

# DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

301 S. Union St., Auburn IN 46706

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## AGENDA

### DeKalb County Plan Commission

#### Plat Committee

Commissioners Court – 2<sup>nd</sup> Floor DeKalb County Court House

Tuesday, June 3, 2025

8:30 AM

To view the livestream, click here: <https://tinyurl.com/YouTubeDCPC>

1. Roll call
2. Prayer
3. Approval of Minutes: March 4, 2025
4. Old Business: None
5. New Business:

Petition #25-16 – James Schmucker & Steven M & Danee' M Webb requesting a 2 Lot Subdivision known as Schmucker's Acres. The proposed 2 lot subdivision will be a total of 39.3 acres. The subdivision will be used for single-family residences. The property is located at 4952 County Road 64, Spencerville, Indiana and is zoned A2, Agricultural.

Petition #25-17 – Gregory R Williams requesting a Replat of Williams Estates. The purpose of the replat is to reduce the lot size of Lot 1 and create 2 new buildable lots. The remainder of the Lot 1 will be non-buildable. The property is located at 1640 County Road 60, Garrett, Indiana and is zoned A2, Agricultural.

Petition #25-18 – Jerry D & Terry L Perkins requesting a 1 Lot Subdivision known as Marlene's Acres. The proposed 1 lot subdivision will be a total of 5.686 acres. The subdivision will be used for a single-family residence. The property is located on the east side of County Road 11, approximately one-tenth of a mile south of the intersection of County Road 2 & County Road 11, Hudson, Indiana and is zoned A2, Agricultural.

Petition #25-19 – Michael D & Rebel L Forrest requesting a 1 Lot Subdivision known as Soaring Eagle Acres. The proposed 1 lot subdivision will be a total of 2.21 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 14, approximately 200 feet east of the intersection of County Road 14 & County Road 27, Waterloo, Indiana and is zoned A2, Agricultural.

Petition #25-20 – Chadd A & Nicole M Baker & Jay R Kelbley requesting a 2 Lot Subdivision known as Boomer's Addition. The proposed 2 lot subdivision will be a total of 4.26 acres. The subdivision will be used for single-family residences. The property is located on the east side of County Road 59, approximately one-half mile south of the intersection of County Road 59 & County Road 52, Saint Joe, Indiana and is zoned A2, Agricultural.

6. Adjournment

Next Meeting: July 1, 2025

**If you cannot attend, please contact Meredith Reith:**

**[mreith@co.dekalb.in.us](mailto:mreith@co.dekalb.in.us) or (260) 925-1923**

**\*PLEASE ENTER THROUGH THE NORTH DOOR OF  
COURTHOUSE LOCATED ON SEVENTH STREET\***

**\*\*Cellphones, tablets, laptops, & weapons are prohibited\*\***

**MINUTES**  
**DEKALB COUNTY PLAT COMMITTEE**  
**Tuesday, March 4, 2025 @ 8:30 AM**

The Regular Meeting of the DeKalb County Plat Committee was called to order at 8:30 a.m. in the DeKalb County Commissioner's Court by Elysia Rodgers.

**ROLL CALL:**

Members Present: Elysia Rodgers, Sandra Harrison, Suzanne Davis, Jason Carnahan, and Jerry Yoder

Members Absent: None

Staff Present: Director/Zoning Administrator Chris Gaumer and Secretary Meredith Reith

Staff Absent: None

Public in Attendance: Angie Wallace, Rand & Carla Martz, Joe DePrisco, and Joe Herendeen.

**PRAYER:**

Jerry Yoder led prayer.

**APPROVAL OF MINUTES:**

Sandra Harrison moved to approve the minutes from February 4, 2025; seconded by Suzanne Davis. None Opposed. Motion carried.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

Petition #25-09 – David & Phyllis Lewis (Owner) and Joe DePrisco (Applicant) requesting a 1 Lot Subdivision known as J&C Acres. The proposed 1 lot subdivision will be a total of 14.28 acres. The subdivision will be used for a single-family residence. The property is located on the southeast side of County Road 68 and County Road 327, Garrett, Indiana and is zoned A2, Agricultural.

Elysia Rodgers read the proposed petition.

Chris Gaumer read the staff report. He addressed why the proposed subdivision was needed. He stated that the existing zoning is R1 and the applicant is in the process of rezoning the property to A2.

Mrs. Rodgers asked if there were any questions or comments from the board. She opened the public portion of the hearing up to any comments or questions from the public on this petition. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer moved onto the Findings of Fact.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **February 4, 2025**
2. Legal notice published in The Star on **February 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 7, 2025**
5. Letter from County Highway dated **February 7, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 7, 2025**
7. Letter from the Drainage Board, dated **February 20, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**

10. The real estate to be developed is in Zoning District R1 & A2 (proposed) which permits the requested development.

**FINDINGS OF FACT:**

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 68 & County Road 327 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. Private septic system will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

**Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #25-09, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4<sup>th</sup> DAY OF MARCH 2025.

Motion made by Jason Carnahan, Seconded by Jerry Yoder.

Vote tally:      Yes:    5                      No:    0

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Elysia Rodgers

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Sandra Harrison

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Jason Carnahan

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Jerry Yoder

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Suzanne Davis

Petition #25-10 – Elizabeth & Ralph Baughman Jr. requesting a RePlat of Candy Hill Farm. The proposed Replat will be creating 3 additional buildable lots, for a total of 4. The subdivision will be used for single-family residences. The property is located between County Road 8 and County Road 10, approximately one-half miles west of the intersections of County Road 53 & County Road 8 & County Road 10, Waterloo, Indiana and is zoned A2, Agricultural.

Mrs. Rodgers read the proposed petition.

Mr. Gaumer read the staff report. He stated that the proposed RePlat was needed to create 3 additional buildable lots.

Mrs. Rodgers asked if there were any questions or comments from the board. She opened the public portion of the hearing up to any comments or questions from the public on this petition. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer moved onto the Findings of Fact.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **February 5, 2025**
2. Legal notice published in The Star on **February 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 7, 2025**
5. Letter from County Highway dated **February 5, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 7, 2025**
7. Letter from the Drainage Board, dated **February 20, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

**FINDINGS OF FACT:**

1. Does the proposed Minor Subdivision (RePlat) adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*

2. Does the Minor Subdivision (RePlat) conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
Yes. See Plat & Staff Report.
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
Adequate access off County Road 8 & County Road 10 with dedication of right of way.  
Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
Not applicable. Private septic system will be utilized.
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
None required.

**Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS REPLAT PETITION #25-10, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4<sup>th</sup> DAY OF MARCH 2025.

Motion made by Suzanne Davis, Seconded by Sandra Harrison.

Vote tally:      Yes: 5              No: 0

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Elysia Rodgers

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Sandra Harrison

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Jason Carnahan

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Jerry Yoder

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Suzanne Davis

Petition #25-11 – Eric & Whitney Moughler requesting a RePlat of Moughler Addition. The proposed Replat will be increasing the size of Lot 1 and no new buildable lots are being created. The subdivision is used for single-family residence. The property is located at 1729 County Road 51, Waterloo, Indiana and is zoned A1, Conservation Agricultural

Mrs. Rodgers read the proposed petition.

Chris Gaumer read the staff report. He stated that the RePlat was need to clean up property lines.

Mrs. Rodgers asked if there were any questions or comments from the board. She opened the public portion of the hearing up to any comments or questions from the public on this petition. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer moved onto the Findings of Fact.

**JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **February 7, 2025**
2. Legal notice published in The Star on **February 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 25, 2025**
5. Letter from County Highway dated **February 18, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 18, 2025**
7. Letter from the Drainage Board, dated **February 20, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District A1 which permits the requested development.

**FINDINGS OF FACT:**

1. Does the proposed Minor Subdivision (RePlat) adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision (RePlat) conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 51 with dedication of right of way where required. The existing driveway will be utilized.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. The existing private septic system will be utilized.*

- d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.

None required.

**Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS REPLAT PETITION #25-11, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4<sup>th</sup> DAY OF MARCH 2025.

Motion made by Sandra Harrison, Seconded by Jason Carnahan.

Vote tally:      Yes: 5              No: 0

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Elysia Rodgers

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Sandra Harrison

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Jason Carnahan

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Jerry Yoder

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Suzanne Davis



**ADJOURNMENT:**

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:56 a.m.

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Elysia Rodgers

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Meredith Reith - Secretary

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-16  
Date Application Filed: 04/07/2025  
Fee Paid: 4-10-25

**Application for SUBDIVISION**  
**Minor X Conventional \_\_\_ Conservation \_\_\_ Traditional \_\_\_**  
**Strip \_\_\_ Commercial District \_\_\_ Industrial Park \_\_\_**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: James Schmucker  
Mailing Address: 18203 Hurshtown Road  
Grabill, IN 46741  
Telephone Number: (260) 624-5470 E-Mail: schmuckerjames1997@gmail.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Steven M. & Danee' M. Webb and James L. Schmucker  
Address: 4952 County Road 64  
Spencerville, IN 46788  
Telephone Number: (260) 624-5470 E-Mail: schmuckerjames1997@gmail.com

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: Joseph R. Herendeen, PS, Sauer Land Surveying, Inc.  
Address: 7203 Engle Road  
Fort Wayne, IN 46804  
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

**Name of Proposed Subdivision:** Schmucker's Acres

**Number of Parcels & Total Area (square feet or acreage):**

2 lot, 39.3000 acres

**Address or common description of property:**

County Road 64, 1/2 mile East of County Road 47

**Legal description of property affected:**

Part of the Northwest Quarter of Section 30 Township 33 North Range 14 East, containing 39.300 acres

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**

Single Family Residential

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature:  Joseph R. Herendeen, PS, as agent  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** James Schmucker and Steven & Danee' M Webb  
**SUBJECT SITE:** 4952 County Road 64, Spencerville  
**REQUEST:** 2 Lot Minor Subdivision – Schmucker's Acres  
**EXISTING ZONING:** A2: Agricultural  
**SURROUNDING LAND USES AND ZONING:** North: Farm Ground & Single Family Residential (A2)  
 South: Farm Ground (A2)  
 East: Farm Ground & Single Family Residential (A2)  
 West: Single Family Residential (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

**Minor Subdivision Standards:**

**UDO 6.08** *Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.*

- Parcel 11-11-30-100-005 is considered the parent parcel. This is the 1<sup>st</sup> and 2<sup>nd</sup> buildable split from parent parcel -005. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 26.128 net acres
    - Proposed Lot 2 Area: 12.647 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 564.18 feet
    - Proposed Lot 2 Width: 512.66 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 250.26 feet
    - Proposed Lot 2 Frontage: 512.66 feet

- This division of land fronts the following roads:
  - County Road 64 is considered County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

### **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **April 7, 2025**
2. Legal notice published in The Star on **May 23, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 9, 2025**
5. Letter from County Highway dated **April 9, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 7, 2025**
7. Letter from the Drainage Board, dated **April 17, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

### **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential uses which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 64 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. Private septic system will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

### **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

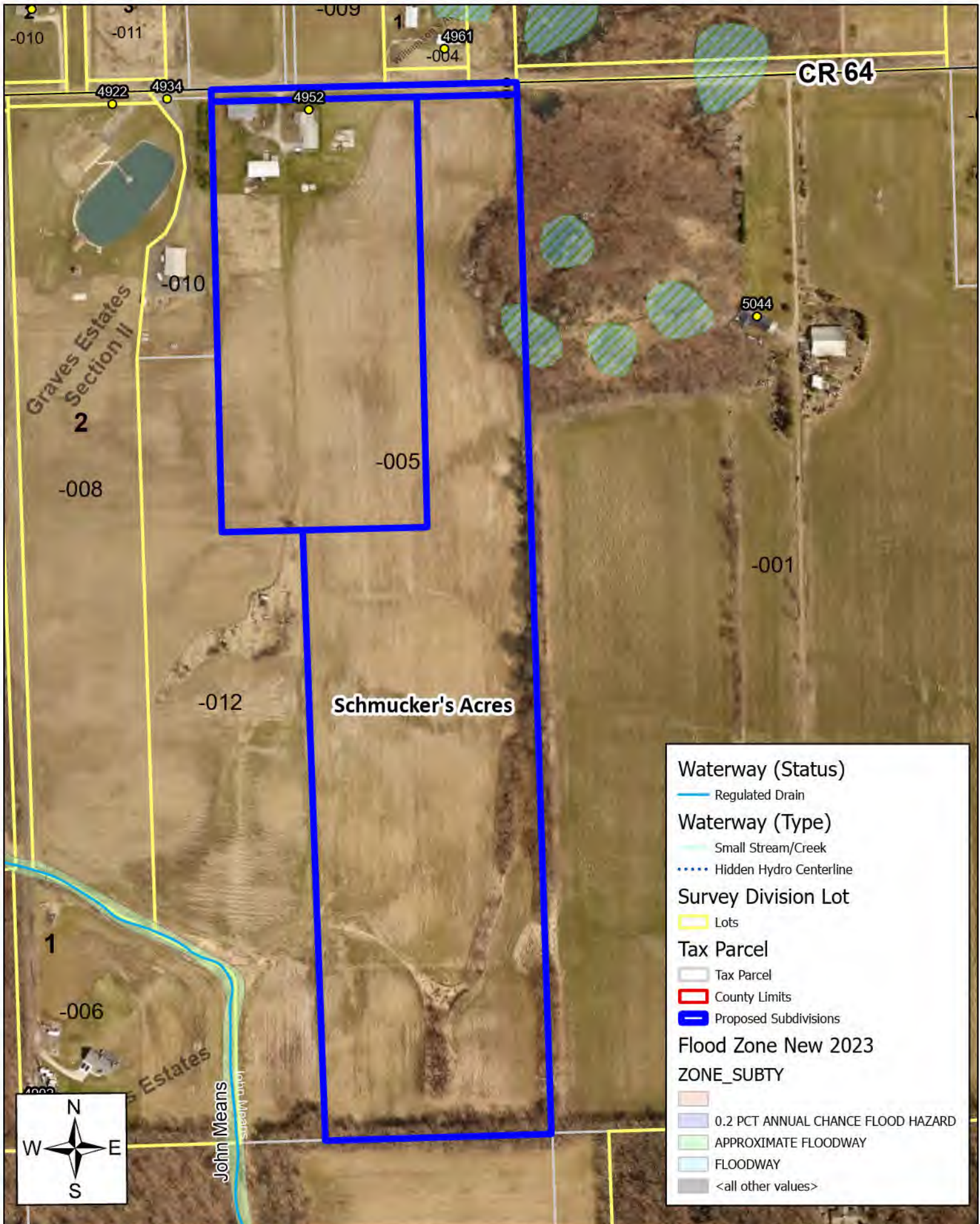
#### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.

3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.





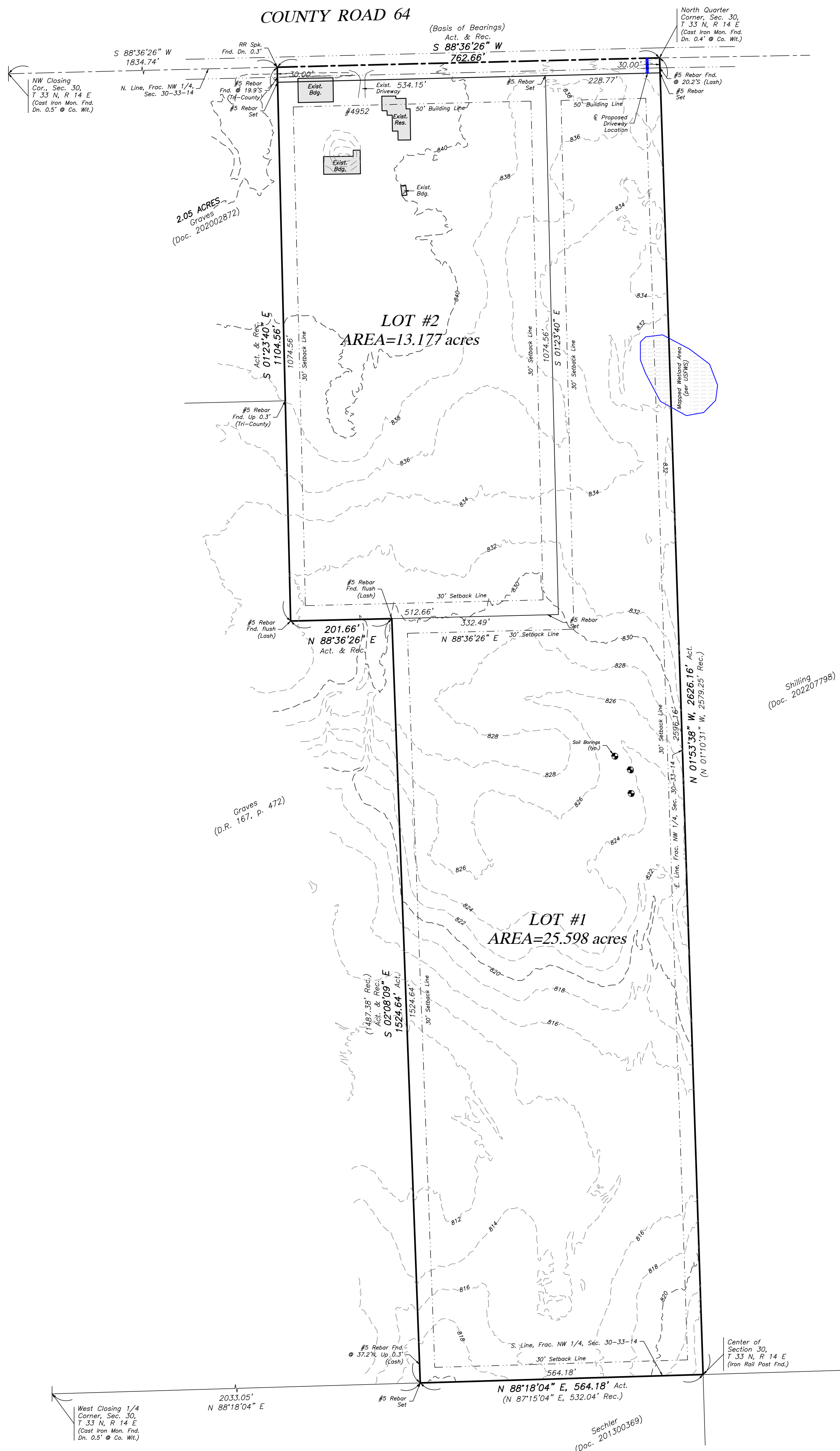


Front: 50'  
Side: 30' for primary structure, 10' for accessory structure.  
Rear: 30' for primary structure, 10' for accessory structure.

\_\_\_\_\_ Plat Boundary Line  
 — . . . — Dedicated Road Right-of-Way Line  
 — . . — Building Set-back Line  
 \_\_\_\_\_ Lot line

Overall Gross Area:	39.300 acres
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*Surveyor - Planner:  
Sauer Land Surveying, Inc.  
7203 Engle Road  
Fort Wayne, IN 46804  
Tel: 260/469-3300*



SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Address: 4952 County Road 64, Spencerville, IN 46788

This survey is intended to create two new tax parcels lying entirely within the record boundaries of a tract of real estate as described in a Warranty Deed from Thomas Graves and Karen Graves to Steven M. Webb, Danee' M. Webb and James L. Schmucker, dated December 13, 2024, as Document Number 202406038 in the Office of the Recorder of DeKalb County, Indiana.

In Accordance with Title 865, Article 1.1, Chapter 12, Sec. 1 et. seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various uncertainties in (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

- REFERENCES: Copies of the following documents were reviewed in completion of this survey:
- The deeds of the subject tract and the adjoining tracts, as shown on the plat of survey.
  - DeKalb County Surveyor's Section Corner Records.
  - A survey of the base tract by Midwest Land Surveying, Inc., Document Number 202406038.
  - A survey of the West adjoining Graves tract by Tri-County Land Surveying, P.C., Document Number 202002872.
  - A survey of the West adjoining Lund tracts by Sauer Land Surveying, Inc., Survey No. 147-116, dated October 26, 2023.

- (A) AVAILABILITY OF REFERENCE MONUMENTS:
- The existing monuments of the Public Land Survey corners were held as controlling corners and were used as the basis for this survey. The found monuments are considered by the undersigned surveyor to be "local corners" which are subject to undiscovered evidence regarding the true location of said corners. The corners of subject tract are marked as shown on the survey certificate in conformity with said survey monuments. Uncertainties based on existing monuments are not readily determinable due to the use of said local corners. The following monuments were accepted as the location of the Public Land Survey corners:
- The North Quarter corner of Section 30.....County witnessed cast iron monument found
  - The Northwest closing corner of Section 30.....County witnessed cast iron monument found.
  - The West closing Quarter corner of Section 30.....County witnessed cast iron monument found.
  - The Center of Section 30.....Deed-called iron rail post found.

The lines of the Fractional Northwest Quarter of Section 30 were all established by using the above-referenced monuments. Uncertainties due to variances between found controlling monuments and record distances were determined to be a maximum of 46.91 feet in the East-West direction and 32.14 feet in the North-South direction, due to what is believed to be a survey error of the location of the iron rail post at the Center of Section 30 from the above-referenced previous survey of the base tract. The location of said iron rail post as shown hereon conforms with other surveys in Section 30. Uncertainties due to variances between all found monuments and record distances were determined to be 46.91 feet in any direction.

- (B) OCCUPATION AND/OR POSSESSION LINES:

Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the boundary lines as established in this survey. Encroachments and/or discrepancies may be buried or otherwise obscured by natural or man-made obstructions. There are no observable uncertainties in occupation and/or possession lines.

- (C) AMBIGUITY OF RECORD DESCRIPTIONS:

Upon review of the most current deeds of record, the base tract description does not contain any ambiguity with any of the adjoiners' descriptions. Therefore, there are no uncertainties based upon record descriptions.

- (D) RELATIVE POSITIONAL ACCURACY:

The relative positional accuracy representing the uncertainty due to random errors in measurements of the corners established in this survey is less than or equal to the specifications for a Rural Survey (0.26 feet plus 200 ppm) as defined by IAC 865.

- (E) ESTABLISHMENT OF LINES AND CORNERS:

- The North line of subject tract was established on and along the North line of the Fractional Northwest Quarter, using record geometry.
- The East line of subject tract was established on and along the East line of the Fractional Northwest Quarter.
- The most Southerly line of subject tract was established on and along the South line of the Fractional Northwest Quarter.
- The West and remaining South lines of subject tract were all established suing record geometry, with the most Southerly West line of said subject tract being extended to the South line of the Fractional Northwest Quarter.

- (F) NOTES:

- This survey is an opinion of a licensed land surveyor of the State of Indiana as to the actual location of the lines and corners outlined in the deed description. This opinion is based on logic, relevant field and research evidence, and established surveying principles. However, this opinion is subject to the interpretation of its deed description, and the boundaries of adjacent tracts may not be consistent with the boundaries of the subject tract. As a consequence, another surveyor may arrive at a different conclusion and different location of the boundaries.
- A survey cannot resolve uncertainties in the position of the original boundaries that exist. Only courts may establish property lines. The boundaries were established from the most current recorded descriptions. An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent. As of this date, no title commitment has been provided for review.
- The flood statement hereon is for informational purposes only. Accurate determination of the flood hazard status of the property can only be made by an elevation study which is beyond the scope of this survey.
- No attempt has been made to review or come to an opinion on the title or marketability of the title. Any appearance of an opinion on the title is unintentional.
- Unplatted easements, setback lines, restrictive covenants, or land use regulations affecting the subject tract are shown only when documentation of such matters has been furnished by the client.
- All documents of record and information from other public sources referred to in this survey are hereby incorporated as part of this survey as if fully set out.
- No attempt has been made to determine the zoning status of the property. It is the responsibility of the parties involved in the real estate transaction to determine compliance with zoning regulations.
- Any fence or other evidence of possession which varies from the written title lines may constitute adverse possession or prescriptive rights.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Any acreage shown is based on the boundaries established from the deed description and no certification is made that the land area shown on the survey is the exact acreage owned by the client.
- Expression of distances to hundredths of a foot and angles to seconds of arc is solely to minimize errors introduced by rounding. Neither distances nor angles can be measured to the degree of precision implied by the stated units. No dimension on the survey can be interpreted to be of greater precision than the theoretical uncertainty stated in Part (D) of the Surveyor's Report.
- Since the last date of fieldwork of this survey, conditions beyond the knowledge or control of Sauer Land Surveying, Inc. may have altered the validity and circumstances of matters shown or noted hereon.
- Declaration is made to original purchaser of the survey, and is not transferable to additional institutions or subsequent owners. This survey is valid only with the surveyor's original or electronic signature and seal, full payment of invoice, and complete with all pages of the survey.
- No statement made by any employee or agent of Sauer Land Surveying, Inc. is valid unless written herein.

**PLAN COMMISSION CERTIFICATE**

Under authority provided by Chapter 174- Acts of 1947, enacted by the General Assembly of the State of Indiana and all acts amendatory thereto, and in ordinance adopted by the Board of County Commissioners of DeKalb County, Indiana, this plat was given approval by the County of DeKalb as follows:

Approved by the County Plan Commission at a meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Zoning Administrator

Primary & Secondary Plat of:

SCHMUCKER'S ACRES

A subdivision of part of the Fractional Northwest Quarter of Section 30,  
Township 33 North, Range 14 East, DeKalb County, Indiana.

Owners & Developers:  
Steven M. Webb, Danee' M. Webb  
& James L. Schmucker  
4952 County Road 64  
Spencerville, IN 46788

Surveyor - Planner:  
Sauer Land Surveying, Inc.  
7203 Engle Road  
Fort Wayne, IN 46804  
Tel: 260/469-3300

DESCRIPTION:

Part of the Fractional Northwest Quarter of Section 30, Township 33 North, Range 14 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:

Beginning at the North Quarter corner of said Section 30, being marked by a cast iron monument; thence South 88 degrees 36 minutes 26 seconds West (deed bearing and basis of all bearings in this description), on and along the North line of said Fractional Northwest Quarter, being within the right-of-way of County Road 64, a distance of 762.66 feet to a railroad spike at the Northwest corner of a 37.79 acre base tract of real estate described in a deed to Steven M. Webb, Danee' M. Webb and James L. Schmucker in Document Number 202406038 in the Office of the Recorder of DeKalb County, Indiana; thence South 01 degrees 23 minutes 40 seconds East, on and along a West line of said 37.79 acre base tract, a distance of 1104.56 feet to a #5 rebar; thence North 88 degrees 36 minutes 26 seconds East, on and along a South line of said 37.79 acre base tract, a distance of 201.66 feet to a #5 rebar; thence South 02 degrees 08 minutes 09 seconds East, on and along a West line of said 37.79 acre base tract, and its Southerly projection, a distance of 1524.64 feet to a #5 rebar on the South line of said Fractional Northwest Quarter; thence North 88 degrees 18 minutes 04 seconds East, on and along said South line, a distance of 564.18 feet to an iron rail post at the Center of said Section 30; thence North 01 degrees 53 minutes 38 seconds West, on and along the East line of said Fractional Northwest Quarter, a distance of 2626.16 feet to the point of beginning, containing 39.300 acres of land, subject to legal right-of-way for County Road 64, and subject to all easements of record.

DEED OF DEDICATION

We, the undersigned, Steven M. Webb, Danee' M. Webb and James L. Schmucker, owners of said real estate shown and described herein, do hereby layoff, plat and subdivide, said real estate in accordance with the within plat. This subdivision shall be known and designated as "SCHMUCKER'S ACRES", an addition to DeKalb County, Indiana. All streets shown and not heretofore dedicated are hereby dedicated to the public. Front, side, and rear yard building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets, there shall be erected or maintained no building or structure. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision, shall take their titles subject to all easements of record.

Witness our Hand and Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Steven M. Webb Danee' M. Webb James L. Schmucker

State of Indiana )  
 ) §  
County of \_\_\_\_\_ )

Before me the undersigned Notary Public, in and for the County and State, personally appeared STEVEN M. WEBB, DANEE' M. WEBB and JAMES L. SCHMUCKER, acknowledging the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and notorial seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Notary Public

Printed Name  
Resident of \_\_\_\_\_ County

My commission expires: \_\_\_\_\_

RESTRICTIVE COVENANTS:

The owner(s) of the lot within this subdivision agrees to recognize the existing agricultural land usage surrounding this subdivision and further agrees to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e., I.C. 34-1-52-4.

This lot shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.

There shall be compliance with the laws and regulations of any Federal, State, or local agency.

No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The plan commission may enforce these conditions by injunctive relief with attorney fees.

AVIATION COVENANT:

Airport Zone: This development lies within the AC7 zone of the DeKalb County Airport and is subject to certain limitations and restrictions as set out and specified in the "DeKalb County Airport Zoning Ordinance". The maximum allowable height for any building, structure or tree in this development is limited to 200 feet above ground level at the site unless a variance is first obtained from the DeKalb County Board of Aviation.

Note: An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent. As of this date, no title commitment has been provided for review.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18033C 0265E, effective September 29, 2006.

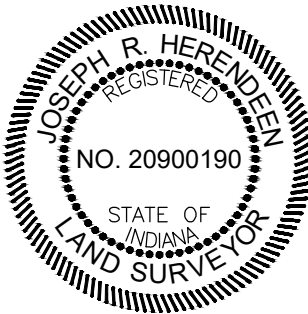
CERTIFICATE OF SURVEYOR

I, Joseph R. Herendeen, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; that based on my knowledge, experience and belief this plat and accompanying legal description accurately depicts a survey completed and certified by the undersigned; that all corners are marked with 24 inch long #5 rebars bearing plastic caps imprinted "SLSI Firm 048".

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.

\_\_\_\_\_  
Joseph R. Herendeen, Indiana Professional Surveyor

Date: 05/15/2025





DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-17  
Date Application Filed: 4/7/2025  
Fee Paid: CK #243

### Application for REPLAT (Section 9.24)

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

#### APPLICANT INFORMATION

Applicant's Name: Gregory E. Williams  
Address: 1640 County Road 60  
Garrett, IN 46738  
Telephone Number: (260) 637-2222 E-Mail: gwilliamsgreg@gmail.com

#### OWNER INFORMATION (if different from applicant information)

Owner's Name: N/A  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

#### REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joseph R. Herendeen, PS, Sauer Land Surveying, Inc.  
Address: 7203 Engle Road  
Fort Wayne, IN 46804  
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐

#### Number of Parcels & Total Area (square feet or acreage):

3 lots, 12.233 acres

#### Name of Subdivision and Address or Parcel # of property:

Williams Estates, County Road 60, 1/2 mile West of County Road 11A

#### Legal description of property affected:

Part of the NW 1/4 of Section 22 and NE 1/4 of Section 23, Township 33 North, Range 12 East, containing 37.801 acres.

#### Reason for the Proposed Replat:

To split off additional lots

#### The Replat should include (check all that apply):

- ( ) All of the Platted Area ( ) All recorded restrictive covenants  
(X) Part of the Platted Area as shown in the attached documents (X) None of the restrictive covenants  
( ) Those restrictive covenants specifically listed in the attached documents

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature:  Joseph R. Herendeen, PS, as agent  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Gregory R. Williams  
**SUBJECT SITE:** 1640 County Road 60, Garrett  
**REQUEST:** RePlat of Williams Estates, Lot 1  
**EXISTING ZONING:** A2: Agricultural  
**SURROUNDING LAND USES AND ZONING:** North: Farm Ground & Single Family Residential (A2)  
South: Farm Ground & Single Family Residential (A2)  
East: Farm Ground & Single Family Residential (A2)  
West: Single Family Residential (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots** *(including residual parent tract of land) may be generated from any single parent tract.*

- Parcel 01-09-23-101-004 will be split and the size of Lot 1 will decrease. Two new lots are being created for a total of 3 buildable lots. The remainder of Lot 1 will become a metes & bounds parcel and non-buildable.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 5.182 net acres
    - Proposed Lot 2 Area: 3.305 net acres
    - Proposed Lot 3 Area: 3.305 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 230 feet
    - Proposed Lot 2 Width: 160 feet
    - Proposed Lot 3 Width: 160 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 62.87 feet
    - Proposed Lot 2 Frontage: 160 feet

- Proposed Lot 3 Frontage: 160 feet
- This division of land fronts the following roads:
  - County Road 60 is considered County Local Road with a projected total right-of-way width of 60 feet.
  - Right of Way has been dedicated per the original Williams Estates subdivision. No additional right of way has been dedicated.

### **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **April 7, 2025**
2. Legal notice published in The Star on **May 23, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 10, 2025**
5. Letter from County Highway dated **April 11, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 9, 2025**
7. Letter from the Drainage Board, dated **April 17, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

### **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision (RePlat) adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision (RePlat) conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 60 with dedication of right of way where required. The existing driveway will be utilized and the driveways for the new lots have been staked and approved by the Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. The existing & new private septic systems will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

### **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

#### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

#### **Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.





### Survey Division Lot

Lots

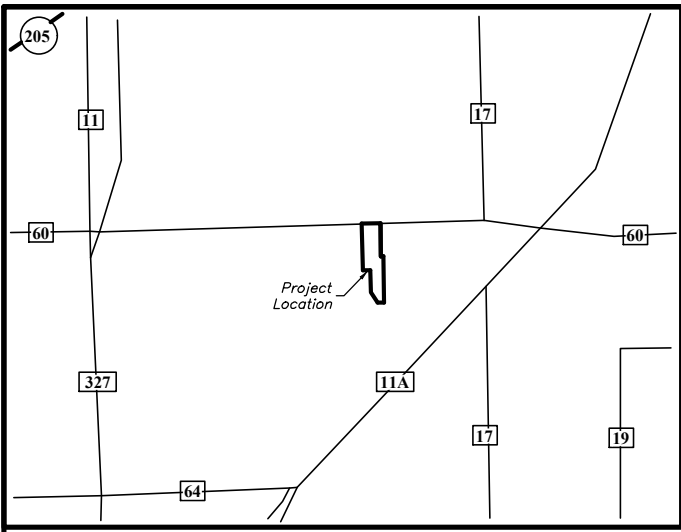
### Tax Parcel

Tax Parcel

County Limits

Proposed Subdivisions





Location Map

PLAT LEGEND

- Plat Boundary Line
- Dedicated Road Right-of-Way Line
- Building Set-back Line
- Lot line

Zone A2: Agricultural

Setbacks:

Front: 50'  
Side: 30' for primary structure, 10' for accessory structure.  
Rear: 30' for primary structure, 10' for accessory structure.

Primary & Secondary Replat of:

# WILLIAMS ESTATES

A subdivision of part of the Northwest Quarter of Section 23,  
Township 33 North, Range 12 East, DeKalb County, Indiana.

Owner & Developer:  
Gregory R. Williams  
1640 County Road 60  
Garrett, IN 46738

Surveyor - Planner:  
Sauer Land Surveying, Inc.  
7203 Engle Road  
Fort Wayne, IN 46804  
Tel: 260/469-3300

AREAS:

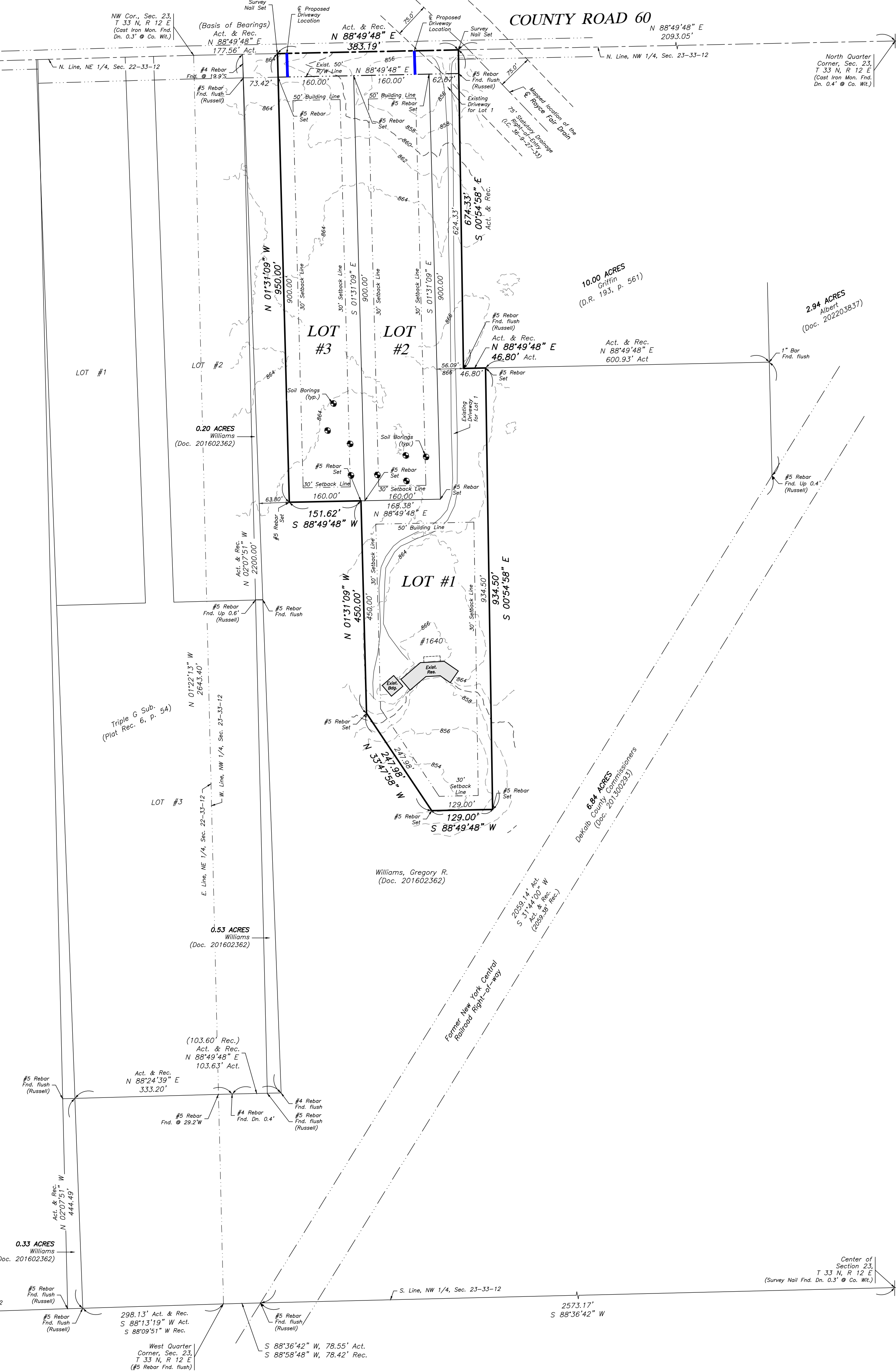
Lot #1  
Net Area 5.168 acres  
Easements: 0.014 acres  
Total Gross Area: 5.182 acres

Lot #2  
Net Area 3.305 acres  
Easements: 0.000 acres  
Total Gross Area: 3.305 acres

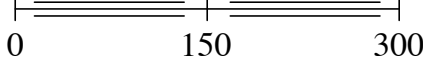
Lot #3  
Net Area 3.305 acres  
Easements: 0.000 acres  
Total Gross Area: 3.305 acres

Previously Dedicated Right of Way  
Total Gross Area: 0.441 acres

Overall Gross Area: 12.233 acres



SCALE IN FEET:



SURVEYOR'S REPORT

Prepared as a part of the foregoing survey.

Address: 1640 County Road 60, Garrett, IN 46738

This survey is intended to create three new tax parcels lying entirely within the record boundaries of Lot Number 1 in Williams Estates, as recorded in Document Number 20302545 in the Office of the Recorder of DeKalb County, Indiana.

In Accordance with Title 865, Article 1.1, Chapter 12, Sec. 1 et. seq. of the Indiana Administrative Code, the following observations and opinions are submitted regarding various uncertainties in (a) reference monuments, (b) lines of occupation, (c) record descriptions, and (d) those uncertainties due to random errors in measurement ("relative positional accuracy"). There may be unwritten rights associated with these uncertainties.

- REFERENCES: Copies of the following documents were reviewed in completion of this survey:
- The deeds of the subject tract and the adjoining tracts, as shown on the plat of survey.
  - DeKalb County Surveyor's Section Corner Records.
  - The plat of Williams Estates, Document Number 20302545.
  - The plat of Triple "G", Plat Record 6, page 54.
  - A survey of the adjoining Albert tract by Tri-County Land Surveying, P.C., Document Number 202203755.

(A) AVAILABILITY OF REFERENCE MONUMENTS:  
The existing monuments of the Public Land Survey corners were held as controlling corners and were used as the basis for this survey. The found monuments are considered by the undersigned surveyor to be "local corners" which are subject to undiscovered evidence regarding the true location of said corners. The corners of subject tract are marked as shown on the survey certificate in conformity with said survey monuments. Uncertainties based on existing monuments are not readily determinable due to the use of said local corners. The following monuments were accepted as the location of the Public Land Survey corners:

- The Northwest corner of Section 23.....County witnessed cast iron monument found.
- The North Quarter corner of Section 23.....County witnessed cast iron monument found

The North line of the Northwest Quarter was established by using the above-referenced monuments. Uncertainties due to variances between found controlling monuments and record distances were determined to be a maximum of 0.24 feet in any direction. Uncertainties due to variances between all found monuments and record distances were determined to be 0.24 feet in any direction.

(B) OCCUPATION AND/OR POSSESSION LINES:

Occupation and/or possession lines near the perimeter of subject tract are shown on the plat of survey with the variances from the boundary lines as established in this survey. Encroachments and/or discrepancies may be buried or otherwise obscured by natural or man-made obstructions. There are no observable uncertainties in occupation and/or possession lines.

(C) AMBIGUITY OF RECORD DESCRIPTIONS:

Upon review of the most current deeds of record, the base tract description does not contain any ambiguity with any of the adjoiners' descriptions. Therefore, there are no uncertainties based upon record descriptions.

(D) RELATIVE POSITIONAL ACCURACY:

The relative positional accuracy representing the uncertainty due to random errors in measurements of the corners established in this survey is less than or equal to the specifications for a Rural Survey (0.26 feet plus 200 ppm) as defined by IAC 865.

(E) ESTABLISHMENT OF LINES AND CORNERS:

- The most Northerly line of subject tract was established on and along the North line of the Northwest Quarter, using record geometry.
- The West and South lines of the Griffin tract were established using found monuments and record geometry..
- The remaining lines of subject tract were established at the direction of the client.

(F) NOTES:

- This survey is an opinion of a licensed land surveyor of the State of Indiana as to the actual location of the lines and corners outlined in the deed description. This opinion is based on logic, relevant field and research evidence, and established surveying principles. However, this opinion is subject to the interpretation of its deed description, and the boundaries of adjacent tracts may not be consistent with the boundaries of the subject tract. As a consequence, another surveyor may arrive at a different conclusion and different location of the boundaries.
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- The flood statement hereon is for informational purposes only. Accurate determination of the flood hazard status of the property can only be made by an elevation study which is beyond the scope of this survey.
- No attempt has been made to review or come to an opinion on the title or marketability of the title. Any appearance of an opinion on the title is unintentional.
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- All documents of record and information from other public sources referred to in this survey are hereby incorporated as part of this survey as if fully set out.
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- Subsurface and environmental conditions were not examined or considered as a part of this survey.
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- Since the last date of fieldwork of this survey, conditions beyond the knowledge or control of Sauer Land Surveying, Inc. may have altered the validity and circumstances of matters shown or noted hereon.
- Declaration is made to original purchaser of the survey, and is not transferable to additional institutions or subsequent owners. This survey is valid only with the surveyor's original or electronic signature and seal, full payment of invoice, and complete with all pages of the survey.
- No statement made by any employee or agent of Sauer Land Surveying, Inc. is valid unless written herein.

PLAN COMMISSION CERTIFICATE

Under authority provided by Chapter 174- Acts of 1947, enacted by the General Assembly of the State of Indiana and all acts amendatory thereto, and in ordinance adopted by the Board of County Commissioners of DeKalb County, Indiana, this plat was given approval by the County of DeKalb as follows:

Approved by the County Plan Commission at a meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2025.

Chairman

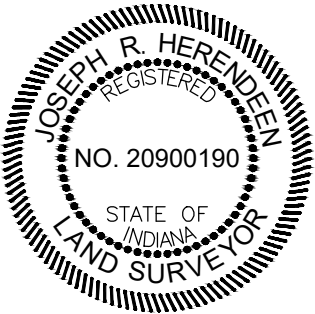
Zoning Administrator

CERTIFICATE OF SURVEYOR

I, Joseph R. Herendeen, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; that based on my knowledge, experience and belief this plat and accompanying legal description accurately depicts a survey completed and certified by the undersigned; that all corners are marked with 24 inch long #5 rebars bearing plastic caps imprinted "SLSI Firm 048".

I, Joseph R. Herendeen, certify the above statements to be correct to the best of my information, knowledge, and belief. 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.

Joseph R. Herendeen, Indiana Professional Surveyor Date: 04/08/2025



Primary & Secondary Replat of:

WILLIAMS ESTATES

A subdivision of part of the Northwest Quarter of Section 23, Township 33 North, Range 12 East, DeKalb County, Indiana.

Owner & Developer:  
Gregory R. Williams  
1640 County Road 60  
Garrett, IN 46738

Surveyor - Planner:  
Sauer Land Surveying, Inc.  
7203 Engle Road  
Fort Wayne, IN 46804  
Tel: 260/469-3300

DESCRIPTION:

Part of the Northwest Quarter of Section 23, Township 33 North, Range 12 East, DeKalb County, Indiana, being more particularly described as follows, to-wit:

Commencing at the Northwest corner of said Section 23, being marked by a cast iron monument; thence North 88 degrees 49 minutes 48 seconds East (deed bearing and basis of all bearings in this description), on and along the North line of said Northwest Quarter, being within the right-of-way of County Road 60, a distance of 177.56 feet to a survey nail at the true point of beginning; thence North 88 degrees 49 minutes 48 seconds East, continuing on and along said North line and within said right-of-way, a distance of 383.19 feet to a survey nail at the Northeast corner of Williams Estates, as recorded in Document Number 20302545 in the Office of the Recorder of DeKalb County, Indiana; thence South 00 degrees 54 minutes 58 seconds East, on and along an East line of said Williams Estates, a distance of 674.33 feet to a #5 rebar; thence North 88 degrees 49 minutes 48 seconds East, on and along a North line of said Williams Estates, a distance of 46.80 feet to a #5 rebar; thence South 00 degrees 54 minutes 58 seconds East, a distance of 934.50 feet to a #5 rebar; thence South 88 degrees 49 minutes 48 seconds West and parallel with the North line of said Northwest Quarter, a distance of 129.00 feet to a #5 rebar; thence North 33 degrees 47 minutes 58 seconds West, a distance of 247.98 feet to a #5 rebar; thence North 01 degrees 31 minutes 09 seconds West, a distance of 450.00 feet to a #5 rebar; thence South 88 degrees 49 minutes 48 seconds West and parallel with the North line of said Northwest Quarter, a distance of 151.62 feet to a #5 rebar; thence North 01 degrees 31 minutes 09 seconds West, a distance of 950.00 feet to the true point of beginning, containing 12.233 acres of land, subject to legal right-of-way for County Road 60, and subject to all easements of record.

DEED OF DEDICATION

We, the undersigned, Gregory R. Williams, owner of said real estate shown and described herein, do hereby layoff, plat and subdivide, said real estate in accordance with the within plat. This subdivision shall be known and designated as "REPLAT OF WILLIAMS ESTATES", an addition to DeKalb County, Indiana. All streets shown and not heretofore dedicated are hereby dedicated to the public. Front, side, and rear yard building setback lines are hereby established as shown on this plat, between which lines and property lines of the streets, there shall be erected or maintained no building or structure. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision, shall take their titles subject to all easements of record.

Witness our Hand and Seal this \_\_\_\_ day of \_\_\_\_\_, 2025.

Gregory R. Williams

State of Indiana )  
) §  
County of \_\_\_\_\_ )

Before me the undersigned Notary Public, in and for the County and State, personally appeared GREGORY R. WILLIAMS, acknowledging the execution of the foregoing instrument as his or her voluntary act and deed, for the purpose therein expressed.

Witness my hand and notorial seal this \_\_\_\_ day of \_\_\_\_\_, 2025.

Notary Public

Printed Name  
Resident of \_\_\_\_\_ County

My commission expires: \_\_\_\_\_

RESTRICTIVE COVENANTS:

The owner(s) of the lot within this subdivision agrees to recognize the existing agricultural land usage surrounding this subdivision and further agrees to not object to the surrounding agricultural land use or changes therein as permitted by law, i.e., I.C. 34-1-52-4.

This lot shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.

There shall be compliance with the laws and regulations of any Federal, State, or local agency.

No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The plan commission may enforce these conditions by injunctive relief with attorney fees.

Drainage Board Covenants:

- No private or mutual drain of any type shall be connected from within any lot within this subdivision to the Royce Fair Drain No. 158-00-0, without first submitting written request, along with plans and specifications for said connection, and obtaining the written approval of the DeKalb County Surveyor for said drain connection.
- No permanent structure of any type shall be placed within the right-of-way of Royce Fair Drain No. 158-00-0, without first entering into a consent for variance for permanent structure within the right-of-way of a regulated drain, by and between the owner of the land upon which the permanent structure is to be located and the DeKalb County Drainage Board.
- No private crossing, control dam or other permanent structure shall be placed on, over, or through the Royce Fair Drain No. 158-00-0, without first submitting a written request, along with plans and specifications for said permanent structure, and obtaining the written approval of the DeKalb County Surveyor for said permanent structure.

AVIATION COVENANT:

Airport Zone: This development lies within the AC7 zone of the DeKalb County Airport and is subject to certain limitations and restrictions as set out and specified in the "DeKalb County Airport Zoning Ordinance". The maximum allowable height for any building, structure or tree in this development is limited to 200 feet above ground level at the site unless a variance is first obtained from the DeKalb County Board of Aviation.

Note: An abstract or title search may reveal the existence of matters of ownership and rights of others not otherwise apparent. As of this date, no title commitment has been provided for review.

This property appears to lie within Zone X as the description plots by scale on Flood Insurance Rate Map Number 18033C 0240E, effective September 29, 2006.

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-18  
Date Application Filed: 4/21/2018  
Fee Paid: CK# 708

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only) ☐ Minor ☒**  
**Conventional ☐ Conservation ☐ Traditional ☐**  
**Strip ☐ Commercial District ☐ Industrial Park ☐**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: On The Mark Land Surveying  
Mailing Address: 2305 - B Centralyard Ct  
Fort Wayne, IN 46818  
Telephone Number: 260-338-2052 E-Mail: smark@OTMLandSurveying.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Jerry and Terry Perkins  
Address: 1351 Canty Road 2  
Ashley, IN 46705  
Telephone Number: 260-870-6678 E-Mail: luke.theyork2@gmail.com

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐**

Name of Proposed Subdivision: Marlene's Acres

Number of Parcels & Total Area (square feet or acreage):

1 parcel, 5.680 +/-

Address or Parcel ID # of property:

03-01-03-326-023

Legal description of property affected:

Pt SE 1/4 SW 1/4 + Pt SW 1/4 SE 1/4

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**

Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: \_\_\_\_\_

(If signed by representative for applicant, state capacity)



*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Jerry D & Terry L Perkins

**SUBJECT SITE:** east side of County Road 11, approximately one-tenth of a mile south of the intersection of County Road 2 & County Road 11, Hudson

**REQUEST:** 1 Lot Minor Subdivision – Marlene’s Acres

**EXISTING ZONING:** A2: Agricultural

**SURROUNDING LAND USES AND ZONING:** North: Farm Ground & Single Family Residential (A2)  
South: Farm Ground & Single Family Residential (A2)  
East: Farm Ground & Single Family Residential (A2)  
West: Single Family Residential (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - No structure shall be permitted on a lot unless the lot:

- A. Resulted from a legal subdivision of land approved by the Plan Commission, or
- B. Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.
- C. Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract.**

- Parcel 03-01-03-326-001 is considered the parent parcel. This is the 2<sup>nd</sup> buildable split from parent parcel -001. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 4.255 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 232.35 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 231.72 feet
- This division of land fronts the following roads:
  - County Road 11 is considered County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

## **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **April 7, 2025**
2. Legal notice published in The Star on **May 23, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 9, 2025**
5. Letter from County Highway dated **April 9, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 7, 2025**
7. Letter from the Drainage Board, dated **April 17, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **On The Mark Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 11 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. Private septic system will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

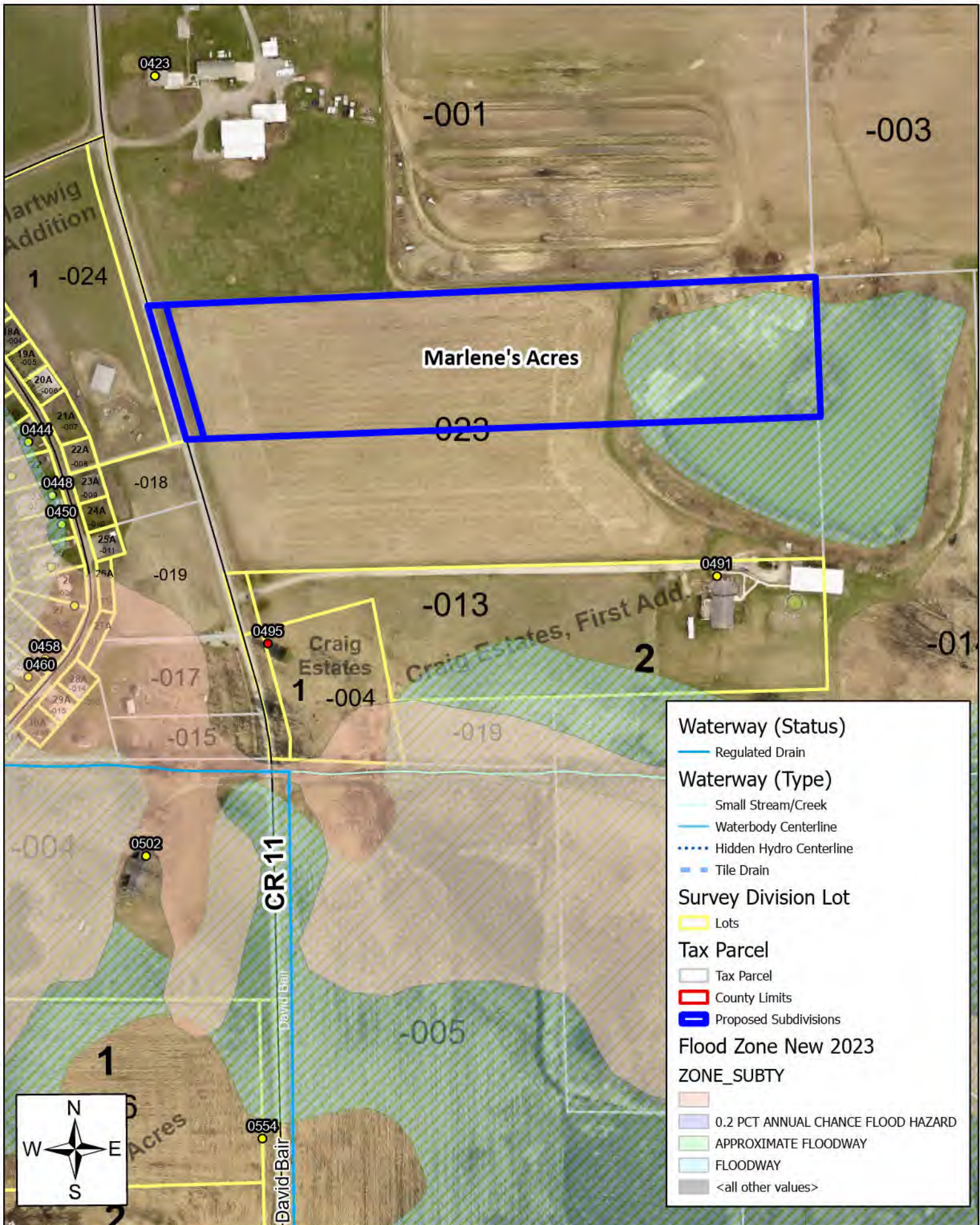
### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.





### Waterway (Status)

— Regulated Drain

### Waterway (Type)

— Small Stream/Creek

— Waterbody Centerline

..... Hidden Hydro Centerline

— Tile Drain

### Survey Division Lot

— Lots

### Tax Parcel

— Tax Parcel

— County Limits

— Proposed Subdivisions

### Flood Zone New 2023

#### ZONE\_SUBTY

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- APPROXIMATE FLOODWAY
- FLOODWAY
- <all other values>



SURVEYOR’S REPORT

PURPOSE OF SURVEY:  
THE PURPOSE OF THIS SURVEY WAS TO CREATE AN ORIGINAL TRACT OF LAND FROM AN EXISTING TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 202105115 IN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA. THE PROPERTY ADDRESS BEING COUNTY ROAD 11, HUDSON, IN 46747.

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTION 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE BELOW THEORY OF LOCATION WAS BASED UP THE FOLLOWING OPINIONS AND OBSERVATIONS A RESULT OF UNCERTAINTIES IN LINES AND CORNERS BECAUSE OF THE FOLLOWING:

BASIS OF BEARINGS:  
THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON THE MEASURED BEARING AND DISTANCE ALONG THE EAST LINE OF INSTRUMENT NUMBER 202105115. THE RECORD BEARING FOR THIS LINE PER THE SUBJECT DEED IS SOUTH –1 DEGREES 37 MINUTES 43 SECONDS EAST. THE MEASURED BEARING OF THIS LINE IN INDIANA GEOSPATIAL COORDINATE SYSTEM – XXXXX COUNTY IS SOUTH 02 DEGREES 10 MINUTES 51 SECONDS EAST.

DISCREPANCIES IN MEASUREMENTS:  
MONUMENTS WERE FOUND WITHIN THE RELATIVE POSITIONAL ACCURACY FOR THE USE OF THE PROPERTY. MONUMENT’S LOCATIONS THAT WERE NOT ARE SHOWN IN RELATION TO THE THEORETICAL CORNER. THERE IS MORE WEIGHT THROWN IN TO FOUND MONUMENTS THAN THE RECORD DEED DISTANCES. THE MEASURED AND CALCULATED DISTANCES ARE SHOWN IN RELATION TO EACH.

A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS  
THE MONUMENTS FOUND ARE SHOWN ON THE SURVEY AND LISTED ON THE SURVEY UNDER MONUMENT LEGEND.

CONTROLLING MONUMENTS INCLUDE:  
• MONUMENT “J” – 5/8” REBAR WITH “TRI COUNTY” IDENTIFICATION CAP FOUND FLUSH – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER  
• MONUMENT “L” – 5/8” REBAR WITH “LA TAYLOR 8600076” IDENTIFICATION CAP FOUND FLUSH – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER  
• MONUMENT “P” – RAILROAD SPIKE FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER LOCATION  
• MONUMENT “Y” – RAILROAD SPIKE FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER LOCATION

B) OCCUPATION OR POSSESSION LINES  
THERE WERE NO UNCERTAINTIES BASED ON VISUAL INSPECTION OF OCCUPATION OR POSSESSION LINES.

C) CLARITY OR AMBIGUITY OF DESCRIPTIONS  
THERE WERE NO AMBIGUITIES FOUND WITHIN THE DESCRIPTIONS USED FOR THE SURVEY. DOCUMENTS USED INCLUDE:  
1) INSTRUMENT NUMBER 202105115 (QUITCLAIM DEED) – SUBJECT PARCEL  
2) INSTRUMENT NUMBER 202105111 (QUITCLAIM DEED) – NORTH ADJOINER  
3) INSTRUMENT NUMBER 202105110 (QUITCLAIM DEED) – NORTH ADJOINER  
4) INSTRUMENT NUMBER 20903565 (WARRANTY DEED) – EAST ADJOINER  
5) INSTRUMENT NUMBER 011491/DEED BOOK 230 PAGE 411 (WARRANTY DEED) – SOUTH ADJOINER  
6) RECORDED PLAT OF FIRST ADDITION TO CRAIG ESTATES AS RECORDED IN PLAT BOOK 10 PAGE 101

D) RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS  
BASED ON THE USE OF THE PROPERTY (URBAN – COMMERCIAL PROPERTY, INDUSTRIAL PROPERTY, CONDOMINIUMS, TOWNHOUSES, APARTMENTS, MULTUNIT DEVELOPMENTS--SUBURBAN – SINGLE FAMILY RESIDENTIAL SUBDIVISION LOTS--RURAL SURVEY – REAL ESTATE LYING IN RURAL AREAS) THE ACCEPTABLE RELATIVE POSITIONAL ACCURACY IS RURAL SURVEY 0.26 FEET (79 MILLIMETERS) PLUS 200 PARTS PER MILLION.

THEORY OF LOCATION:  
THE EAST (232.35 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS “J” AND “L”. THESE MONUMENTS ESTABLISHED THE BEARING FOR THIS LINE AND THE BASIS OF BEARINGS FOR THIS SURVEY. THE DISTANCE WAS ESTABLISHED PER THE OWNER’S REQUEST.

THE WEST (231.72 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS “P” AND “Y”. THESE MONUMENTS ESTABLISHED THE CENTERLINE OF COUNTY ROAD 1. THESE MONUMENTS CONTROLLED THE BEARING FOR THIS LINE. THE DISTANCE WAS ESTABLISHED PER THE OWNER’S REQUEST.

THE NORTH AND SOUTH LINES OF THE SUBJECT TRACT WERE ESTABLISHED PER THE OWNER’S REQUEST.

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE AND SEAL, FULL PAYMENT OF INVOICE, AND COMPLETE WITH ALL PAGES OF SURVEY. THE INFORMATION SHOWN ON THE SURVEY DOCUMENTS IS INTENDED FOR THIS TRANSACTION ONLY AS DATED ON SAID SURVEY DOCUMENTS. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS’ SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

SINCE THE LAST DATE OF FIELD WORK OF THIS SURVEY, CONDITIONS BEYOND THE KNOWLEDGE OR CONTROL OF ON THE MARK LAND SURVEYING, LLC. MAY HAVE ALTERED THE VALIDITY AND CIRCUMSTANCES SHOWN OR NOTED HEREON.

THE COMMITMENT FOR TITLE INSURANCE WAS NOT PROVIDED AT THE TIME OF THIS REPORT, NOR DID THE SURVEYOR PERFORM A TITLE SEARCH. AN ABSTRACT OR TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PROPERTY.

AFFIRMATION STATEMENT

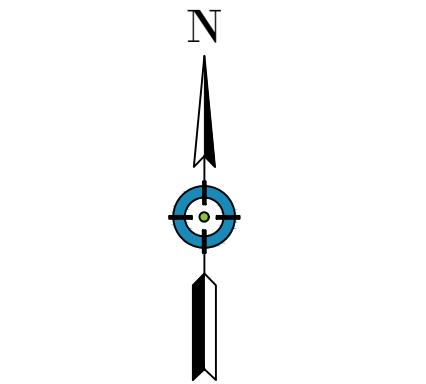
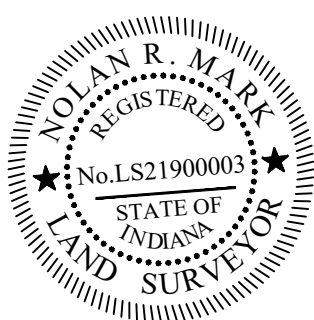
I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SURVEYOR’S CERTIFICATE

IN WITNESS WHEREOF, I hereunto place my hand and seal this 4th day of April, 2025.

Nolan R. Mark, P.S. No.LS21900003

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC 1–12–1 thru 30.



SCALE 1" =150'

BASIS OF BEARINGS:  
InGCS DeKALB COUNTY

ZONING

ZONING DISTRICT:  
CONSERVATION  
AGRICULTURE (A–2)

PRIMARY SETBACKS:

FRONT: 50'  
SIDE: 30'  
REAR: 30'

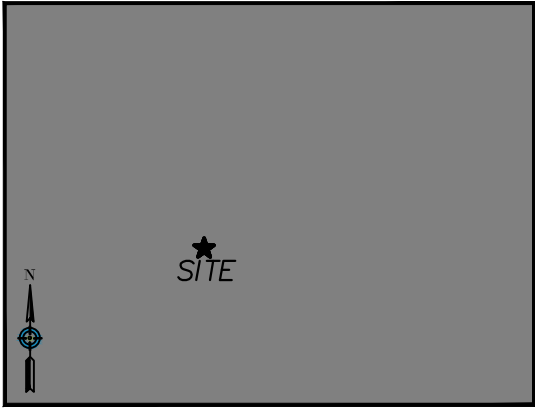
ACCESSORY STRUCTURE:

SIDE: 10'  
REAR: 10'

LEGEND

- M. ~ MEASURED
- C. ~ CALCULATED
- D. ~ DEED
- P. ~ PLAT
- R. ~ RECORD
- C.M. ~ CONTROLLING MONUMENT
- O.M. ~ ORIGINAL MONUMENT
- N.H. ~ NO HISTORY

VICINITY MAP



OWNER/DEVELOPER

JERRY D. & TERRY L. PERKINS  
COUNTY ROAD 11  
HUDSON, INDIANA 46747

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

ELYSIA ROGERS, CHAIRPERSON

CHRISTOPHER GAUMER, ZONING ADMINISTRATOR

OWNER DEDICATION

I, THE UNDERSIGNED, JERRY D. & TERRY L. PERKINS , OWNERS OF THE REAL ESTATE PLATTED AND DESCRIBED HEREIN CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS MARLENE’S ACRES, LOT 1, AN ADDITION IN FAIRFIELD TOWNSHIP, DEKALB COUNTY, INDIANA.

THE UNDERSIGNED HEREBY IRRECOVERABLY OFFERS FOR DEDICATION TO DEKALB COUNTY ALL THE STREETS, LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES SHOWN ON THE SUBDIVISION PLAT.

JERRY D. PERKINS  
DATE: \_\_\_\_\_

TERRY L. PERKINS

NOTARY

STATE OF INDIANA }  
COUNTY OF } SS:

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

JERRY D. PERKINS  
TERRY L. PERKINS

WITNESS MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025.

NOTARY PUBLIC (SEAL)

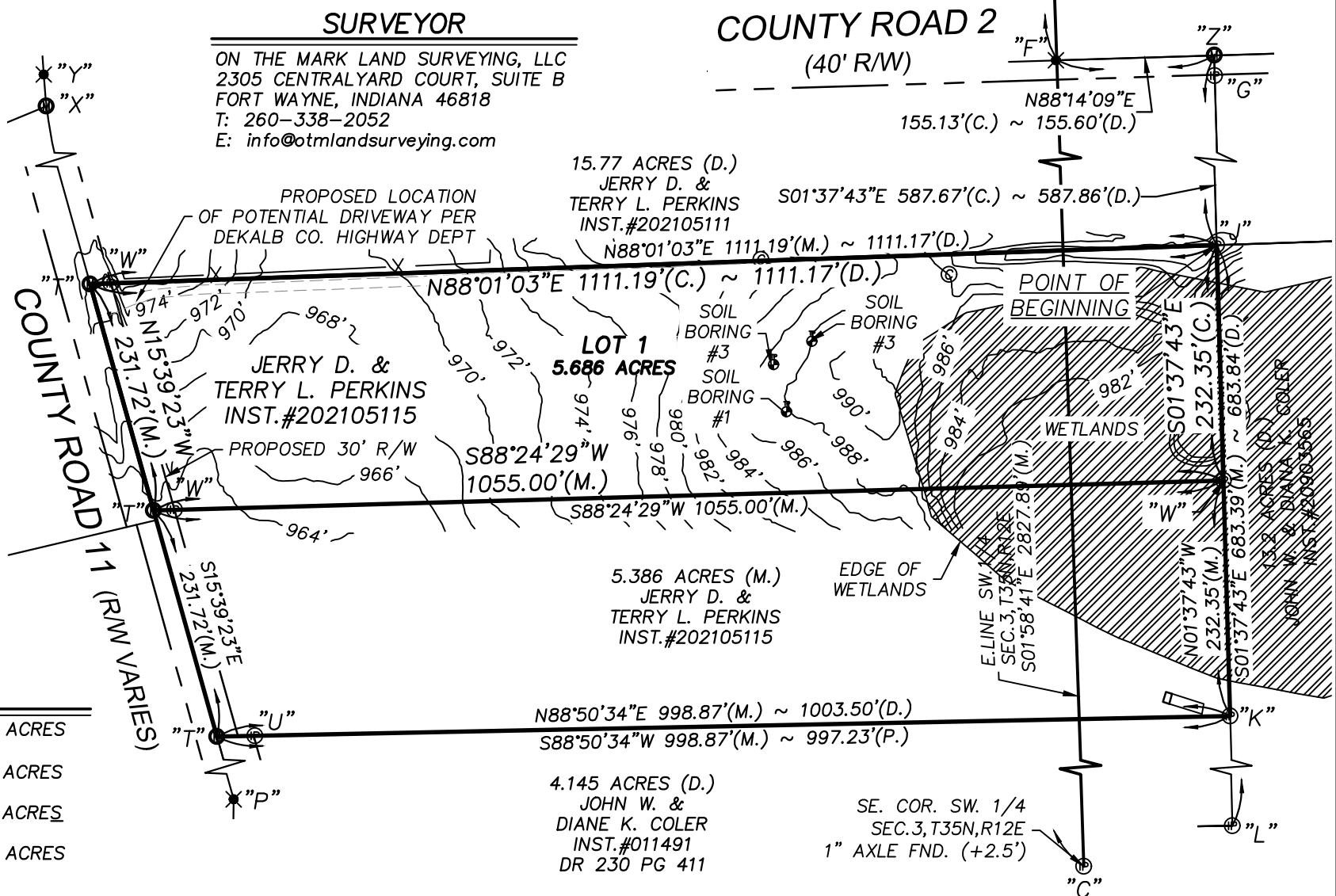
MY COMMISSION EXPIRES: \_\_\_\_\_

MONUMENT LEGEND

- "A" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP FOUND (+0.3') – C.M.
- "C" ~ 1" AXLE FOUND (+2.5') – C.M.
- "F" ~ RAILROAD SPIKE FOUND 1.04'W. OF ACTUAL (–0.1')
- "G" ~ 1/2" REBAR FOUND 0.81'S. OF ACTUAL (–0.1') – C.M.
- "J" ~ 5/8" REBAR W/ "TRI–COUNTY LS9700007" ID. CAP FOUND (FLUSH) – C.M.
- "K" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
- "L" ~ 5/8" REBAR W/ "LA TAYLOR 8600076" ID. CAP FOUND (FLUSH) – C.M.
- "N" ~ 5/8" REBAR W/ "LA TAYLOR 8600076" ID. CAP FOUND (+0.1')
- "O" ~ 5/8" REBAR W/ "LA TAYLOR 8600076" ID. CAP FOUND (+0.5') – C.M.
- "P" ~ RAILROAD SPIKE FOUND (–0.1') – C.M.
- "Q" ~ 5/8" REBAR W/ "LA TAYLOR 8600076" ID. CAP FOUND (–0.1') – C.M.
- "R" ~ 5/8" REBAR W/ "MACHLAND 3404" ID. CAP FOUND (–0.1') – C.M.
- "S" ~ RAILROAD SPIKE FOUND (–0.1') – C.M.
- "T" ~ MAG NAIL W/ "MARK LS21900003" ID. WASHER SET (FLUSH)
- "U" ~ 5/8" REBAR W/ "LA TAYLOR 8600076" ID. CAP FOUND 1.34'E. OF ACTUAL (–0.1') – C.M.
- "W" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
- "Y" ~ RAILROAD SPIKE FOUND (–0.1') – C.M.
- "Z" ~ MAG NAIL FOUND (–0.1')

MARLENE’S ACRES, LOT 1

A SUBDIVISION IN THE SOUTH HALF OF  
SECTION 3, TOWNSHIP 35 NORTH, RANGE 12 EAST  
FAIRFIELD TOWNSHIP, DEKALB COUNTY, INDIANA



AGRICULTURAL COVENANT

THE OWNER(S) OF THE LOT(S) WITHIN THIS SUBDIVISION AGREE TO RECOGNIZE THE EXISTING AGRICULTURAL LAND USAGE SURROUNDING THIS SUBDIVISION AND FURTHER AGREE TO NOT OBJECT TO THE SURROUNDING AGRICULTURAL LAND USE OR CHANGES THEREIN AS PERMITTED BY LAW, I.E, IC 34–1–52–4.

FURTHER DEVELOPMENT STANDARDS

- FURTHER DEVELOPMENT: THIS LOT SHALL BE INCLUDED IN A SUBDIVISION ARISING FROM ANY FURTHER DEVELOPMENT OF THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS OR RESTRICTIONS ON ANY FUTURE PLAT WOULD HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.
- THERE SHALL BE COMPLIANCE WITH THE LAWS AND REGULATIONS OF ANY FEDERAL, STATE, OR LOCAL AGENCY.
- NO OFFSITE DRAINAGE, EXISTING SURFACE WATER OR EXISTING TILED WATER DRAINAGE, CROSSING OVER SAID REAL ESTATE SHALL BE OBSTRUCTED BY ANY DEVELOPMENT ON THE SITE. THE PLAN COMMISSION MAY ENFORCE THESE CONDITIONS BY INJUNCTIVE RELIEF WITH ATTORNEY FEES.

REAL ESTATE DESCRIPTION

PART OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 35 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, BASED ON AN ORIGINAL SURVEY BY NOLAN R. MARK, INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND SURVEYING, LLC, SURVEY NO. 24.0165, DATED JANUARY 14<sup>TH</sup>, 2024, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A 5/8 INCH REBAR WITH “MARK LS21900003” IDENTIFICATION CAP FOUND 0.3 FEET ABOVE GRADE AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION; THENCE SOUTH 01 DEGREE 58 MINUTES 41 SECONDS EAST (INDIANA GEOSPATIAL COORDINATE SYSTEM – DEKALB COUNTY BEARING AND BASIS OF BEARINGS TO FOLLOW) 1415.98 FEET TO A RAILROAD SPIKE FOUND 0.1 FEET BELOW GRADE AT THE NORTH LINE OF A 15.77 ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 202105111 IN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA; THENCE NORTH 88 DEGREES 14 MINUTES 09 SECONDS EAST 155.13 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID 15.77 ACRE TRACT; THENCE SOUTH 01 DEGREE 37 MINUTES 43 SECONDS EAST 587.67 FEET ALONG SAID EAST LINE TO A 5/8 INCH REBAR WITH “TRI–COUNTY LS9700007” IDENTIFICATION CAP FOUND FLUSH AT THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT:

THENCE SOUTH 01 DEGREE 37 MINUTES 43 SECONDS EAST 232.35 FEET ALONG THE EAST LINE OF AN EXISTING 13.2 ACRE TRACT OF LAND AS DESCRIBED IN INSTRUMENT NUMBER 20903565 TO A 5/8 INCH REBAR WITH “MARK LS21900003” IDENTIFICATION CAP SET FLUSH; THENCE SOUTH 88 DEGREES 24 MINUTES 29 SECONDS WEST 1055.00 FEET TO A MAG NAIL WITH “MARK LS21900003” IDENTIFICATION WASHER SET FLUSH AT THE CENTERLINE OF COUNTY ROAD 11; THENCE NORTH 15 DEGREES 39 MINUTES 23 SECONDS WEST 231.72 FEET ALONG SAID CENTERLINE TO A MAG NAIL WITH “MARK LS21900003” IDENTIFICATION WASHER FOUND FLUSH AT THE SOUTH LINE OF A 15.77 ACRE TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 202105111; THENCE NORTH 88 DEGREES 01 MINUTES 03 SECONDS EAST 1111.19 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, CONTAINING 5.686 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT–OF–WAY OF COUNTRY ROAD 11 AND EASEMENTS OF RECORD.

FLOODPLAIN CERTIFICATE

THIS PROPERTY IS WITHIN ZONE “X” (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DEFINED BY THE FIRM (FLOOD INSURANCE RATE MAP) FOR DeKALB COUNTY, INDIANA, COMMUNITY NO.180044, PANEL 18033C0025E, DATED SEPTEMBER 29, 2006.



DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-19  
Date Application Filed: 4/29/2025  
Fee Paid: pd ct #1486

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only) ☐ Minor ☒**  
**Conventional ☐ Conservation ☐ Traditional ☐**  
**Strip ☐ Commercial District ☐ Industrial Park ☐**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Angela Wallace  
Mailing Address: 1710 N. Main Street Suite D  
Auburn, IN 46706  
Telephone Number: 260-417-3643 E-Mail: angie@surveycls.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Michael D. & Rebel L. Forrest  
Address: 605 Cobbler Ct.  
Waterloo, IN 46793  
Telephone Number: 260-908-5580 E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐**

**Name of Proposed Subdivision:** Sparrow Eagle Acres

**Number of Parcels & Total Area (square feet or acreage):**  
1 Parcel & 2.21 Acres, 2.00 Net Acres

**Address or Parcel ID # of property:**  
North side of County Road 14, Part of Parcel #10-02-20-100-003

**Legal description of property affected:**  
Part of the Northwest Quarter of Section 20, T35N, R13E

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Angela D. Wallace Professional Surveyor 04/09/2025  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Michael D & Rebel L Forrest

**SUBJECT SITE:** north side of County Road 14, approximately 200 feet east of the intersection of County Road 14 & County Road 27, Waterloo

**REQUEST:** 1 Lot Minor Subdivision –Soaring Eagle Acres

**EXISTING ZONING:** A2: Agricultural

**SURROUNDING LAND USES AND ZONING:** North: Farm Ground (A2)  
South: Farm Ground (A2)  
East: Farm Ground (A2)  
West: Farm Ground & Church (A2 & IN)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - No structure shall be permitted on a lot unless the lot:

- A. Resulted from a legal subdivision of land approved by the Plan Commission, or
- B. Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.
- C. Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots** (including residual parent tract of land) may be generated from any single parent tract.

- Parcel 10-02-20-100-003 is considered the parent parcel. This is the 1<sup>st</sup> buildable split from parent parcel -003. Three additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 2 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 300 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 300 feet
- This division of land fronts the following roads:
  - County Road 14 is considered County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

## **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **April 29, 2025**
2. Legal notice published in The Star on **May 23, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **May 1, 2025**
5. Letter from County Highway dated **April 30, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 30, 2025**
7. Letter from the Drainage Board, dated **May 15, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 14 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. Private septic system will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.



**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

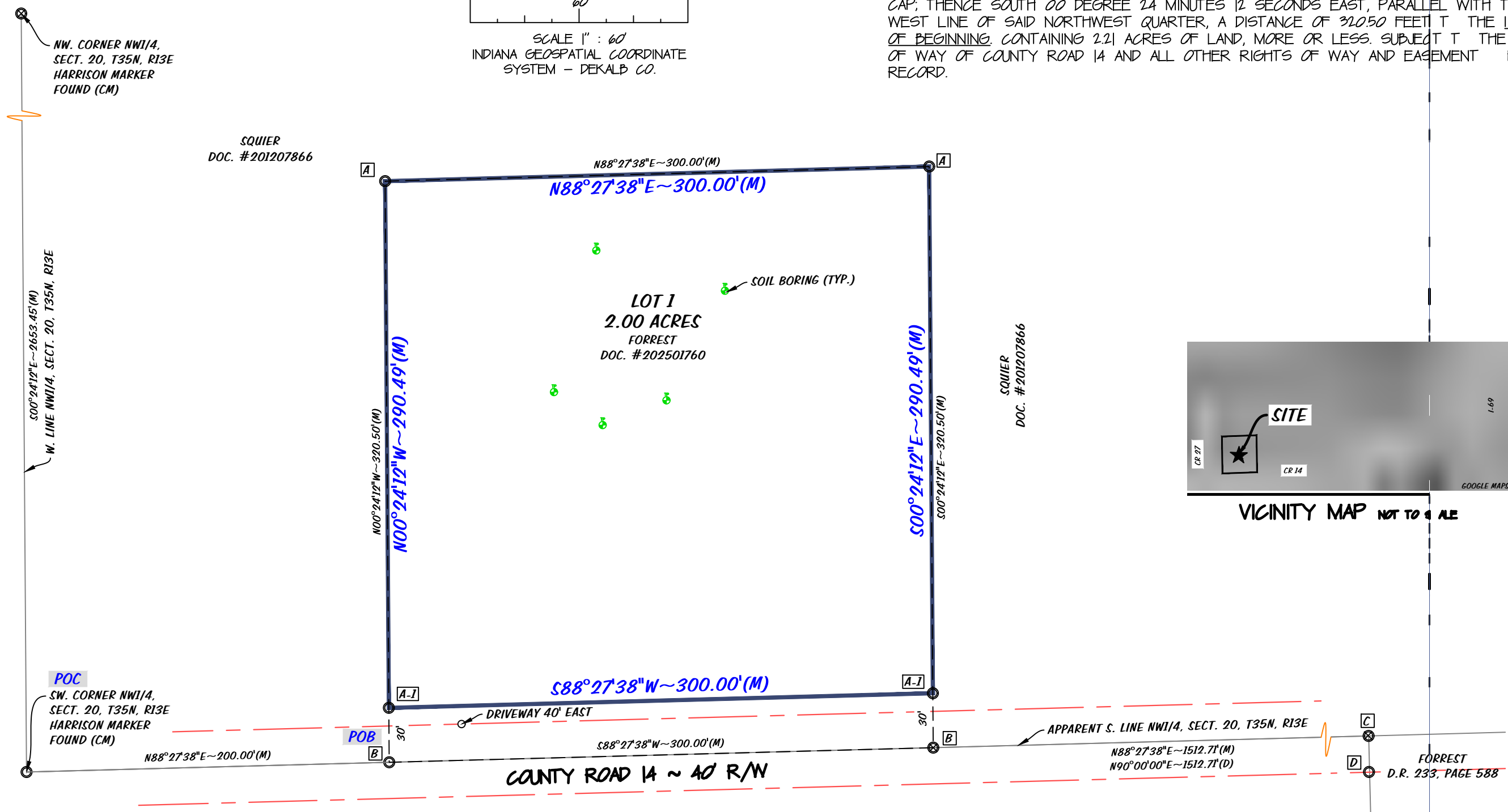
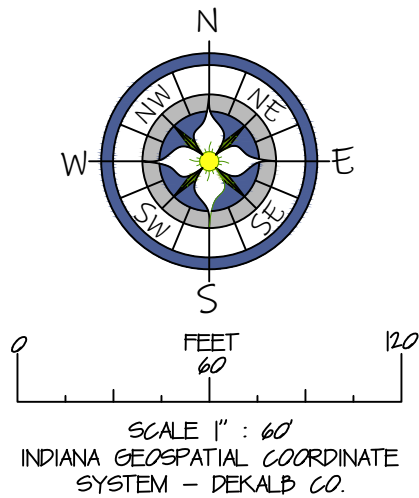




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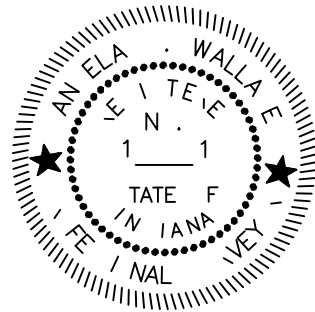


"A" ~ 5/8"x24" REBAR W/ "WALLACE-LS21200016"  
IDENTIFICATION CAP SET  
"A-1" ~ 5/8"x24" REBAR W/ "WALLACE-LS21200016"  
IDENTIFICATION CAP SET 30IN.  
"B" ~ 8" SPIKE NAIL W/ "WALLACE-LS21200016"  
IDENTIFICATION CAP SET  
"C" ~ 5/8" REBAR FOUND (-05')  
"D" ~ BENT 5/8" REBAR FOUND

M ~ MEASURED  
C ~ CALCULATED  
D ~ DEED  
CM ~ CONTROLLING MONUMENT  
R/W ~ RIGHT-OF-WAY  
POB ~ POINT OF BEGINNING  
POC ~ POINT OF COMMENCEMENT

I, ANGELA D. WALLACE, HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT AND REAL ESTATE REFERENCE HEREIN IS CORRECT AND ACCURATE; THAT THE ABOVE REFERENCE SURVEY WAS COMPLETED BY ME ON 25TH, 2015 AND RECORDED IN DOCUMENT NUMBER 20150160 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36B IAC 1-2-1 THRU 32; AND THAT THERE HAS BEEN NO CHANGES TO THE SURVEY SINCE THE DATE OF COMPLETION OF THE ABOVE REFERENCED SURVEY OR ANY PRIOR SUBDIVISION PLATS CONTAINED THEREIN, ON ANY LINES THAT ARE COMMON WITH THIS SUBDIVISION.

I, ANGELA D. WALLACE, 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.



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DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-20  
Date Application Filed: 5/5/2025  
Fee Paid: CK#1488

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only) ☐ Minor ☒**  
**Conventional ☐ Conservation ☐ Traditional ☐**  
**Strip ☐ Commercial District ☐ Industrial Park ☐**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Angela Wallace  
Mailing Address: 1710 N. Main Street Suite D  
Auburn, IN 46706  
Telephone Number: 260-417-3643 E-Mail: angie@surveycls.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: CHADD A. & NICOLE M. BAKER, JODI L. BAKER, AND JAY R. KELBLEY  
Address: 6089 COUNTY ROAD 56  
SAINT JOE, INDIANA 46785  
Telephone Number: 845-238-9410 (Jodi) E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐**

**Name of Proposed Subdivision:** Boomer's Addition

**Number of Parcels & Total Area (square feet or acreage):**  
2 Parcels, each 4.26 Acres, 4.00 Net Acres

**Address or Parcel ID # of property:**  
East side of County Road 59, Part of Parcel #02-11-10-100-006

**Legal description of property affected:**  
Part of the Northwest Quarter of Section 10,T33N,R14E

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Angela D Wallace Professional Surveyor 05/02/2025  
(If signed by representative for applicant, state capacity)

*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Chadd A & Nicole M Baker & Jay R Kelbley

**SUBJECT SITE:** east side of County Road 59, approximately one-half mile south of the intersection of County Road 59 & County Road 52, Saint Joe

**REQUEST:** 2 Lot Minor Subdivision –Boomer’s Addition

**EXISTING ZONING:** A2: Agricultural

**SURROUNDING LAND USES AND ZONING:** North: Farm Ground (A2)  
South: Farm Ground (A2)  
East: Farm Ground (A2)  
West: Farm Ground (A2)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. *Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. *Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. *Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots** *(including residual parent tract of land) may be generated from any single parent tract.*

- Parcel 02-11-10-100-006 is considered the parent parcel. This is the 1<sup>st</sup> and 2<sup>nd</sup> buildable split from parent parcel -006. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 4 net acres
    - Proposed Lot 2 Area: 4 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 299 feet
    - Proposed Lot 2 Width: 299 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 299.05 feet
    - Proposed Lot 2 Frontage: 299 feet

- This division of land fronts the following roads:
  - County Road 59 is considered County Collector Road with a projected total right-of-way width of 80 feet.
    - Proposed right-of-way dedication: 40 feet

### **JURISDICTIONAL FINDINGS:**

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **May 5, 2025**
2. Legal notice published in The Star on **May 23, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **May 22, 2025**
5. Letter from County Highway dated **May 6, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **May 6, 2025**
7. Letter from the Drainage Board, dated **May 15, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

### **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?  
*Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.*
2. Does the Minor Subdivision conform to the following UDO standards:
  - a. Minimum width, depth & area of lot(s).  
*Yes. See Plat & Staff Report.*
  - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.  
*Adequate access off County Road 59 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - c. The extension of water, sewer & other municipal services, if applicable or required.  
*Not applicable. Private septic system will be utilized.*
  - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.  
*None required.*

### **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

#### **Standard Conditions to be recorded on or with the plat:**

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.

3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

**Conditions that will not be recorded but must be met:**

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.





#### Waterway (Status)

— Regulated Drain

#### Waterway (Type)

— Small Stream/Creek

..... Hidden Hydro Centerline

#### Tax Parcel

□ Tax Parcel

□ County Limits

□ Proposed Subdivisions

#### Flood Zone New 2023

##### ZONE\_SUBTY

□

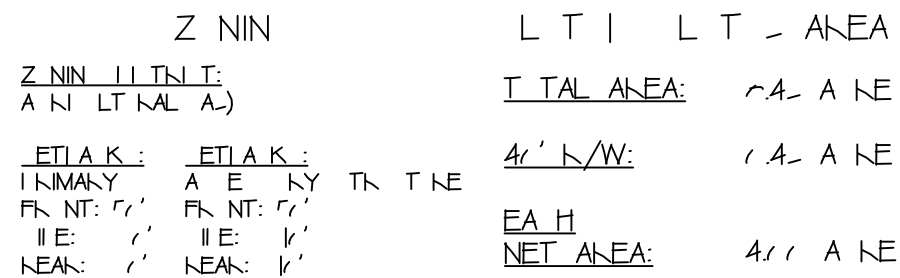
□ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

□ APPROXIMATE FLOODWAY

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WE, THE UNDERSIGNED, HARRY A. NELM, JAMES L. JONES, AND WAYNE KELLEY, MEMBERS OF THE PEOPLE'S TEMPLE, HEREBY CERTIFY THAT I HAVE REVIEWED THE ALLEGED STATEMENTS OF THE INDIVIDUALS NAMED ABOVE, AND I HEREBY ADVISE YOU, THAT THE ALLEGED STATEMENTS OF THE INDIVIDUALS NAMED ABOVE ARE TRUE AND CORRECT.

THI I I V I N H A L L I E K N W A N I E I N A T E I A T H E I M E K ' A U I T I N , I N T H E N K T H W E T  
 \ A K T E K F E T I N I , T W N H I I N K T H , K A N E I A E A T , N I T W N H I I , I E K A L I N T Y ,  
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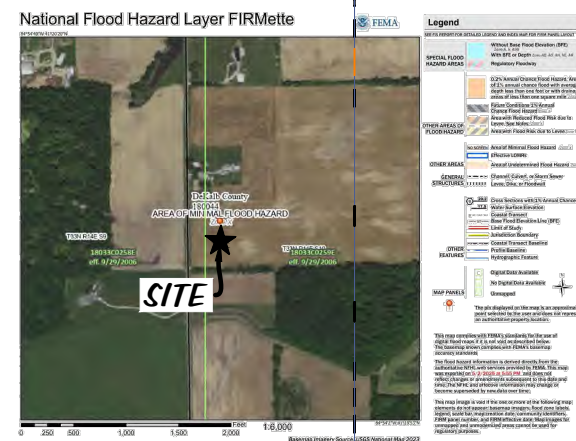
THE NIKING HEREIN THE VERBALLY FOR FRIELIANT IERALI NTY ALL THE TREET,  
L AL VERMENT E, EAEMENT, IARK ANI KE, INE TILITIE H W N N THE IIMINILAT.

PART OF THE NORTHWEST QUARTER OF SECTION TWENTY, HILL  
 NORTH, RANGE 14 EAST, CONCORD TOWNSHIP, DEKALB COUNTY, INDIANA,  
 AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY  
 ANGELA D. WALLACE LS #21000016 ON MAY 5TH, 2015, AS PROJECT  
 NUMBER 25-857, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT MAG NAIL AT THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 33 NORTH, RANGE 14 EAST; THENCE NORTH 00 DEGREE 29 MINUTES 05 SECONDS WEST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALD CO. BASIS OF BEARINGS), ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 500.00 FEET TO A MAG NAIL WITH WALLACE IDENTIFICATION WASHER AT THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00 DEGREE 29 MINUTES 05 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 458.00 FEET TO A MAG NAIL WITH WALLACE IDENTIFICATION WASHER; THENCE NORTH 88 DEGREES 44 MINUTES 31 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 800.81 FEET TO A 5/8"x14" REBAR WITH WALLACE IDENTIFICATION CAP; THENCE SOUTH 00 DEGREE 29 MINUTES 05 SECONDS EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 458.00 FEET TO A 5/8"x14" REBAR WITH WALLACE IDENTIFICATION CAP; THENCE SOUTH 88 DEGREES 44 MINUTES 31 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 800.81 FEET TO THE POINT OF BEGINNING, CONTAINING 852 ACRES OF LAND, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 59 AND ALL OTHER RIGHTS OF WAY AND EASEMENTS.

1 MEK' AITIN LIE WITHIN Z NE X  
1 A E I N THE NATI NAL FL I HAZAN  
MAI MAJORITY: LEKALI NITY, N MI EK.  
180044, PANEL: 0158E & 259E, EFFE TIVE  
DATE: SEPTEMBER 29, 2006, MAI N MI EK:  
180330158E & 180330159E

NE. CORNER NW 1/4,  
SECT. 10, T33N, R14E  
HARRISON FOUND  
(+0.0', CM)



HAIR A. JAKEH	NI LE M. JAKEH
TTTT. JAKEH	WAY K. KELLEY

TATE F INI IANA )  
NTY F I EKALI ) :

WITNE     K HANI ANI     EAL THI \_\_\_\_\_ IAY FINE, J.S.

HA   A   AKE	NI   LE   AKE
III L   AKE	IAY   KELLEY

1EF KE ME, THE NIK I NEI, A N TAKY I LU, IN ANI F K AI NTY ANI TATE, THI \_\_\_\_\_  
 IAY F LINE, J, IEK NALLY ALEAK HAI A NI LE M. IAKES, III L IAKES, ANI IAY K  
 KELLEY, A KN WLB IN THE EXE TIN F THE FK IN IN TRMENT A HI K HEK V L NTAKEY A T  
 ANI IEB, F K THE IN E THEEX EXE B.

WITNE MY HANI ANI N TAKIAL EAL THI \_\_\_\_\_ I AY F I NE, J.S.

N TAY I I LI EAL)

MY MMI I N EX I NE : \_\_\_\_\_

THE WNEK ) F THE LT ) WITHIN THI IIMIN A KEET NE NIZE THE EXI TIN A KI LT KAL LANI A E  
 NIN THI IIMIN A F THEK A KEET NT IETT THE NIN A KI LT KAL LANI E T  
 HAN E THEREIN A IENMITTEL Y LAW, IE, I 4-1-4.

FURTHER DEVELOPMENT: THE LIT. HALL IS IN LIB. IN ANY. IIMIN. AND IN FR. M. ANY FURTHER DEVELOPMENT FR. M. THE LAN. INV. LVB. H. WEVKE, THERE IS AN INTENTION THAT ANY TERM, NATION, K. E. THE TIT. N. AFT. THE LIT. WILL HAVE ANY K. E. A. TIVE. ALL. A. LITY. T. THE IIMIN. F. LAN.

THESE SHALL BE MILITARY WITH THE LAW AND RELATION OF ANY FEDERAL, STATE, LOCAL AGENCY.

N FF ITE I KAINA E, EXI TIN KFA E WATER K EXI TIN TILB WATER I KAINA E, K IN VER ALL KEAL E TATE  
HALL IE I TK TB IY ANY LEVEL IMENT N THE ITE. THE I LANE MMI I N MAY ENF K E THE E NIITI N IY  
IN IN TIAN BELIEF WITH ATT KNEY FEE .

ALLK VET IY THE IEKALI NTY I LAN MMI I N THI \_\_\_\_\_ IAY F I NE, 15.

ELY IA K I EK, HAIN EK N

HI T I HEH A MEH, Z NIN AI MINI THAT T

[illegible]

DATE: MAY 17TH, 1957

I, AN ELA I. WALLA E, AFFIRM NICH THE IENALTIE  
F KIEKLY, THAT I HAVE TAKEN REA NAILE ANE  
T NEI A TEA H IAL E KITY NMEK IN THI  
I MENT. NLE KE, KEI LY LAW.

A I T T ' TAMI

NE NEK' TAMI

