

AGENDA

ELKHART COUNTY PLAT COMMITTEE

July 11, 2024
9:00 A.M.

ADMINISTRATION BUILDING
MEETING ROOMS 104, 106, & 108
117 N. 2nd 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 13th day of June 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: Galen D. Bontrager & Demetria A. Bontrager, Husband & Wife (page 1)
represented by Midwest Land Surveying, LLC
Petition: for primary approval of a 2-lot minor subdivision to be known as **DENNIS R. SETTERBERG**.
Location: east side of CR 127, 1,300 ft. north of CR 29, common address of 69234 CR 127 in Jackson Township. (MI-0321-2024)
- B. Petitioner: Daniel F. Graber & Barbara Ann L. Graber, Husband & Wife (page 2)
represented by B. Doriot & Associates, Inc.
Petition: for primary approval of a 1-lot minor subdivision to be known as **DANIEL'S CR 50 MINOR**.
Location: north side of CR 50, 260 ft. west of CR 35, common address of 14037 CR 50 in Benton Township. (MI-0376-2024)
- C. Petitioner: Yuriy & Tetyana Astakhov (page 3)
represented by Abonmarche Consultants
Petition: for primary approval of a 1-lot minor subdivision to be known as **HARMONY HALL**.
Location: north side of CR 20, 2,490 ft. west of CR 19, in Jefferson Township. (MI-0311-2024)

- D. Petitioner: Shawn R. Schrader & Erin E. Schrader **(page 4)**
 Co-Trustees of the Shawn R. & Erin E. Schrader Trust
 represented by Abonmarche Consultants
 Petition: for primary approval of a 3-lot minor subdivision to be known as
JEFFERSON FARMS.
 Location: west side of CR 27, 2,290 ft. north of CR 24, common address of 59097 CR
 27 in Jefferson Township. *(MI-0312-2024)*
- E. Petitioner: AMMF Trustee Corporation **(page 5)**
 represented by Wightman & Associates, Inc.
 Petition: for primary approval of a 1-lot minor subdivision to be known as **GARY**
MILLER CR 38 MINOR SUBDIVISION.
 Location: south side of CR 38, 800 ft. east of Ash Road, common address of 30846 CR
 38 in Olive Township. *(MI-0313-2024)*

SECONDARY APPROVAL

- F. Petitioner: Triple I Enterprises LLC **(page 6)**
 represented by Abonmarche Consultants
 Petition: for secondary approval of a 34-lot major subdivision to be known as
HIDEAWAY AT HERITAGE PINES.
 Location: south side of SR 120, 3,620 ft. west of CR 35, in York Township.
(MA-0380-2024)

The Elkhart County Plat Committee is meeting on Thursday July 11, 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 July 11, 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=me49879b63106858c7c77adf3968b0b2>

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 13TH DAY OF JUNE 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; Danielle Richards, Planner; Danny Dean, Planner; Laura Gilbert, Administrative Manager; and James W. Kolbus, Attorney for the Board.

Roll Call.

Present: Steve Warner, Lori Snyder, Steven Clark.

Absent: Phil Barker, Steve Edwards

2. A motion was made and seconded (*Clark/Snyder*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 9th day of May 2024, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Clark/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 PRATT MINOR SUBDIVISION, for James A. Pratt & Debra S. Pratt, Husband & Wife represented by Land and Boundary LLC, on property located on the south side of CR 108, 2,045 ft. west of CR 3, common address of 29110 CR 108 in Cleveland Township, zoned R-1, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MI-0300-2024*.

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

Motion: Action: Approve, **Moved by** Steven Clark, **Seconded by** Lori Snyder that this request for primary approval of a 2-lot minor subdivision to be known as PRATT 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 3-lot minor subdivision to be known as HERITAGE HILL SUBDIVISION, for Leonid Kidun & Nadia Kidun, Husband & Wife represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the north side of CR 24, 990 ft. west of CR 27, in Jefferson 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-0302-2024*.

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steven Clark that this request for primary approval of a 3-lot minor subdivision to be known as HERITAGE HILL SUBDIVISION 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 MILLIE BONTRAGER MINOR SUBDIVISION, for Millie G. Bontrager represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the south side of SR 4, 1,650 ft. west of CR 37, common address of 13256 SR 4 in Clinton 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-0304-2024*.

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

Motion: Action: Approve, **Moved by** Steven Clark, **Seconded by** Lori Snyder that this request for primary approval of a 2-lot minor subdivision to be known as MILLIE BONTRAGER MINOR SUBDIVISION be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for primary approval of a 2-lot minor subdivision to be known as RAILROAD LANDS MINOR LOT 2 REPLAT, for Lamb-Me LLC represented by B. Doriot & Associates, Inc., on property located on the north side of South St., 375 ft. west of CR 35, in York 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-0309-2024*.

Mr. Clark asked why they were building alongside the railroad. Mrs. Richards indicated that it was previously platted for a residence. She further stated that the plans are for a duplex. Mrs. Snyder confirmed that the plans were to make it residential from the beginning. Mr. Clark remarked that it was an odd location.

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

Motion: Action: Approve, **Moved by** Steven Clark, **Seconded by** Lori Snyder that this request for primary approval of a 2-lot minor subdivision to be known as RAILROAD LANDS MINOR LOT 2 REPLAT be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The application for primary approval of a 2-lot minor subdivision to be known as MORIARTY'S COUNTY ROAD 28 MINOR SUBDIVISION 1ST REPLAT, for Todd Miller & Melissa Miller, Husband & Wife represented by Wightman & Associates, Inc., on property located on the north side of CR 28, 1,050 ft. west of CR 22, 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-0303-2024*.

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

Motion: Action: Approve, **Moved by** Steven Clark, **Seconded by** Lori Snyder that this request for primary approval of a 2-lot minor subdivision to be known as MORIARTY'S COUNTY ROAD 28 MINOR SUBDIVISION 1ST REPLAT be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

9. The application for secondary approval of a 39-lot major subdivision to be known as DEERFIELD ESTATES SECTION SIX, for Westview Capital LLC represented by Whitman & Associates, Inc., on property located on the north end of Hunters Edge Trl., 800 ft. north of Deer Fawn Trl., west of Deer Hollow Dr., north of CR 2, in Cleveland Township, zoned A-1, was presented at this time.

Jason Auvil presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0305-2024*.

Mr. Warner stated this request appears to be finishing the last phase of this project. Mr. Auvil stated that is correct. Mrs. Snyder stated there could have been a lot more homes, but the developer reduced the number of homes. She added it was originally supposed to be 60 lots. Mr. Auvil noted it is not uncommon to reduce the number of lots, especially if they do not have utilities. Mr. Auvil went on to say that soils can make a difference in how many septic systems can be put in a development.

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Steven Clark that this request for secondary approval of a 39-lot major subdivision to be known as DEERFIELD ESTATES SECTION SIX be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

The meeting was adjourned at 9:13 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MI-0321-2024.

Parcel Number(s): 20-15-13-100-022.000-018.

Existing Zoning: A-1.

Petition: for primary approval of a 2-lot minor subdivision to be known as DENNIS R. SETTERBERG.

Petitioner: Galen D. Bontrager & Demetria A. Bontrager, Husband & Wife, represented by Midwest Land Surveying, LLC.

Location: east side of CR 127, 1,300 ft. north of CR 29, in Jackson Township.

Site Description: Proposed lot 1 is 1.22 acres and irregular in shape, with an existing residence. Proposed lot 2 is 1.89 acres, irregular in shape, with an existing residence, existing accessory dwelling, and an existing detached accessory structure.

History and General Notes:

- **April 25, 2024** – A complaint was made about a third residence being built on a single parcel of land (CODE-0264-2024).

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.

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

MI-0321-2024

Date: 05/08/2024 Meeting Date: July 11, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0321-2024

Description: for primary approval of a 2-lot minor subdivision to be known as DENNIS R SETTERBERG

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Midwest Land Surveying, Llc 124 E Albion St Avilla, IN 46710	Galen D. Bontrager & Demetria A. Bontrager, Husband & Wife 69234 Cr 127 New Paris, IN 46553	Midwest Land Surveying, Llc 124 E Albion St Avilla, IN 46710

Site Address: 69234 County Road 127 NEW PARIS, IN 46553	Parcel Number: 20-15-13-100-022.000-018
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Township: Jackson
Location: EAST SIDE OF CR 127, 1,300 FT. NORTH OF CR 29

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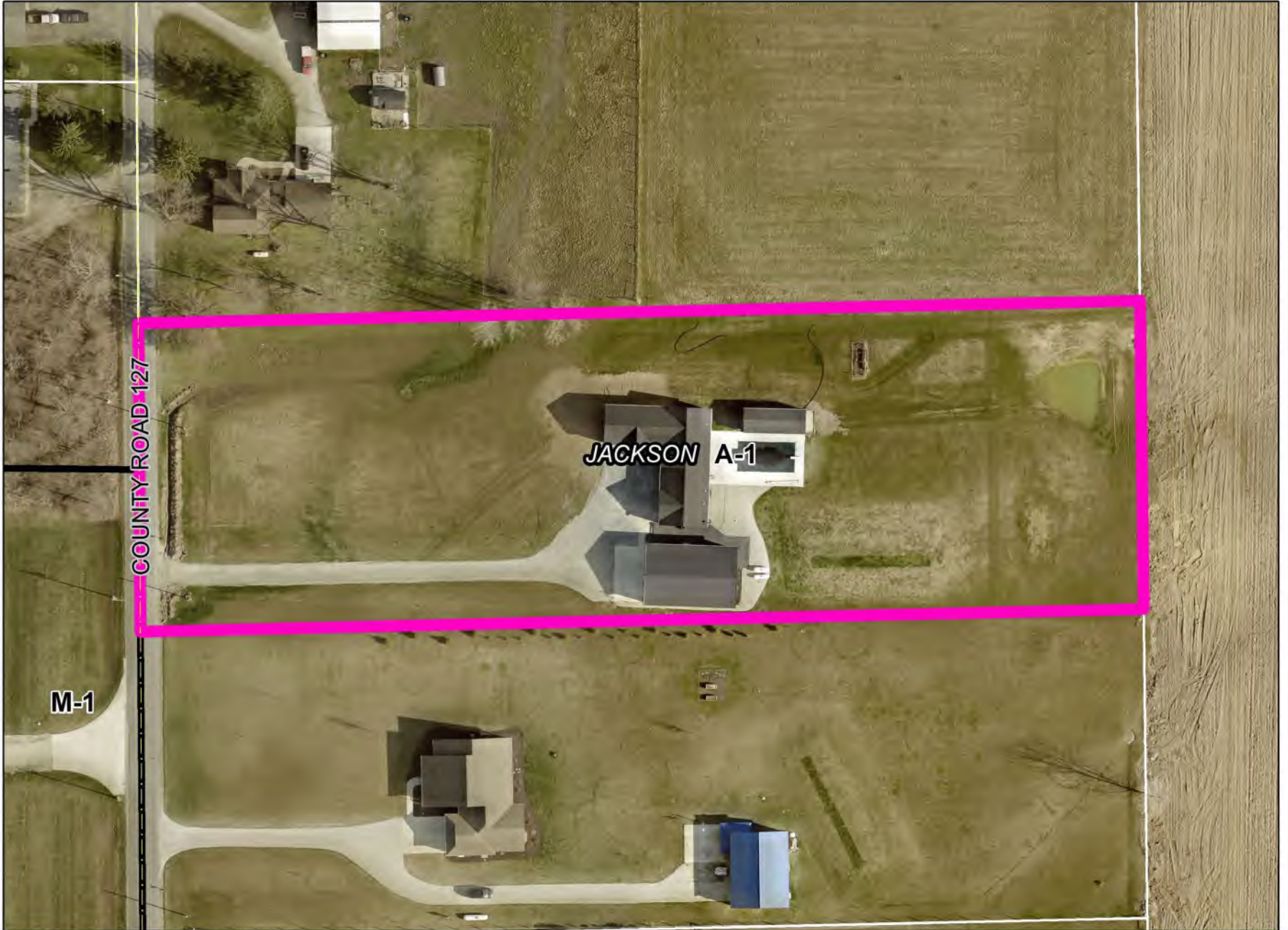
Present Use of Property:

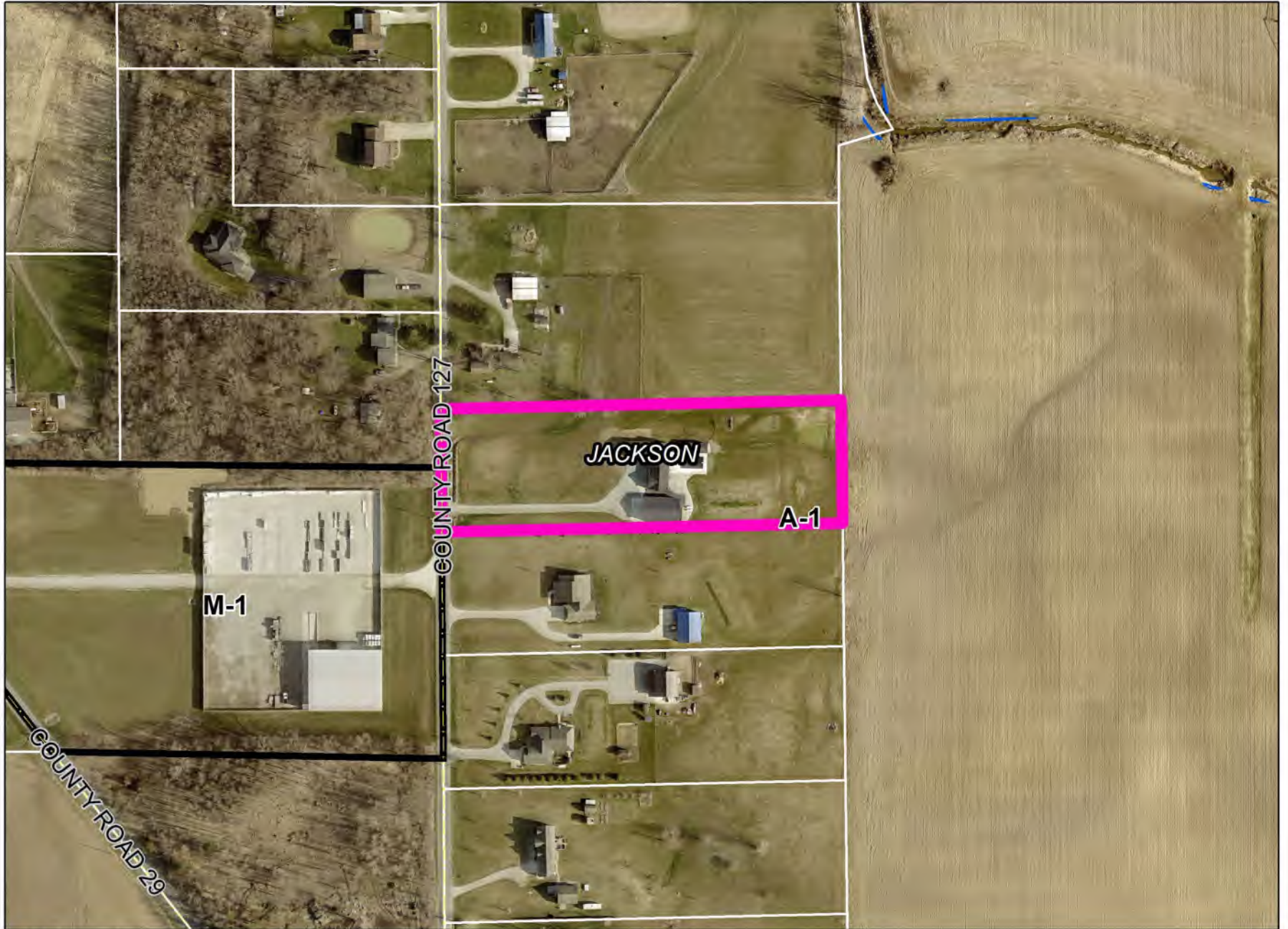
Legal Description:

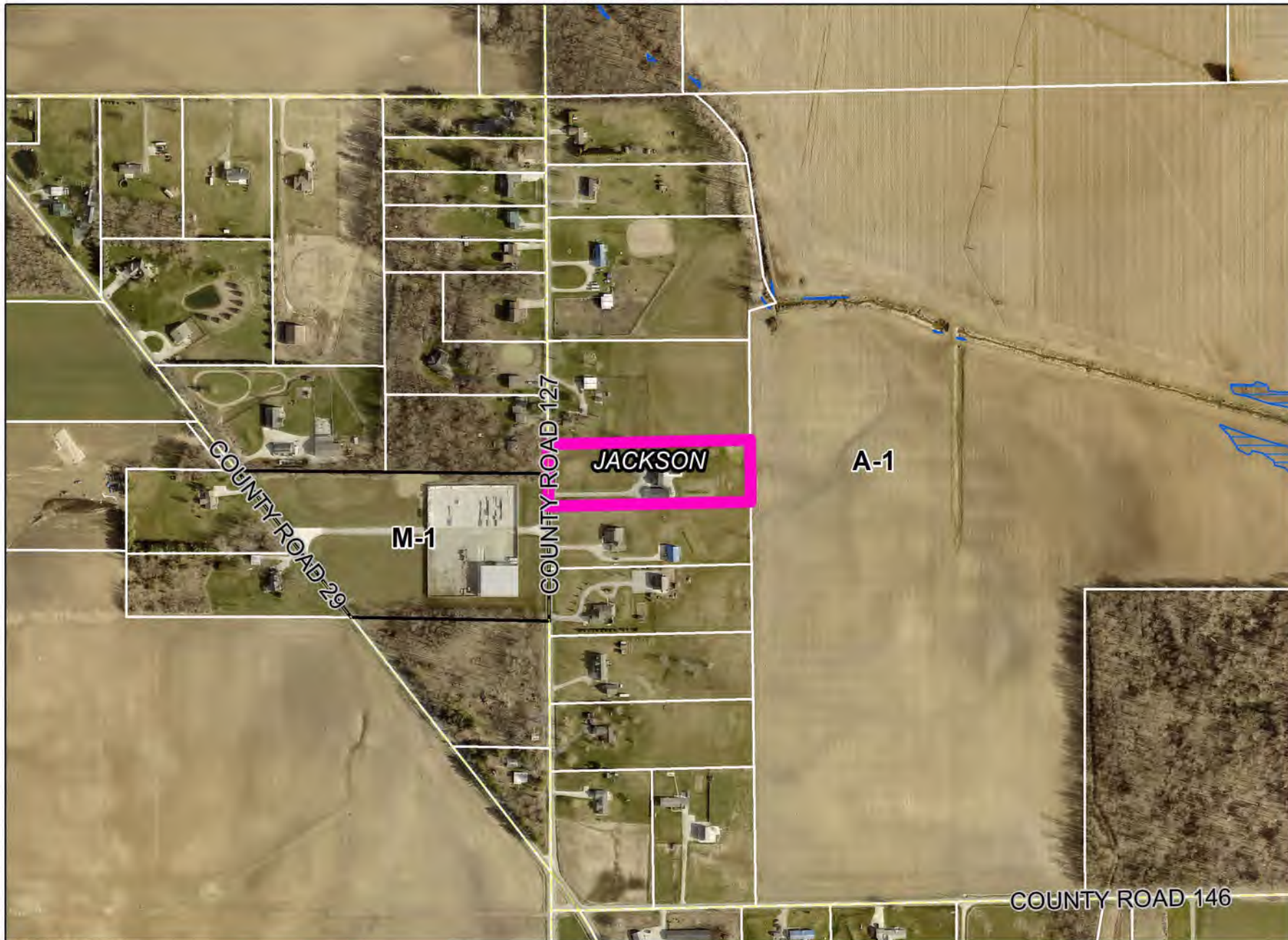
Comments: SEE ACTIVE CODE CASE: CODE-0264-2024: BUILDING 3RD RESIDENTIAL BUILDING ON PROPERTY
SEE BUILDING PERMIT BR-2079-2023

Applicant Signature:

Department Signature:







MAP 2-001
 NW COR. 1/4
 SEC 13, T 35 N, R 6

DENNIS R. SETTERBERG

A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 EAST JACKSON TOWNSHIP



SUBDIVISION LOCATION



PROFESSIONAL SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE ABOVE IS A CORRECT PLAT AND DESCRIPTION OF A SURVEY COMPLETED BY ME, OR UNDER MY DIRECT SUPERVISION, ON _____ TO BE DETERMINED AND WAS EXECUTED ACCORDING TO SURVEY REQUIREMENTS AS SET FORTH IN IND. AC 1-15-13 (RETRACEMENT AND ORIGINAL SURVEY PLATS) AND IND. AC 1-12-16 (ORIGINAL AND RETRACEMENT SURVEY MONUMENTATIONS). ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE TYPE, AND MATERIAL ARE ACCURATELY SHOWN. THE ACCEPTABLE RELATIVE ACCURACY FACTORS FOR THIS ORIGINAL SURVEY PLAT IS 0.11 FEET PER 100 FEET FOR MEDIUM VERTICAL CLASSIFICATION AS A SUBURBAN SURVEY. THIS PLAT COMPLIES WITH THE PROVISIONS OF THE SURBANH COUNTY SUBDIVISION ORDINANCE.

THE SURVEY FOR THE PLAT HAS BEEN PREVIOUSLY SURVEYED AND RECORDED PER EXHIBIT COUNTY DOCUMENT NUMBER _____ THE LOCATION OF THE BOUNDARY HAS REMAINED UNCHANGED FROM THE SURVEY IN THE REFERENCED INSTRUMENT.

SURVEY JOB NUMBER: 35-06-13-001
 PREPARED FOR:
 GALEN D. BONTAGGER AND
 DEMETRA A. BONTAGGER
 6626 COUNTY ROAD 127
 NEW PARIS, IN 46553

I ATTEST, UNDER THE PENALTY OF PERJURY, THAT I HAVE EXERCISED REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.



REC'D: # 12-13-1100-022-018
 SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 EAST
 EXHIBIT COUNTY, INDIANA

2024 2 LOT MINOR SUBDIVISION
 COUNTY ROAD 127
 NEW PARIS, IN 46553

SURVEY JOB NO. 35-06-13-001

REVISIONS	
DATE	REVISION

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 35 NORTH, RANGE 6 EAST, EXHIBIT COUNTY, THE STATE OF INDIANA, MORE FULLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER MARKED BY A HARRISON MARKER FOUND, THENCE N 00°23'00" W (STATE PLANT NAD83, INDIANA ZONE EAST), ALONG THE WEST LINE OF SAID NORTHWEST QUARTER FOR 1336.82 FEET TO A MAG NAIL SET AT THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED TO SAM R. CHRISTNER JR. AND ANDREA S. CHRISTNER PER EXHIBIT COUNTY DOCUMENT NUMBER 2013-19778 AND BEING THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUING N 00°23'00" W ALONG THE WEST LINE OF SAID NORTHWEST QUARTER FOR 205.43 FEET TO A MAG NAIL SET AT SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO AMBER D. GALL AND BEHANNY BAKER PER EXHIBIT COUNTY DOCUMENT NUMBER 2017-1833, THENCE N 88°29'20" E, ALONG THE SOUTH LINE OF SAID GALL AND BAKER TRACT, FOR 645.88 FEET TO A BRICK SET ON THE WEST LINE OF A TRACT OF LAND CONVEYED TO BROWN HILLS FARM PER EXHIBIT COUNTY DOCUMENT NUMBER 2016-12948, THENCE S 00°01'10" E ALONG THE WEST LINE OF SAID BROWN HILLS FARM FOR 202.20 FEET TO A REBAR FOUND AT THE NORTHEAST CORNER OF SAID CHRISTNER TRACT, THENCE S 89°07'07" W ALONG THE NORTH LINE OF SAID CHRISTNER TRACT FOR 684.00 FEET TO THE POINT OF BEGINNING SAID TRACT OF LAND CONTAINING 3.11 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OR RECORDING.

LEGEND

- △ HARRISON MARKER FOUND
- MAG NAIL SET
- REBAR FOUND
- REBAR SET
- SECTION LINE
- RIGHT-OF-WAY
- LOT LINE
- PLAT LINE
- 3 CONCRETE

(RESIDENTIAL USE)

GALLEN D. BONTAGGER AND
 DEMETRA A. BONTAGGER
 DOC. NO. 2017-1833

N 89°32'10" E 645.88' 00"
 S 89°07'07" W 684.00' 00"

PROPOSED DRIVEWAY
 LOCATION FOR FUTURE
 DRIVE WHEN NEEDED



(RESIDENTIAL USE)

WITNESSED FOR RECORD THIS _____ DAY OF _____ 2024
 AT _____ AND RECORDED BY PLAT BOOK _____ PAGE _____
 AUDITOR
 DULY ENTERED FOR TAXATION THIS _____ DAY OF _____ 2024
 PATRICIA A. PHOENIX, AUDITOR OF EXHIBIT COUNTY

NOTE: LIGHT BUILT-UPS AT EXISTING DRIVE AND PROPOSED DRIVE MUST MAINTAIN SIGHT TRIANGLES

CLASSIFICATION
 FROM AN EXAMINATION OF FLOOD INSURANCE RATE MAPS AND RECORDS WITH EFFECTIVE DATE OF AUGUST 02, 2013, THE TRACT OF SURVEY IS LOCATED IN "OTHER AREAS ZONE B", DEEMED AS "AREAS DEEMED TO BE OUTSIDE THE FLOOD HAZARD CHANGING FLOODPLAIN"

CERTIFICATE OF DEDICATION

LINE THE UNDESIGNED OWNERS OF RECORD OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY PLAT AND DEDICATE SAID REAL ESTATE AND DESCRIBE THE SAME AS FOLLOWS: TO BE DEDICATED

SUCH STREET ALLEY PARK, RECREATION AREA, LAKE ACCESS, OR PUBLIC USE SHOWN ON THE PLAT IS DEDICATED TO THE PUBLIC BUT SHALL NOT BE MAINTAINED BY ANY PUBLIC AGENCY UNLESS SPECIFICALLY ACCEPTED FOR MAINTENANCE BY LIMITED REGULATION OF THE PUBLIC AGENCY. EXISTING SIDEWALKS AND ANY ESTABLISHED OR SHOWN ON THE PLAT BOUNDARY LINES AND THE PROPERTY LINE THEREON SHALL NOT BE DISTURBED BY MAINTENANCE ANY EXISTING OR STRUCTURE, STREET OR DRAINAGE "EASEMENT" ARE RESERVED FOR THE USE OF ALL PUBLIC UTILITIES SUBJECT AT ALL TIMES TO PUBLIC AUTHORITIES AND TO THE EASEMENTS THEREON RESERVED. NO STRUCTURE MAY BE MAINTAINED ON SAID EASEMENTS AND OWNERS OF THE LOT SHALL MAKE THE TITLE SUBJECT TO THE EASEMENTS.

WITNESS OUR HANDS THIS _____ DAY OF _____ 20____

GALEN D. BONTAGGER
 6626 COUNTY ROAD 127
 NEW PARIS, IN 46553

DEMETRA A. BONTAGGER
 6626 COUNTY ROAD 127
 NEW PARIS, IN 46553

STATE OF INDIANA,
 COUNTY OF _____

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED GALEN D. BONTAGGER AND DEMETRA A. BONTAGGER, AND EACH ACKNOWLEDGED THE CORRECTNESS OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ 20____

(NOTARY NUMBER)
 PRINTED NAME
 MY COMMISSION EXPIRES _____

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE EXHIBIT COUNTY SUBDIVISION CONTROL ORDINANCE AND THE DESIGNATIONS SHOWN ON THIS PLAT AND HEREBY APPROVED AND ACCEPTED TO THE DEPARTMENT OF EXHIBIT COUNTY THIS _____ DAY OF _____ 20____

BY _____
 PLAT WRITERS

DRAINAGE MAINTENANCE CERTIFICATION

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING DRAINAGE AND SWALES SHALL BE THE RESPONSIBILITY OF EACH LOT OWNER, AND NO OWNER SHALL PERMIT ALLOW OR CHANGE ANY OF SAID FACILITIES TO BE DISTRACTED OR REMOVED OR TO IN ANY WAY IMPAIR 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 OWNERS EXPENSE. IN THE EVENT OF OWNERS FAILURE TO MAINTAIN SUCH DRAINAGE FACILITIES IN GOOD ORDER AND REPAIR, APPROPRIATE GOVERNMENTAL AUTHORITY OF EXHIBIT COUNTY, INDIANA, MAY REPAIR SUCH DRAINAGE FACILITIES AND INVOICE THE COSTS OF SUCH REPAIR TO THE LASH OWNERS. EXHIBIT COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS ALL LOT OWNERS REAL ESTATE FOR THE PURPOSE OF REPAIRING ANY DRAINAGE FACILITIES ON SAID LOT OWNERS REAL ESTATE. THE AMOUNT OF ANY ALLOWANCE 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.

EXHIBIT COUNTY, INDIANA, IS FURTHER GRANTED A RIGHT OF ACTION FOR THE COLLECTION OF SAID ENCUMBRANCE 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 AND SUCH COLLECTION INCLUDE FORECLOSURE ACTION SHALL BE MAINTAINED IN THE COURTS OF CENTRAL JURISDICTION OF THE STATE OF INDIANA, AND SHALL BE CONDUCTED IN EXHIBIT COUNTY, INDIANA.

COUNTY ROAD 127 (APP. SURV. R/W)

N 00°23'00" W 1336.82' 00"
 N 00°23'00" W 205.43' 00"
 N 88°29'20" E 645.88' 00"
 N 89°07'07" W 684.00' 00"
 N 00°23'00" W 1336.82' 00"
 N 00°23'00" W 205.43' 00"
 N 88°29'20" E 645.88' 00"
 N 89°07'07" W 684.00' 00"
 N 00°23'00" W 1336.82' 00"
 N 00°23'00" W 205.43' 00"
 N 88°29'20" E 645.88' 00"
 N 89°07'07" W 684.00' 00"
 N 00°23'00" W 1336.82' 00"
 N 00°23'00" W 205.43' 00"
 N 88°29'20" E 645.88' 00"
 N 89°07'07" W 684.00' 00"

MAP 2-001
 SW COR. 1/4
 SEC 13, T 35 N, R 6 E

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MI-0376-2024.

Parcel Number(s): 20-16-20-400-006.000-003.

Existing Zoning: A-1.

Petition: for primary approval of a 1-lot minor subdivision to be known as DANIEL'S CR 50 MINOR.

Petitioner: Daniel F. Graber & Barbara Ann L. Graber, Husband & Wife, represented by B. Doriot & Associates, Inc.

Location: north side of CR 50, 260 ft. west of CR 35, in Benton Township.

Site Description: Proposed lot 1 is 10.00 acres and irregular in shape, with an existing single-family residence, multiple barns, and silos.

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.

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

MI-0376-2024

Date: 06/03/2024

Meeting Date:

July 11, 2024

Plan Commission Hearing (Subdivision)

Transaction #:

MI-0376-2024

Description: for primary approval of a 1-lot minor subdivision to be known as DANIEL'S CR50 MINOR

Contacts: Applicant

B. Doriot & Associates, Inc.
P.O. Box 465
New Paris, IN 46553

Land Owner

Daniel F & Barbara Ann L
Graber, Husband & Wife
14037 County Road 50
Syracuse, IN 46567

Private Surveyor

B. Doriot & Associates, Inc.
P.O. Box 465
New Paris, IN 46553

Site Address: 14037 County Road 50
SYRACUSE, IN 46567

Parcel Number: 20-16-20-400-006.000-003

Township: Benton

Location: NORTH SIDE OF CR 50, 340 FT. WEST OF CR 35

Subdivision:

Lot #

Lot Area:

Frontage:

Depth:

Zoning: A-1

NPO List:

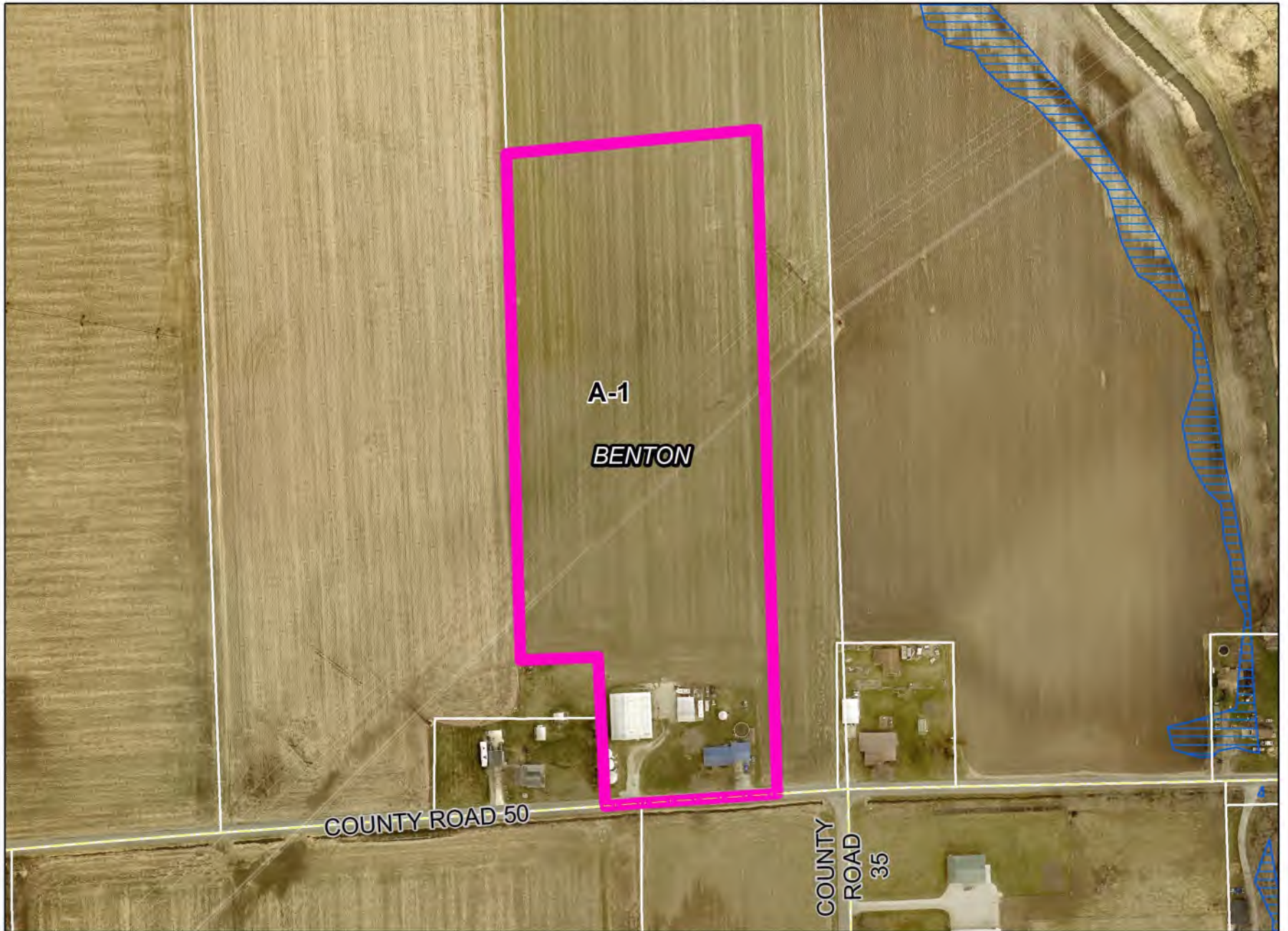
Present Use of Property:

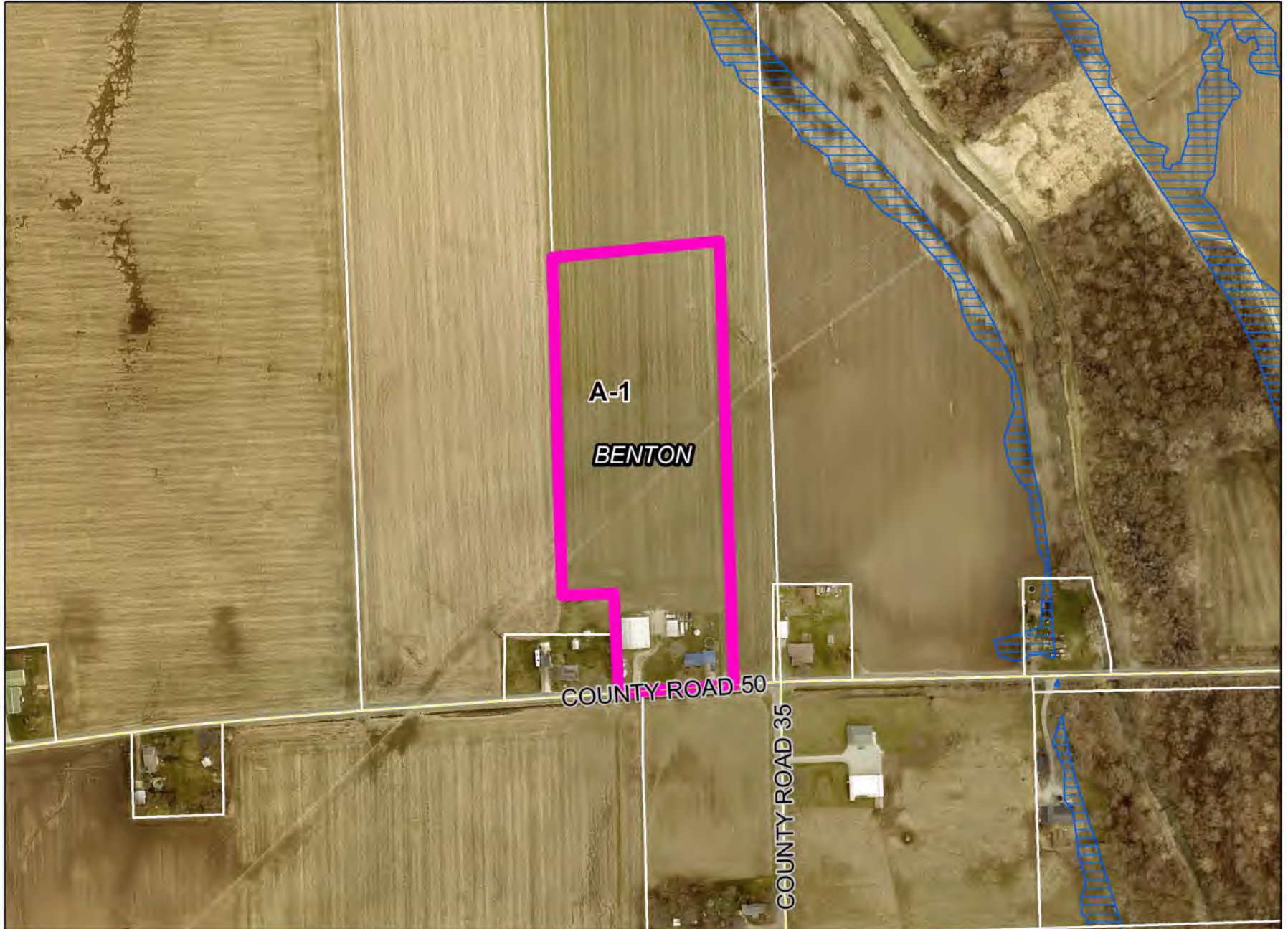
Legal Description:

Comments:

Applicant Signature:

Department Signature:







DANIEL'S CR50 MINOR

A One Lot Minor Subdivision in the Southeast Quarter of Section 20,
Township 35 North, Range 7 East, Benton Township, Elkhart County, Indiana

PLAT NOTES

LEGEND:

- (1) - Green storage bin
- - Iron Pin
- ⊙ - 75' Building Subcut
- ⊙ - 15' Building Subcut
- ⊙ - 10' Building Subcut
- (2) - Existing curb
- (3) - Overhead high capacity gas or low voltage electric

GENERAL:

- All lines set were as shown (DIB/DIT/ROD) and set back, unless noted.
- Mag rods set with aluminum pin (DIB/DIT/ROD) and set back, unless noted.
- All corners and monuments that were found are fixed and original condition unless noted.
- No monuments were found at any of the corners.
- All bearings are Indian Stone Plates, unless noted.
- All distances and bearings on this plan are noted as follows:
M-Measured, R-Recorded, C-Calculated.
- C-d. R1 before closing.
- Section corner information is per the Elkhart County Surveyor's office records.

DEVELOPMENT:

- Development shall begin ASAP.
- All utility lines and setbacks shall conform to the Elkhart County Planning and Zoning Regulations.
- Easement Utilities: Owners of line provide before any construction.
- All proposed improvements, well locations, and septic designs shown are general, and are for informational purposes only. The final plans, and locations, will be designed by others.

DEVIATIONS:

- The existing fence, well lines, water lines, gas lines, are wholly, or partially, outside of the 75' setback restriction to them.

DRAINAGE:

- Not to the 100 year flood zone (FEMA).
- Drainage patterns will remain unchanged.
- This development will have no effect on any regulated stream.
- 75' Eas to Station Ditch.
- Final grade shall be approved after existing.
- Comply per Elkhart County GIS (2008 Data to 2016 TOPG).
- Low cut flow diversion recommended to be above the Seasonal High Water Table, unless an approved engineered water proofing plan is submitted with the application for a building permit, or a gravity flow perimeter drain installed.
- Low flow) sewer to be installed.

HEALTH:

- Site to be served by septic and well.
- Existing septic system does not meet standards. Soil borings have been set out, and will be provided ASAP.

HIGHWAY:

- Existing road shall be used.
- Existing drive shall be used.
- Sight distance for proposed existing drive 300' W, 300' E.
- Existing traffic pattern will be unaffected.

SOILS:

- Soils as mapped as follows: AEA, Sx4
- Soil types taken from the Elkhart County GIS.

DESCRIPTION

Description #2024-0302

This original description is part of the property conveyed to Leah Marie Burton and Craig Burton in Document Number 2017-06976 in the Recorder's Office of Elkhart County, Indiana, being a tract of land in the Southeast Quarter of Section 20, Township 35 North, Range 7 East, Benton Township, Elkhart County, Indiana as the same was owned by Christopher W. McCrea dated February 12, 2014, as shown in Document #2014-045. Also Accepted & Assented to and more particularly described as follows:

Commencing at a Harrison Monument at the Southeast corner of the Southeast Quarter of said Section 20 being within the right-of-way of County Road 50

thence South 04°39'07" West, 100.00 feet to a bearing established by FNDOT VRS line, being NAD83 Indian East coordinate system along the South line of said Southeast Quarter and within said right-of-way, 172.28 feet to a Magnet with a McCrea marker being the Point of Beginning;

thence South 36°30'07" West, 280.00 feet to a point being 0.30 feet West and 0.2 feet North of a 200' cap 5/8" rebar;

thence North 07°25'34" West, 258.07 feet to a 200' cap 5/8" rebar;

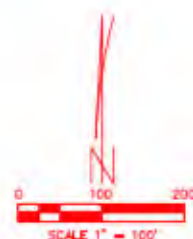
thence South 07°55'17" West, 132.02 feet to a point being 0.5 West of a 200' cap 5/8" rebar;

thence North 01°55'46" West, 635.05 feet to a McCrea cap 5/8" rebar;

thence North 36°29'27" East, 431.32 feet to a McCrea cap 5/8" rebar;

thence South 01°47'15" East, 1097.04 feet to the Point of Beginning;

containing 10.00 acres more or less.



I, C. BLAKE DORRIT, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN THE STATE OF INDIANA, IN COMPLIANCE WITH THE LAWS THAT THIS PLAT IS THE BEST OF MY KNOWLEDGE CORRECTLY REPRESENTS A SURVEY MADE BY ME, THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST, THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN.

PAGE X OF X	Drawn by: CEB	Approved by: CBD
	PLD check CEB	PROJ. NO. 2024-040
	DATE: 5/31/2024	DWG. NO. 2024-040.dwg
	Drawn: GRABER DANIEL F & BARBARA ANN L GRABER NAW	

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MI-0311-2024.

Parcel Number(s): 20-07-20-300-034.000-019.

Existing Zoning: A-1.

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

Petitioner: Yuriy & Tetyana Astakhov, represented by Abonmarche Consultants.

Location: North side of CR 20, 2,490 ft. west of CR 19, in Jefferson Township.

Site Description: Proposed lot 1 is 7.18 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.

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

MI-0311-2024

Date: 05/06/2024 Meeting Date: July 11, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0311-2024

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

<u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Yuriy & Tetyana Astakhov 57177 Coppergate Dr Elkhart, IN 465165684	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526

Site Address: 00000 County Road 20 GOSHEN, IN 46526	Parcel Number: 20-07-20-300-034.000-019
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Township: Jefferson
Location: NORTH SIDE OF CR 20, 2,490 FT. WEST OF CR 19

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:

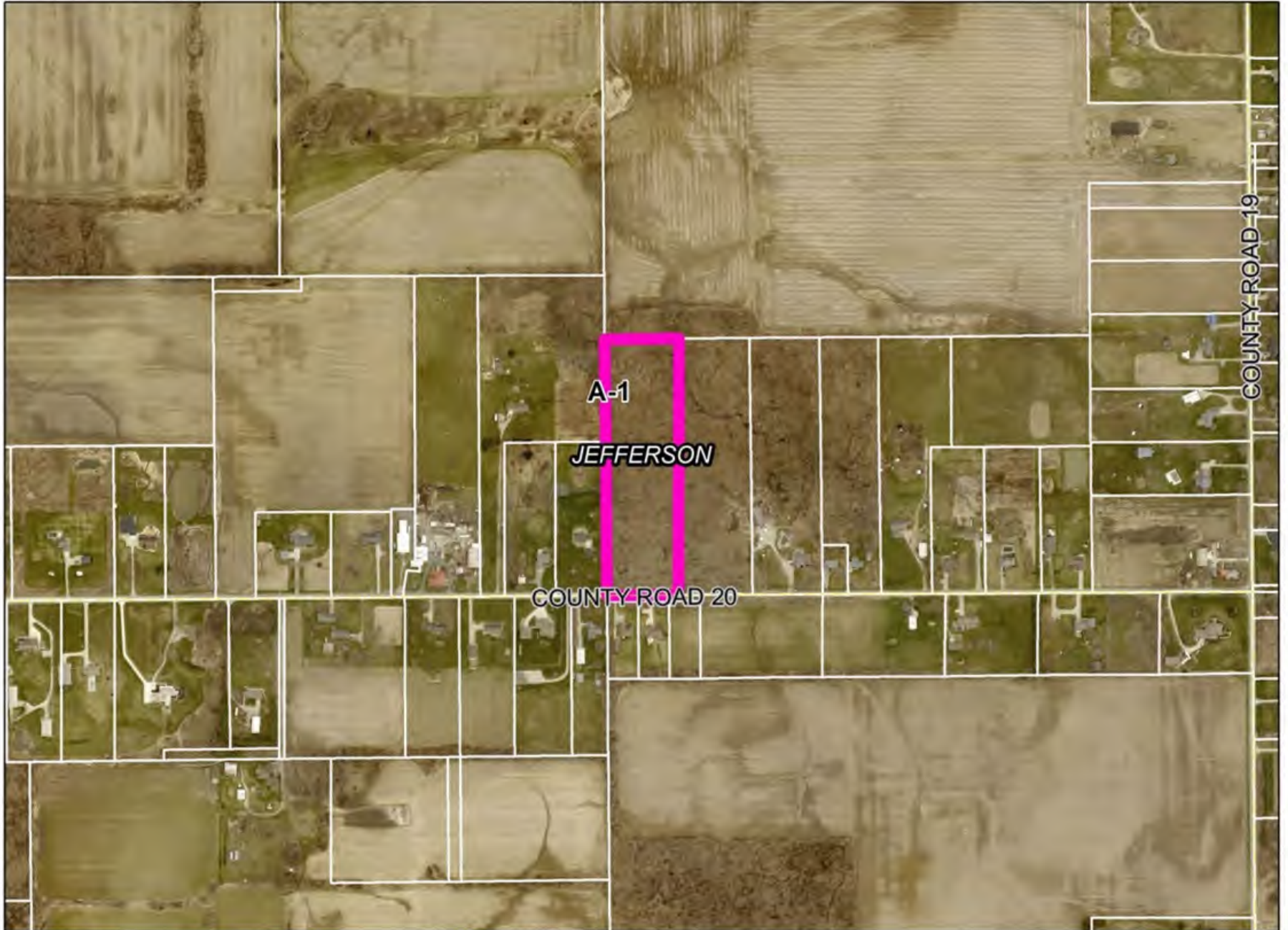
Comments: ORIGINAL SUBMISSION DATE WAS ON 5/6/24. IT WAS WITHDRAWN AND RESUBMITTED FOR THE JUNE DEADLINE TO BE HEARD JULY 11TH. PER DANNY DEAN AND LAURA GILBERT. AW 5/21/24

Applicant Signature:

Department Signature:







**PRIMARY PLAT
 HARMONY HALL**

A PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH,
 RANGE 6 EAST, JEFFERSON TOWNSHIP, ELKHART COUNTY, INDIANA.
 OWNER: YURKI & TETYANA ASTASHOV
 ADDRESS: YI. COUNTY ROAD 20, GOSHEN, IN. 46528
 TAX ID#: 20-07-20-300-034-000-011



LEGAL DESCRIPTION-PER INSTR. #2019-07116

PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 37 NORTH, RANGE 6 EAST, SECOND PRINCIPAL MERIDIAN, JEFFERSON TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MARKER REMAINDER AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 20 AND THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 20 TO HAVE AN ANGLE BEARING OF NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST; THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 20 AND THE WEST LINE OF SAID SECTION 200-030-000, A DISTANCE OF 324.44 FEET TO AN IRON BURN CAPED CORNER AT THE NORTHEAST CORNER OF SAID OLD RECORD 200-030-000; THENCE NORTH 89 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID OLD RECORD 200-030-000, A DISTANCE OF 253.17 FEET TO AN IRON BURN CAPED CORNER; THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 324.44 FEET TO A RAIL NAIL WITH WAGON CORNER ON SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20; THENCE SOUTH 89 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 20, A DISTANCE OF 0.62 FEET TO THE POINT OF BEGINNING.

GENERAL NOTES

EXISTING & PROPOSED LOT LINES
 ZONING FOR THIS ENTIRE PROJECT IS CURRENTLY A-1 AND IS WOODS. THE AREA IMMEDIATELY SURROUNDING THE SUBJECT PARCEL IS CURRENTLY A-1 AND IS WOODS. THIS PROJECT IS LOCATED ON THE NORTH SIDE OF COUNTY ROAD 20, APPROXIMATELY 2.5 MILES WEST OF COUNTY ROAD 24. THE PARCEL IS 7.13 ACRES, MORE OR LESS. THE SUBJECT PARCEL IS UNDER THE OWNERSHIP OF YURKI & TETYANA ASTASHOV.

SETBACKS - ALL FROM SUBDIVISION CORNER
 FRONT YARD = 20 FEET FROM CENTERLINE OF COUNTY ROAD 20
 SIDE YARD = 10 FEET
 REAR YARD = 15 FEET

- UTILITIES** - TOTAL PROPERTY AREA = 7.13 ACRES
- LANDSCAPING** - NA - NO NEW LANDSCAPING WILL BE INSTALLED WITH THIS SUBDIVISION.
- SEWER** - NA - NO NEW SEWER MAINS WILL BE INSTALLED WITH THIS SUBDIVISION.
- LIGHTING** - NA - NO NEW LIGHTING WILL BE INSTALLED WITH THIS SUBDIVISION.
- PAVING** - NA - NO NEW PAVING IS ENCLOSED WITH THIS SUBDIVISION.
- STREETS** - NA - NO NEW STREETS WILL BE CREATED WITH THIS SUBDIVISION.

SEWERAGE SYSTEMS
 PROPOSED LOT 1 WILL BE SERVICED BY AN NEW PRIVATE SEWER SYSTEM.
WATER SUPPLY
 PROPOSED LOT 1 WILL BE SERVICED BY AN NEW PRIVATE WELL.

SOILS
 THIS SITE IS COMPOSED OF CLAY (SHRUB OHLAM, 0-1% SLOPED) AND IS A SOMEWHAT POORLY DRAINAGE SOILS WITH A SEASONAL HIGH WATER TABLE OF ABOUT 3-6 FEET AND SOME (POOR) STONELAND (OH-1) SOILS AND IS A POORLY DRAINAGE SOIL WITH A SEASONAL HIGH WATER TABLE OF ABOUT 6 INCHES.
 SOIL INFORMATION WAS OBTAINED FROM THE "SOIL SURVEY OF ELKHART COUNTY, INDIANA", THE SURVEY WAS PUBLISHED BY THE USDA AND IN COOPERATION WITH THE UNIVERSITY AND THE SOIL CONSERVATION SERVICE.
 THE PROPOSED UTILITIES ON LOT 1 ARE BASED ON SOIL BORINGS PERFORMED BY SOIL CONSULTANTS DATED FEBRUARY 11, 2024.

BOUNDARIES
 MARKER REMAINDER AT THE SOUTHWEST CORNER OF SUBJECT PARCEL @ ELEVATION 624.76 FEET (WAS)

VERTICAL CURVES
 CONTROLS WERE TAKEN AND SCALED INTO THE DRAWING FROM ELEVATION, VERTICAL DATUM IS MVDMS.

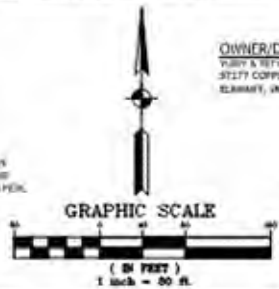
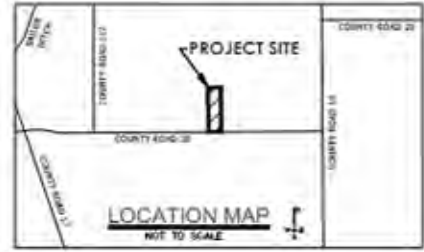
FLOOD ZONE
 THE SUBJECT PARCEL DOES NOT LIE WITHIN THE ANNUAL FLOOD PLAIN (SPECIAL FLOOD HAZARD AREA) AS SHOWN AND DETERMINED ON THE REMITTANT CURRENTLY PENDING FLOOD INSURANCE SPECIAL STUDY MAP DATE: AUGUST 1, 2014.

EXISTENCES OF BUILDINGS
 PROPOSED GRADE OF ANY FUTURE BUILDING SHALL BE SET TO ENSURE ADEQUATE FLOW OF STORMWATER AWAY FROM PROPOSED BUILDINGS. ANY FUTURE BUILDING SHALL BE OF STANDING CONSTRUCTION.

WHEN BUILDING A STRUCTURE BELOW GRADE, SPECIAL CONSIDERATION SHOULD BE GIVEN TO SOIL CONDITIONS, FOUNDATION DESIGN, ETC., SUCH CONSIDERATION IS BEYOND AND NOT PART OF THIS PLANNING SUBDIVISION.

BOUNDARIES, ETC.
 NO BOUNDARIES, ETC. HAVE BEEN RECALCULATED IN VIEW OF THIS PROJECT AND IS REQUIRED. ONE TO TWO DISTANCE IS ANTICIPATED TO BE LESS THAN AN ACRES OF LAND THAT WILL BE OBTAINED DURING CONSTRUCTION.

BASES OF BEARINGS - BEARINGS ARE BASED ON GEO-CENTRIC PROJECTION.



OWNER/DEVELOPER
 YURKI & TETYANA ASTASHOV
 32177 COPPERLAKE DRIVE
 ELKHART, IN 46524

LEGEND

- SC - SET 0.7' FEET MARKER (ARCHAEOLOGICAL FINDINGS)
- FP - FOUND IRON PIPE
- FCI - FOUND CAPTED IRON PIPE
- BM - BENCH-MARK LOCATION
- PRO - PROPOSED WALL
- CONTOUR - CONTOUR
- A-1 - ZONING
- SOI - SOIL DETERMINATION
- ADG - ADG LINE
- HWL - HWL BUILDING ATTACK LINE

DATE 05/09/24

CRAIG S. BATHORY, P.E.
 PROFESSIONAL LAND SURVEYOR #2120006
 STATE OF INDIANA

CRAIG S. BATHORY, P.E.
 PROFESSIONAL LAND SURVEYOR
 STATE OF INDIANA

WY COR. SW 1/4 SEC. 20-12-44E RD. 100A P29C

WY COR. SW 1/4 SEC. 20-12-44E RD. 100A P29C

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WY COR. SW 1/4 SEC. 20-12-44E RD. 100A P29C

WY COR. SW 1/4 SEC. 20-12-44E RD. 100A P29C

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MI-0312-2024.

Parcel Number(s): 20-07-26-101-003.000-019, 20-07-27-200-002.000-019.

Existing Zoning: A-1.

Petition: For primary approval of a 3-lot minor subdivision to be known as JEFFERSON FARMS.

Petitioner: Shawn R. Schrader & Erin E. Schrader, Co-Trustees of the Shawn R. & Erin E. Schrader Trust, represented by Abonmarche Consultants.

Location: West side of CR 27, 2,290 ft. north of CR 24, in Jefferson Township.

Site Description: Proposed lot 1 is 7.35 acres, irregular in shape, with an existing residence and accessory structures. Proposed lot 2 is 29.05 acres, irregular in shape, with a proposed residence. Proposed lot 3 is 21.48 acres, irregular in shape, with a proposed residence.

History and General Notes:

- **June 19, 2024** – The Hearing Officer approved a 50 ft. lot-width variance for proposed lot 1.

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.

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

MI-0312-2024

Date: 05/06/2024 Meeting Date: July 11, 2024
Plan Commission Hearing (Subdivision) Transaction #: MI-0312-2024

Description: for primary approval of a 3-lot minor subdivision to be known as JEFFERSON FARMS

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Shawn R. Schrader And Erin E. Schrader, And Their Successors 59097 County Road 27 Goshen, IN 465286566	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526

Site Address: 59097 County Road 27 GOSHEN, IN 46528	Parcel Number: 20-07-26-101-003.000-019 20-07-27-200-002.000-019
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Township: Jefferson
Location: WEST SIDE OF CR 27, 2,290 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: ORIGINAL SUBMISSION DATE WAS ON 5/6/24. IT WAS WITHDRAWN AND RESUBMITTED FOR THE JUNE DEADLINE TO BE HEARD JULY 11TH. PER DANNY DEAN AND LAURA GILBERT. AW 5/21/24

Applicant Signature:

Department Signature:







Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MI-0313-2024.

Parcel Number(s): 20-09-27-100-003.000-024.

Existing Zoning: A-1.

Petition: For primary approval of a 1-lot minor subdivision to be known as GARY MILLER CR 38 MINOR SUBDIVISION.

Petitioner: AMMF Trustee Corporation, represented by Wightman & Associates, Inc.

Location: South side of CR 38, 800 ft. east of Ash Road, in Olive Township.

Site Description: Proposed lot 1 is 6.5 acres, rectangular in shape, with an existing residence and accessory and agricultural structures.

History and General Notes:

- **July 17, 2024** – The Hearing Officer will consider a 4 ft. variance to allow for an existing accessory structure 1 ft. from the east property line.

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.

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

MI-0313-2024

Date: 05/06/2024

Meeting Date:

July 11, 2024

Plan Commission Hearing (Subdivision)

Transaction #:

MI-0313-2024

Description: for primary approval of a 1-lot minor subdivision to be known as MILLER'S MINOR SUBDIVISION

Contacts: Applicant

Wightman & Associates, Inc
1405 N Michigan
Plymouth, IN 46563

Land Owner

Ammf Trustee Corporation
24480 County Road 52
Nappanee, IN 46550

Private Surveyor

Wightman & Associates, Inc
1405 N Michigan
Plymouth, IN 46563

Site Address: 30846 County Road 38
WAKARUSA, IN 46573

Parcel Number: 20-09-27-100-003.000-024

Township: Olive

Location: SOUTH SIDE OF CR 38, EAST OF ASH ROAD

Subdivision:

Lot #

Lot Area:

Frontage:

Depth:

Zoning: A-1

NPO List:

Present Use of Property:

Legal Description:

Comments:

Applicant Signature:

Department Signature:



COUNTY ROAD 38

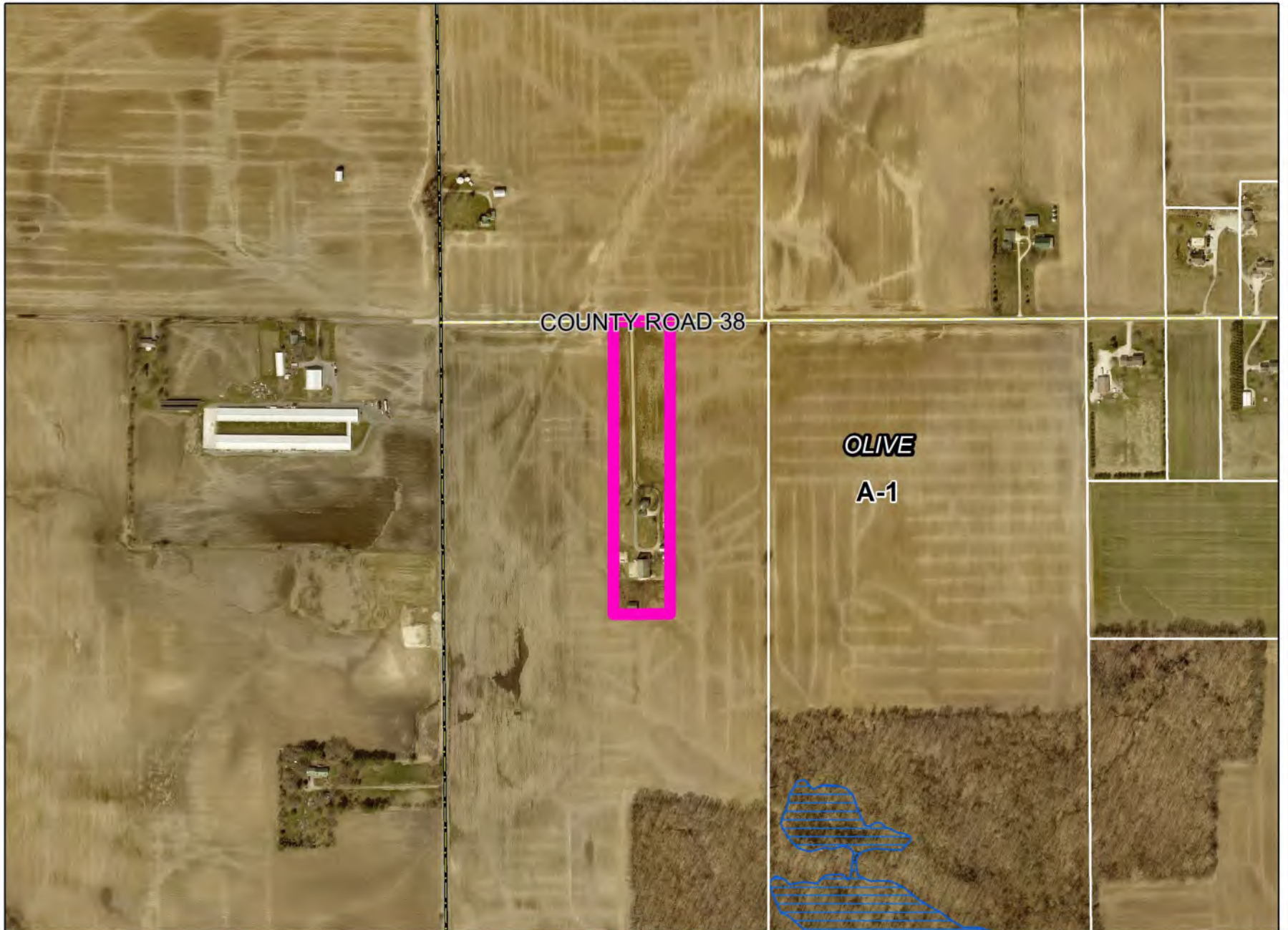
A-1

OLIVE



COUNTY ROAD 38

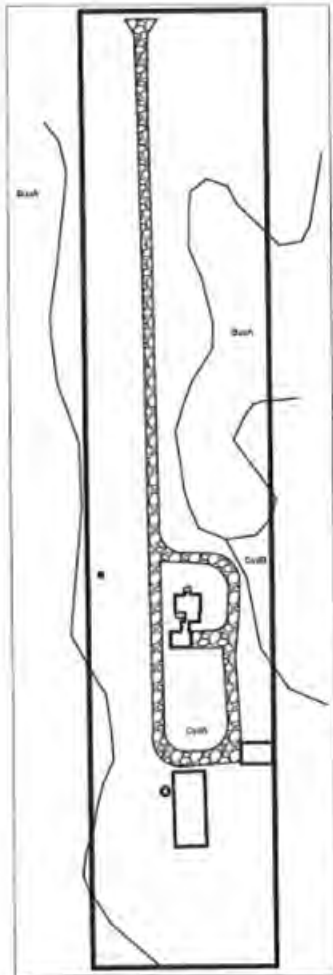
A-1
OLIVE



COUNTY ROAD 38

OLIVE
A-1

MILLER'S MINOR SUBDIVISION
 PART OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH,
 RANGE 4 EAST, OLIVE TOWNSHIP, ELKHART COUNTY, INDIANA



GENERAL NOTES

1. LAND USE: SINGLE FAMILY RESIDENTIAL
2. CURRENT ZONING: R-1 RESIDENTIAL
3. BASES FOR VERTICAL DATA IS THROUGH NATIONAL USGS DATUM
4. GROUND WATER DEPTH IS GREATER THAN 7 FEET
5. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 18009C0216D WITH AN EFFECTIVE DATE OF SEPTEMBER 8, 2011, INDICATES THIS AREA TO BE DESIGNATED ZONE X. AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN
6. DRAINAGE: THE SUBDIVISION OF THIS PARCEL SHALL NOT CONSTITUTE ANY MAJOR WATER RUNOFF TO ADJACENT PARCELS OR WITHIN THE PERIMETER OF THIS SITE.
7. SEWAGE DISPOSAL: INDIVIDUAL SEPTIC SYSTEMS ALREADY IN PLACE
8. WATER SUPPLY: PRIVATE WELLS ALREADY IN PLACE
9. STREET IMPROVEMENT: NONE REQUIRED
10. ELKHART COUNTY RESTRICTION SHALL BE IN EFFECT FOR THIS PROPERTY.

CVDB—CROSIER LOAM, 1 TO 4 PERCENT SLOPES

PROPERTIES AND QUALITIES
 SLOPE: 1 TO 4 PERCENT
 DEPTH TO RESTRICTIVE FEATURE: 24 TO 40 INCHES TO DENSE MATERIAL
 DRAINAGE CLASS: SOMEWHAT POORLY DRAINED
 RUNOFF CLASS: MEDIUM
 CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (SAT): MODERATELY LOW TO MODERATELY HIGH (0.05 TO 0.20 IN/HR)
 DEPTH TO WATER TABLE: ABOUT 8 TO 18 INCHES
 FREQUENCY OF FLOODING: NONE
 FREQUENCY OF PONDING: NONE
 CALCIUM CARBONATE, MAXIMUM CONTENT: 35 PERCENT
 AVAILABLE WATER SUPPLY, 0 TO 60 INCHES: MODERATE (ABOUT 6.1 INCHES)

BUUA—BROOKSTON LOAM, 0 TO 1 PERCENT SLOPES

PROPERTIES AND QUALITIES
 SLOPE: 0 TO 1 PERCENT
 DEPTH TO RESTRICTIVE FEATURE: MORE THAN 80 INCHES
 DRAINAGE CLASS: POORLY DRAINED
 RUNOFF CLASS: LOW
 CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (SAT): MODERATELY HIGH (0.20 TO 0.60 IN/HR)
 DEPTH TO WATER TABLE: ABOUT 0 INCHES
 FREQUENCY OF FLOODING: NONE
 FREQUENCY OF PONDING: FREQUENT
 CALCIUM CARBONATE, MAXIMUM CONTENT: 35 PERCENT
 AVAILABLE WATER SUPPLY, 0 TO 60 INCHES: HIGH (ABOUT 9.8 INCHES)

CVDA—CROSIER LOAM, 0 TO 1 PERCENT SLOPES

PROPERTIES AND QUALITIES
 SLOPE: 0 TO 1 PERCENT
 DEPTH TO RESTRICTIVE FEATURE: 24 TO 40 INCHES TO DENSE MATERIAL
 DRAINAGE CLASS: SOMEWHAT POORLY DRAINED
 RUNOFF CLASS: MEDIUM
 CAPACITY OF THE MOST LIMITING LAYER TO TRANSMIT WATER (SAT): MODERATELY LOW TO MODERATELY HIGH (0.05 TO 0.20 IN/HR)
 DEPTH TO WATER TABLE: ABOUT 8 TO 18 INCHES
 FREQUENCY OF FLOODING: NONE
 FREQUENCY OF PONDING: NONE
 CALCIUM CARBONATE, MAXIMUM CONTENT: 35 PERCENT
 AVAILABLE WATER SUPPLY, 0 TO 60 INCHES: MODERATE (ABOUT 6.1 INCHES)

LEGAL DESCRIPTION

COMMENCING AT A HARRISON SECTION CORNER MONUMENT AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 27; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING), ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 27, A DISTANCE OF 711.72 FEET TO A MAG NAIL AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 27, A DISTANCE OF 234.00 FEET TO A MAG NAIL; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 1209.00 FEET TO AN IRON REBAR CAPPED (DOROT); THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 234.00 FEET TO AN IRON REBAR CAPPED (DOROT); THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 1209.00 FEET TO THE POINT OF BEGINNING; SAID ABOVE TRACT CONTAINS 6.49 ACRES MORE OR LESS

SUBJECT TO ANY AND ALL EASEMENTS, CURRENT TAXES, ASSESSMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON MAY 6TH, 2024. THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN. FURTHER, I 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 BY: J. BERNARD FEENEY.

J. Bernard Feeny
 J. Bernard Feeny
 10040350
 STATE OF INDIANA



PROJECT ADDRESS
30846 COUNTY ROAD 38, WAKARUSA, IN 46773

GARY MILLER

REVISIONS
 NO. DESCRIPTION
 DATE: 04/24/24
 SCALE: N/A
 DRAWN BY: MMF
 CHECKED BY: BF

SECONDARY



Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: July 11, 2024

Transaction Number: MA-0380-2024.

Parcel Number(s): 20-04-29-200-007.000-032.

Existing Zoning: A-1.

Petition: For secondary approval of a 34-lot major subdivision to be known as HIDEAWAY AT HERITAGE PINES.

Petitioner: Triple I Enterprises LLC, represented by Abonmarche Consultants.

Location: South side of SR 120, 3,620 ft. west of CR 35, in York Township.

Site Description: The subject property is currently a single 39-acre parcel. It is part of the vast pine farm area once owned by Harry Eby, and the area remains low-density residential and agricultural. The property is encumbered by a natural gas pipeline easement in the north half and floodplain and wetland associated with the Little Elkhart River in the south half, and both are given due consideration by the final plat. The subdivision contains 34 single-family lots, a single access point on SR 120, and three common areas for retention or detention.

History and General Notes:

- **April 11, 2024** – The Plan Commission granted primary approval to Hideaway at Heritage Pines.

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

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

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

Major Subdivision - Secondary

MA-0380-2024

Date: 06/03/2024

Meeting Date:

July 11, 2024

Plan Commission Hearing (Subdivision)

Transaction #:

MA-0380-2024

Description: for secondary approval of a 34-lot major subdivision to be known as HIDEAWAY AT HERITAGE PINES

Contacts: Applicant

Abonmarche Consultants
303 River Race Dr. Suite 206
Goshen, IN 46526

Land Owner

Triple I Enterprises Llc
1849 W. Lincoln Ave.
Goshen, IN 46526

Private Surveyor

Abonmarche Consultants
303 River Race Dr. Suite 206
Goshen, IN 46526

Site Address: 00000 Sr 120
MIDDLEBURY, IN 46540

Parcel Number: 20-04-29-200-007.000-032

Township: York

Location: SOUTH SIDE OF SR 120, 3,620 FT. WEST OF CR 35

Subdivision:

Lot #

Lot Area:

Frontage:

Depth:

Zoning: A-1

NPO List:

Present Use of Property:

Legal Description:

Comments: SEE MAJOR PRIMARY MA-0125-2024 APPROVED 4/11/2024

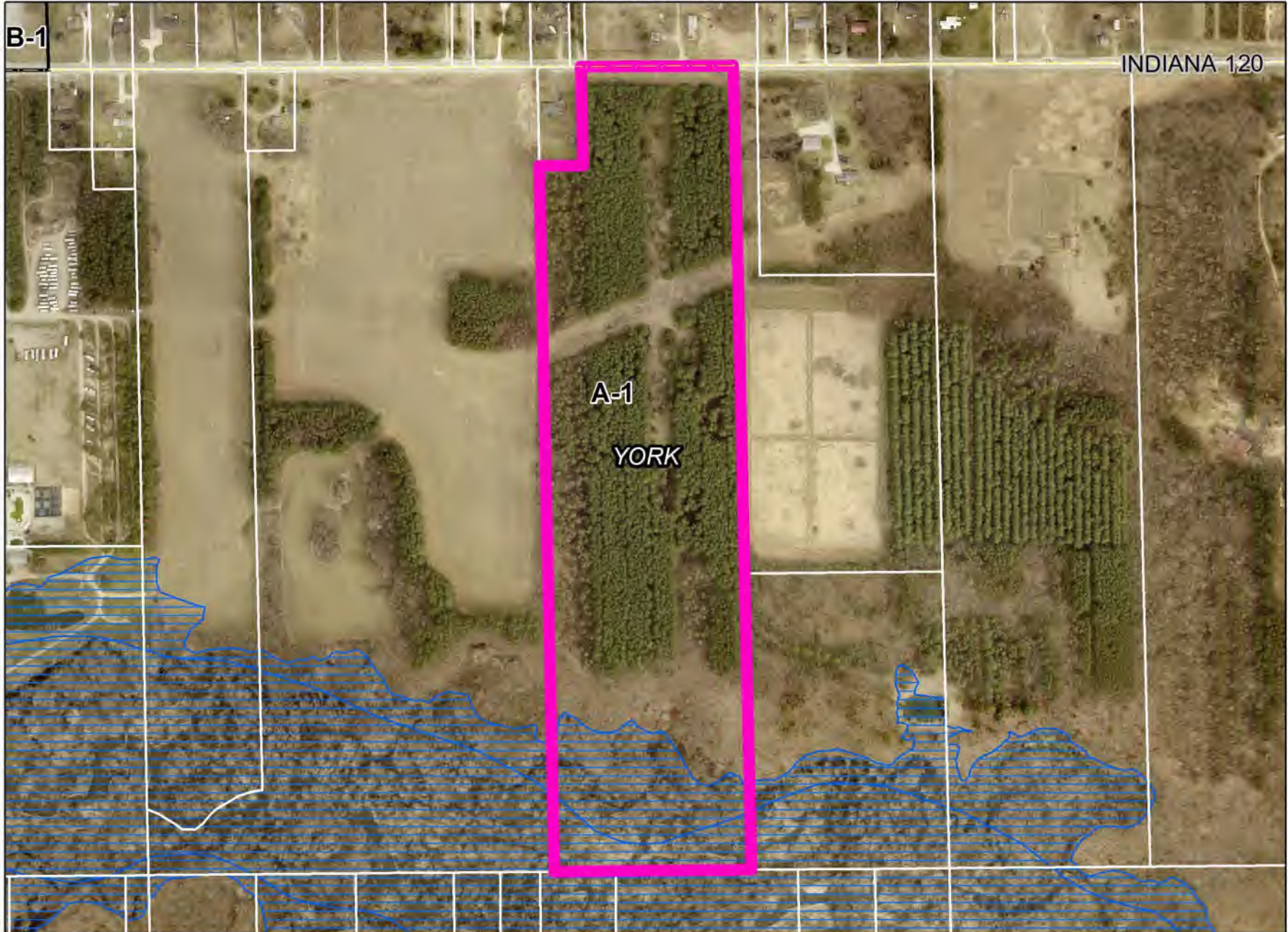
Applicant Signature:

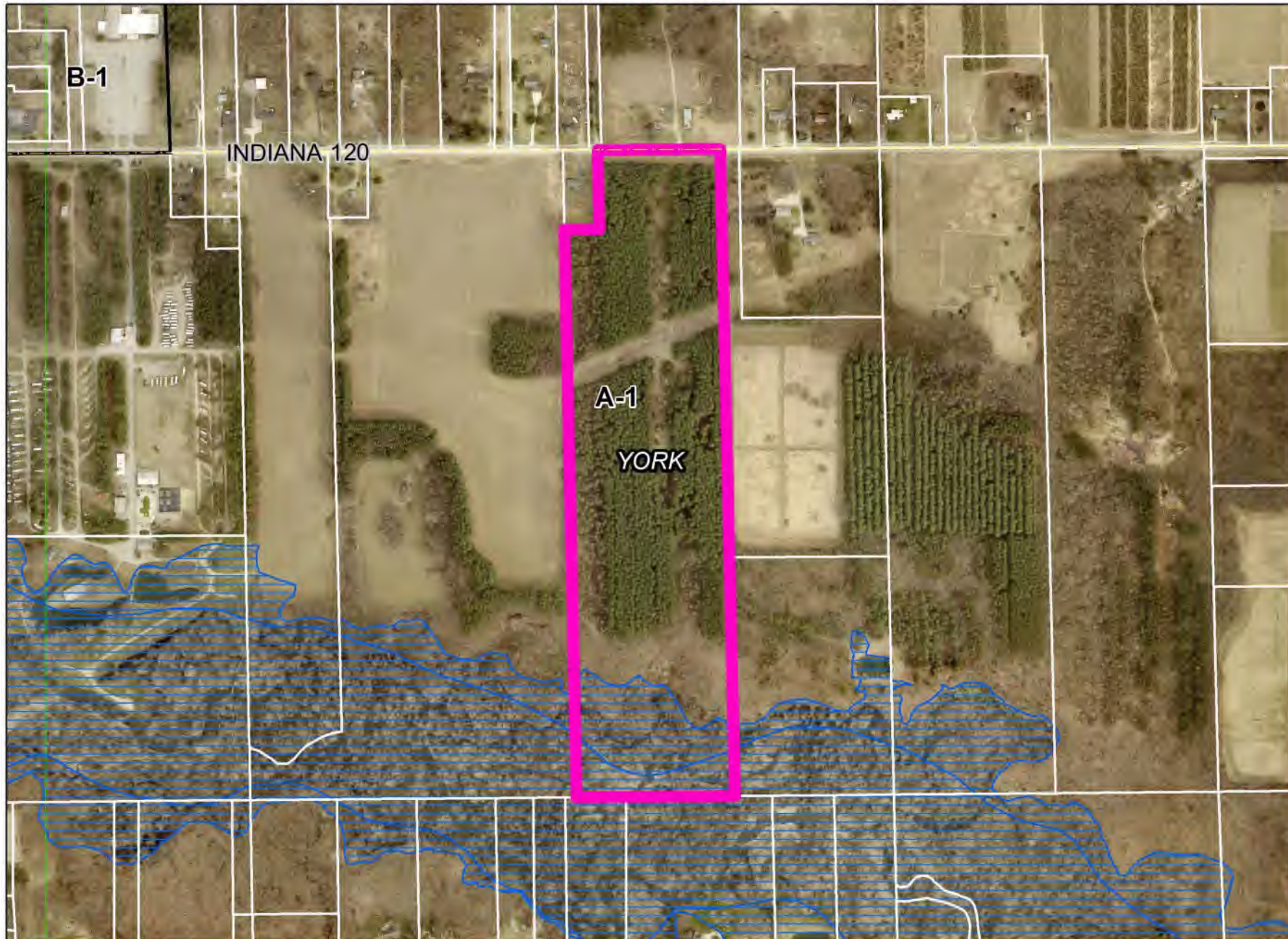
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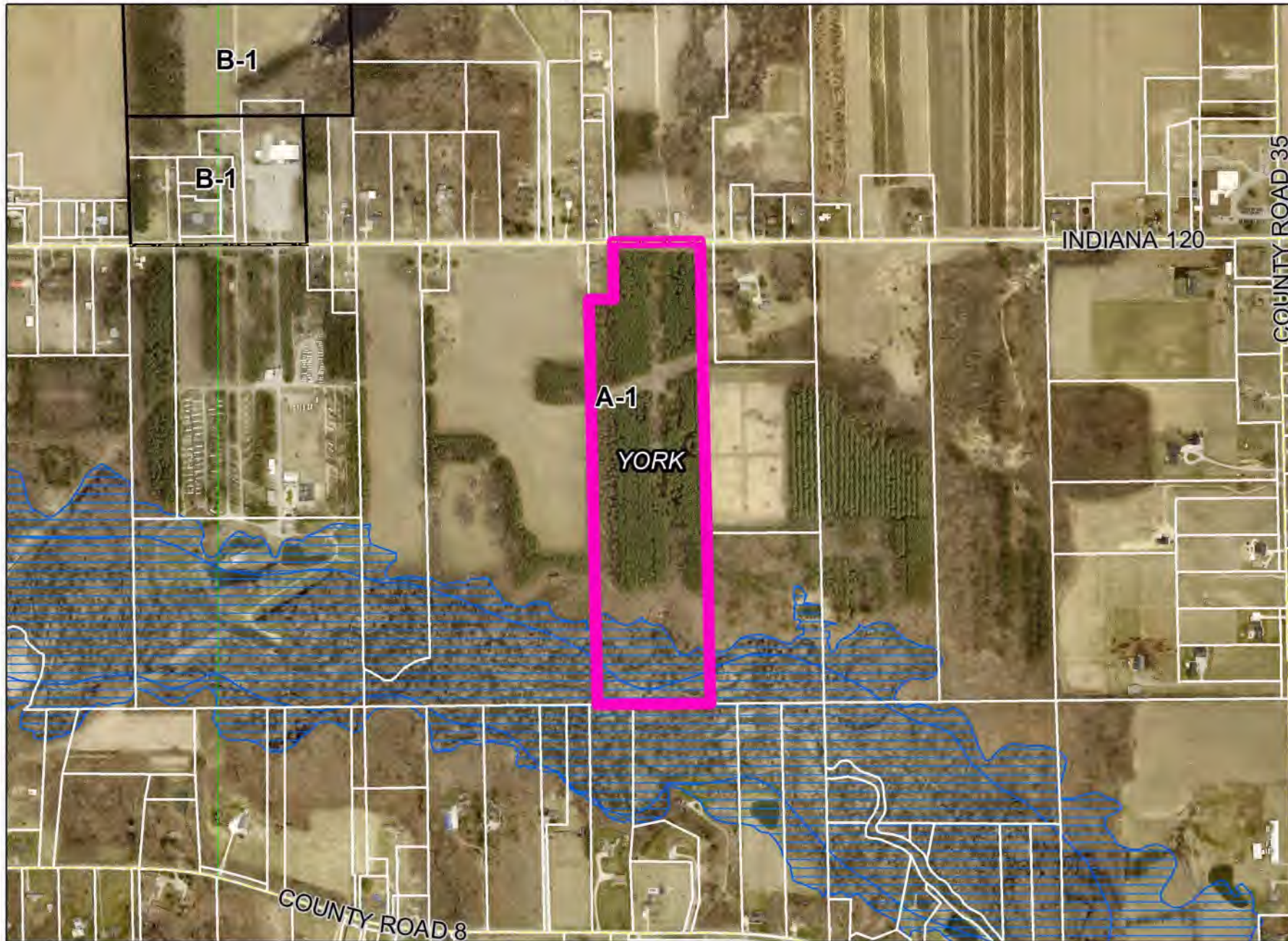
B-1

INDIANA 120

A-1
YORK







A PART OF THE WEST HALF OF THE EAST HALF OF THE
NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH,
RANGE 7 EAST, YORK TOWNSHIP, ELKHART COUNTY, INDIANA.

LEGAL DESCRIPTION-PER INSTR. #2023-18772

THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 7 EAST, ELKHART COUNTY, INDIANA, SAID IN A PREVIOUS DEED TO CONTAIN 40 ACRES, MORE OR LESS.

LESS AND EXCEPTING THE FOLLOWING:
A PART OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 7 EAST, IN YORK TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID QUARTER SECTION AND ASSUMING THE NORTH LINE OF SAID QUARTER SECTION TO HAVE A BEARING OF DUE EAST AND WEST, THENCE DUE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, 110 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUING DUE WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION, 150 FEET TO THE WEST LINE OF THE EAST HALF OF SAID QUARTER SECTION, THENCE SOUTH 87° 52' EAST ALONG THE WEST LINE OF SAID EAST HALF OF SAID QUARTER SECTION, 322.87 FEET, THENCE DUE EAST PARALLEL WITH THE NORTH LINE OF SAID QUARTER SECTION, 135 FEET, THENCE NORTH 0° 52' WEST PARALLEL WITH THE WEST LINE OF THE EAST HALF OF SAID QUARTER SECTION, 322.87 FEET TO THE PLACE OF BEGINNING, SAID IN A PREVIOUS DEED TO CONTAIN 1.00 ACRES OF LAND, MORE OR LESS.

SUBJECT TO ANY AND ALL FACTS THAT MAY BE DISCLOSED ON A FULL AND ACCURATE TITLE SEARCH.

FLOOD NOTE

THE SUBJECT PARCEL PARTIALLY LIES WITHIN THE 1% ANNUAL CHANCE FLOOD (SPECIAL FLOOD HAZARD AREA) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL NUMBER 18030C0780 AND 18030C0780 EFFECTIVE MAP DATED AUGUST 2, 2011.

SETBACK NOTE

- FRONT YARD = 120 FEET MINIMUM FROM CENTERLINE (R 120)
- REAR YARD = 50 FEET MIN. FROM CENTERLINE OF PAVED ROAD UNLESS LOTS ARE OIL-GC-SAC LOTS
- SIDE YARD = 10 FEET MINIMUM FROM THE LOT LINE
- REAR YARD = 15 FEET MINIMUM FROM REAR LOT LINE

LEGEND

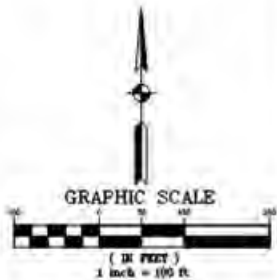
- WETLAND (PER US FISH & WILDLIFE WETLANDS MAP)
- SET 5/8" REBAR "ANNULAR" CORE
- FF = FOUND IRON PIPE
- FO = FOUND CAPPED IRON
- FV = FOUND FINISHED PIPE
- ⊙ = FOUND HARBOR MONUMENT
- WETLAND DELINEATION
- ① = MINIMUM BUILDING SETBACK AT DISTANCES NOTED
- ② = DRAINAGE EASEMENT AT DISTANCES NOTED
- ③ = 10' UTILITY, ROADWAY & DRAINAGE EASEMENT
- ④ = PATIEN AREA
- ⑤ = LANDSCAPE & SIGN EASEMENT
- ⑥ = 5' NON-ACCESS EASEMENT

AREAS	
LOT #	TOTAL S.F.
1	31,147
2	20,090
3	29,419
4	22,751
5	24,707
6	43,726 **28,402
7	38,590 **22,783
8	45,615 **21,512
9	69,503
10	25,698
11	43,947
12	40,233
13	28,245
14	27,282
15	29,932
16	28,520
17	58,791
18	177,936 154,338
19	100,371 137,128
20	114,050 142,152
21	151,885 196,562
22	21,981
23	20,448

AREAS	
AREA #	TOTAL S.F.
24	20,690
25	20,356
26	21,044
27	20,797
28	20,162
29	42,901 **25,167
30	28,249 **17,842
31	20,122
32	19,247
33	19,317
34	28,190
CA#1	68,442
CA#2	32,137
CA#3	45,023 158,964
A/W	142,995

*NOTE: LOTS 18 THRU 21 AND COMMON AREA #3 SQUARE FOOTAGES INCLUDE ONLY THE PART OF THE LOT THAT IS IN THE UPLAND AREA.

**NOTE: FOR LOTS 6 THRU 8 AND LOTS 29 & 30, SQUARE FOOTAGES INCLUDE ONLY THE PORTION OUTSIDE OF THE TRUNKLINE EASEMENT.



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1344 WEST LINCOLN AVENUE
GOOSH, IN 46526

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