

ELKHART COUNTY PLAT COMMITTEE

Public Service Building
MEETING ROOMS A & B
4230 Elkhart Road, GOSHEN, INDIANA

- A. Petitioner: Stephen J. Stalter & Lorenda J. Stalter, Husband & Wife (page 1)
 & SL Stalter Real Estate Exchange, LLC
 represented by Midwest Land Surveying, LLC
 Petition: for primary approval of a 1-lot minor subdivision to be known as ***STALTER CORNER.***
 Location: southwest corner of E. Waterford and SR 19, common address of 921 E. Waterford St. in Olive Township. (MI-0212-2025)

B. Petitioner: Mark Yoder & Emily Yoder (page 2)
 represented by Advanced Land Surveying of Northern Indiana, Inc.
 Petition: for primary approval of a 3-lot minor subdivision to be known as ***REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION AND LOT 2 OF TREDWAY MINOR SUBDIVISION.***
 Location: south side of CR 108, 1,575 ft. east of CR 31, in Washington Township (MI-0289-2025)

The Elkhart County Plat Committee is meeting on Thursday June 12, 2025, at **9:00 am** in Rooms A & B of the Public Service Buildings, 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 June 12, 2025. 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=me49879b63106858c7c77adf3968bb0b2>

MINUTES
ELKHART COUNTY PLAT COMMITTEE MEETING
HELD ON THE 8TH DAY OF MAY 2025 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: Phil Barker, Steve Edwards, Steve Warner, Lori Snyder, Steven Clark.

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 10th day of April 2025, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Edwards/Barker*) 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 MML MINOR SUBDIVISION, for Matthew Miller represented by B. Doriot & Associates, Inc., on property located on the west side of SR 15, 2,340 ft. south of US 6, in Jackson 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-0205-2025*.

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

Motion: Action: Approve, **Moved by** Phil Barker, **Seconded by** Steven Clark that this request for primary approval of a 2-lot minor subdivision to be known as MML 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 BAILEY FARMS, for Megan Bailey and Ryan Bailey Wife & Husband represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the north side of CR 118, 1,760 ft. west of Old CR 17, in Concord 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-0207-2025*.

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

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

6. The application for secondary approval of an 18-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE IV, for Miller-Silver LLC represented by Innovative Communities, Inc. & Abonmarche Consultants, on property located on the east end of Falcons Lair Ct., 100 ft. east of Falcons Lair Ln., south of Barrington Dr., in Jackson Township, zoned R-4, was presented at this time.

Danielle Richards presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0208-2025*.

Mr. Clark asked if a curb would be added to CR 25. Mrs. Richards stated the subdivision road will not connect to CR 25. Mr. Clark also noted there seems to be a lot of traffic on Barrington Dr., and Mrs. Richards stated she cannot speak regarding the traffic. Mr. Warner mentioned that looking at the history of the previous platted lots, the number of lots had changed. Mrs. Richards stated that is correct. Mr. Warner asked why the changes occurred. Mrs. Richards explained there are fewer lots than originally proposed. She further stated she was unsure why there was a decrease in lots.

Tim Saylor, 697 Bungalow Dr., Innovative Communities, Inc., Nappanee was present representing the petitioner. He mentioned he has been working on this site for close to twenty years. He stated that the entire project is in the New Paris conservancy district. He mentioned there are no septic systems, but each lot will have its own individual well. He explained that a DPUD was approved years ago for 139 lots with the exact configuration and has been constructed in phases as each phase builds out. Mr. Saylor stated the subdivision was approved without any additional curb cuts onto CR 25 and CR 46. He mentioned the Highway Department specifically stated they did not want more curb cuts. Mr. Saylor stated there is another entrance to the north, so each lot will have two points of access available. Mr. Warner asked the average lot size is. Mr. Saylor stated that is smaller in the current phase, at 60 ft. wide, but he cannot recall the depth. He explained the reason for the smaller lots is to achieve different price points.

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

Motion: Action: Approve, **Moved by** Steve Warner, **Seconded by** Steven Clark that this request for secondary approval of an 18-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE IV be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

7. The application for secondary approval of a 17-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE V, for Miller-Silver LLC represented by Innovative Communities, Inc. & Abonmarche Consultants, on property located on the north end of Falcons Lair Ln., 480 ft. north of Barrington Ln., west of CR 25, in Jackson Township, zoned R-4, was presented at this time.

Danny Dean presented the Staff Report/Staff Analysis, which is attached for review as *Case #MA-0209-2025*.

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 17-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE V, be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The meeting was adjourned at 9:10 a.m.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: June 12, 2025

Transaction Number: MI-0212-2025.

Parcel Number(s): 20-09-36-226-025.000-025, 20-09-36-226-029.000-025, 20-09-36-226-034.000-025, 20-09-36-226-042.000-025, 20-09-36-226-044.000-025.

Existing Zoning: B-2 & M-1.

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

Petitioner: Stephen J. Stalter & Lorenda J. Stalter, Husband & Wife, & SL Stalter Real Estate Exchange, LLC, represented by Midwest Land Surveying, LLC.

Location: Southwest corner of E. Waterford and SR 19, in Olive Township.

Site Description: Proposed lot 1 is 0.68 acres and irregular in shape with a proposed office building.

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

Date: 04/01/2025 Meeting Date: June 12, 2025 Transaction #: MI-0212-2025
Plan Commission Hearing (Subdivision)

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Stephen J & Lorenda J Stalter 11399 Patterson Road Wakarusa, IN 46573	Stephen J & Lorenda J Stalter 11399 Patterson Road Wakarusa, IN 46573	SI Stalter Real Estate Exchange Llc 11300 Riley Rd Nappanee, IN 46550	Midwest Land Surveying, Llc 124 E Albion St Avilla, IN 46710

Site Address: 921 E Waterford St Wakarusa, IN 46573	Parcel Number: 20-09-36-226-025.000-025 20-09-36-226-029.000-025 20-09-36-226-034.000-025 20-09-36-226-042.000-025 20-09-36-226-044.000-025
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Township: Olive
Location: SOUTHWEST CORNER OF E WATERFORD AND STATE ROAD 19

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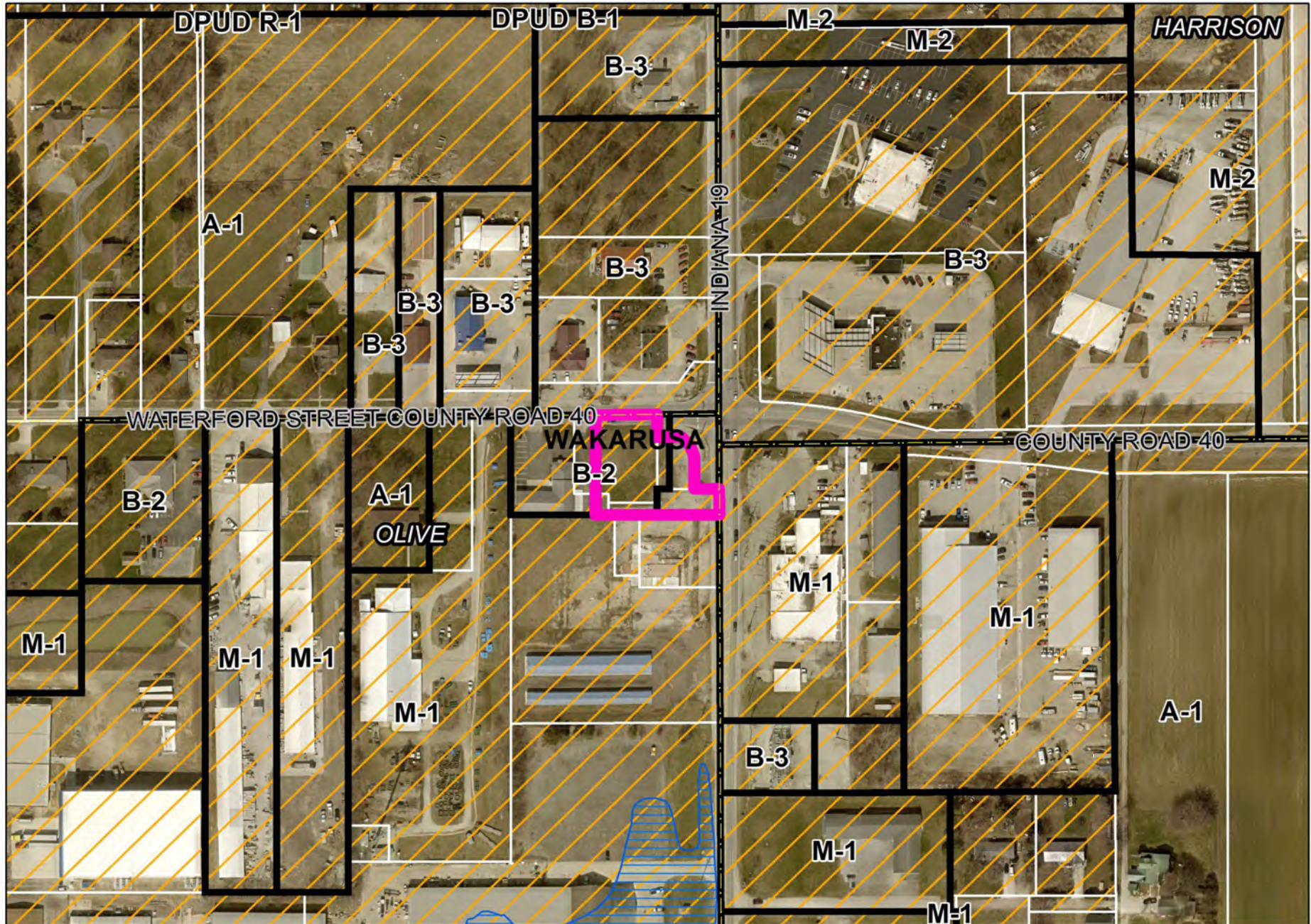
Zoning: M-1	NPO List:
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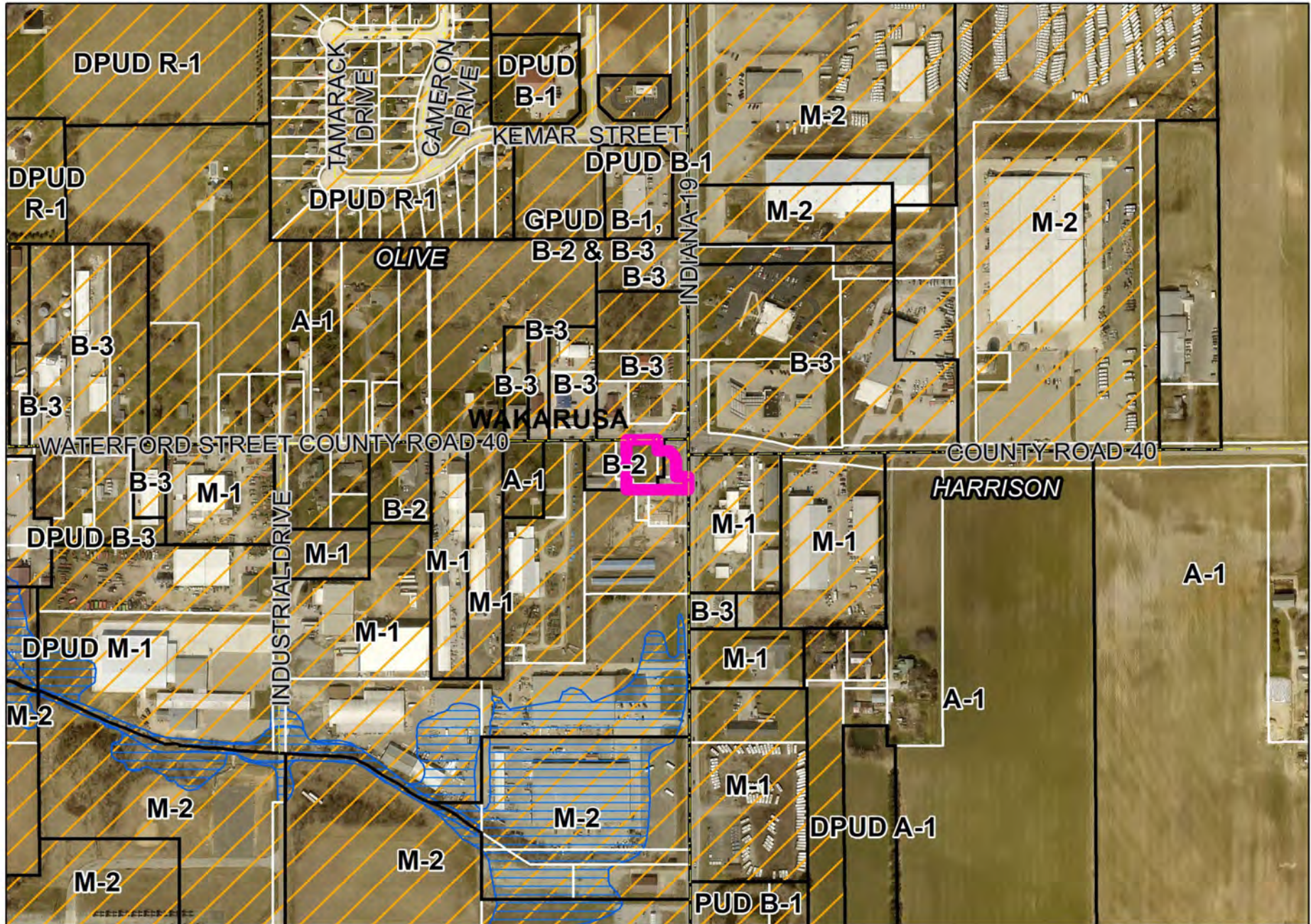
Present Use of Property:

Legal Description:

Comments: SEE CODE #0017-2025 FOR BUILDING WITHOUT PERMIT
AND CODE #0087-2025 FOR SIGN WITHOUT PERMIT

Applicant Signature:	Department Signature:
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STALTER CORNER

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF
SECTION 36, TOWNSHIP 36 NORTH, RANGE 4 EAST
OLIVE TOWNSHIP, ELKHART COUNTY, THE STATE OF INDIANA



PROFESSIONAL SURVEYOR'S 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: 03/27/25 AND WAS EXECUTED ACCORDING TO SURVEY REQUIREMENTS AS SET FORTH IN 865 IAC 1-12-13 (RETRACEMENT AND ORIGINAL SURVEY PLATS) AND 865 IAC 1-12-18 (ORIGINAL AND RETRACEMENT SURVEY MONUMENTATION). ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE TYPE, AND MATERIAL ARE ACCURATELY SHOWN; THE ACCEPTABLE RELATIVE POSITIONAL ACCURACIES FOR THIS ORIGINAL SURVEY PLAT IS 0.13 FEET PLUS 100 PARTS PER MILLION PER CLASSIFICATION AS A SUBURBAN SURVEY. THIS PLAT COMPLIES WITH THE PROVISIONS OF THE ELKHART COUNTY SUBDIVISION ORDINANCE.

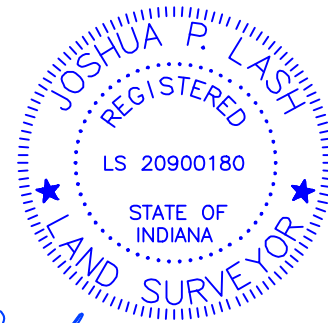
THE BOUNDARY FOR THIS PLAT HAS BEEN PREVIOUSLY SURVEYED AND RECORDED PER ELKHART COUNTY DOCUMENT NUMBER

THE LOCATION OF THE SURVEY IN THE RECORDED DOCUMENT.

SURVEY JOB NUMBER: 36-04-36-001

PREPARED FOR:
STEPHEN J. STALTER & LOREND A J. STALTER
11399 PATTERSON ROAD
WAKARUSA, IN. 46573

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.



SIGNED: Joshua P. Lash
JOSHUA P. LASH,
PROFESSIONAL SURVEYOR LS20900180

PARCEL # 20-09-36-226-034.000-025
20-09-36-226-025.000-025
20-09-36-226-042.000-025
20-09-36-226-029.000-025

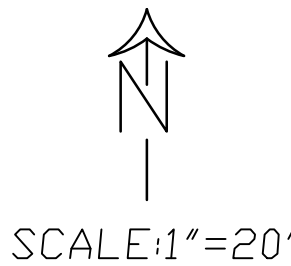
STALTER CORNER
SEC. 36, T 36 N, R 4 E
OLIVE TOWNSHIP
2025 1 LOT MINOR SUBDIVISION
921 E WATERFORD STREET
WAKARUSA, IN. 46573

SURVEY JOB NO. 36-04-36-001

REVISIONS

	DATE	REVISION

PAGE 1 OF 2



LEGEND

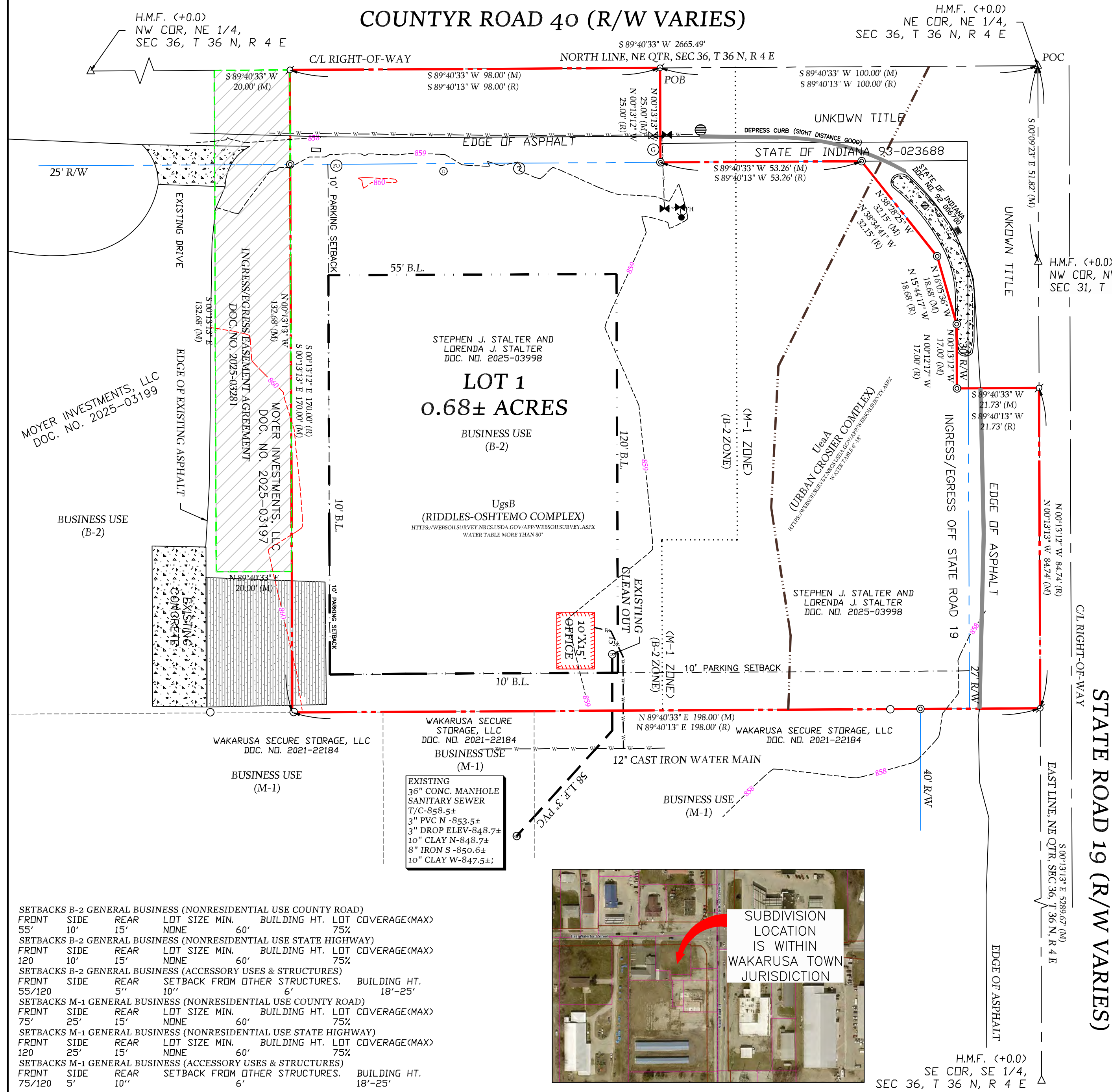
- △ HARRISON MARKER
- REBAR FOUND
- ⊙ REBAR SET
- ⊗ MAG NAIL SET
- ⊙ EXISTING SEWER CLEANOUT
- STORM INLET
- CURB INLET
- ⊙ FIBER OPTIC RISER
- ⊙ TELEPHONE PEDESTAL
- ⊙ GAS RISER
- SECTION LINE
- RIGHT-OF-WAY
- PROPERTY LINE
- SUBDIVISION BOUNDARY
- BUILDING SETBACK LINE
- PARKING LOT SETBACK
- ZONING BOUNDARY LINE
- SOIL BOUNDARY
- INGRESS/EGRESS EASEMENT
- BURIED WATER
- EXISTING SEWER LINE
- ▨ INGRESS/EGRESS EASEMENT AREA

FLOODPLAIN NOTE:

FROM AN EXAMINATION OF FLOOD INSURANCE RATE MAP 18039C0217D WITH EFFECTIVE DATE OF AUGUST 02, 2011 THE TRACT OF SURVEY IS LOCATED IN "OTHER AREAS ZONE X", DEFINED AS, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

PROJECT BENCHMARK:
ELEVATIONS ON THIS PROJECT ARE BASED ON THE INDOT CORS NETWORK, BY GPS OBSERVATION, AND TRANSFERRED TO THE SITE CONTROL USING TOPCON EQUIPMENT.

BENCHMARK:
TOP CONCRETE BASE LIGHT POLE - 859.22 (NAVD88)
NORTH RIME SANITARY MANHOLE - 858.5 (NAVD8)



STALTER CORNER

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF
SECTION 36, TOWNSHIP 36 NORTH, RANGE 4 EAST
OLIVE TOWNSHIP, ELKHART COUNTY, THE STATE OF INDIANA

LEGAL DESCRIPTION

36, TOWNSHIP 36 NORTH, RANGE 4 EAST, ELKHART COUNTY, THE STATE OF INDIANA, SURVEY BY JOSHUA P. LASH, A PROFESSIONAL SURVEYOR WITH MIDWEST LAND SURVEYING, LLC, LOCATED AT 124 E. ALBION STREET, AVILLA, INDIANA, 46710, PER SURVEY JOB NUMBER 36-04-36-001, MORE FULLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER MARKED BY A HARRISON MARKER FOUND; THENCE S 89°40'33"W (STATE PLANE NAD83, ZONE INDIANA EAST), ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, FOR 100.00 FEET TO A MAG NAIL SET AND BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING S 89°40'33"W, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, FOR 98.00 FEET TO A MAG NAIL SET AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MOYER INVESTMENTS, LLC PER ELKHART COUNTY DOCUMENT NUMBER 2025-03197; THENCE S 00°13'13"E, ALONG THE WEST LINE OF SAID MOYER INVESTMENTS TRACT, FOR 170.00 FEET TO THE SOUTHEAST CORNER OF AFORESAID TRACT AND ON THE NORTH LINE OF A TRACT OF LAND CONVEYED TO WAKARUSA SECURE STORAGE, LLC PER ELKHART COUNTY DOCUMENT NUMBER 2021-22184; THENCE N 89°40'33"E, ALONG THE NORTH LINE OF SAID WAKARUSA SECURE STORAGE TRACT, FOR 198.00 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE N 00°13'13"W, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, FOR 84.74 FEET TO A MAG NAIL SET; THENCE S 89°40'38"W, FOR 21.73 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO STATE OF INDIANA PER ELKHART COUNTY DOCUMENT NUMBER 92-006700; THENCE ALONG THE WEST LINE OF SAID STATE OF INDIANA TRACT, FOR THE FOLLOWING THREE BEARINGS AND LENGTHS: N 00°13'12"W, FOR 17.00 FEET; THENCE N 16°05'36"W, FOR 18.68 FEET; THENCE N 38°28'25"W, FOR 32.15 FEET TO A POINT ON THE SOUTH LINE OF A TRACT OF LAND CONVEYED TO THE STATE OF INDIANA PER ELKHART COUNTY DOCUMENT NUMBER 93-023688; THENCE S 89°40'33"W, ALONG THE SOUTH LINE OF SAID STATE OF INDIANA TRACT, FOR 53.26 FEET TO A REBAR SET AT THE SOUTHWEST CORNER OF AFORESAID TRACT; THENCE N 00°13'13"W, ALONG THE WEST LINE AND EXTENDED WEST LINE OF SAID STATE OF INDIANA TRACT, FOR 25.00 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 0.68 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OF RECORD.

CERTIFICATE OF DEDICATION

I/WE, THE UNDERSIGNED OWNER(S) OF RECORD OF THE REAL ESTATE SHOWN AND DESCRIBED HEREON, DO HEREBY PLAT AND SUBDIVIDE SAID REAL ESTATE AND DESIGNATE THE SAME AS **(STALTER CORNER)**. EACH 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 UNTIL SPECIFICALLY ACCEPTED FOR MAINTENANCE BY LAWFUL RESOLUTION OF THE PUBLIC AGENCY. BUILDING SETBACK LINES ARE ESTABLISHED AS SHOWN ON THE PLAT BETWEEN WHICH LINES AND THE PROPERTY LINE, THERE SHALL NOT BE ERECTED OR MAINTAINED ANY BUILDING OR STRUCTURE. STRIPS OF GROUND "EASEMENTS" ARE RESERVED FOR THE USE OF ALL PUBLIC UTILITIES SUBJECT AT ALL TIMES TO PROPER AUTHORITIES AND TO THE EASEMENTS THERON RESERVED. NO STRUCTURE MAY BE MAINTAINED ON SAID EASEMENTS AND OWNERS OF THE LOT SHALL TAKE TITLE SUBJECT TO THE EASEMENTS.

WITNESS OUR HANDS THIS _____DAY
OF _____, 20____

STEPHEN J. STALTER
11399 PATTERSON ROAD
WAKARUSA, IN. 46573

LORENDA J. STALTER
11399 PATTERSON ROAD
WAKARUSA, IN. 46573

STATE OF INDIANA,
COUNTY OF (_____)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED **STEPHEN J. STALTER AND LORENDA J. STALTER**, AND EACH ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED FOR THE PURPOSE THEREIN EXPRESSED.

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

(NOTARY PUBLIC) _____

PRINTED NAME _____

MY COMMISSION EXPIRES: _____

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY DEVELOPMENT ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT AND HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS _____DAY OF _____2025

BY: _____
(_____) PLAN DIRECTOR

DRAINAGE MAINTENANCE CERTIFICATION:

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERS 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 LASH OWNER. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS ALL 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 TILE 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.

PARCEL # 20-09-36-226-034.000-025
20-09-36-226-025.000-025
20-09-36-226-042.000-025
20-09-36-226-029.000-025

STALTER CORNER
SEC. 36, T 36 N, R 4 E
OLIVE TOWNSHIP
2025 1 LOT MINOR SUBDIVISION
921 E WATERFORD STREET
WAKARUSA, IN. 46573

SURVEY JOB NO. 36-04-36-001

REVISIONS

	DATE	REVISION

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: June 12, 2025

Transaction Number: MI-0289-2025.

Parcel Number(s): 20-03-36-200-013.000-030, 20-03-36-200-018.000-030.

Existing Zoning: A-1.

Petition: For primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION AND LOT 2 OF TREDWAY MINOR SUBDIVISION.

Petitioner: Mark Yoder & Emily Yoder, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: South side of CR 108, 1,575 ft. east of CR 31, in Washington Township.

Site Description: Proposed lot 1 is 9 acres with a proposed residence. It is the west portion of lot 2 of Sunday Minor Subdivision. Proposed lots 2 and 3 are 6 acres and 10.69 acres with proposed residences. These lots will access CR 108 over what had been lot 2 of Tredway Minor Subdivision.

History and General Notes:

- **October 17, 1991** – The Hearing Officer approved a Special Use Permit for a mobile home on property that would later become lot 2 of Tredway Minor Subdivision. The mobile home was removed sometime after 2011.
- **October 17, 2012** – The Hearing Officer approved depth and width variances for a tract that would become lot 2 of Sunday Minor Subdivision. These variances expired in January 2013.
- **March 27, 2013** – Sunday Minor Subdivision was completed.
- **July 26, 2021** – Tredway Minor Subdivision was completed.
- A new width variance is required 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

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-0289-2025

Date: 05/05/2025 Meeting Date: June 12, 2025
Plan Commission Hearing (Subdivision) Transaction #: MI-0289-2025

Description: for primary approval of a 3-lot minor subdivision to be known as REPLAT OF LOT 2 OF SUNDAY
MINOR SUBDIVISION AND LOT 2 OF TREDWAY MINOR SUBDIVISION

Contacts: <u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553	Mark & Emily Yoder 52137 Cr 131 Bristol, IN 46507	Advanced Land Surveying Of Northern Indiana, Inc. 17120 County Road 46 New Paris, IN 46553

Site Address: 15994 County Road 108 Bristol, IN 46507	Parcel Number: 20-03-36-200-013.000-030 20-03-36-200-018.000-030
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Township: Washington
Location: South Side Of County Road 108, East Of County Road 31

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:

MI-0289-2025

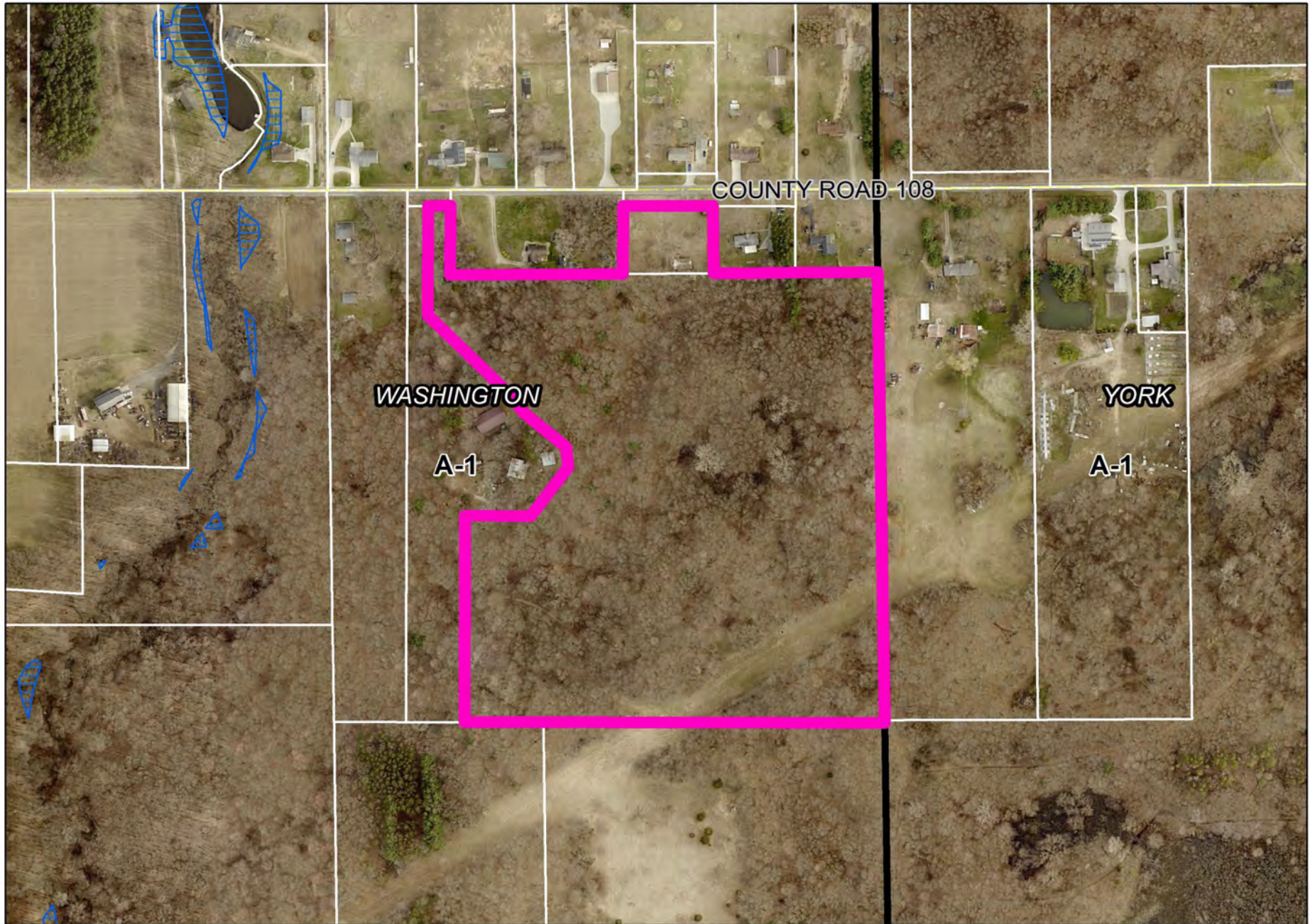
COUNTY ROAD 108

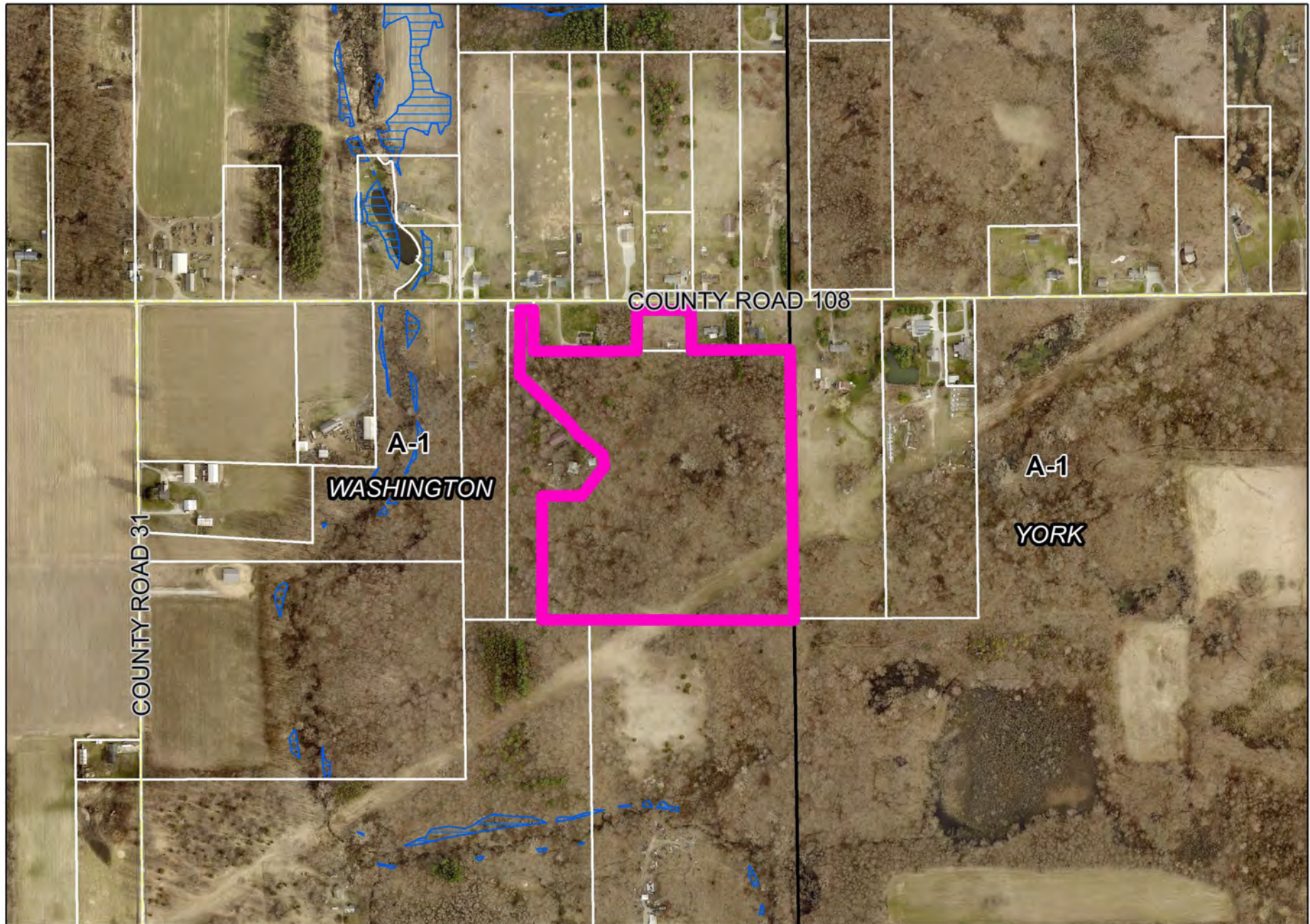
WASHINGTON

A-1

YORK

A-1





A-1

CLEAR SIGHT DISTANCE GREATER THAN 500'

REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION and
LOT 2 OF TREDWAY MINOR SUBDIVISION

A 3 LOT MINOR SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE
NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 6 EAST,
WASHINGTON TOWNSHIP, ELKHART COUNTY, INDIANA

COUNTY ROAD 108

N 89°34'00" W
2630.50'

FOUND HARRISON
MONUMENT FLUSH, NE
CORNER, NE 1/4,
SECTION 36-T38N-R6E

FOUND HARRISON
MONUMENT FLUSH, NW
CORNER, NE 1/4,
SECTION 36-T38N-R6E

POINT OF
BEGINNING
PARCEL 1

NORTH LINE, NE 1/4, SECTION 36-T38N-R6E

EXISTING 40' R/W

N 89°34'23" W 416.99'

R=10'

S 89°32'10" E

R=5'

S 89°32'10" E

R=5'

N 89°31'40" W 409.27'

S 00°03'12" W

208.70'

820

822

824

826

828

830

832

834

EXISTING STONE DRIVE

SETBACK LINE

S 00°01'26" W 170.41'

N 00°08'08" E

798

800

802

804

806

808

810

812

814

816

818

820

822

824

826

828

830

832

FOUND REBAR
WITH CAP 3"
DOWN (BRADSKO)

PROPOSED STONE DRIVE

TYPICAL HOUSE

RESERVE

SB 7

SB 6

SB 5

SB 4

SB 3

SB 2

SB 1

SB 0

SB -1

SB -2

SB -3

SB -4

SB -5

SB -6

SB -7

SB -8

LINE	BEARING	DISTANCE
L1	S 89°42'58" E	54.36'
L2	N 34°11'24" W	42.15'

15' WIDE CROSS ACCESS EASEMENT
EXECUTED ON FEBRUARY 20, 2013 BY
MICHAEL A. SUNDAY FOR THE PRIVATE
ACCESS ROAD SERVING BOTH LOT NUMBER
ONE (1) AND LOT NUMBER TWO (2)

LOT 1
SUNDAY MINOR SUBDIVISION
PLAT BOOK 34 PAGE 44

A-1

N 00°08'54" E 1285.93'

820

822

824

826

828

830

832

834

836

838

840

842

844

846

848

850

852

854

856



ARNOLD H. LONGFELLOW
DR 20

DAVID L. LONGFELLOW
DR 20

A-1

A-1

LEGEND

- IRON FOUND AS DESCRIBED
- FOUND REBAR STAMPED BRADS-KO 0041
- SET 5/8" REBAR STAMPED ALS FIRM 0135
- SECTION CORNER
- X— FENCE
- ⊕ SOIL BORING LOCATION

PROPERTY ADDRESS: COUNTY ROAD 108
BRISTOL, INDIANA 46507

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

DATE: MAY 1, 2025	PROJECT NUMBER: 250309
SCALE: 1" = 100'	AUTHORIZED BY: R. L. J.
SHEET 1 OF 2	DRAFTING BY: R. L. J.

NOTES:

- THIS LOT WILL BE DEVELOPED TO NOT IMPEDE THE NATURAL FLOW OF STORM WATER ON THIS TRACT.
- THE LAND USE IS SINGLE FAMILY RESIDENTIAL
- THE CURRENT ZONING IS A-1, AGRICULTURAL
- THIS LOT IS TO BE SUPPLIED BY A WELL AND SEPTIC PER ELKHART COUNTY ENVIRONMENTAL HEALTH DEPARTMENT APPROVAL
- SOIL TYPES ARE:
CnBA Coloma sand, 0-25% slopes, Water table depth >6.0'
CnBB Coloma sand, 2 to 5% slps, Water table depth >6.0'
CnBC Coloma sand, 5 to 10% slps, Water table depth >6.0'
CvDB Crosier loam, 1 to 4% slps, Water table depth 0.5' to 2.0'
TxuD Tyner loamy sand, 10 to 18% slps, Water table depth > 6.0'
Riddles-Metea complex, 12 to 18% slps, Water table depth > 6.0'
- THIS AREA IS NOT IN A FLOODPLAIN AS PER INFORMATION OBTAINED FROM COMMUNITY PANEL NUMBER 180056 0159 D, EFFECTIVE DATE OF AUGUST 2, 2011.
- FINISH GRADE OF LOT TO REMAIN AS CLOSE AS POSSIBLE TO EXISTING GRADE.
- THE VERTICAL DATUM FOR THIS SURVEY IS NAVD88 TAKEN UTILIZING GPS EQUIPMENT AND ELEVATE
- ELKHART COUNTY RESTRICTIONS ARE IN EFFECT.
- DEVELOPMENT TO BEGIN ASAP
- YORK TOWNSHIP DITCH IS APPROXIMATELY 780' SOUTH.
- THE ACCESSORY STRUCTURE ON LOT TWO (2) MAY ONLY BE USED IN CONJUNCTION WITH A PRIMARY STRUCTURE UNLESS ANOTHER PROCEEDING LIKE A SPECIAL USE PERMIT OR A REZONING GIVES IT PRIMARY STATUS OR UNLESS ITS USE IS AGRICULTURAL ONLY.

JULIE MARTIN, LAURA D. YODER & RANDALL W. SNYDER
DR 2022-03624

REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION and
LOT 2 OF TREDWAY MINOR SUBDIVISION

A 3 LOT MINOR SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER
OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 6 EAST, WASHINGTON TOWNSHIP, ELKHART COUNTY,
INDIANA

STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY DEVELOPMENT
ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED TO
THE BENEFIT OF ELKHART COUNTY THIS _____ DAY OF _____ 2025.

ELKHART COUNTY PLAN COMMISSION

BY: _____
MAE KRATZER, PLAN DIRECTOR

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____ 2025

AT ____:____ AND RECORDED IN PLAT BOOK _____ PAGE _____

KAALA BAKER — RECORDER OF ELKHART COUNTY

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____ 2025

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 PROPERTY IS RECORDED IN ELKHART
COUNTY INSTRUMENT NUMBER 2025-06742

DEED OF DEDICATION and OWNERS CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNERS 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
REPLAT OF LOT 2 OF SUNDAY MINOR SUBDIVISION and LOT 2 OF TREDWAY MINOR
SUBDIVISION, THAT THE LOTS ARE NUMBERED AND HAVE THEIR RESPECTIVE
DIMENSIONS GIVEN IN FEET AND DECIMAL PARTS THEREOF, AND THAT THE FACILITIES
INCLUDED IN SAID SUBDIVISION ARE HEREBY DEDICATED FOR PUBLIC USE.

PAUL SLABACH

LORRAINE SLABACH

JOEL MARCOS

ASHLYN DIANA YODER ORELLANA

ANDREW GRABER

LEAH GRABER

STATE OF INDIANA)
COUNTY OF ELKHART)SS:

BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED PAUL SLABACH, LORRAINE SLABACH, JOEL MARCOS, ASHLYN
DIANA YODER ORELLANA, ANDREW GRABER and LEAH GRABER 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 _____ 2025.

_____ NOTARY

JENNIFER L. JUSTICE

RESIDENT OF ELKHART COUNTY

MY COMMISSION EXPIRES MAY 30, 2030

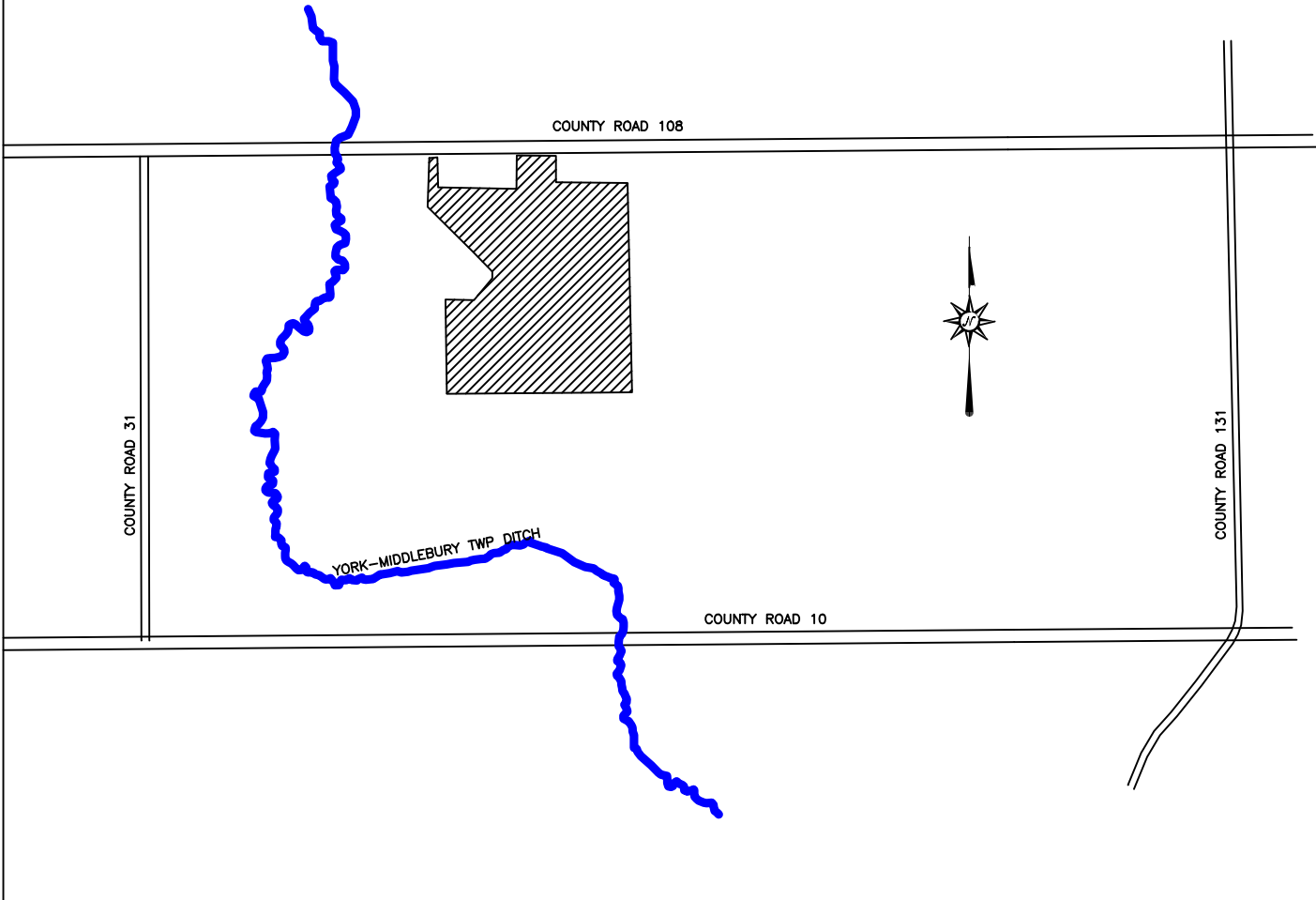
I, RONNIE L. JUSTICE, AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE
TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW.

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



VICINITY MAP
NOT TO SCALE



PROPERTY ADDRESS: COUNTY ROAD 108
BRISTOL, INDIANA 46507



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