RESIDENTIAL
- 3) THE CURRENT ZONING IS A-1, AGRICULTURAL
- 4) THIS LOT IS TO BE SUPPLIED BY A WELL AND SEPTIC PER ELKHART COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL
- 5) SOIL TYPE IS:
BtxA Bristol loamy sand, 0 to 2% slps > 6' to water table depth
BufA Bronson sandy loam, 0 to 1% slps 2.0' to 3.0' water table depth
- 6) THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM COMMUNITY PANEL NUMBER 180056 0168 D, EFFECTIVE DATE OF AUGUST 2, 2011.
- 7) FINISH GRADE OF LOT TO REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADE.
- 8) CONTOUR DATA OBTAINED UTILIZING GPS (INDOT CORS) ON THE NAVD88 DATUM
- 9) ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- 10) DEVELOPMENT TIME TO BE AS SOON AS POSSIBLE
- 11) SITE FLOWS TO PINE CREEK WHICH IS APPROXIMATELY 2600'+/- NORTH OF PROPERTY.



PROPERTY ADDRESS: COUNTY ROAD 27
GOSHEN, INDIANA 46528
OWNER: DONALD & COLLEEN PROUGH



ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 40'	DRAWN BY: RLJ	PROJECT NUMBER: 231205
DATE: DEC. 23, 2023	APPROVED BY: RLJ	SHEET NUMBER: 1 OF 2

PROUGH MINOR

A 1 LOT MINOR SUBDIVISION LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 37 NORTH, RANGE 6 EAST, JEFFERSON TOWNSHIP, ELKHART COUNTY, INDIANA

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY SUBDIVISION CONTROL ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS DAY OF 2024

ELKHART COUNTY PLAN COMMISSION

BY: MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS DAY OF 2024

AT AND RECORDED IN PLAT BOOK PAGE

KAALA BAKER - RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS DAY OF 2024

PATRICIA A. PICKENS - AUDITOR OF ELKHART 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 REMOVED OR TO IN ANY WAY IMPEDE THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES.

IN THE EVENT ANY SUCH FACILITIES BECOMES DAMAGED OR IN DISREPAIR, IT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER TO REPAIR SUCH FACILITIES AT OWNER'S EXPENSE. IN THE EVENT OF OWNER'S FAILURE 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. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS A LOT OWNER'S REAL ESTATE FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNER'S REAL ESTATE. THE AMOUNT OF ANY ASSESSMENT FOR THE COSTS OF SUCH REPAIR, AS ASSESSED BY SAID GOVERNMENTAL AUTHORITY SHALL CONSTITUTE A LIEN UPON THE REAL ESTATE OF THE LOT OWNER AND AN ENCUMBRANCE UPON THE TITLE TO SAID LOT.

ELKHART COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID INDEBTEDNESS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN IN THE MANNER IN WHICH MORTGAGES ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA. ANY SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE COMMENCED IN ELKHART COUNTY, INDIANA.

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

THIS SURVEY LIES WITHIN A SURVEY BY THIS COMPANY RECORDED IN INSTRUMENT NUMBER 2023 - 18145 IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA.

DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE PLAT HEREIN, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE 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 PLAT OPPOSITE, THAT SAID SUBDIVISION IS TO BE KNOWN AS PROUGH MINOR, 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 HEREBY DEDICATED FOR PUBLIC USE.

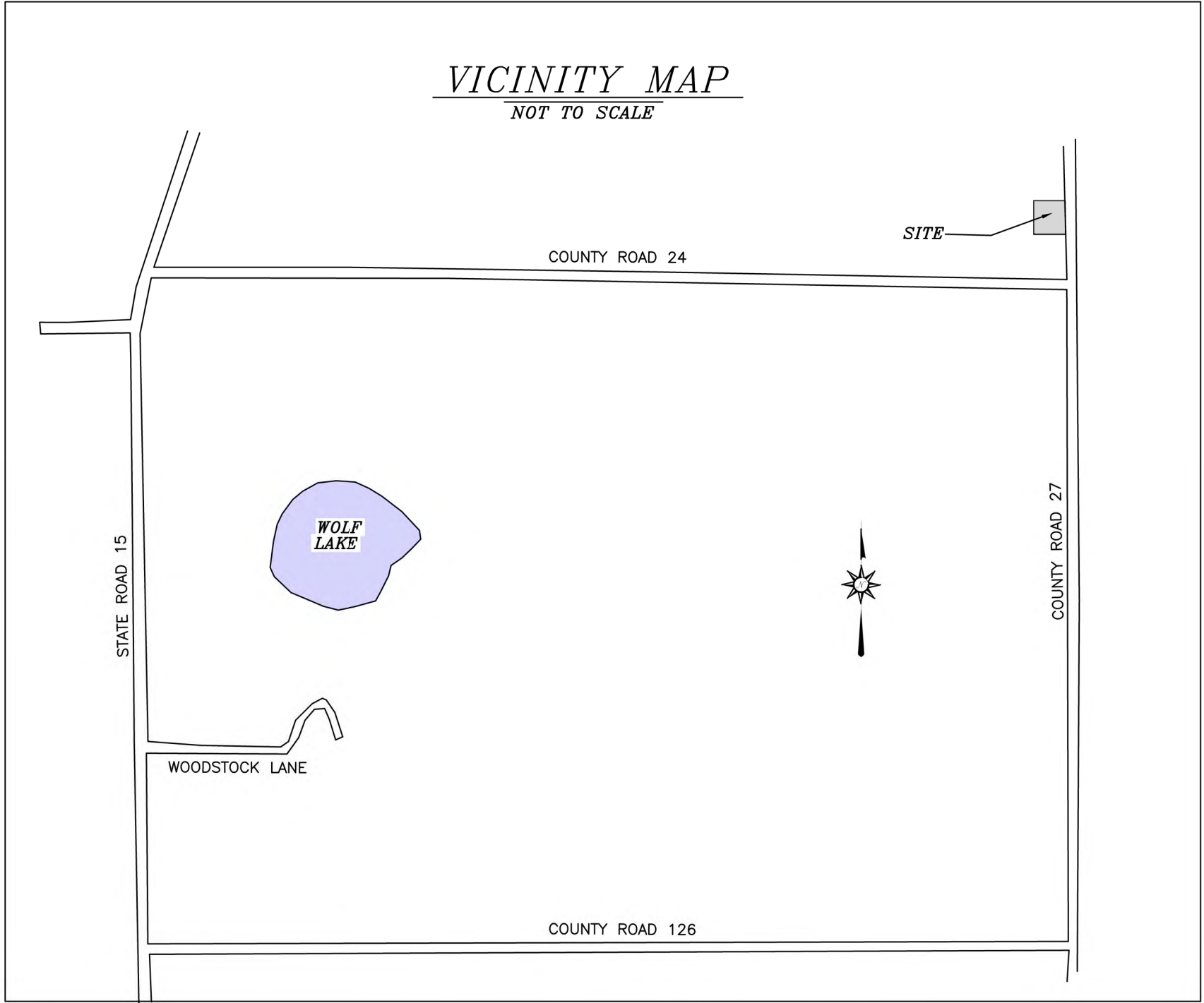
DONALD PROUGH

COLLEEN PROUGH

STATE OF INDIANA)
COUNTY OF ELKHART)SS:

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DONALD PROUGH AND COLLEEN PROUGH AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREIN EXPRESSED.
WITNESS MY HAND AND NOTARIAL SEAL THIS DAY OF 2024.

NOTARY
NOTARY'S PRINTED NAME
RESIDENT OF COUNTY
MY COMMISSION EXPIRES



I, RONNIE L. JUSTICE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

I, RONNIE L. JUSTICE, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA. 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 INDIANA ADMINISTRATIVE CODE, THAT ALL MONUMENTS ARE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA

SIGNATURE Ronnie L. Justice
RONNIE L. JUSTICE, PS
IN REG. NO. 80900004

PROPERTY ADDRESS: COUNTY ROAD 27
GOSHEN, INDIANA 46528
OWNER: DONALD & COLLEEN PROUGH



ADVANCED LAND SURVEYING OF NORTHERN INDIANA, INC.
17120 COUNTY ROAD 46, NEW PARIS, INDIANA 46553
(574) 849-4728
RONNIE L. JUSTICE PS

SCALE: 1" = 40'	DRAWN BY: RLJ	PROJECT NUMBER: 231205
DATE: DEC. 23, 2023	APPROVED BY: RLJ	SHEET NUMBER: 2 OF 2