

AGENDA

ELKHART COUNTY PLAT COMMITTEE

May 8, 2025
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 10th day of April 2025.

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: Matthew Miller **(page 1)**
represented by B. Doriot & Associates, Inc.
Petition: for primary approval of a 2-lot minor subdivision to be known as **MML MINOR SUBDIVISION**.
Location: west side of SR 15, 2,340 ft. south of US 6, in Jackson Township.
(MI-0205-2025)
- B. Petitioner: Megan Bailey and Ryan Bailey, Wife & Husband **(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 **BAILEY FARMS**.
Location: north side of CR 118, 1,760 ft. west of Old CR 17, in Concord Township.
(MI-0207-2025)

SECONDARY APPROVALS

- C. Petitioner: Miller-Silver LLC **(page 3)**
represented by Innovative Communities, Inc. & Abonmarche Consultants
Petition: for secondary approval of an 18-lot major subdivision to be known as **FALCONS LAIR AT BARRINGTON PHASE IV**.
Location: east end of Falcons Lair Ct., 100 ft. east of Falcons Lair Ln., south of Barrington Dr., in Jackson Township.
(MA-0208-2025)

D. Petitioner: Miller-Silver LLC (page 4)
represented by Innovative Communities, Inc. & Abonmarche Consultants
Petition: for secondary approval of a 17-lot major subdivision to be known as
FALCONS LAIR AT BARRINGTON PHASE V.
Location: north end of Falcons Lair Ln., 480 ft. north of Barrington Ln., west of CR 25,
in Jackson Township. (MA-0209-2025)

The Elkhart County Plat Committee is meeting on Thursday, May 8, 2025, 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 May 8, 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 10TH DAY OF APRIL 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, Steve Warner. 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.

Absent: Steven Clark.

2. A motion was made and seconded (*Edwards/Barker*) that the minutes of the last regular meeting of the Elkhart County Plat Committee, held on the 13th day of March, be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*Barker/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 1-lot minor subdivision to be known as VANCE MINOR PLAT, for Kim R. Daugherty represented by Prince Land Surveying, LLC, on property located on the north side of Forestview Ave., 480 ft. east of CR 113 southwest of US 33, in Concord 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-0119-2025*.

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

Motion: Action: Approve, **Moved by** Lori Snyder, **Seconded by** Phil Barker that this request for primary approval of a 1-lot minor subdivision to be known as VANCE MINOR PLAT 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 PUMPKINVINE PASTURES, for Marvin L. & Erma T. Miller & Verlin & Norma Schlabach Trust represented by Abonmarche Consultants, on property located on the east side of CR 35, 985 ft. south of CR 22, common address of 58304 CR 35 in Middlebury 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-0121-2025*. He mentioned he is eliminating the final bullet point from the staff report. He stated the building is eligible to be an agribusiness with no Special Use required per the county attorney.

Mrs. Snyder asked what type of business is on the property.

Crystal Welsh, Abonmarche, 303 River Race Dr., Goshen, was present representing the petitioner. She stated the petitioners install chicken equipment and housing for farmers. She

mentioned that most of the material is delivered to the work site, and they go to the location to install it. She explained that there is a showroom on site at the agribusiness with some smaller equipment available for purchase. Mr. Warner asked if semis make deliveries to the property. Mrs. Welsh verified that there have only been two semi deliveries in the past year. She explained that most deliveries are done with pickup trucks or pickup trucks with trailers. Mr. Warner stated that it appears the driveway could accommodate that type of traffic. Mrs. Welsh mentioned they are working with the Highway Department on an appropriately sized driveway.

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

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

6. The application for primary approval of a 1-lot minor subdivision to be known as DOUBLE R HOMESTEAD, for Presser Properties LLC represented by Abonmarche Consultants, on property located on the west side of CR 25, 1,440 ft. northeast of CR 2, common address of 50803 CR 25 in Washington 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-0122-2025*.

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

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

7. The application for primary approval of a 3-lot minor subdivision to be known as M & K TROYER 2ND AND REPLAT OF M & K TROYER MINOR, for Myron Troyer and Kayla J. Troyer, Husband and Wife represented by Advanced Land Surveying of Northern Indiana, Inc., on property located on the west side of CR 35, 1,725 ft. south of CR 4, common address of 52335 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-0126-2025*.

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 M & K TROYER 2ND AND REPLAT OF M & K TROYER MINOR be approved in accordance with the Staff Analysis. The motion was carried with a unanimous vote.

8. The meeting was adjourned at 9:08 A.M.

Respectfully submitted,

Amber Weiss, Recording Secretary

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: May 8, 2025

Transaction Number: MI-0205-2025.

Parcel Number(s): 20-15-32-226-011.000-018.

Existing Zoning: A-1.

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

Petitioner: Matthew Miller, represented by B. Doriot & Associates, Inc.

Location: West side of SR 15, 2,340 ft. south of US 6, in Jackson Township.

Site Description: Proposed lots 1 and 2 are 1.51 and 1.49 acres, rectangular in shape, with proposed residences and shared access to SR 15.

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-0205-2025

Date: 03/31/2025 Meeting Date: May 08, 2025
Plan Commission Hearing (Subdivision) Transaction #: MI-0205-2025

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

Contacts: <u>Applicant</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
B. Doriot & Associates, Inc. P.O. Box 465 New Paris, IN 46553	Matthew Miller 68548 County Road 33 Goshen, IN 46526	B. Doriot & Associates, Inc. P.O. Box 465 New Paris, IN 46553

Site Address: 00000 State Road 15 NEW PARIS, IN 46553	Parcel Number: 20-15-32-226-011.000-018
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Township: Jackson
Location: WEST SIDE OF SR 15, 2,340 FT SOUTH OF US 6

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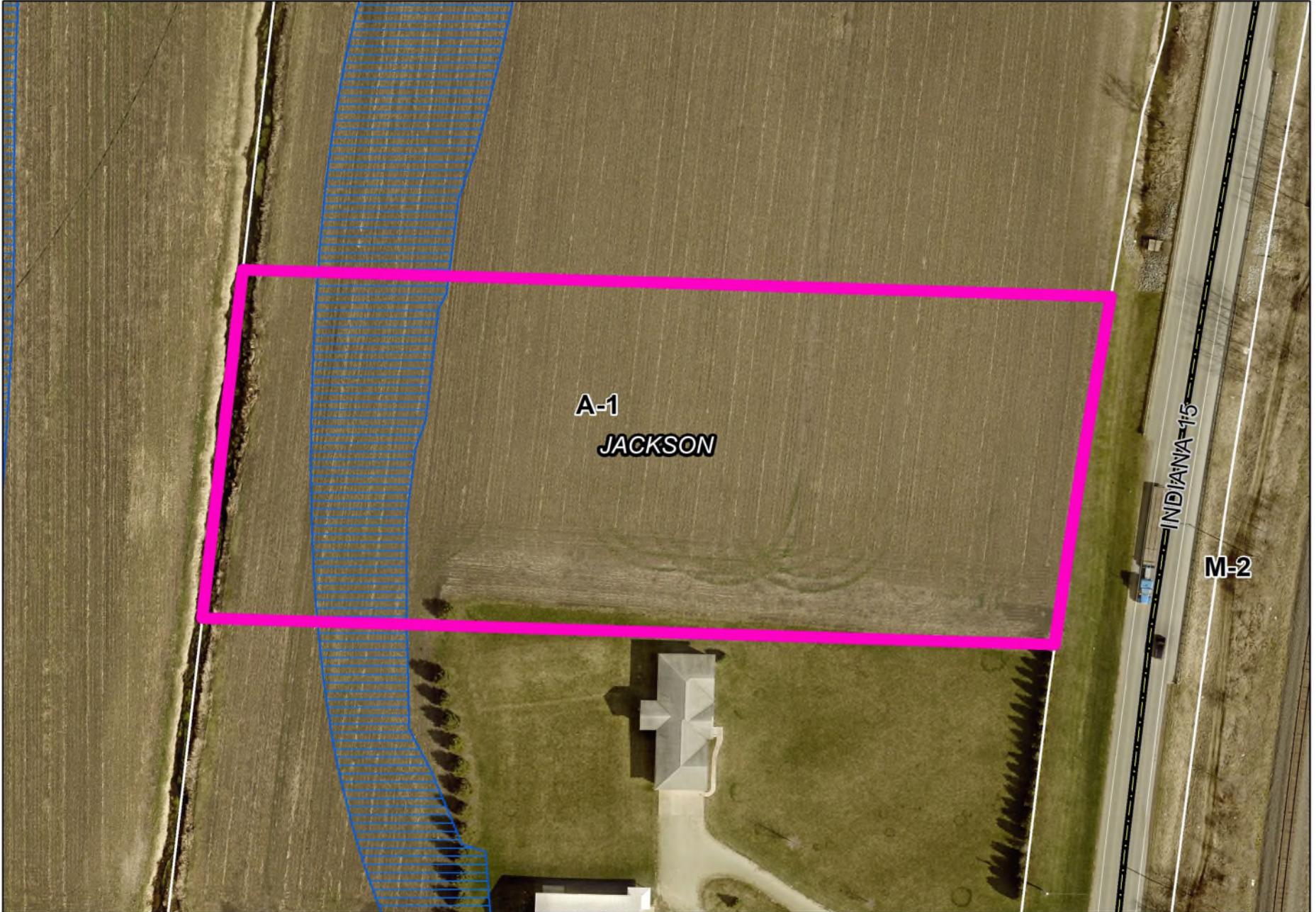
Present Use of Property:

Legal Description:

Comments:

Applicant Signature:

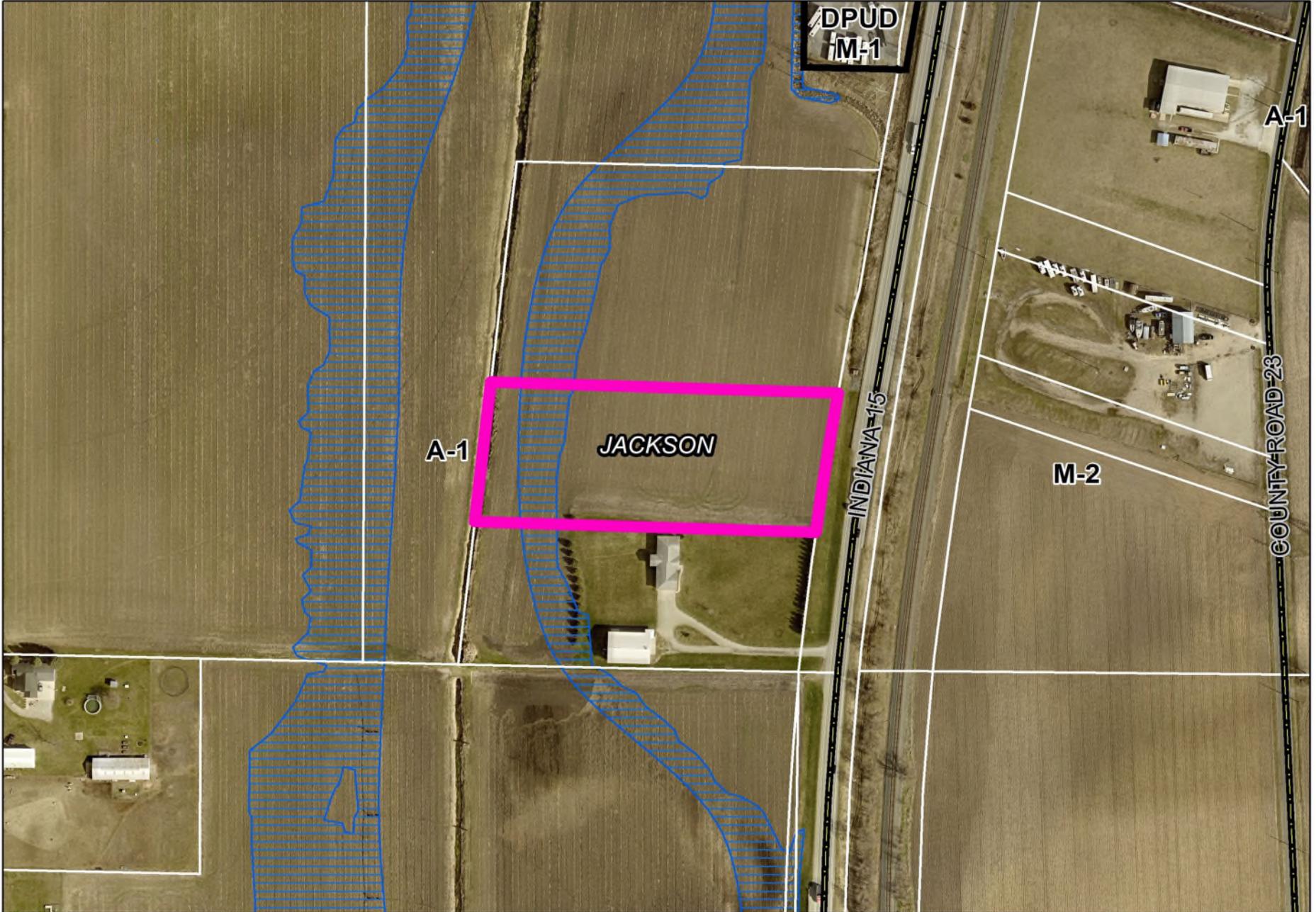
Department Signature:

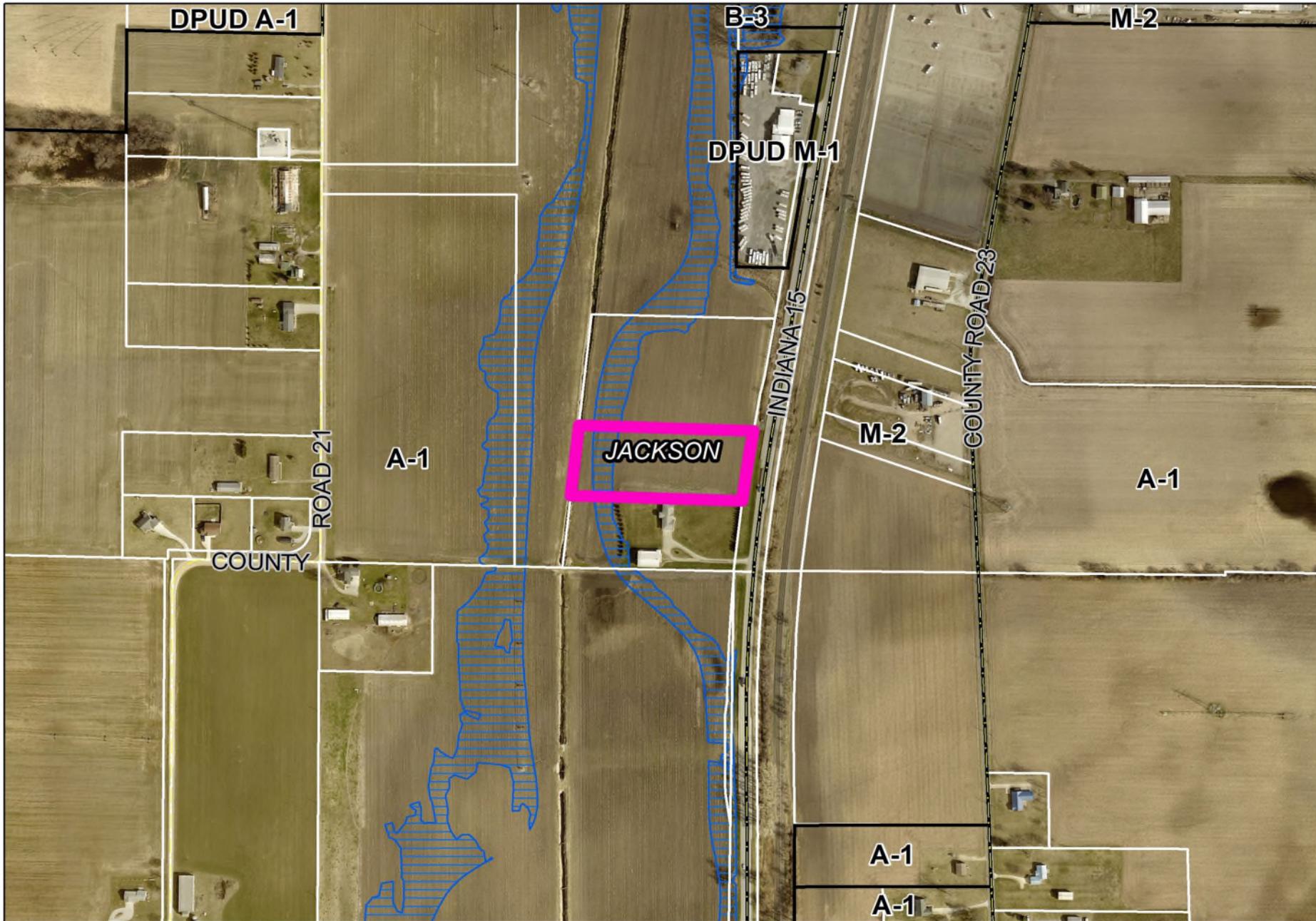


A-1
JACKSON

INDIANA 15

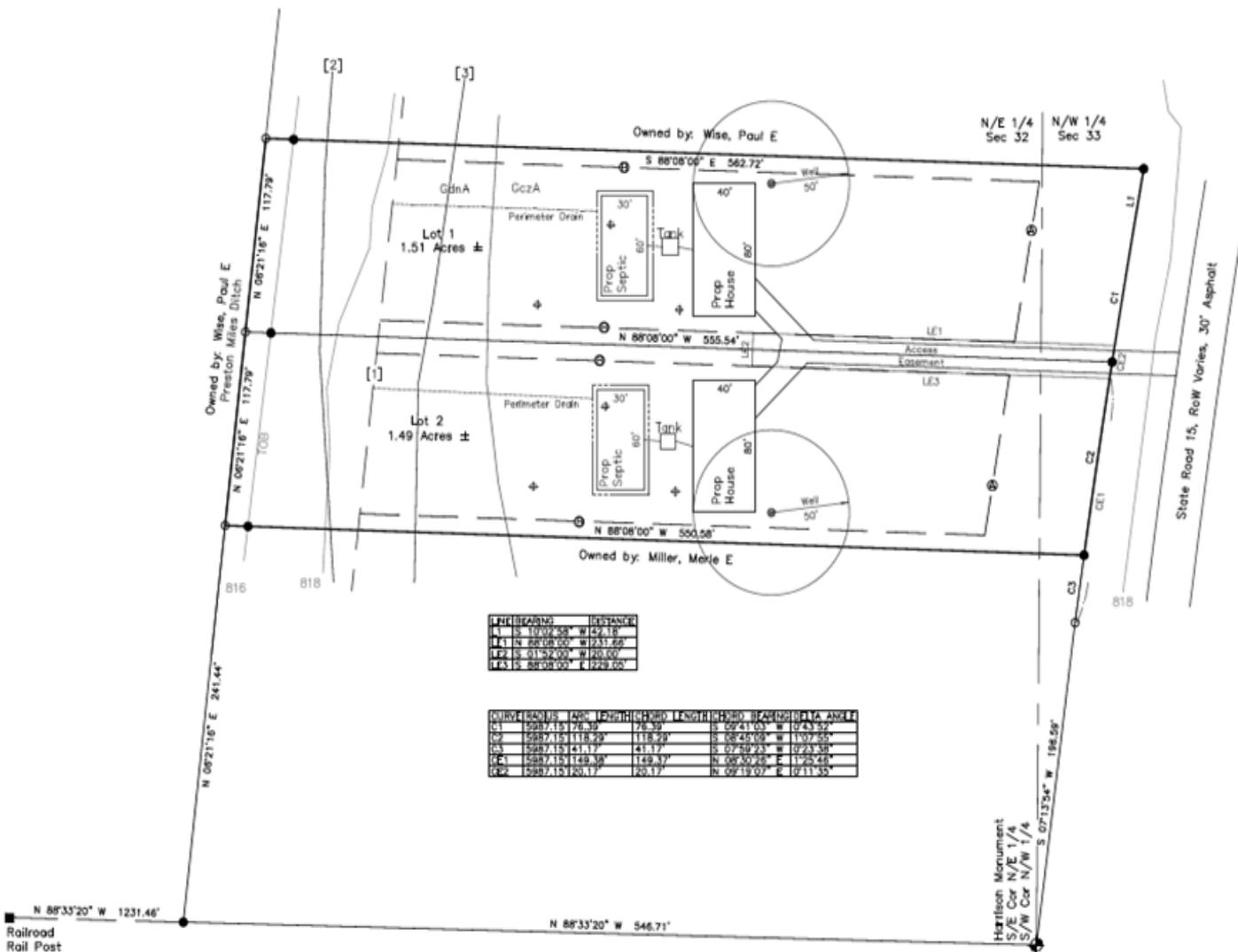
M-2





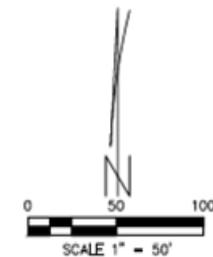
MML MINOR SUBDIVISION

A Two Lot Minor Subdivision in the Northeast Quarter of Section 32, and the Northwest Quarter of Section 33, Township 35 North, Range 6 East, 2nd Principal Meridian, Jackson Township, Elkhart County, Indiana.



LINE	BEARING	DISTANCE
N1	S 10°07'59" W	67.18
N2	S 88°08'00" W	555.54
N3	S 01°52'00" W	20.00
N4	S 88°08'00" E	562.72

CURV	CHORD	ARC	LENGTH	CHORD	LENGTH	BEARING	BEARING	AREA
01	5287.15	158.33	118.29	5287.15	158.33	S 07°41'03" W	S 07°41'03" W	11743.52
02	5287.15	118.29	118.29	5287.15	118.29	S 08°45'09" W	S 08°45'09" W	11072.55
03	5287.15	41.17	41.17	5287.15	41.17	S 07°50'23" W	S 07°50'23" W	10233.58
04	5287.15	149.37	149.37	5287.15	149.37	N 08°30'28" E	N 08°30'28" E	11294.48
05	5287.15	20.17	20.17	5287.15	20.17	N 09°19'07" E	N 09°19'07" E	10111.35



A Two Lot Minor Subdivision in the Northeast Quarter of Section 32, and the Northwest Quarter of Section 33, Township 35 North, Range 6 East, 2nd Principal Meridian, Jackson Township, Elkhart County, Indiana.

DESCRIPTION

Document #2024-18449

A part of the Northeast Quarter of Section 32, and the Northwest Quarter of Section 33, Township 35 North, Range 6 East, Second Principal Meridian, Jackson Township, Elkhart County, Indiana, containing 3.00 acres, more or less, being a part of lands described in Documents: #97-021981, #2004-27582, and a Survey recorded as Document #2005-05715, and based on an Original Survey, by B. Doriot & Associates Land Surveying (C. Blake Doriot P.S. #90028), Job #2024-086, all bearings based on Indiana State Planes East, completed on October 9, 2024, more particularly described as follows:

Commencing at a Harrison Monument marking the Southeast Corner of said Northeast Quarter;

thence North 88 degrees 33 minutes 20 seconds West, along the South Line of the Northeast Quarter, to a Calculated Point in the Centerline of Preston Miles Ditch, being a regulated drain of Elkhart County, a distance of 546.71 feet;

thence North 06 degrees 21 minutes 16 seconds East, along the Centerline of said ditch, to a Calculated Point, a distance of 241.44 feet, being the POINT OF BEGINNING of this description;

thence continuing along the last called bearing, to a Calculated Point, a distance of 235.59 feet;

thence South 88 degrees 08 minutes 00 seconds East, to an Iron Rebar on the West Right of Way of State Road 15, a distance of 562.72 feet;

thence South 10 degrees 02 minutes 58 seconds West, along said Right of Way, to a Calculated Point, a distance of 42.18 feet;

thence continuing Southwestwardly along said Right of Way, following a curve (having a Chord of South 09 degrees 07 minutes 05 seconds West, 194.67 feet) with a radius of 5987.15 feet, to an Iron Rebar on said Right of Way, a distance of 194.68 feet;

thence North 88 degrees 08 minutes 00 seconds West, a distance of 550.58 feet, to the POINT OF BEGINNING;

subject to all easements, restrictions, drain tiles, public highways, and right-of-ways of record.

ACCESS EASEMENT

A part of the Northeast Quarter of Section 32, and the Northwest Quarter of Section 33, Township 35 North, Range 6 East, Second Principal Meridian, Jackson Township, Elkhart County, Indiana, containing 0.11 acres, more or less, being a part of lands described in Document #2024-18449, and based on an Original Survey, by B. Doriot & Associates Land Surveying (C. Blake Doriot P.S. #90028), Job #2025-016, all bearings based on Indiana State Planes East, completed on October 9, 2024, more particularly described as follows:

Commencing at a Harrison Monument marking the Southeast Corner of said Northeast Quarter;

thence North 07 degrees 13 minutes 54 seconds East, along said Right of Way, a distance of 196.59 feet, to a Calculated Point;

thence Northwesterly along said Right of Way, following a curve (having a Chord of North 08 degrees 30 minutes 26 seconds East, 149.37 feet) with a radius of 5987.15 feet, to a Calculated Point on the South Line of the Northwest Quarter, a distance of 149.38 feet, being the POINT OF BEGINNING of this description;

thence continuing Northwesterly along said Right of Way, following a curve (having a Chord of North 09 degrees 19 minutes 07 seconds East, 20.17 feet) with a radius of 5987.15 feet, to a Calculated Point on the South Line of the Northwest Quarter, a distance of 20.17 feet;

thence North 88 degrees 08 minutes 00 seconds West, to a Calculated Point, a distance of 231.66 feet;

thence South 01 degrees 52 minutes 00 seconds West, to a Calculated Point, a distance of 20.00 feet;

thence South 88 degrees 08 minutes 00 seconds East, a distance of 229.05 feet, to the POINT OF BEGINNING;

subject to all easements, restrictions, drain tiles, public highways, and right-of-ways of record.

PLAT NOTES**LEGEND:**

- - Iron Rebar
- - Calculated Point
- ⬇ - Soil Bore
- ⊖ - 6' Building Setback
- ⊗ - 10' Building Setback
- [1] - Drainage & Maintenance Easement, 75' from TOB
- [2] - DNR Approximate Floodway
- [3] - DNR Approximate Fringe

GENERAL:

- All irons set were #5 rebar capped (DORJOT #90028) and set flush, unless noted.
- Mag nails set with aluminum washer (DORJOT #90028) and set flush, unless noted.
- All corners and monuments that were found are flush and in good condition, unless noted.
- No information is intentionally left out, unless noted.
- All bearings are Indiana State Planes, unless noted.
- All distances and bearings on this plat are noted as follows:
 - M-Measured, R-Recorded, C-Calculated.
- Call 811 before digging.

-Section corner information is per the Elkhart County Surveyor's office records.

-Development shall begin ASAP.

-The Current land use is zone A-1.

-Restrictions and setbacks shall conform to the Elkhart County Planning and Zoning Regulations.

-All proposed improvements, well locations, and septic designs shown are generic, and are for informational purposes only. The final plans, and locations, will be designed by others.

-Residential Drive Permit from INDOT required.

DRAINAGE:

- Not in the 100 year flood zone (FEMA), but does contain DNR best available floodway and flood fringe as of April 2025.
- Drainage pattern will remain unchanged.
- Finish grade of lots to approximate existing.
- Contours per Elkhart County GIS (1988 Datum with 2006 TOPO).
- Lowest floor elevation 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 is installed.
- Less than 1 acre will be disturbed.

EASEMENTS:

- An Access Easement is established for the purpose of a common drive.

HEALTH:

- No municipal services available within one mile.
- Site to be served by septic and well.
- Septic System sizing is 3000'2 bedrooms, ESM w/ PD @ 36"

HIGHWAY:

- Existing road shall be used.
- Sight distance for proposed/existing drive: 800' + N, 800' + S.

SOILS:

- Soils are mapped as follows: Gc2A, GdnA
- Soil types taken from the Elkhart County GIS.
- Soil Scientist: Don Schmoedel
- See soil borings for SIBRT.
- Soil borings are completed as shown on Plat.
- All soils ponding soils. No construction below grade without evidence disposing ponding.

B. DORJOT & ASSOCIATES, INC.
P.O. Box 465 New Paris, IN 46353
574-336-3031 dorjotsurvey@gmail.com

PAGE 2 OF 3	DRAWN BY: CEB	APPROVED BY: CBD
	FIELD CHECK: CEB	PROJ. NO: 2025-016
	DATE: 3/17/2025	DWG. NO: 2025-016.DWG
	Owner: MILLER MATTHEW L (LF EST PAUL & LIXS WISE)	

Revised 4/17/2025



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

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: May 8, 2025

Transaction Number: MI-0207-2025.

Parcel Number(s): 20-06-24-126-009.000-009.

Existing Zoning: A-1.

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

Petitioner: Megan Bailey and Ryan Bailey, Wife & Husband, represented by Advanced Land Surveying of Northern Indiana, Inc.

Location: North side of CR 118, 1,760 ft. west of Old CR 17, in Concord Township.

Site Description: Proposed lot 1 is 4 acres and irregular in shape with a proposed single-family residence. Proposed lot 2 is 3 acres and irregular in shape with a proposed single-family residence. Proposed lot 3 is 21 acres and irregular in shape to remain agricultural farmland at this time.

History and General Notes:

- **March 19, 2025** – The Hearing Officer approved a 50 ft. lot-width Developmental Variance to allow for the construction of a residence on proposed lot 1 and a Developmental Variance to allow for the construction of a residence on property with no road frontage served by an access easement on proposed lots 2 & 3.

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-0207-2025

Date: 03/31/2025 Meeting Date: May 08, 2025
Plan Commission Hearing (Subdivision) Transaction #: MI-0207-2025

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

Contacts: <u>Authorized Agent</u>	<u>Land Owner</u>
Advanced Land Surveying Of	Megan Bailey And Ryan Bailey
Northern Indiana, Inc.	Wife & Husband
17120 County Road 46	24414 Cr 16
New Paris, IN 46553	Elkhart, IN 46516

Site Address: 00000 Cr 118 ELKHART, IN 46516	Parcel Number: 20-06-24-126-009.000-009
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Township: Concord
Location: NORTH SIDE OF CR 118, 1736 FT. WEST OF OLD CR 17

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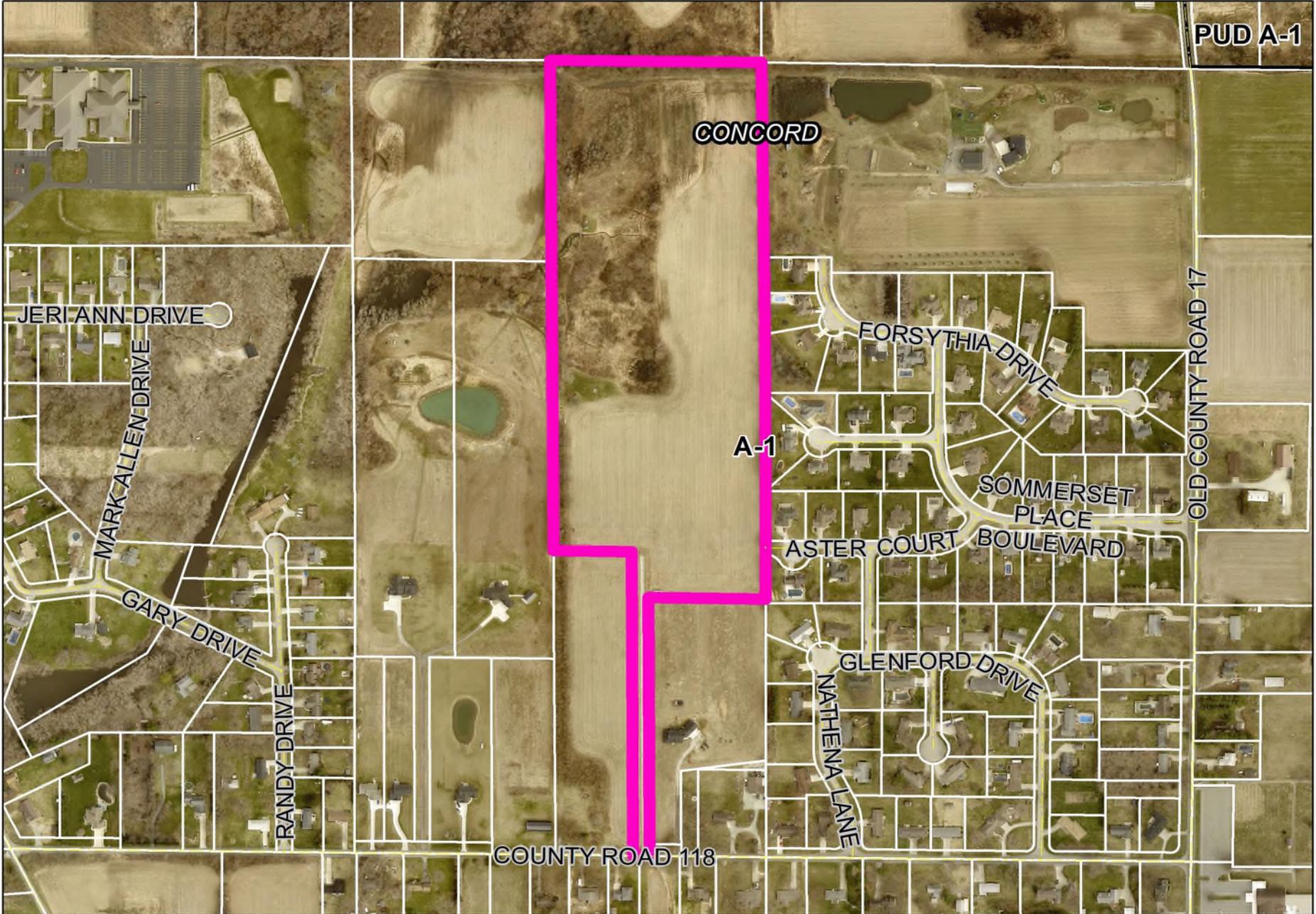
Present Use of Property:

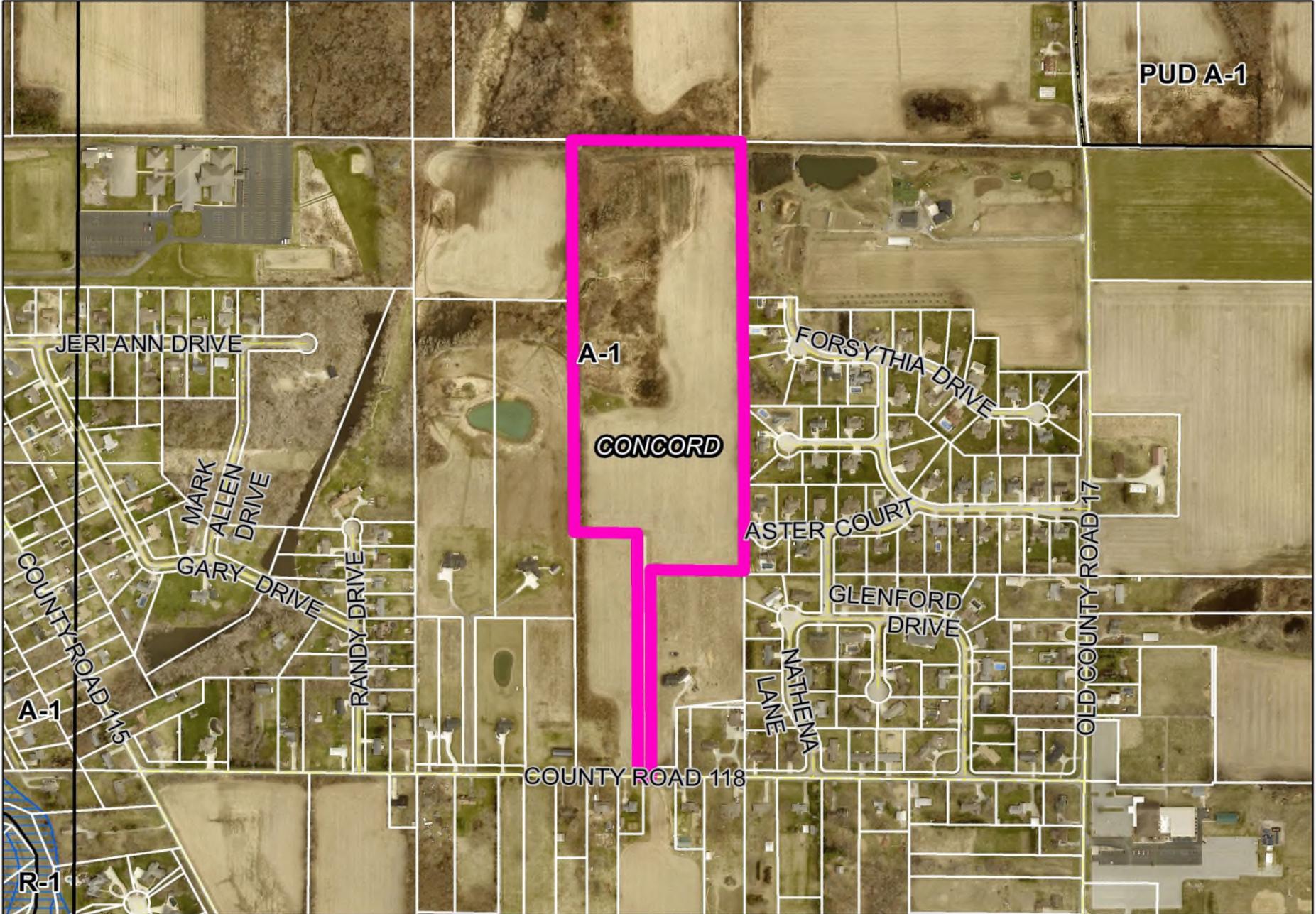
Legal Description:

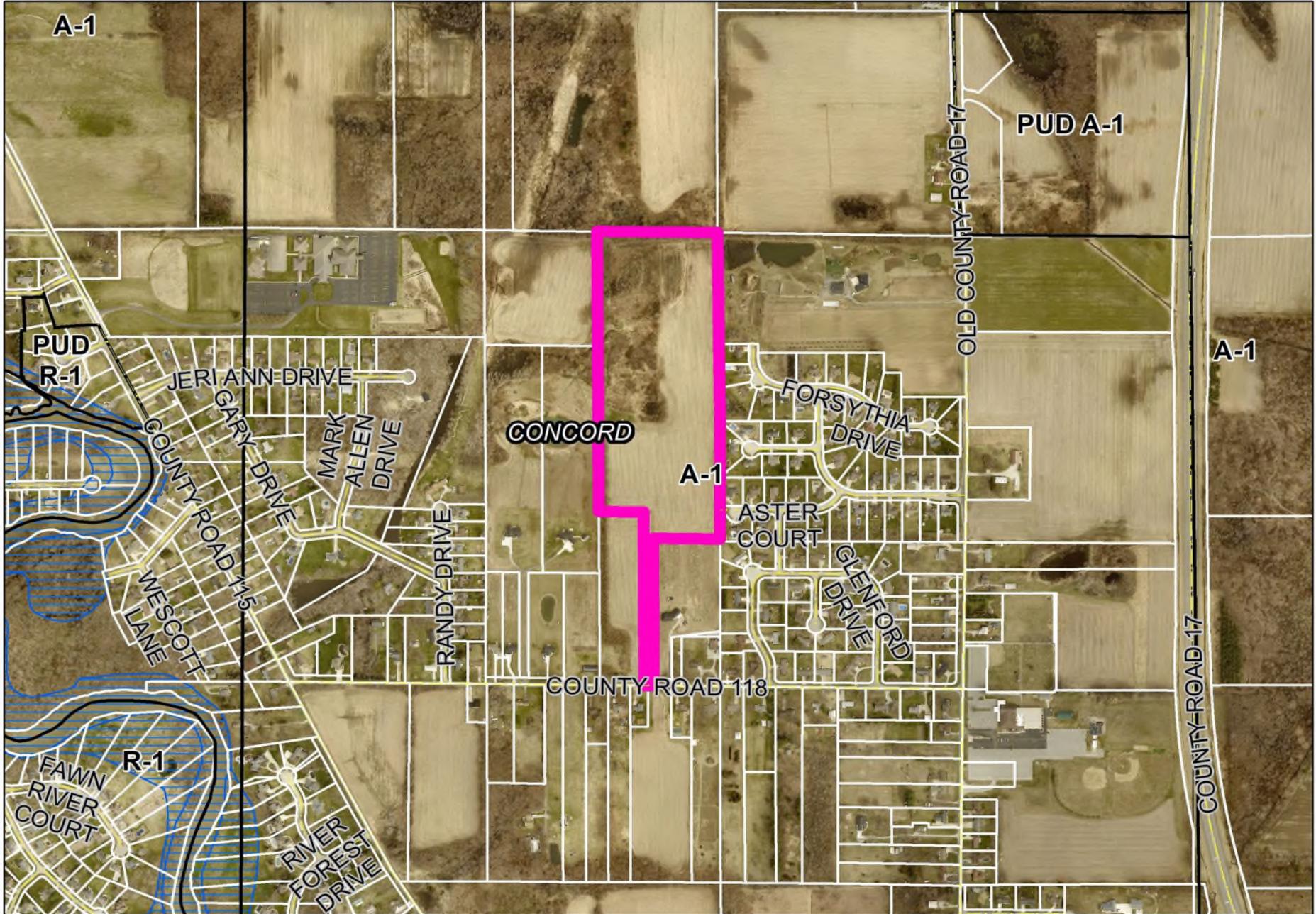
Comments:

Applicant Signature:

Department Signature:



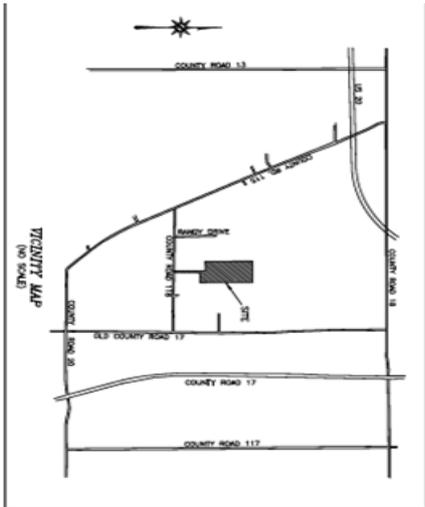




STATEMENT OF COMPLIANCE

THIS SUBDIVISION IS FOUND TO BE IN COMPLIANCE WITH THE ELKHART COUNTY DEVELOPMENT ORDINANCE AND THE DEDICATIONS SHOWN ON THIS PLAN AS HEREBY APPROVED AND ACCEPTED TO THE BENEFIT OF ELKHART COUNTY THIS _____ DAY OF _____ 2023.

ELKHART COUNTY PLANNING COMMISSION



BY: _____
 MAE HOANER, PLANNING DIRECTOR

RECORDED
 RECORDED FOR RECORD THIS _____ DAY OF _____ 2023
 AT _____ AND RECORDED IN PLAT BOOK _____ PAGE _____

KARLA BAKER - RECORDER OF ELKHART COUNTY

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____ 2023.
 AUDITOR

PATRICK A. PICKENS - AUDITOR OF ELKHART COUNTY

DEED OF DEDICATION AND CONVEYANCE CERTIFICATION

THIS IS TO CERTIFY THAT WE, THE UNDERSIGNED, ARE THE OWNER(S) OF THE LAND DESCRIBED IN THE PLAT HEREBIN, AND THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND SUBMITTED 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 SUBMITTED AS SHOWN ON THE PLAT HEREBIN, AND THAT SAID SUBDIVISION IS TO BE KNOWN AS BATTERED. WE HEREBY CERTIFY THAT WE HAVE CAUSED THE SAID SURVEY TO BE PERFORMED IN ACCORDANCE WITH THE RELEVANT DIMENSIONS GIVEN IN FEET AND DECIMAL PARTS THEREOF, AND THAT THE FACILITIES INCLUDED IN SAID SUBDIVISION ARE HEREBY DEDICATED FOR PUBLIC USE.

RYAN BAILEY

MEGAN BAILEY

STATE OF INDIANA)
)
 COUNTY OF ELKHART))SS:

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RYAN BAILEY AND MEGAN BAILEY, AND EACH SEPARATELY AND SEVERALLY ACKNOWLEDGED THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES HEREBIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____ 2023.

 JENNIFER L. JUSTICE
 NOTARY

RESIDENT OF ELKHART COUNTY
 MY COMMISSION EXPIRES MAY 20, 2030

DRAINAGE MAINTENANCE CERTIFICATION:

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING COLLECTORS AND SMOALS 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 IMPERE 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 FACILITIES IN GOOD ORDER, THE BOARD OF SUPERVISORS SHALL HAVE THE AUTHORITY TO ORDER THE LOT OWNER TO REPAIR SUCH DRAINAGE FACILITIES AND INCURE THE COSTS OF SUCH REPAIR TO THE LAST OWNER. ELKHART COUNTY, INDIANA, IS GRANTED AN EASEMENT ACROSS A LOT OWNER'S BE 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 REDEMPTIONS FROM THE LOT OWNER AND FOR THE FORECLOSURE OF SAID LIEN. THE NUMBER IN WHICH WORKORDERS ARE FORECLOSED UNDER THE LAWS OF THE STATE OF INDIANA, AND SUCH COLLECTION AND/OR FORECLOSURE ACTION SHALL BE MAINTAINED IN THE NAME OF SAID COUNTY.

THE BOUNDARY SURVEY FOR THIS PROPERTY IS RECORDED IN ELKHART COUNTY INSTRUMENT NUMBER 2019-19649.

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 PLANTING, PROCESSING OF AGRICULTURAL PRODUCTS, AND THE USE OF AGRICULTURAL OPERATING MACHINERY AND EQUIPMENT, WHICH ARE ALL COMMON TO THE AGRICULTURAL INDUSTRY, ARE CONSIDERED TO BE CONDUCTED ON ADJOINING PROPERTIES.

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

L. 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 PLAN REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 36S, ARTICLE 1, CHAPTER 12, SECTION 1 THROUGH 41 OF THE INDIANA ADMINISTRATIVE CODE. THAT ALL MONUMENTS ARE OR WILL BE INSTALLED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF ELKHART COUNTY, INDIANA.

SIGNATURE Ronnie L. Justice
 RONNIE L. JUSTICE, P.S.
 IN REG. NO. 89300004



DATE: MARCH 29, 2023	PROJECT NUMBER:
SCALE: 1" = 100'	APPROVED BY: R.
SHEET 2 OF 2	DRAWN BY: R. L.

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: May 8, 2025

Transaction Number: MA-0208-2025.

Parcel Number(s): Part of 20-15-10-176-003.000-018.

Existing Zoning: DPUD R-4.

Petition: For secondary approval of an 18-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE IV.

Petitioner: Miller-Silver LLC, represented by Innovative Communities, Inc., & Abonmarche Consultants.

Location: East end of Falcons Lair Ct., 100 ft. east of Falcons Lair Ln., south of Barrington Dr., in Jackson Township.

Site Description: Proposed phase 4 consists of 18 proposed lots totaling 4.3 acres, 2 proposed common areas totaling 0.26 acres, is rectangular in shape, and is currently vacant.

History and General Notes:

- **June 19, 2006** – A zone map change from A-1 to a GPUD R-1/R-4/B-1/M-1 to be known as Barrington was approved.
- **September 20, 2021** – A zone map change from GPUD R-1/R-4/B-1 to DPUD R-4 and a 139-lot major subdivision to be known as Falcon’s Lair at Barrington Sections 4–8 were approved (DPUD-0562-2021).
- **January 12, 2022** – The Plan Commission gave secondary approval to a 14-lot major subdivision to be known as Falcon’s Lair at Barrington, Phase I (MA-0930-2021).
- **June 9, 2022** – The Plan Commission gave secondary approval to a 16-lot major subdivision to be known as Falcon’s Lair at Barrington, Phase II (MA-0328-2022).
- **June 9, 2022** – The Plan Commission gave secondary approval to a 16-lot major subdivision to be known as Falcon’s Lair At Barrington, Phase III (MA-0329-2022).

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-0208-2025

Date: 03/31/2025 Meeting Date: May 08, 2025
Plan Commission Hearing (Subdivision) Transaction #: MA-0208-2025

Description: for secondary approval of an 18-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON,
PHASE IV

<u>Land Owner</u>	<u>Private Surveyor</u>	<u>Private Surveyor</u>
Miller-Silver Llc. 1819 E. Monroe Goshen, IN 46528	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526	Innovative Communities, Inc 697 Bungalow Dr Nappanee, IN 46550

Site Address: 00000 County Road 29 NEW PARIS, IN 46553	Parcel Number: Part of 20-15-10-176-003.000-018
---	---

Township: Jackson
Location: EAST END OF FALCONS LAIR CT, 100 FT. EAST OF FALCONS LAIR LN, SOUTH OF BARRINGTON DR.

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: R-4	NPO List:
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Present Use of Property:

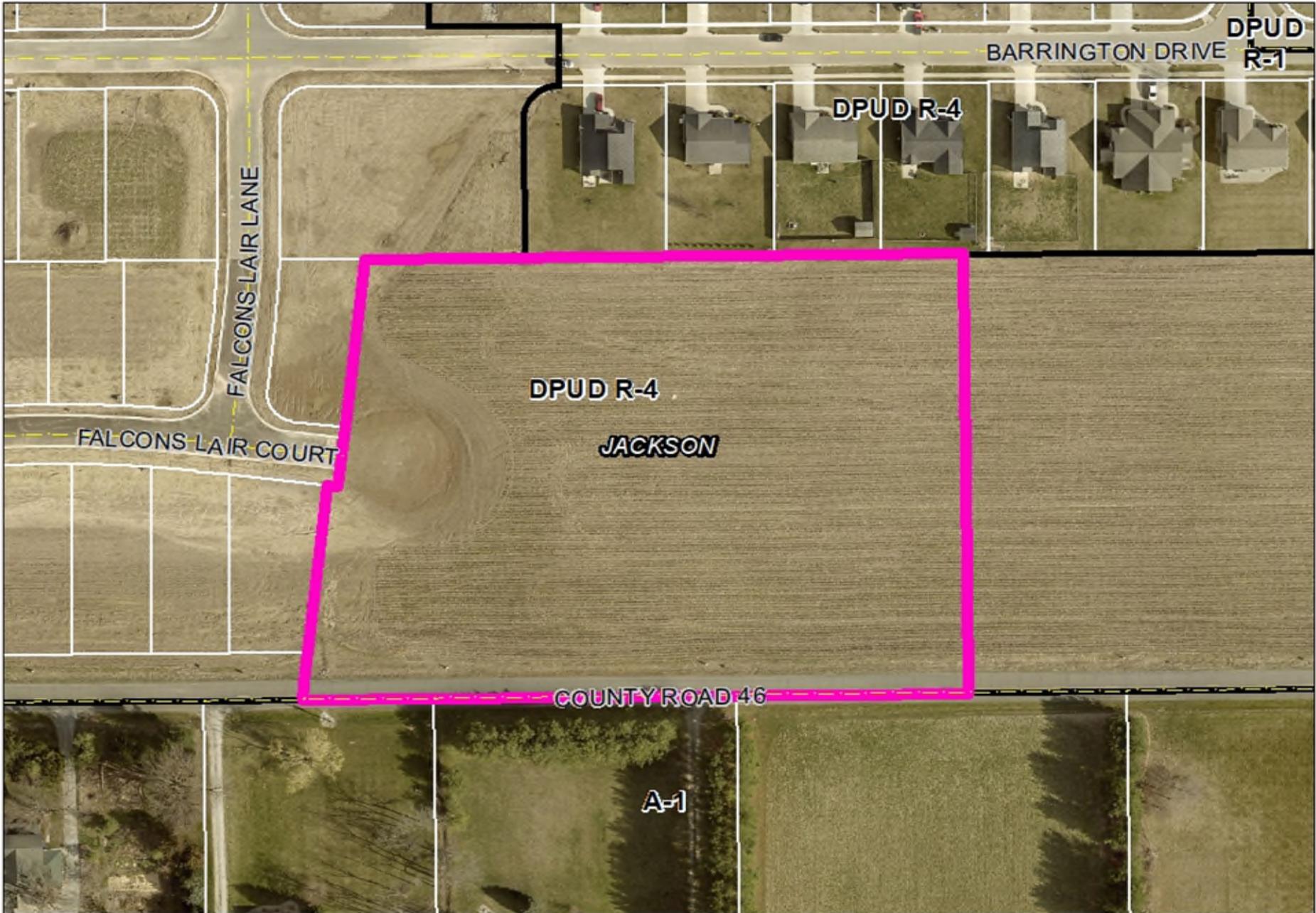
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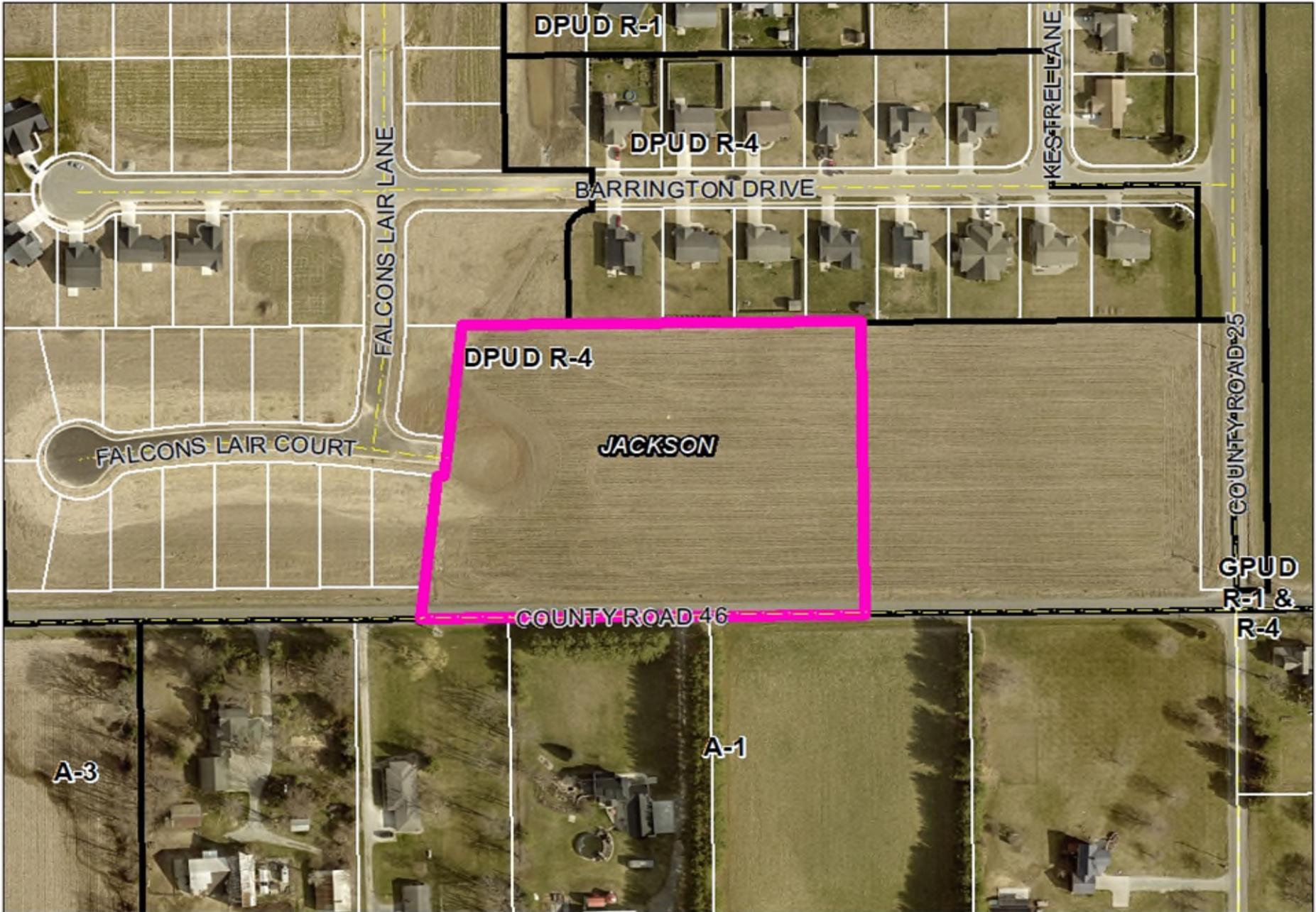
Comments:

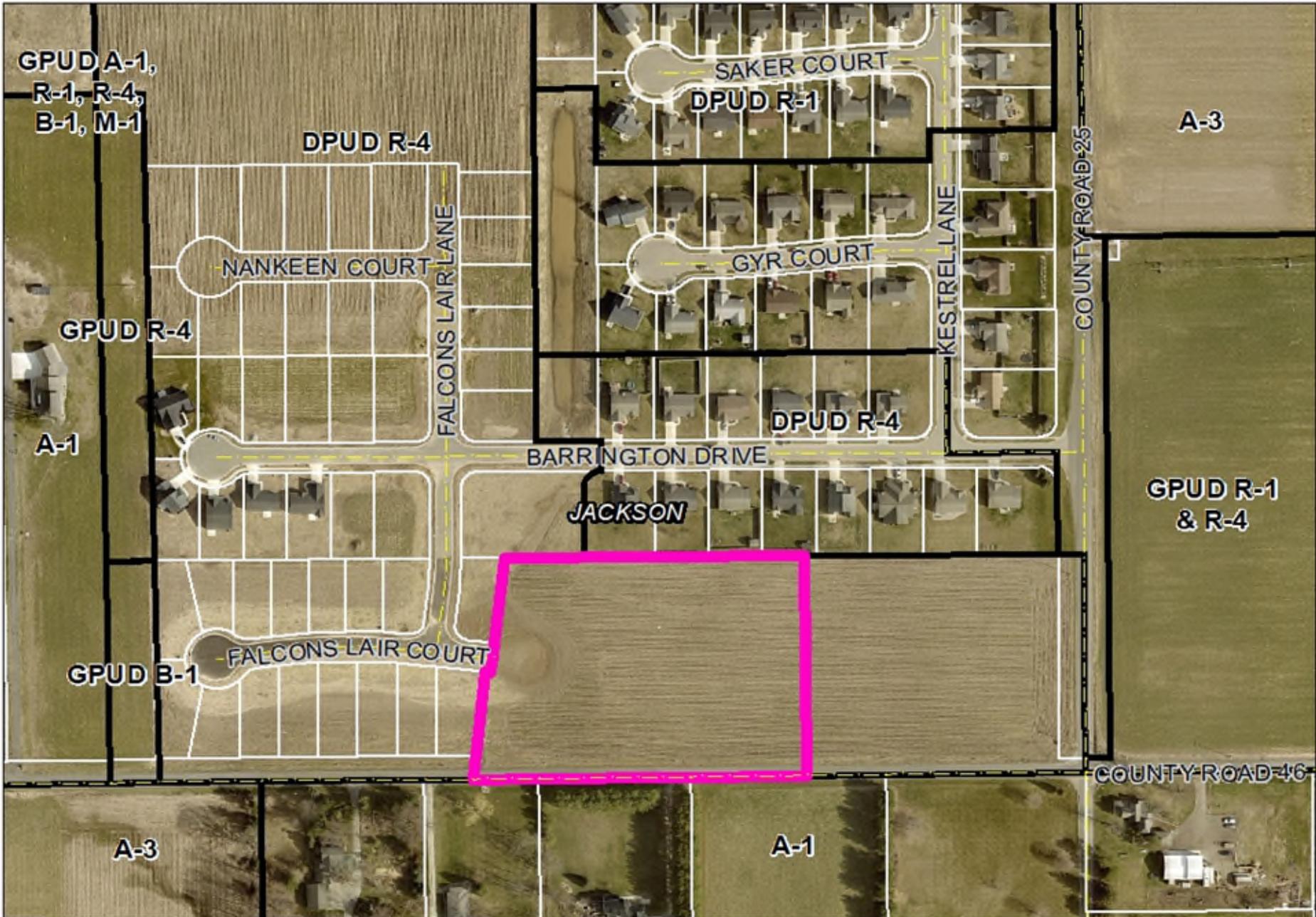
Applicant Signature:

Department Signature:

MA-0208-2025







FALCONS LAIR AT BARRINGTON, PHASE IV

A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA.

LEGAL DESCRIPTION

FALCONS LAIR AT BARRINGTON, PHASE IV

A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE CENTER OF SAID SECTION 10; THENCE NORTH 89°25'37" EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, 348.52 FEET TO THE SOUTHEAST CORNER OF THE PLAT OF FALCONS LAIR AT BARRINGTON, PHASE II (PLAT BOOK 42, PAGE 19) AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 89°25'28" EAST ALONG THE EAST LINE OF SAID PLAT OF FALCONS LAIR AT BARRINGTON, PHASE II, 181.23 FEET TO THE SOUTH RIGHT OF WAY LINE OF FALCONS LAIR COURT; THENCE SOUTH 83°37'32" EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 8.75 FEET; THENCE NORTH 90°25'28" EAST ALONG THE EAST LINE OF SAID PLAT OF FALCONS LAIR AT BARRINGTON, PHASE II, 181.32 FEET TO THE NORTHEAST CORNER OF THE PLAT OF FALCONS LAIR AT BARRINGTON, PHASE II; THENCE NORTH 89°35'42" EAST ALONG THE SOUTH LINE OF THE PLAT OF FALCONS LAIR AT BARRINGTON, PHASE I (PLAT BOOK 41, PAGE 70) AND THE PLAT OF FALCONS LAIR AT BARRINGTON (PLAT BOOK 31, PAGE 84), 482.30 FEET; THENCE SOUTH 02°24'18" EAST, 367.89 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 89°25'37" WEST ALONG SAID SOUTH LINE, 535.36 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 4.30 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PUBLIC RIGHTS OF WAY OF RECORD.

PLANNED UNIT ORDINANCE NUMBER REFERENCE

THIS PLAT/DEVELOPMENT PLAN IS PART OF ELKHART COUNTY ORDINANCE NUMBER PC2021-35 AND IS MADE PART OF THAT ORDINANCE BY THIS REFERENCE.

FLOOD NOTE

THIS PARCEL IS NOT WITHIN 1% ANNUAL CHANCE FLOOD (SPECIAL FLOOD HAZARD AREA) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL NUMBER 1803002640, EFFECTIVE MAP DATE: AUGUST 2, 2011.

AGRICULTURAL NOTE

THIS SUBDIVISION IS LOCATED IN A FARMING COMMUNITY. LOT OWNERS ARE PROHIBITED FROM DEMONSTRATING, PROMOTING OR OBJECTING TO, BY LITIGATION OR OTHERWISE AGAINST ANY FARMING OPERATION, FARM OR FARMER WITHIN A TWO (2) MILE RADIUS.

SEWER & WATER NOTE

EACH LOT WITHIN THIS SUBDIVISION WILL CONNECT TO THE NEW PARIS CONSERVANCY DISTRICT FOR SANITARY SEWER AND HAVE AN INDIVIDUAL PRIVATE WELL FOR WATER SERVICE.

MINIMUM BUILDING SETBACK NOTE

DRUD R-4 ZONE SETBACKS
FRONT YARD SETBACK = 45 FEET FROM CL
REAR YARD SETBACK = 30 FEET
SIDE YARD SETBACK = 5 FEET

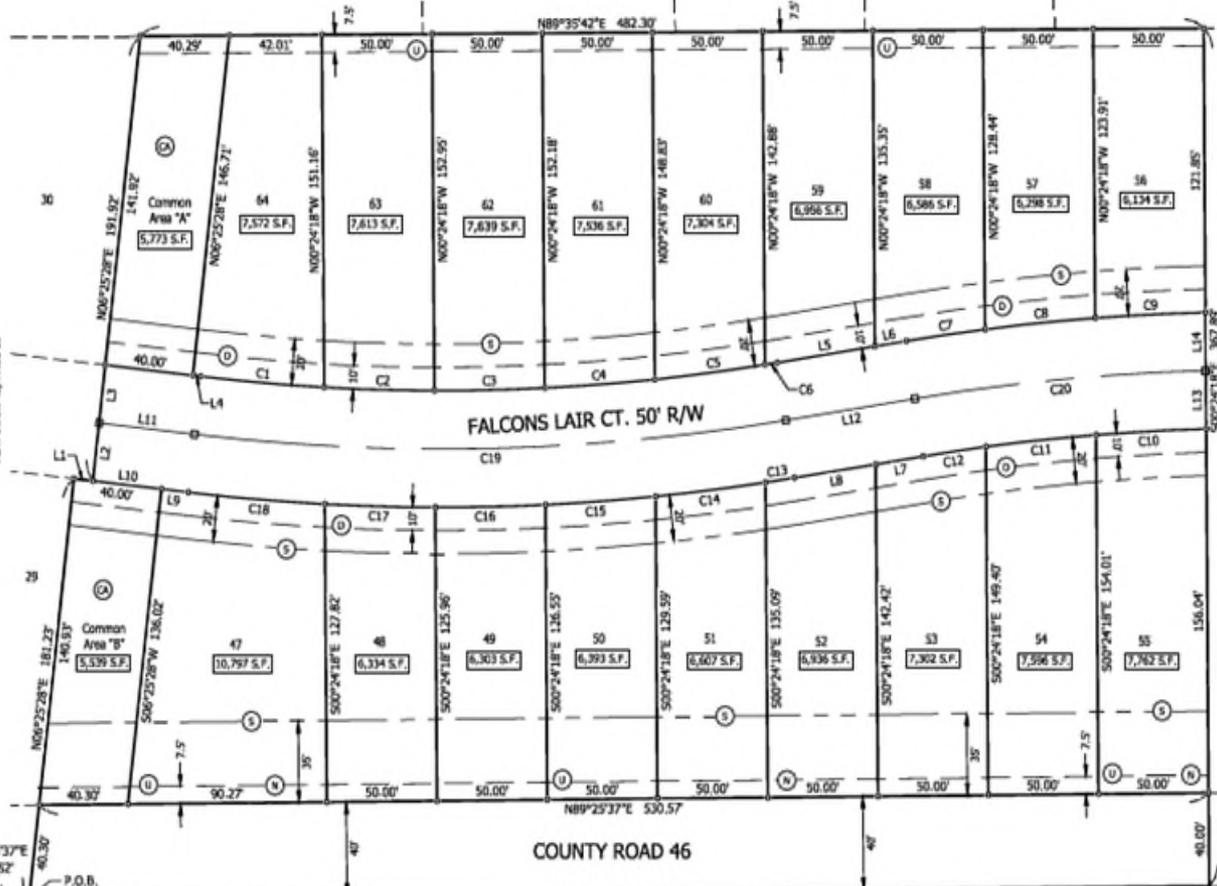
UTILITY EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO ELKHART COUNTY HIGHWAY DEPARTMENT AND PUBLIC UTILITY COMPANIES, INCLUDING NEW PARIS TELEPHONE AND NORTHERN INDIANA PUBLIC SERVICE COMPANY, SEVERALLY AND PRIVATE UTILITY COMPANIES WHERE THEY HAVE A CERTIFICATE OF TERRITORIAL AUTHORITY TO RENDER SERVICE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, PLACE AND MAINTAIN SEWERS (STORM AND SANITARY), WATER MAINS, GAS MAINS, DRAINAGE SWALES, CONDUITS, CABLES, POLES AND WIRES UNDERGROUND WITH ALL NECESSARY BRACES, GLYS, AND ANCHORS, AND OTHER APPLIANCES IN, UPON, UNDER, OVER OR ALONG THE STRIPS OF LAND DESIGNATED ON THE PLAT AND MARKED "UTILITY EASEMENT" FOR THE PURPOSE OF SERVING FALCONS LAIR AT BARRINGTON AND THE PUBLIC IN GENERAL WITH SEWER (STORM AND SANITARY), GAS, WATER, ELECTRIC AND TELEPHONE SERVICE, AND FOR THE PURPOSE OF HANDLING THE STORM WATER AND/OR SURFACE DRAINAGE RUNOFF, INCLUDING THE RIGHT TO USE THE STREETS AND/OR ROADWAY EASEMENT AREAS WHERE NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH UTILITY EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH PUBLIC UTILITY PURPOSES.

FALCONS LAIR AT BARRINGTON, PHASE I
PLAT BOOK 41, PAGE 70
Common Area

FALCONS NEST AT BARRINGTON
PLAT BOOK 31, PAGE 84

FALCONS NEST AT BARRINGTON
PLAT BOOK 31, PAGE 84



P.O.B.
P.O.C.
CENTER OF SECTION 10-T35N-R6E
HARRISON MONUMENT

MILLER-GILBER, LLC (INSTR. # 2021-02077)
FUTURE PHASE VII OF FALCONS LAIR AT BARRINGTON

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	56.27	975.00	3°18'23"	N89°13'43"W	56.28'
C2	50.04'	975.00	2°56'26"	N89°21'07"W	50.03'
C3	50.01'	975.00	2°56'20"	S89°42'30"W	50.01'
C4	50.12'	975.00	2°56'43"	S89°45'58"W	50.11'
C5	50.30'	975.00	2°57'33"	S89°48'50"W	50.30'
C6	5.63'	975.00	0°19'51"	S81°10'08"W	5.63'
C7	36.13'	1,025.00	2°01'10"	S82°00'48"W	36.13'
C8	50.21'	1,025.00	2°48'24"	S84°29'35"W	50.20'
C9	50.05'	1,025.00	2°47'51"	S87°13'42"W	50.04'

CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C11	50.23'	975.00	2°57'07"	N89°09'37"E	50.23'
C12	28.60'	975.00	1°40'51"	N81°50'38"E	28.60'
C13	13.17'	1,025.00	0°44'11"	N81°22'18"E	13.17'
C14	50.32'	1,025.00	2°48'47"	N83°08'47"E	50.32'
C15	50.11'	1,025.00	2°48'03"	N85°57'12"E	50.10'
C16	50.01'	1,025.00	2°47'44"	N88°45'06"E	50.01'
C17	50.07'	1,025.00	2°47'49"	S89°27'08"E	50.07'
C18	62.23'	1,025.00	3°28'43"	S85°18'53"E	62.22'
C19	268.13'	1,000.00	13°29'16"	N88°42'31"E	268.34'

TOTAL SUBDIVISION AREA
187,525 S.F.
4.30± ACRES

AREA IN RIGHT OF WAY
FALCONS LAIR CT.
35,226 S.F.
0.81± ACRE

COUNTY ROAD 46
21,319 S.F.
0.49± ACRE

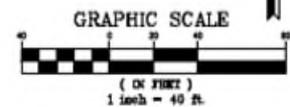
AREA IN COMMON AREAS
11,312 S.F.
0.26± ACRES

AREA IN LOTS
129,668 S.F.
2.97± ACRES

LINE NO.	LENGTH	DIRECTION
L1	8.75'	S83°34'32"E
L2	25.00'	N06°25'28"E
L3	25.00'	N06°25'28"E
L4	3.45'	N83°34'32"W
L5	44.94'	S81°00'13"W
L6	14.35'	S81°00'13"W
L7	21.91'	N81°00'13"E
L8	37.38'	N81°00'13"E
L9	12.21'	S83°34'32"E
L10	31.25'	S83°34'32"E
L11	43.45'	S83°34'32"E
L12	59.25'	N81°00'13"E

- LEGEND**
- SET 5/8" CAPPED REBAR, "ABONMARCHE FIRM #0050"
 - ⓓ 10' ROADWAY, DRAINAGE & UTILITY EASEMENT
 - Ⓝ 7.5' NON-ACCESS EASEMENT
 - Ⓢ MINIMUM BUILDING SETBACK LINE AT DISTANCES INDICATED
 - Ⓤ 7.5' UTILITIES & DRAINAGE EASEMENT
 - ⓐ COMMON AREA & DRAINAGE & UTILITY EASEMENT

OWNERSHIP OF THE COMMON AREA:
THE OWNERSHIP OF ALL LOTS IN FALCONS LAIR AT BARRINGTON SHALL HAVE EQUAL AND UNDIVIDED OWNERSHIP OF THE PARCELS OF LAND DESIGNATED AS COMMON AREA.

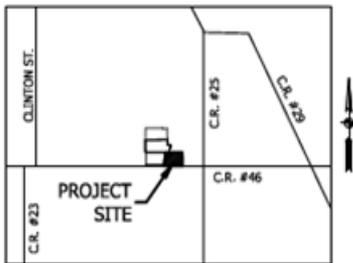


ABONMARCHE

303 River Race Drive, Unit 206
Goshen, IN 46526
7.524.553.9813

Portage
Benton Harbor
Grand Haven

Goshen
Hobart
Icosavette



LOCATION MAP

(NOT TO SCALE)

ACCEPTANCE OF DEDICATION

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, ELKHART COUNTY, INDIANA THAT THE DEDICATIONS ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED THIS

_____ DAY OF _____, 20__.

BOB BARNES BRAD ROGERS SUZANNE WEIRICK

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____, 20__.

_____ ELKHART COUNTY AUDITOR.

PATRICIA A. PISKENS

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____, 20__.

AT _____; _____ AND RECORDED IN PLAT BOOK _____ PAGE _____.

FEE: _____ ELKHART COUNTY RECORDER.

KAALA BAKER

DRAINAGE MAINTENANCE STATEMENT

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS, AND SWALES, SHALL BE THE RESPONSIBILITY OF EACH 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 BECOME 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 ACTIONS SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA AND SHALL BE COMMENCED IN ELKHART COUNTY, INDIANA.

PLAT COMMITTEE APPROVAL

APPROVED FOR RECORD BY THE ELKHART COUNTY PLAT COMMITTEE IN ACCORDANCE WITH THE ELKHART COUNTY DEVELOPMENT ORDINANCE.

DATE LORI SNYDER, CHAIRMAN

FALCONS LAIR AT BARRINGTON, PHASE IV

A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA.

CERTIFICATE OF OWNERSHIP & STREET DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS (AS DESCRIBED BELOW) OF THE REAL ESTATE, HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT CALLED **FALCONS LAIR AT BARRINGTON, PHASE IV** AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND THAT THE RIGHTS-OF-WAY FOR THE STREETS INCLUDED IN SAID PLAT ARE HEREBY DEDICATED TO THE PUBLIC. NO PERMANENT STRUCTURES SHALL BE INSTALLED ON STRIPS OF GROUND MARKED "EASEMENT" AND THE RESPECTIVE LAND OWNERS SHALL TAKE THEIR TITLES TO THE LAND SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF LOTS IN THIS SUBDIVISION.

MILLER-SILVER, LLC
BRADLEY PLETT, MEMBER

NOTARY PUBLIC CERTIFICATE

STATE OF INDIANA) SS:
COUNTY OF ELKHART)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME BRADLEY PLETT, MEMBER ON BEHALF OF MILLER-SILVER, LLC AND ACKNOWLEDGED THE EXECUTION OF THIS PLAT.

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

_____ NOTARY SIGNATURE	APRIL 12, 2030 MY COMMISSION EXPIRES
RESIDENT OF ELKHART COUNTY, INDIANA	
M. HIRE	NP0740495 COMMISSION NUMBER
_____ NOTARY PRINTED NAME	



SURVEYOR'S CERTIFICATE

STATE OF INDIANA) SS:
COUNTY OF ELKHART)

I, CAMERON L. BERON, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN THE STATE OF INDIANA, AND DO HEREBY FURTHER CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTIONED AND THAT I HAVE DIVIDED THE SAME INTO BLOCKS AND LOTS AS SHOWN ON THE HEREON DRAWN PLAT. THIS PLAT, TO THE BEST OF MY KNOWLEDGE, CORRECTLY REPRESENTS THE SAID SUBDIVISION IN EVERY DETAIL. MONUMENTS ARE SHOWN IN PLACE AS LOCATED. ALL LOT CORNERS ARE MARKED WITH IRONS, DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. IN REFERENCE TO THE RECORDED SURVEY BY GREGORY C. SHOCK, PLS, ABONMARCHE CONSULTANTS (JOB #21-0701) IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA IN INSTRUMENT NUMBER 2022-05162.

I, CAMERON L. BERON, AFFIRM, UNDER PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

DATED THIS _____ DAY OF _____, 20__.

CAMERON L. BERON, PS
PROFESSIONAL LAND SURVEYOR #21900005
STATE OF INDIANA



OWNER
MILLER-SILVER, LLC
1819 E. MONROE ST.
GOSHEN, IN 46528



303 River Race Drive, Unit 206
Goshen, IN 46526
T 574.533.9913
F 574.533.9911
abonmarche.com
GOSHEN, IN 46526

Portage	Goshen
Henion Harbor	Hobart
Grand Haven	Lafayette
Fort Wayne	South Bend
South Haven	Valparaiso
South Elkhart	Westfield

Plat Committee Staff Report

Prepared by the Department of Planning and Development

Hearing Date: May 8, 2025

Transaction Number: MA-0209-2025.

Parcel Number(s): Part of 20-15-10-176-003.000-018.

Existing Zoning: DPUD R-4.

Petition: For secondary approval of a 17-lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE V.

Petitioner: Miller-Silver LLC, represented by Innovative Communities, Inc., & Abonmarche Consultants.

Location: North end of Falcons Lair Ln., 480 ft. north of Barrington Ln., west of CR 25, in Jackson Township.

Site Description: Proposed phase V is 4.94 acres with 17 proposed lots, averaging 10,196 sq. ft. each., and the lots are planned to contain single-family detached homes. Drainage access to the existing retention area is via easement across lots 79 and 80. The lots are on the New Paris Conservancy District for sanitary sewer but will have private wells for water. These and all remaining phases will continue to access CR 25 using either Barrington Dr. at the south or Peregrine Dr. at the north.

History and General Notes:

- See the phase IV staff report for history.

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-0209-2025

Date: 03/31/2025 Meeting Date: May 08, 2025 Transaction #: MA-0209-2025
Plan Commission Hearing (Subdivision)

Description: for secondary approval of a 17 lot major subdivision to be known as FALCONS LAIR AT BARRINGTON PHASE V

<u>Applicant</u>	<u>Authorized Agent</u>	<u>Land Owner</u>	<u>Private Surveyor</u>
Innovative Communities, Inc 697 Bungalow Dr Nappanee, IN 46550	Innovative Communities, Inc 697 Bungalow Dr Nappanee, IN 46550	Miller-Silver Llc. 1819 E. Monroe Goshen, IN 46528	Abonmarche Consultants 303 River Race Dr. Suite 206 Goshen, IN 46526

Site Address: 00000 Falcon'S Lair Lane NEW PARIS, IN 46553	Parcel Number: Part of 20-15-10-176-003.000-018
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Township: Jackson
Location: NORTH END OF FALCONS LAIR LANE, 480 FT NORTH OF BARRINGTON LANE, WEST OF CR 25

Subdivision:	Lot #
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Lot Area:	Frontage:	Depth:
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Zoning: R-4	NPO List:
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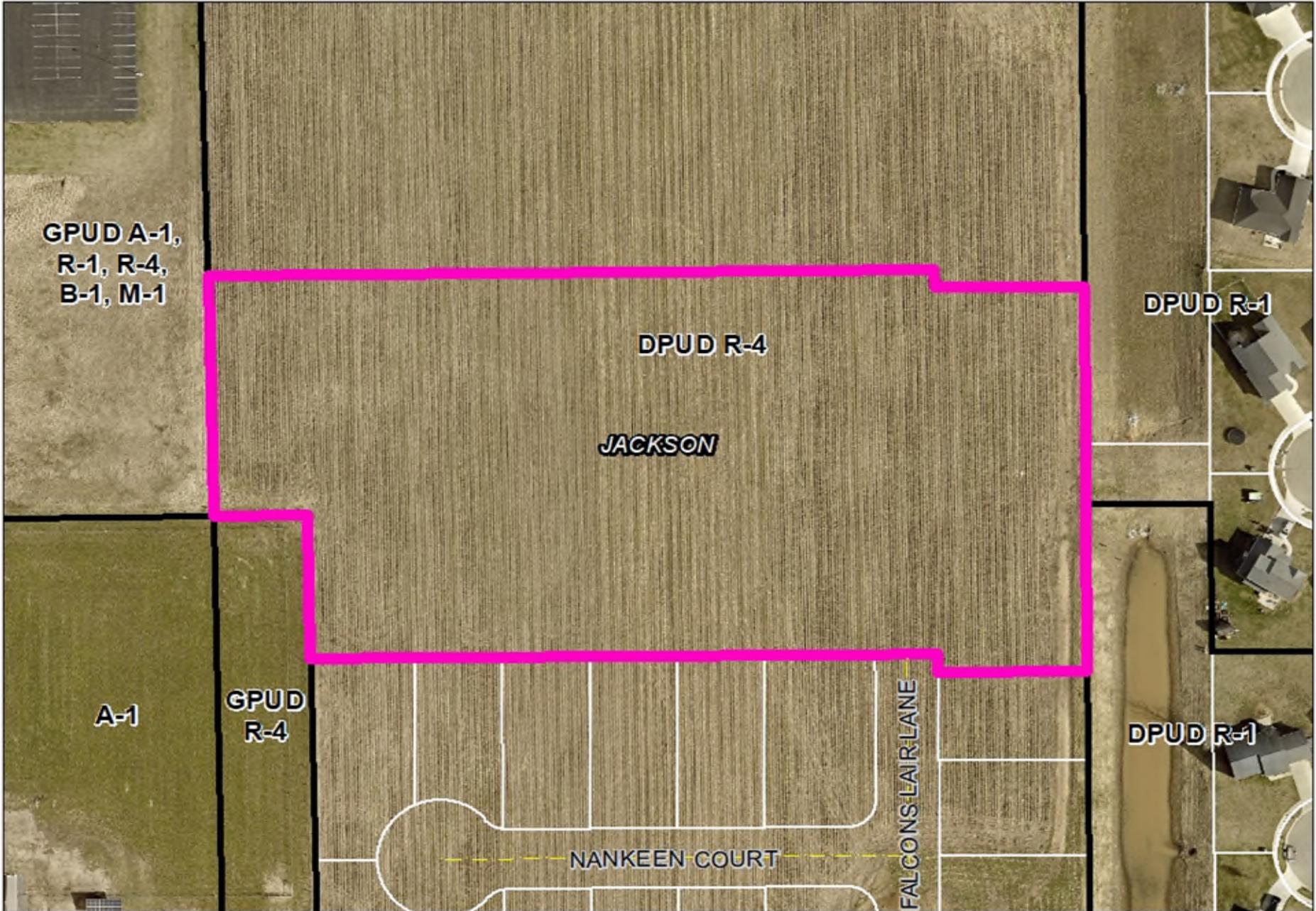
Present Use of Property:

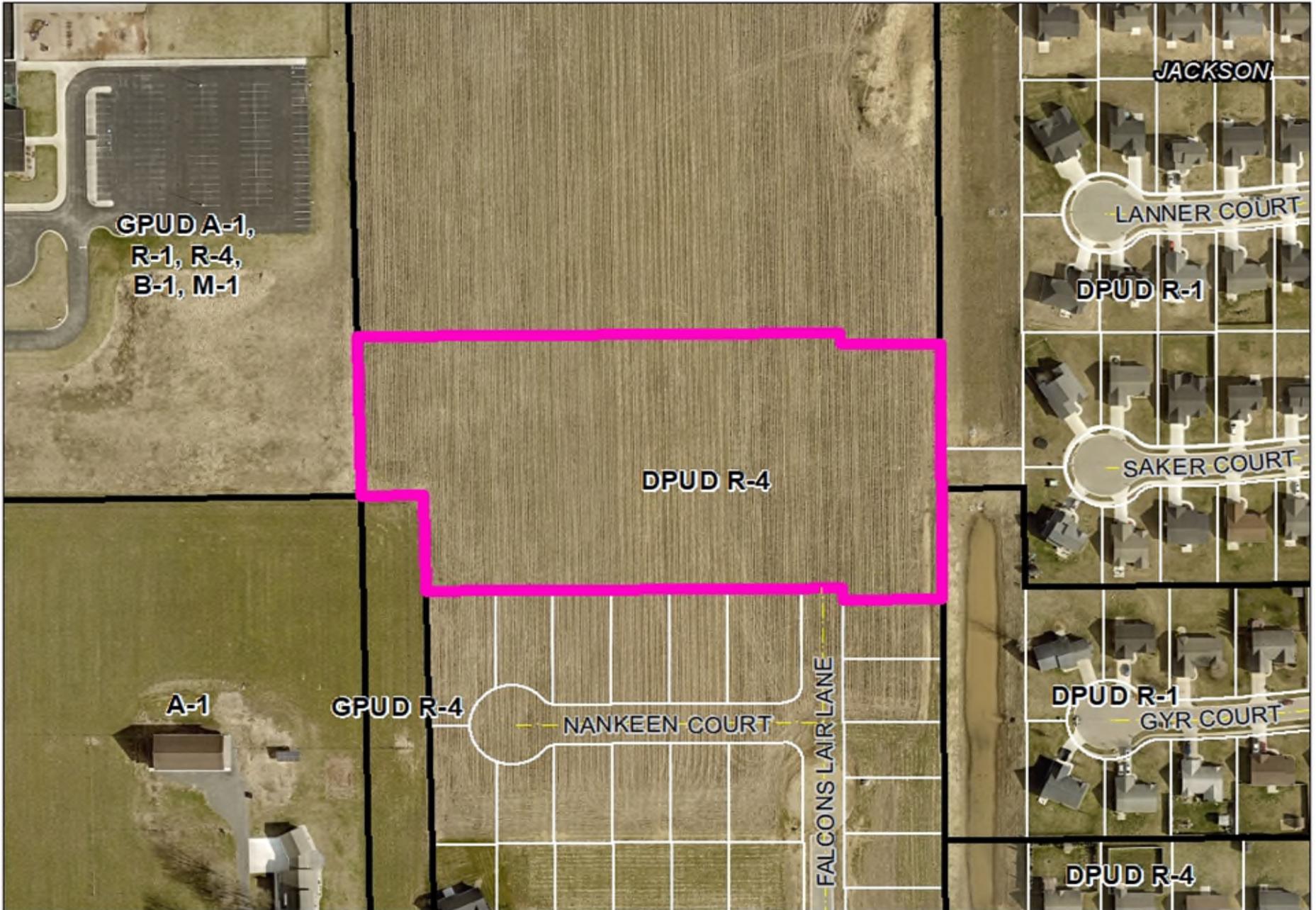
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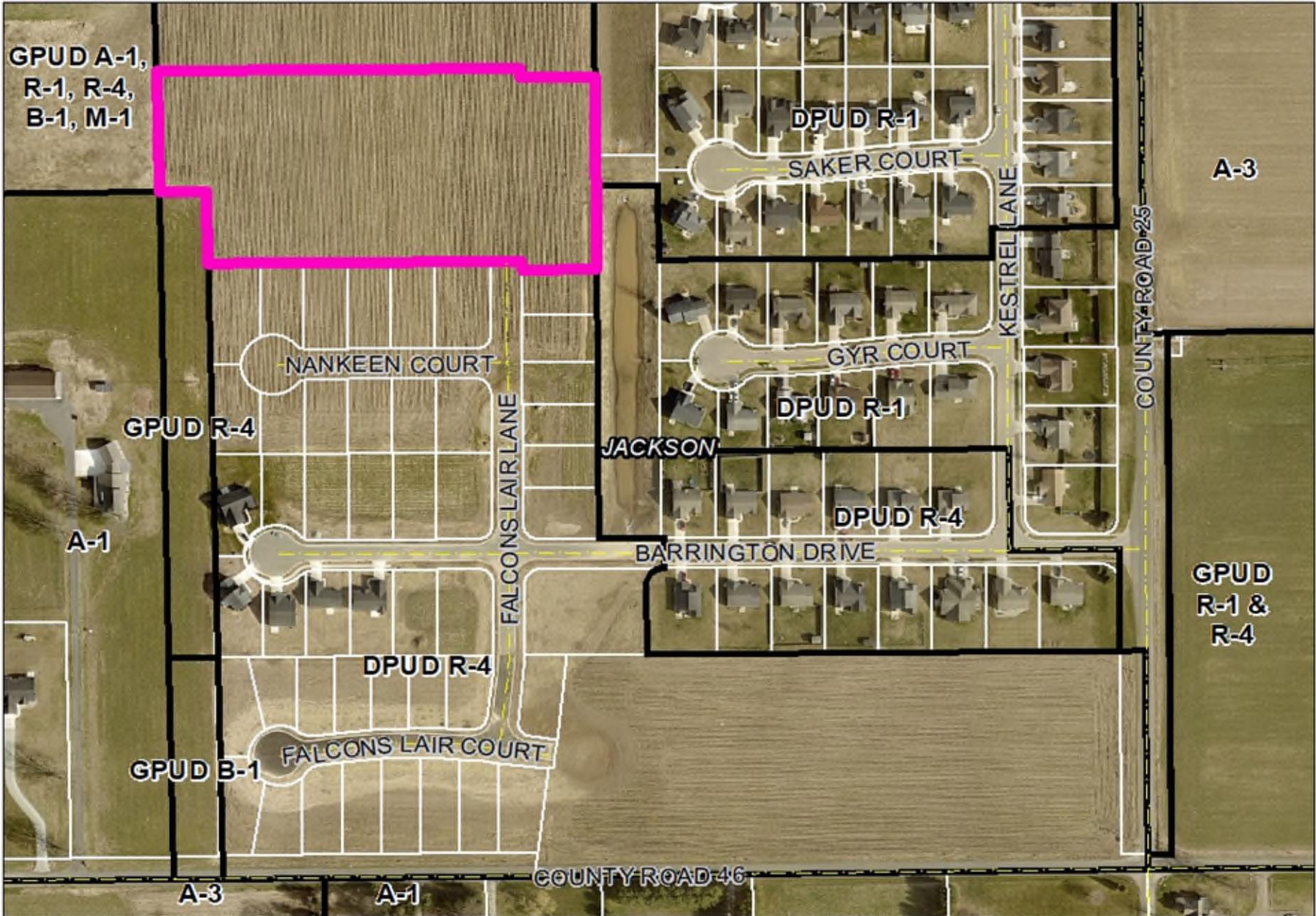
Comments:

Applicant Signature:

Department Signature:







FALCONS LAIR AT BARRINGTON, PHASE V

A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA.

LEGAL DESCRIPTION

FALCONS LAIR AT BARRINGTON, PHASE V
A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH, RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A HARRISON MONUMENT MARKING THE CENTER OF SAID SECTION 10; THENCE SOUTH 89°18'45" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 156.60 FEET TO A MAG NAIL AND WASHER MARKING THE NORTH-EAST CORNER OF LOT 1A IN THE REPLAT OF HERITAGE LANE AS RECORDED IN PLAT BOOK 41, PAGE 1, IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA; THENCE NORTH 01°04'10" WEST, 121.09 FEET TO THE NORTHEAST CORNER OF LOT 1A IN SAID REPLAT OF HERITAGE LANE; THENCE SOUTH 89°18'45" WEST ALONG THE NORTH LINE OF SAID LOT 1A, A DISTANCE OF 75.00 FEET TO THE SOUTHEAST CORNER OF A PARCEL OF LAND CONVEYED TO FAIRFIELD SCHOOL BUILDING CORPORATION AS DESCRIBED AND RECORDED IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY IN INSTRUMENT #2024-1666R; THENCE NORTH 01°22'33" WEST ALONG SAID EAST LINE OF FAIRFIELD SCHOOL BUILDING CORPORATION, 159.32 FEET; THENCE NORTH 89°35'42" EAST, 568.07 FEET; THENCE SOUTH 00°24'18" EAST, 7.51 FEET TO THE POINT OF A CURVE, CONCAVE TO THE EAST; THENCE SOUTHERLY AN ARC DISTANCE OF 4.61 FEET, ALONG SAID CURVE HAVING A RADIUS OF 475.00 FEET AND SUBTENDED BY A LONG CHORD BEARING OF SOUTH 00°42'59" EAST, 4.61 FEET; THENCE NORTH 89°35'42" EAST, 134.98 FEET TO THE WEST LINE OF THE COMMON AREA ON THE PLAT OF FALCONS LAIR AT BARRINGTON (PLAT BOOK 31, PAGE 84); THENCE SOUTH 00°24'18" EAST ALONG SAID WEST LINE, 322.88 FEET; THENCE SOUTH 89°35'42" WEST, 120.00 FEET; THENCE NORTH 00°24'18" WEST, 2.51 FEET TO THE POINT OF A CURVE, CONCAVE TO THE WEST; THENCE NORTHERLY AN ARC DISTANCE OF 12.49 FEET, ALONG SAID CURVE HAVING A RADIUS OF 525.00 FEET AND SUBTENDED BY A LONG CHORD BEARING OF NORTH 01°05'12" WEST, 12.49 FEET; THENCE SOUTH 89°35'42" WEST, 503.12 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 4.94 ACRES, MORE OR LESS, BEING SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND PUBLIC RIGHTS OF WAY OF RECORD.

PLANNED UNIT ORDINANCE NUMBER REFERENCE
THIS PLAT/DEVELOPMENT PLAN IS PART OF ELKHART COUNTY ORDINANCE NUMBER PC2021-35 AND IS MADE PART OF THAT ORDINANCE BY THIS REFERENCE.

FLOOD NOTE
THIS PARCEL IS NOT WITHIN 1% ANNUAL CHANCE FLOOD (SPECIAL FLOOD HAZARD AREA) AS SCALED AND DEPICTED ON THE FEMA/FIRM COMMUNITY PANEL NUMBER 180390264D, EFFECTIVE MAP DATE: AUGUST 2, 2011.

AGRICULTURAL NOTE
THIS SUBDIVISION IS LOCATED IN A FARMING COMMUNITY. LOT OWNERS ARE PROHIBITED FROM DEMONSTRATING, PROTESTING OR OBJECTING TO, BY LITIGATION OR OTHERWISE AGAINST ANY FARMING OPERATION, FARM OR FARMER WITHIN A TWO (2) MILE RADIUS.

SEWER & WATER NOTE
EACH LOT WITHIN THIS SUBDIVISION WILL CONNECT TO THE NEW PARIS CONSERVANCY DISTRICT FOR SANITARY SEWER AND HAVE AN INDIVIDUAL PRIVATE WELL FOR WATER SERVICE.

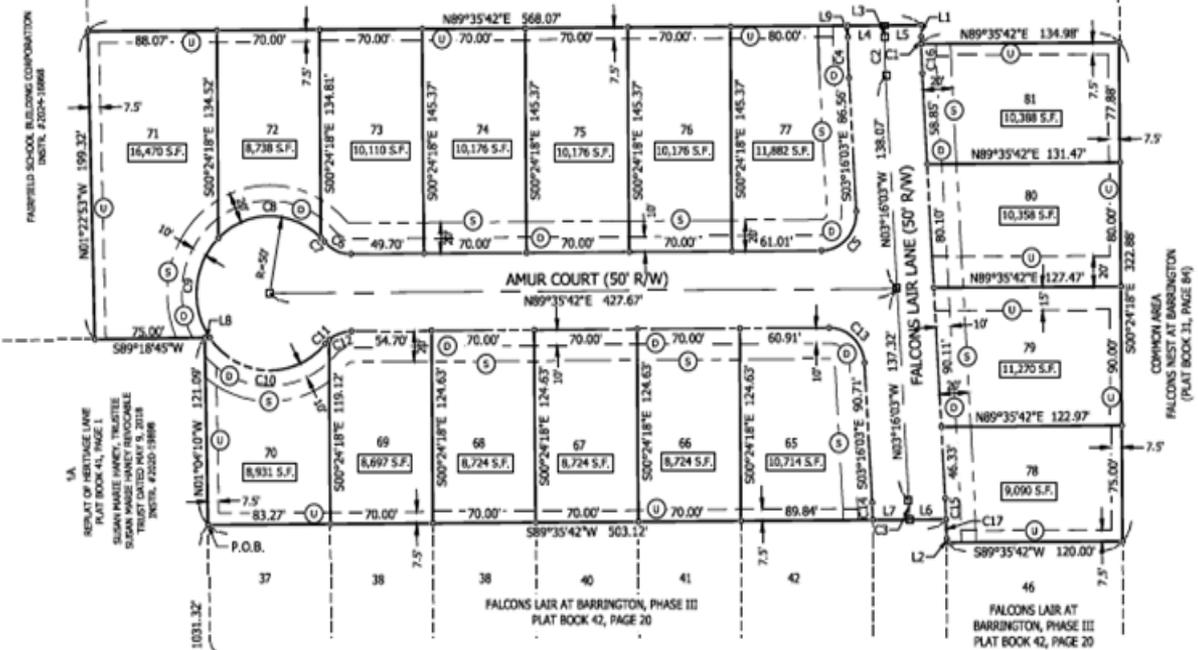
MINIMUM BUILDING SETBACK NOTE
DPRD R-4 ZONE SETBACKS
FRONT YARD SETBACK = 45 FEET FROM CL
REAR YARD SETBACK = 10 FEET
SIDE YARD SETBACK = 5 FEET

UTILITY EASEMENT PROVISIONS
A NON-EXCLUSIVE EASEMENT IS HEREBY GRANTED TO ELKHART COUNTY HIGHWAY DEPARTMENT AND PUBLIC UTILITY COMPANIES, INCLUDING NEW PARIS TELEPHONE AND NORTHERN INDIANA PUBLIC SERVICE COMPANY, SEVERALLY AND PRIVATE UTILITY COMPANIES WHERE THEY HAVE A CERTIFICATE OF TERRITORIAL AUTHORITY TO RENDER SERVICE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, PLACE AND MAINTAIN SEWERS (STORM AND SANITARY), WATER MAINS, GAS MAINS, DRAINAGE SWALES, CONDUITS, CABLES, POLES AND WIRES UNDERGROUND WITH ALL NECESSARY BRACKETS, CUTS, ANCHORS, AND OTHER APPLIANCES IN, UPON, UNDER, OVER OR ALONG THE STRIPS OF LAND DESIGNATED ON THE PLAT AND MARKED "UTILITY EASEMENT" FOR THE PURPOSE OF SERVING FALCONS LAIR AT BARRINGTON AND THE PUBLIC IN GENERAL WITH SEWER (STORM AND SANITARY), GAS, WATER, ELECTRIC AND TELEPHONE SERVICE, AND FOR THE PURPOSE OF HANDLING THE STORM WATER AND/OR SURFACE DRAINAGE RUNOFF, INCLUDING THE RIGHT TO USE THE STREETS AND/OR ROADWAY EASEMENT AREAS WHERE NECESSARY, TOGETHER WITH THE RIGHT TO ENTER UPON THE SAID EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE AT ALL TIMES FOR ANY AND ALL OF THE PURPOSES AFORESAID AND TO TRIM AND KEEP TRIMMED ANY TREES, SHRUBS, OR SAPLINGS THAT INTERFERE WITH ANY SUCH UTILITY EQUIPMENT. NO PERMANENT BUILDINGS SHALL BE PLACED ON SAID EASEMENT, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF SAID EASEMENT FOR SUCH PUBLIC UTILITY PURPOSES.

OWNERSHIP OF THE COMMON AREA:
THE OWNERS OF ALL LOTS IN FALCONS LAIR AT BARRINGTON SHALL HAVE EQUAL AND UNDIVIDED OWNERSHIP OF THE PARCELS OF LAND DESIGNATED AS COMMON AREA.

FUTURE PHASE VIII OF FALCONS LAIR AT BARRINGTON
MILLER-SILVER, LLC
INSTR. #2021-22073

FUTURE PHASE VIII OF FALCONS LAIR AT BARRINGTON



FAIRFIELD SCHOOL BUILDING CORPORATION
INSTR. #2024-1666R

REPLAT OF HERITAGE LANE
PLAT BOOK 41, PAGE 1
SHOWS PARCEL BOUNDARIES, EASEMENTS
AND DISTANCES. THIS REPLAT WAS
RECORDED IN INSTRUMENT #2020-1588R

SE CORNER REPLAT OF
HERITAGE LANE
(PLAT BOOK 41, PAGE 1)

S89°18'45"W 156.60'
S. LINE, NW 1/4,
SECTION 10-T35N-R6E

P.O.C.
CENTER OF
SECTION 10-T35N-R6E
FD. HARRISON
MONUMENT

COUNTY ROAD 46

TOTAL SUBDIVISION AREA
215,247 S.F.
4.94± ACRES

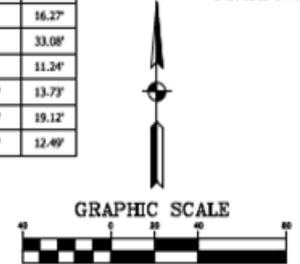
AREA IN RIGHT OF WAY
41,900 S.F.
0.96± ACRE

AREA IN LOTS
173,347 S.F.
3.98± ACRES

- LEGEND**
- SET 5/8" CAPPED REBAR, "ABONMARCHE FIRM #0050"
 - ⊙ 10' ROADWAY, DRAINAGE & UTILITY EASEMENT
 - ⊙ 20' MINIMUM BUILDING SETBACK LINE
 - ⊙ UTILITIES & DRAINAGE EASEMENT AT DISTANCES INDICATED

LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L1	7.51'	S00°24'18"E
L2	2.51'	N00°24'18"W
L3	7.51'	N00°24'18"W
L4	25.00'	N89°35'42"E
L5	25.00'	N89°35'42"E
L6	25.01'	S89°35'42"W
L7	25.01'	S89°35'42"W
L8	3.46'	N89°18'45"E
L9	7.51'	S00°24'18"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	4.61'	475.00'	0°33'23"	N00°40'59"W	4.61'
C2	24.98'	500.00'	2°51'45"	N01°50'10"W	24.98'
C3	12.49'	500.00'	1°25'51"	N02°33'07"W	12.49'
C4	26.23'	525.00'	2°51'45"	S01°50'10"E	26.23'
C5	38.90'	24.00'	92°51'43"	S43°09'50"W	34.78'
C6	20.33'	24.00'	48°32'06"	N66°08'15"W	19.73'
C7	3.37'	50.00'	3°52'01"	N43°48'13"W	3.37'
C8	77.54'	50.00'	88°51'18"	S89°50'08"W	70.00'
C9	70.34'	50.00'	80°36'12"	S05°56'23"W	64.68'
C10	90.53'	50.00'	103°44'41"	S87°04'04"E	78.66'
C11	3.74'	24.00'	8°55'14"	N45°31'13"E	3.73'
C12	16.59'	24.00'	39°36'53"	N69°47'16"E	16.27'
C13	36.50'	24.00'	87°08'13"	S46°50'10"E	33.08'
C14	11.24'	475.00'	1°21'19"	S02°35'23"E	11.24'
C15	13.73'	525.00'	1°29'56"	N02°31'05"W	13.73'
C16	19.12'	475.00'	2°18'22"	N02°06'52"W	19.12'
C17	12.49'	525.00'	1°21'48"	N01°05'12"W	12.49'



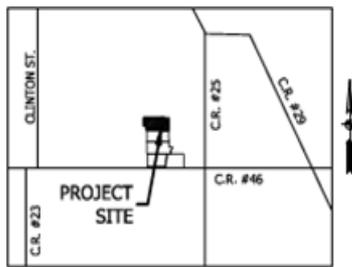
JOB NO.: 25-0286
DATE: APRIL 2025

ABONMARCHE

303 River Race Drive, Unit 206
Goshen, IN 46526
T 574.533.9913
F 574.533.9911

Portage
Benton Harbor
Grand Haven
Fort Wayne

Goshen
Hobart
Lafayette
South Bend



LOCATION MAP
(NOT TO SCALE)

FALCONS LAIR AT BARRINGTON, PHASE V

A PART OF THE NORTH HALF OF SECTION 10, TOWNSHIP 35 NORTH,
RANGE 6 EAST, JACKSON TOWNSHIP, ELKHART COUNTY, INDIANA.

CERTIFICATE OF OWNERSHIP & STREET DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS (AS DESCRIBED BELOW) OF THE REAL ESTATE, HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE PLAT CALLED **FALCONS LAIR AT BARRINGTON, PHASE V** AS THEIR FREE AND VOLUNTARY ACT AND DEED, AND THAT THE RIGHTS-OF-WAY FOR THE STREETS INCLUDED IN SAID PLAT ARE HEREBY DEDICATED TO THE PUBLIC. NO PERMANENT STRUCTURES SHALL BE INSTALLED ON STRIPS OF GROUND MARKED "EASEMENT" AND THE RESPECTIVE LAND OWNERS SHALL TAKE THEIR TITLES TO THE LAND SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF LOTS IN THIS SUBDIVISION.

PLAT COMMITTEE APPROVAL

APPROVED FOR RECORD BY THE ELKHART COUNTY PLAT COMMITTEE IN ACCORDANCE WITH THE ELKHART COUNTY DEVELOPMENTAL ORDINANCE.

DATE _____ LORI SNYDER, CHAIRMAN

ACCEPTANCE OF DEDICATION

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, ELKHART COUNTY, INDIANA THAT THE DEDICATIONS ON THIS PLAT ARE HEREBY APPROVED AND ACCEPTED THIS

_____ DAY OF _____, 20____.

BOB BARNES BRAD ROGERS SUZANNE WEIRICK

AUDITOR

DULY ENTERED FOR TAXATION THIS _____ DAY OF _____, 20____.

ELKHART COUNTY AUDITOR.

PATRICIA A. FICKENS

RECORDER

RECEIVED FOR RECORD THIS _____ DAY OF _____, 20____.

AT _____; AND RECORDED IN PLAT BOOK _____ PAGE _____.

FEE: _____ ELKHART COUNTY RECORDER.

KAALA BAKER

DRAINAGE MAINTENANCE STATEMENT

THE MAINTENANCE OF ALL DRAINAGE FACILITIES, INCLUDING CULVERTS, AND SWALES, SHALL BE THE RESPONSIBILITY OF EACH OWNER, AND NO OWNER SHALL PERMIT, ALLOW, OR CAUSE ANY OF SAID FACILITIES TO BE OBSTRUCTED OR REMOVED OR TO IN ANY WAY IMPED THE FLOW OF WATER ACROSS OR THROUGH SAID FACILITIES. IN THE EVENT ANY SUCH FACILITIES BECOME 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 ACTIONS SHALL BE MAINTAINED IN THE COURTS OF GENERAL JURISDICTION OF THE STATE OF INDIANA AND SHALL BE COMMENCED IN ELKHART COUNTY, INDIANA.

NOTARY PUBLIC CERTIFICATE

STATE OF INDIANA) SS:
COUNTY OF ELKHART)

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY CAME BRADLEY PLETT, MEMBER ON BEHALF OF MILLER-SILVER, LLC AND ACKNOWLEDGED THE EXECUTION OF THIS PLAT.

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

NOTARY SIGNATURE
RESIDENT OF ELKHART COUNTY, INDIANA
M. HIRE
NOTARY PRINTED NAME

APRIL 12, 2030
MY COMMISSION EXPIRES
NP0740496
COMMISSION NUMBER



SURVEYOR'S CERTIFICATE

STATE OF INDIANA) SS:
COUNTY OF ELKHART)

I, CAMERON L. BERON, HEREBY CERTIFY THAT I AM A LAND SURVEYOR, LICENSED IN THE STATE OF INDIANA, AND DO HEREBY FURTHER CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE ABOVE CAPTIONED AND THAT I HAVE DIVIDED THE SAME INTO BLOCKS AND LOTS AS SHOWN ON THE HEREON DRAWN PLAT. THIS PLAT, TO THE BEST OF MY KNOWLEDGE, CORRECTLY REPRESENTS THE SAID SUBDIVISION IN EVERY DETAIL. MONUMENTS ARE SHOWN IN PLACE AS LOCATED. ALL LOT CORNERS ARE MARKED WITH IRONS, DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. IN REFERENCE TO THE RECORDED SURVEY BY GREGORY C. SHOCK, PLS, ABONMARCHE CONSULTANTS (JOB #21-0701) IN THE OFFICE OF THE RECORDER OF ELKHART COUNTY, INDIANA IN INSTRUMENT NUMBER 2022-05162.

I, CAMERON L. BERON, AFFIRM, UNDER PENALTIES OF PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO RECHECK EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

DATED THIS _____ DAY OF _____, 20____.

CAMERON L. BERON, PS
PROFESSIONAL LAND SURVEYOR #21900005
STATE OF INDIANA



OWNER
MILLER-SILVER, LLC
1819 E. MONROE ST.
GOSHEN, IN 46526

303 River Race Drive, Unit 206
Goshen, IN 46526
T 574.533.9913
F 574.533.9911
abonmarche.com
CORP# 2021-ABONMARCHE CONSULTANTS, INC.

Portage Goshen
Benton Harbor Hobart
Grand Haven Lafayette
Fort Wayne South Bend
South Haven Valparaiso
Engineering - Architecture - Land Surveying