

DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

301 S. Union St., Auburn IN 46706

Planning: 260.925.1923 • Building: 260.925.3021 • GIS: 260.927.2356 • Fax: 260.927.4791

AGENDA

DeKalb County Plan Commission

Plat Committee

Commissioners Court – 2nd Floor DeKalb County Court House

Tuesday, October 12, 2021

8:30 AM

1. Roll call
2. Approval of Minutes: September 14, 2021

3. Old Business:

None

4. New Business:

Petition 21-25 – Sean & Camellia Kahkola requesting a Minor Subdivision – SeaCam Property to create 1 buildable lot. The property is located on the south side of County Road 54, approximately 615 feet west of the intersection of County Road 54 & County Road 7, Garrett and is zoned A1, Conservation Agricultural.

Petition 21-26 – LeAnn Fultz requesting a Minor Subdivision – The Passage to create 1 buildable lot. The property is located at the southwest corner of County Road County Road 54 & County Road 7, Garrett and is zoned A1, Conservation Agricultural.

Petition 21-27 – Daniel & Caroline Faylor requesting a RePlat of Sunset Acres, Section II, Lot 2. The property is located at 1688 County Road 66, Auburn and is zoned A2, Agricultural.

Petition 21-28 – Greg Schiek II, Bradley Schiek & Jeffrey Schiek requesting a Minor Subdivision – Greg's Place to create 1 buildable lot. The property is located on the south side of County Road 22, approximately one-quarter mile east of the intersection of County Road 47 & County Road 22, Waterloo and is zoned A2, Agricultural.

Petition 21-29 – William & Karen Schlemmer requesting a Minor Subdivision – Schlemmer Addition to create 1 buildable lot. The property is located on the south corner of County Road 11A & County Road 64, Garrett and is zoned A2, Agricultural.

Petition 21-30 – L.M. Beam & Ramona Lane requesting a RePlat of LB Acres, Lot 1. The property is located at 5417 County Road 51, St. Joe and is zoned A2, Agricultural.

5. Adjournment.

Next Meeting: November 2, 2021 *** 1ST Tuesday in November

PLEASE MARK YOUR CALENDARS FOR THE DATE CHANGES GOING FORWARD. COUNTY COUNCIL NOW MEETS 2ND TUESDAY OF EACH MONTH. PLAT COMMITTEE HAS BEEN MOVED TO THE 1ST TUESDAY OF EACH MONTH.

**If you cannot attend, please contact Isabella Mowan:
imowan@co.dekalb.in.us or 260-925-1923**

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

****No cellphones, tablets, laptops or weapons permitted.**

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, September 14, 2021

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 Sandra Harrison.

ROLL CALL:

Members Present: Sandra Harrison, Mike Watson, Elysia Rodgers, and Jason Carnahan

Members Absent: Bill Van Wye

Staff Present: Director/Zoning Administrator Chris Gaumer

Staff Absent: Isabella Mowan, Secretary

Public in Attendance: Angie Wallace and Marc Mohr

APPROVAL OF MINUTES: August 3, 2021

Motion made by Mike Watson, Seconded by Elysia Rodgers

OLD BUSINESS: None

NEW BUSINESS:

Petition #21-20 - Scott Wilson and Sandra Kay Wespon, Co-Trustees of the Revocable Trust Agreement dated April 29, 2002 of Robert L Mason and Maxine E Mason requesting a 1 Lot Minor Subdivision – Birch Woods to create 1 buildable lot. The property is located on the east side of County Road 35, between County Road 68 & County Road 64, Auburn and is zoned A2, Agricultural.

Mr. Gaumer read the Staff Report and inquired if there were any questions from the Members.

Ms. Rodgers inquired if there is a reason why it is a more square tract.

Ms. Angie Wallace approached the podium and stated her name and address. In response to Ms. Rodgers' inquiry, Ms. Wallace responded by stating that the Petitioner did not want to carry the whole width all the way back.

Mrs. Harrison inquired if there were any other questions.

There were none.

Mr. Marc Mohr then approached the podium and stated his name and address. Mr. Mohr state the announcement was vague and he did not know specifically where the 1 lot minor subdivision would be located. He wanted to know if the double lines denoted the frontage.

Mr. Gaumer stated that the double line denoted the dedicated right-of-way, which will be dedicated to the County.

Ms. Rodgers stated that the home sight is to be situated where it looks like the disturbed area about a third of the way back.

Mr. Mohr then questioned how big the lots were.

Mr. Gaumer stated that there would be only 1 lot.

Mr. Mohr stated that he thought it was a subdivision.

Mr. Gaumer stated that anything in the County that is split, even if it is a 1 lot split, is considered a subdivision.

Mr. Mohr inquired if it would be a single family home.

Mr. Gaumer replied in the affirmative.

Mr. Mohr further inquired if the distressed area Ms. Rodgers spoke of would be where the build was going to be.

Ms. Rodgers replied that is where the soil borings had been taken for a septic system.

Mrs. Harrison inquired if there were any more questions. There were none and the public hearing was closed.

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 **July 26, 2021**
2. Legal notice published in The Star on **September 31, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **July 30, 2021**
5. Letter from County Highway dated **August 2, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **August 2, 2021**
7. Letter from the Drainage Board, dated **August 9, 2021**
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 minor subdivision will be used for a residential use, which is compatible to 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 35 with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.

No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #21-20, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL/DENIAL ON THIS 14TH DAY OF SEPTEMBER, 2021.

Motion made by Mike Watson, Seconded by Elysia Rodgers

Vote tally: Yes: 4 No: 0

Sandra Harrison

Elysia Rodgers

Mike Watson

Jason Carnahan

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:49 a.m.

Plat Committee Member

Committee Member

DeKalb County Planning Department
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
Fax: 260-927-4791

FOR OFFICE USE ONLY:
File Number: 21-25
Date Application Filed: 9-2-21

pd. ck #1003

Application for SUBDIVISION

Minor Conventional ___ Conservation ___ Traditional ___
Strip ___ Commercial District ___ Industrial Park ___
(Section 9.22)

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

APPLICANT INFORMATION

Applicant's Name: Sean + Camellia Kahkola
Address: 8215 Westridge Road
Fort Wayne, IN 46825
Telephone Number: 260-750-9950 - ckahkola@bankersadvertising.com

OWNER INFORMATION (if different from applicant information)

*Owner's Name: _____
*Address: _____
*Telephone Number: _____

RESPESENTATIVE INFORMATION (if different from applicant information)

*Representative: JERRY TEDERS, TRI-COUNTY LAND SURVEYING P.C.
*Address: 114 N. COWEN STREET
GARRETT, IN. 46738
*Telephone Number: (260) 357-5454

Name of Proposed Subdivision: Sealan Property

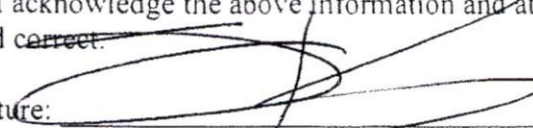
Number of Parcels & Total Area (square feet or acreage):
1 Parcel ; 10 acres

Address or common description of property:
County Rd 54 and County Rd 7 , Tract 4-West end

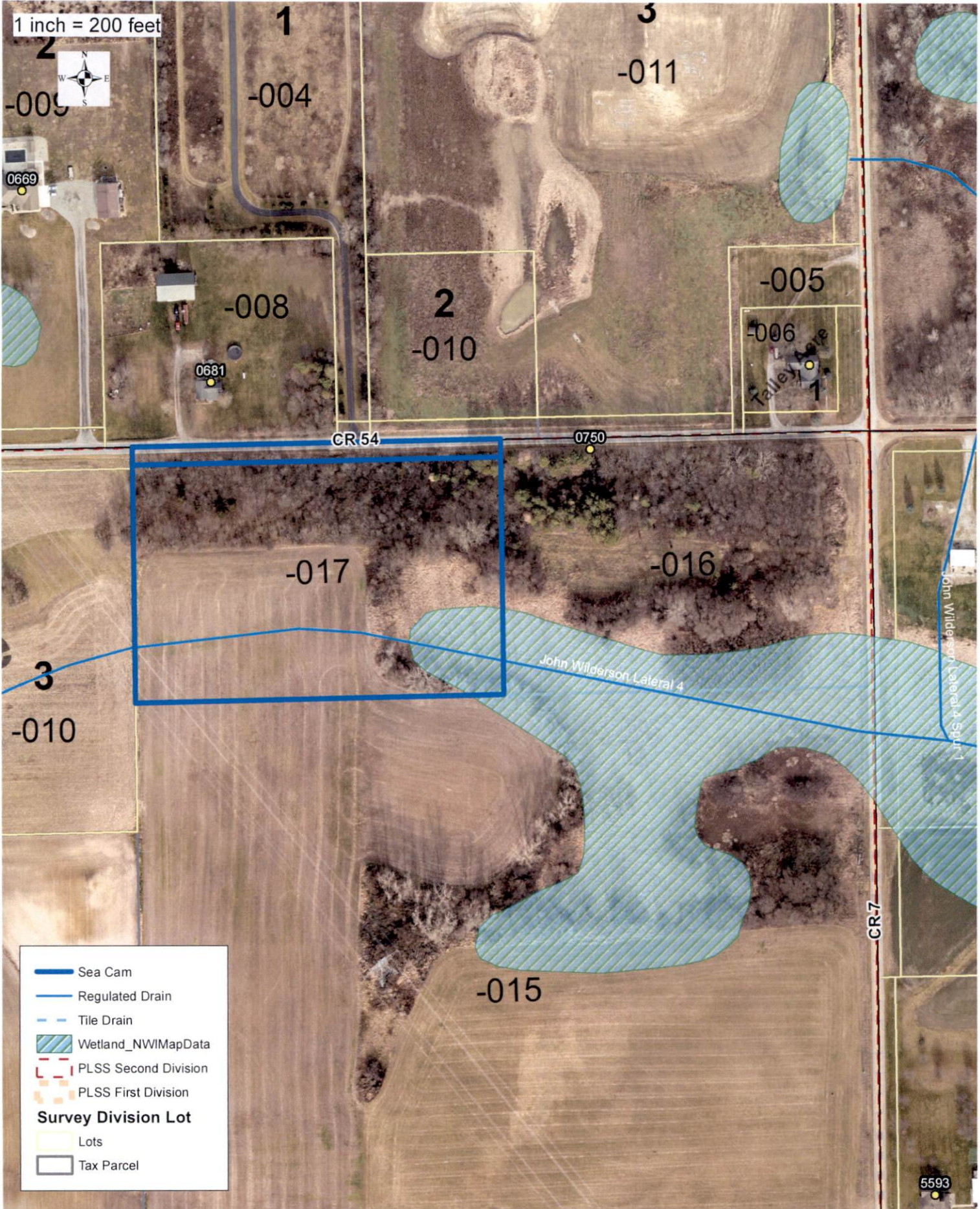
Legal description of property affected:
THE WEST 6 AC. OF THE NORTH 12 AC, OF THE EAST
1/2 OF THE SE 1/4 OF SECTION 8, T33N, R12E





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

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

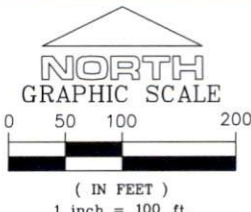
Applicant's Signature:  Camellia Kahkola
(If signed by representative for applicant, state capacity)

1 inch = 200 feet



-  Sea Cam
-  Regulated Drain
-  Tile Drain
-  Wetland_NWIMapData
-  PLSS Second Division
-  PLSS First Division
- Survey Division Lot**
-  Lots
-  Tax Parcel

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BENCHMARK:

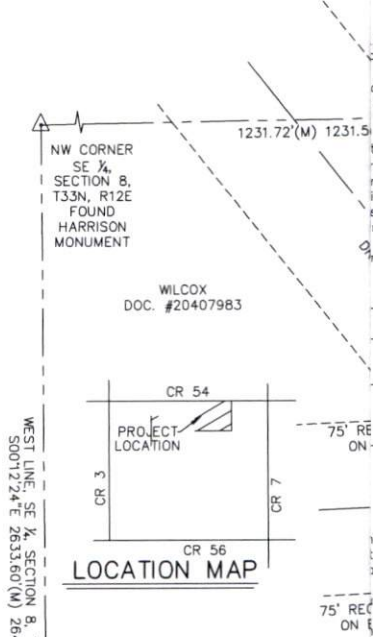
PROJECT BM = HARRISON MONUMENT
 MARKING THE NE CORNER OF THE SW ¼,
 SECTION 8, T33N, R12E.
 ELEV. = 877.28
 SITE BM = TOP OF AN 8" SPIKE IN THE
 N/SIDE POWER POLE #376
 ELEV. = 889.06

SURVEY
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 SURVEY
 A) VARI
 B) DISC
 C) INCO
 D) RAN

**M PROPERTY
 TION TO THE
 SECTION 8,
 KEYSER TWP,
 COUNTY, INDIANA**

THE RE OF SECTION 8, TOWNSHIP 33 NORTH, RANGE 12
 MEASUR, DEKALB COUNTY, INDIANA, THE BEARINGS
 BY THIS ONE MEASUREMENTS TAKEN BY G.P.S. DURING
 SURVEYND SURVEYING, JOB NUMBER 20-010, AND
 IAC 865

THIS IS, N B, TOWNSHIP 33 NORTH, RANGE 12 EAST;
 #20210, TIES 16 SECONDS WEST (ASSUMED BASIS OF
 TED TO LINE OF SAID SOUTHEAST QUARTER 2202.45
 MONUM H 89 DEGREES 01 MINUTES 48 SECONDS WEST,
 OF SEC H PLASTIC CAP STAMPED LS9700007 MARKING
 THE HA Scription; THENCE CONTINUING SOUTH 89
 DURING EAST 616.44 FEET TO A NO. 5 REBAR WITH
 RECORD IN THE WEST LINE OF THE EAST HALF OF SAID
 SURVEY DO DEGREES 21 MINUTES 49 SECONDS WEST,
 THE RE NORTH LINE, MARKING THE NORTHWEST
 SOUTHEAST QUARTER; THENCE NORTH 89
 ST, 615.86 FEET TO A MAG NAIL; THENCE
 SECONDS EAST 424.36 FEET TO THE POINT OF
 PLUS OR MINUS AND BEING SUBJECT TO ALL
 OF-WAY OF RECORD.



LOCATION MAP

ZONE: A1, CONSERVATION AGRICULTURE
 SETBACKS: FRONT 50',
 SIDE 30' FOR PRIMARY STRUCTURE, 15'
 ACCESSORY STRUCTURE
 REAR 30' FOR PRIMARY STRUCTURE, 15'
 ACCESSORY STRUCTURE

A & CAMELLIA A. KAHKOLA owners of said real
 do hereby lay off, plot and subdivide, said real
 plat
 designated as "SEA CAM PROPERTY", an
 All streets shown and not heretofore dedicated

lines are hereby established as shown on this
 ty lines of the streets, there shall be erected
 re. There are strips of ground (NA) feet in
 rked, reserved for the use of local utility
 ty lines subject at all times to the proper
 ein reserved. No permanent or other
 ntained upon said strips of land, but owners
 their titles subject to the rights of the public
 ners of other lots in this subdivision.

day of
 2021.

is subdivision agrees to recognize the existing
 this subdivision and further agrees to not
 al land use or changes therein as permitted by

division arising from any further development
 is no intention that any terms, conditions or
 ave any retroactive applicability to this division

laws and regulations of any Federal, State, or
 ce water or existing tiled water drainage,
 be obstructed by any development on this site.
 hese conditions by injunctive relief with

PTER 174- ACTS OF 1947, ENACTED BY THE
 F INDIANA AND ALL ACTS AMENDATORY
 D BY THE BOARD OF COUNTY COMMISSIONERS
 AT WAS GIVEN APPROVAL BY THE COUNTY OF

MISSION AT A MEETING HELD ON THE
 2021.

SW CORNER
 SE ¼,
 SECTION 8,
 T33N, R12E
 FOUND RR
 SPIKE

SURVEYOR:
GERALD E. TEDERS P.L.S.
 TRI-COUNTY LAND SURVEYING P.C.
 114 N. COWEN STREET
 GARRETT, INDIANA 46738

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BI
 SCHEDULE "B" OF A TITLE POLICY WHICH MAY REVEAL
 ESTATE WHICH IS NOT SHOWN ON THIS SURVEY.

FLOOD HAZARD STATEMENT:
 ALL OF THE ABOVE DESCRIBED LAND DOES LIE WITHIN
 FLOOD HAZARD AREA, AS SAID LANDS PLOT BY SCAL
 18033C0208E OF THE FLOOD INSURANCE RATE MAP F
 DATED 9-29-2006.

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:

PETITIONER: Sean & Camellia Kahkola

SUBJECT SITE: south side of County Road 54, approximately 615 feet west of the intersection of County Road 54 & County Road 7, Garrett

REQUEST: 1 Lot Minor Subdivision – SeaCam Property

EXISTING ZONING: A1, Conservation Agricultural

SURROUNDING LAND USES AND ZONING: North: Single Family Residential (A2)
 South: Farm Ground (A1)
 East: Farm Ground (A1)
 West Farm Ground (A1)

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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 07-09-08-400-004 are considered the parent parcels and this is the 1st buildable split from parent parcel -004.
- 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: 3.38 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 616.44 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 615.86 feet

- This division of land fronts the following roads:
 - County Road 54 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 **September 2, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 22, 2021**
5. Letter from County Highway dated **September 13, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 10, 2021**
7. Letter from the Drainage Board, dated **September 17, 2021**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Tri County Land Surveying**
10. The real estate to be developed is in Zoning District A1, 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 minor subdivision will be used for a residential use, which is compatible to 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 54 with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.

DeKalb County Planning Department
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
Fax: 260-927-4791

FOR OFFICE USE ONLY:
File Number: 21-26
Date Application Filed: 9-2-21

pd. money order
275136121

Application for SUBDIVISION
Minor Conventional ___ Conservation ___ Traditional ___
Strip ___ Commercial District ___ Industrial Park ___
(Section 9.22)

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

APPLICANT INFORMATION

Applicant's Name: HeAnn FULTZ
Address: PO Box 514 Garrett IN 46738
Telephone Number: 260-204-3864

OWNER INFORMATION (if different from applicant information)

*Owner's Name: _____
*Address: _____
*Telephone Number: _____

RESPESENTATIVE INFORMATION (if different from applicant information)

*Representative: JERRY TEDERS, TRI-COUNTY LAND SURVEYING P.C.
*Address: 114 N. COWEN STREET
GARRETT, IN. 46738
*Telephone Number: (260) 357-5454

Name of Proposed Subdivision: THE PASSAGE

Number of Parcels & Total Area (square feet or acreage):
1 parcel / 6 acres

Address or common description of property: Parcel
Tax# P+NE1/4SW1/4 Tax ID - 07-09-08-400-016
Parcel state ID: 17-09-08-400-016-000-011

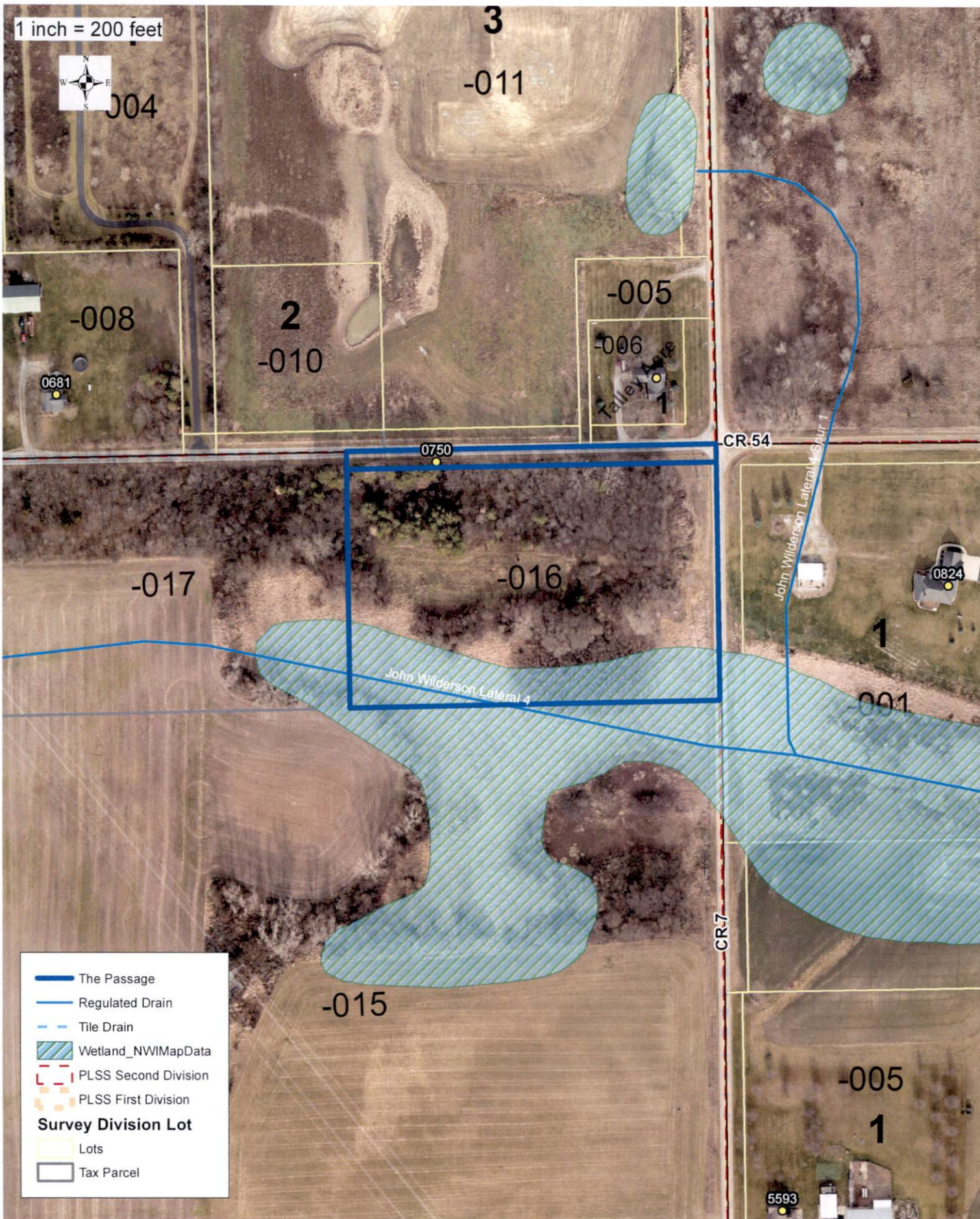
Legal description of property affected:
Parcel - Tract 3 -

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

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

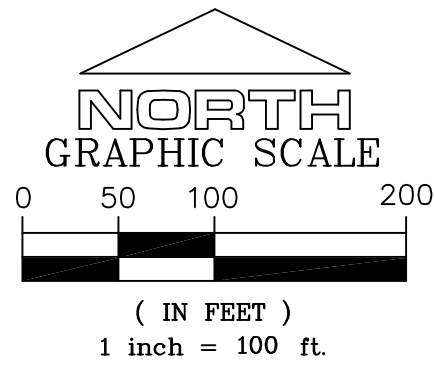
Applicant's Signature: x HeAnn Fultz x
(If signed by representative for applicant, state capacity)

1 inch = 200 feet



- The Passage
- Regulated Drain
- Tile Drain
- Wetland_NWIMapData
- PLSS Second Division
- PLSS First Division
- Survey Division Lot**
- Lots
- Tax Parcel

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BENCHMARK:

PROJECT BM = HARRISON MONUMENT MARKING THE NE CORNER OF THE SW ¼, SECTION 8, T33N, R12E. ELEV. = 877.28
 SITE BM = TOP OF AN PK NAIL IN THE N/SIDE POWER POLE #374 ELEV. = 877.13

LEGEND

- = SET IRC LS9700007 OR AS NOTED
- (M) = MEASURED DISTANCE
- (D) = DEED DISTANCE
- (R) = RECORD DISTANCE
- = SET RR SPIKE OR MAG NAIL
- = TELEPHONE/CABLE TV BOX
- IRC = 24" LONG #5 REBAR CAPPED
- ⊕ = TEST HOLE
- ⊙ = BENCHMARK
- = UNDERGROUND CABLE MARKER
- ⊖ = DRAIN INLET

SURVEYOR'S REPORT

1) IN ACCORDANCE WITH TITLE 865, ARTICLE 1.1, CHAPTER 1 THROUGH 34 OF INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OBSERVATIONS AND OPINIONS ARE SUBMITTED REGARDING THE VARIOUS UNCERTAINTIES IN THE LOCATIONS OF THE LINES AND CORNERS ESTABLISHED ON THIS SURVEY AS A RESULT OF:
 A) VARIANCES IN THE REFERENCE MONUMENTS;
 B) DISCREPANCIES IN THE RECORD DESCRIPTIONS AND PLATS;
 C) INCONSISTENCIES IN LINES OF OCCUPATION;
 D) RANDOM ERRORS IN MEASUREMENT (RELATIVE POSITIONAL ACCURACY);

THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM ERRORS IN MEASUREMENT) OF THE CORNERS OF THE SUBJECT TRACT ESTABLISHED BY THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SUBURBAN SURVEY, 0.13' PLUS 100 PARTS PER MILLION (0.34) FEET AS DEFINED IN IAC 865.

THIS IS A RETRACEMENT SURVEY OF A PARCEL DESCRIBED IN DOCUMENT #202104842, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, BEING PLAT TED TO MAKE A SINGLE BUILDING PARCEL.

MONUMENTATION: THE MONUMENTATION FOR THE SOUTHWEST QUARTER OF SECTION 8, T33N, R12E IS AS SHOWN ON THE ATTACHED SURVEY, THE HARRISON MONUMENTS ARE PERPETUATION'S OF STONES SET DURING A LEGAL SURVEY OF THIS SECTION DATED MARCH 29, 1875 AND RECORDED SURVEY BOOK "D", PAGE 52, IN THE DEKALB COUNTY SURVEYORS OFFICE.

THE REGULATED DRAIN CROSSING THIS PARCEL WAS FIELD LOCATED.

ZONE: A1, CONSERVATION AGRICULTURAL
 SETBACKS: FRONT 50',
 SIDE 30' FOR PRIMARY STRUCTURE, 10' FOR ACCESSORY STRUCTURE
 REAR 30' FOR PRIMARY STRUCTURE, 10' FOR ACCESSORY STRUCTURE

Airport Compatibility Zone: Revise with: 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.

State of Indiana
 County of DeKalb

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

Witness my hand and notarial seal this _____ day of _____, 2021.

Notary Public
 My Commission Expires _____

Printed Name _____

 LEANN R. FULTZ

**THE PASSAGE
 AN ADDITION TO THE
 SE ¼, SECTION 8,
 T33N, R12E, KEYSER TWP,
 DEKALB COUNTY, INDIANA**

LAND DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 33 NORTH, RANGE 12 EAST, LOCATED IN KEYSER TOWNSHIP, DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES ARE NON STATE PLANE MEASUREMENTS TAKEN BY G.P.S. DURING THE COMPLETION OF TRI-COUNTY LAND SURVEYING, JOB NUMBER 20-010, AND BEING DESCRIBED AS FOLLOWS:
 COMMENCING AT THE HARRISON MONUMENT MARKING THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 33 NORTH, RANGE 12 EAST; THENCE NORTH 00 DEGREES 31 MINUTES 16 SECONDS WEST (ASSUMED BASIS OF BEARING) ON AND ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 2202.45 FEET TO A MAG NAIL MARKING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 89 DEGREES 01 MINUTES 48 SECONDS WEST, 616.45 FEET TO A NO. 5 REBAR WITH PLASTIC CAP STAMPED LS9700007; THENCE NORTH 00 DEGREES 26 MINUTES 33 SECONDS WEST, 424.36 FEET TO A MAG NAIL ON THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 01 MINUTE 48 MINUTES EAST, 615.86 FEET TO A HARRISON MARKER MARKING THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 31 MINUTES 16 SECONDS EAST 424.36 FEET TO THE POINT OF BEGINNING, CONTAINING 6.00 ACRES PLUS OR MINUS AND BEING SUBJECT TO ALL APPLICABLE EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

DEED OF DEDICATION

I the undersigned LEANN R. FULTZ owner of said real estate shown and described herein, do hereby lay off, plat and subdivide, said real estate in accordance with the within plat.
 This subdivision shall be known and designated as "THE PASSAGE", an addition to DeKalb County, Indiana. All streets shown and not heretofore dedicated are hereby dedicated to the public.
 Front and side 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 no building or structure. There are strips of ground (NA) feet in width as shown on this plat and marked, reserved for the use of local utility companies for the installation of utility lines subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures now to be erected or maintained upon said strips of land, but owners of lots in this subdivision, shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

Witness our Hands and Seals this _____ day of _____, 2021.

LEANN R. FULTZ

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 off site 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.

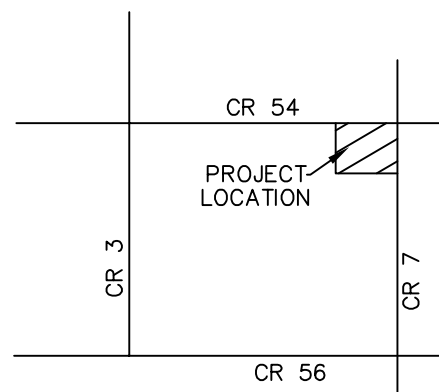
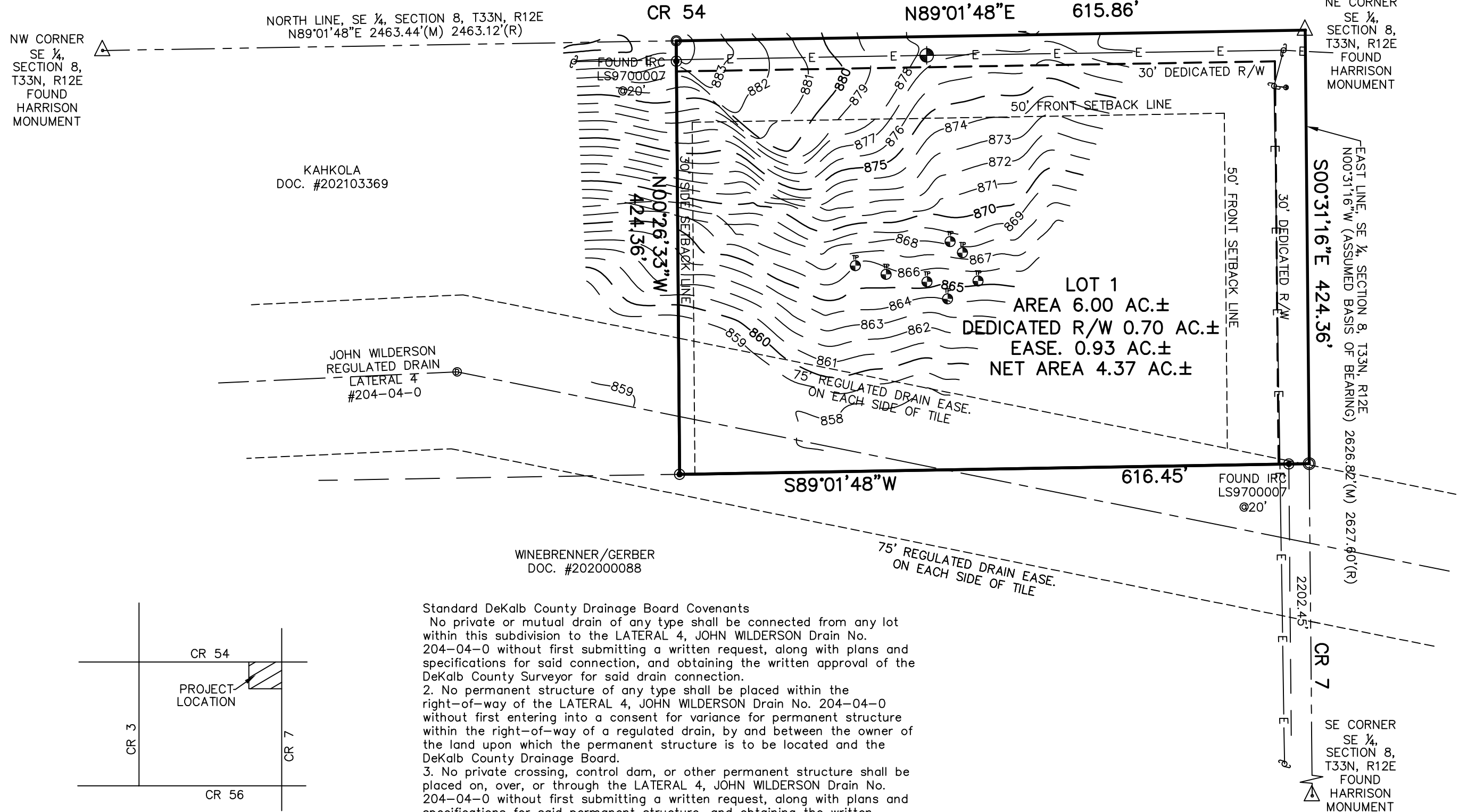
PLAN COMMISSION CERTIFICATE

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 _____, 2021.

CHAIRMAN _____

ZONING ADMINISTRATOR _____



LOCATION MAP

Standard DeKalb County Drainage Board Covenants
 No private or mutual drain of any type shall be connected from any lot within this subdivision to the LATERAL 4, JOHN WILDERSON Drain No. 204-04-0 without first submitting a written request, along with plans and specifications for said connection, and obtaining the written approval of the DeKalb County Surveyor for said drain connection.
 2. No permanent structure of any type shall be placed within the right-of-way of the LATERAL 4, JOHN WILDERSON Drain No. 204-04-0 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.
 3. No private crossing, contral dam, or other permanent structure shall be placed on, over, or through the LATERAL 4, JOHN WILDERSON Drain No. 204-04-0 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.

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. GERALD E. TEDERS

I, GERALD E. TEDERS, A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF AND IN MY PROFESSIONAL OPINION, THIS PLAT AND DESCRIPTION REPRESENTS A TRUE AND ACCURATE SURVEY AS MADE BY ME AND/OR OTHERS UNDER MY DIRECTION, AND WAS COMPLETED IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTIONS 1 THRU 29 OF THE INDIANA ADMINISTRATIVE CODE, ON 8-19-2020. ALL MONUMENTATION IS AS SHOWN ON THE PLAT OF SURVEY AND/OR AS CALLED FOR IN THE DESCRIPTION.

GERALD E. TEDERS, P.L.S. _____ DATE
 STATE OF INDIANA
 PROFESSIONAL LAND SURVEYOR NO. 9700007

SURVEYOR:
 GERALD E. TEDERS P.L.S.

TRI-COUNTY LAND SURVEYING P.C.
 114 N. COWEN STREET
 GARRETT, INDIANA 46738

DEVELOPER & OWNER:
 LEANN R. FULTZ

P.O. BOX 514
 GARRETT INDIANA 46738

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A SCHEDULE "A" OR SCHEDULE "B" OF A TITLE POLICY WHICH MAY REVEAL INFORMATION ABOUT THIS REAL ESTATE WHICH IS NOT SHOWN ON THIS SURVEY.

FLOOD HAZARD STATEMENT:

ALL OF THE ABOVE DESCRIBED LAND DOES LIE WITHIN FLOOD HAZARD ZONE "X", NOT A FLOOD HAZARD AREA, AS SAID LANDS PLOT BY SCALE ON COMMUNITY PANEL NO. 18033C0208E OF THE FLOOD INSURANCE RATE MAP FOR DEKALB COUNTY, INDIANA, DATED 9-29-2006.

NO.	DATE	DESCRIPTION	BY
1	9-2-21	REVISE PER D.C.P.C,	GET

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:

PETITIONER: LeAnn Fultz

SUBJECT SITE: southwest corner of County Road County Road 54 & County Road 7, Garrett

REQUEST: 1 Lot Minor Subdivision – The Passage

EXISTING ZONING: A1, Conservation Agricultural

SURROUNDING LAND North: Single Family Residential (A2)

USES AND ZONING: South: Farm Ground (A1)
 East: Farm Ground (A1)
 West Farm Ground (A1)

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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 07-09-08-400-004 are considered the parent parcels and this is the 2nd buildable split from parent parcel -004.
- 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: 4.37 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 616.45 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 615.86 feet

- This division of land fronts the following roads:
 - County Road 54 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 **September 2, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 22, 2021**
5. Letter from County Highway dated **September 13, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 10, 2021**
7. Letter from the Drainage Board, dated **September 17, 2021**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Tri County Land Surveying**
10. The real estate to be developed is in Zoning District A1, 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 minor subdivision will be used for a residential use, which is compatible to 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 54 with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.

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: 21-27
Date Application Filed: 9/13/21
Fee Paid: 9-13-21
CK# 1732

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: Daniel E. and Caroline E. Faylor
Address: 1688 County Road 66
Auburn IN 46706
Telephone Number: 260-45-5970 E-Mail: danfaylor@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: _____
Address: _____
Telephone Number: _____ E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: JERRY TEDERS, TRI-COUNTY LAND SURVEYING, P.C.
Address: 14 N. COWEN STREET
GARDEN, IN 46738
Telephone Number: (260) 352-5454 E-Mail: _____

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

2.37 AC

Name of Subdivision and Address or common description of property:

Sunset Acres Section II

Legal description of property affected:

PART OF SW 1/4, SEC. 26, T33N, R12E

Reason for the Proposed Replat:

Add additional property needed for setback

The Replat should include (check all that apply):

- All of the Platted Area All recorded restrictive covenants
 Part of the Platted Area as shown in the attached documents 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: Daniel Faylor Caroline E Faylor
(If signed by representative for applicant, state capacity)

1 inch = 100 feet



-  Sunset Acres Secll, Lot2 - RePlat
-  Small Stream/Creek
-  PLSS Second Division
-  PLSS First Division
- Survey Division Lot**
-  Lots
-  Tax Parcel

CoCiGIS and/or its partnering agencies do not warrant or make any representations as to the quality, content, accuracy, or completeness of the information, text, graphics, links and other items contained on this document. The information and materials contained on this document have been compiled from a variety of sources and, as such, are subject to change without notice. In no event will CoCiGIS and/or its partnering agencies, or their officers, agents or employees, be liable for any damages, whether direct, indirect, general, consequential, incidental, exemplary or special arising from the use of information provided on this document. For more information, visit the CoCiGIS website at <http://www.ci.auburn.in.us/cocigis>.

SURVEYOR'S REPORT

1) IN ACCORDANCE WITH TITLE 865, ARTICLE 1.1, SECTION 34 OF INDIANA ADMINISTRATIVE CODE, THE FOLLOWING OPINIONS ARE SUBMITTED REGARDING THE VARIANCES IN THE LOCATIONS OF THE LINES AND CORNERS OF THIS SURVEY AS A RESULT OF:
 A) VARIANCES IN THE REFERENCE MONUMENTS;
 B) DISCREPANCIES IN THE RECORD DESCRIPTIONS;
 C) INCONSISTENCIES IN LINES OF OCCUPATION;
 D) RANDOM ERRORS IN MEASUREMENT (RELATIVE

THE RELATIVE POSITIONAL ACCURACY (DUE TO RANDOM MEASUREMENT) OF THE CORNERS OF THE SUBJECT PARCEL BY THIS SURVEY IS WITHIN THE SPECIFICATIONS FOR A SURVEY OF 0.13' PLUS 100 PARTS PER MILLION (0.25 INCHES PER 100 FEET) AS PER IAC 865.

THIS IS A REPLAT OF LOT 2, IN SUNSET ACRES, AS PER PLAT THEREOF RECORDED AS DOCUMENT #20803827, AND A TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #202103683, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:

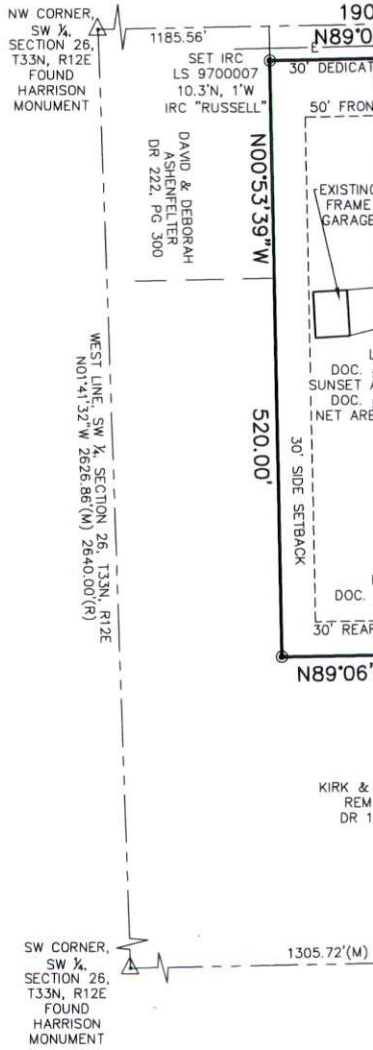
MONUMENTATION: THE MONUMENTATION FOR THE NORTHWEST CORNER OF SECTION 26, T33N, R12E IS AS SHOWN ON THE HARRISON MONUMENTS ARE PERPETUATION'S DURING A LEGAL SURVEY OF THIS SECTION DATED AND RECORDED SURVEY BOOK "A", PAGE 27, IN SURVEYOR'S OFFICE.

NO REGULATED DRAINS CROSS THIS PARCEL PER DEKALB COUNTY DRAIN MAPS AND THE DEKALB COUNTY DRAIN MAPS.

**OF LOT 2,
 RES, SECTION II
 ION TO THE
 ECTION 26,
 BUTLER TWP,
 UNTY, INDIANA**

SECTION 26, TOWNSHIP 33 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:

AS PER PLAT THEREOF RECORDED AS DOCUMENT #20803827, AND A TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #202103683, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 SECTION 26, TOWNSHIP 33 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 26 MINUTES 01 SECONDS EAST (ASSUMED TO BE THE NORTH LINE OF SAID SOUTHWEST QUARTER SECTION 26, TOWNSHIP 33 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 SO MARKING THE POINT OF BEGINNING OF A TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #20803827, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 2, 550.03 FEET TO A NO. 5 REBAR WITH A TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #20803827, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 MARKING THE SOUTHEAST CORNER OF SAID LOT 2, IN SUNSET ACRES, AS PER PLAT THEREOF RECORDED AS DOCUMENT #20803827, AND A TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #202103683, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 21 SECONDS EAST, 5.00 FEET TO A MAG NAIL ON SAID NORTH LINE, THENCE NORTH 01 DEGREE 21 SECONDS WEST 5.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #20803827, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 6 ACRES PLUS OR MINUS, COMBINED WITH SAID TRACT OF REAL ESTATE DESCRIBED IN DOCUMENT #20803827, PUBLIC RECORDS OF DEKALB COUNTY, INDIANA, THE BEARINGS AND DISTANCES OF WHICH ARE AS FOLLOWS:
 AND BEING SUBJECT TO ALL APPLICABLE RECORDS.



LINE E. FAYLOR owners of said real estate hereby lay off, plat and subdivide, said real estate designated as "REPLAT OF LOT 2, SUNSET ACRES, DEKALB COUNTY, INDIANA. All streets shown and dedicated to the public. The lines are hereby established as shown on this plat. There are strips of ground (NA) feet in width, reserved for the use of local utility lines subject at all times to the proper maintenance and repair thereof. No permanent or other structures shall be erected on said strips of land, but owners' titles subject to the rights of the public and other lots in this subdivision.

day of _____ 2021.
 DOC. # _____
 SUNSET ACRES
 DOC. # _____
 INET AREA

subdivision agrees to recognize the existing subdivision and further agrees to not change the land use or changes therein as permitted by the zoning ordinance of the County of DeKalb, Indiana. This subdivision arising from any further development shall be subject to the zoning ordinance of the County of DeKalb, Indiana. There is no intention that any terms, conditions or provisions of this subdivision shall have any retroactive applicability to this subdivision.

laws and regulations of any Federal, State, or County of DeKalb, Indiana, and any water or existing tiled water drainage, shall not be obstructed by any development on this site. The subdivision is subject to all applicable laws and regulations of any Federal, State, or County of DeKalb, Indiana.

KIRK & R
 REMAINDER 174- ACTS OF 1947, ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA AND ALL ACTS AMENDATORY THEREOF, AS AMENDED, AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF DEKALB COUNTY, INDIANA, AT A MEETING HELD ON THE _____ DAY OF _____, 2021.

SURVEYOR:
GERALD E. TEDERS P.L.S.
 TRI-COUNTY LAND SURVEYING P.C.
 114 N. COWEN STREET
 GARRETT, INDIANA 46738

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE POLICY WHICH MAY REVEAL DISCREPANCIES IN THE RECORD DESCRIPTIONS OF THE ESTATE WHICH IS NOT SHOWN ON THIS SURVEY.

FLOOD HAZARD STATEMENT:
 ALL OF THE ABOVE DESCRIBED LAND DOES LIE WITHIN A FLOOD HAZARD AREA, AS SAID LANDS PLOT BY SCALE 1:25000 OF THE FLOOD INSURANCE RATE MAP FC 18033C0240E OF THE FLOOD INSURANCE RATE MAP FC 18033C0240E OF THE FLOOD INSURANCE RATE MAP FC 18033C0240E DATED 9-29-2006.

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:

PROPERTY OWNER: Daniel & Caroline Faylor

SUBJECT SITE: 1688 County Road 66, Auburn

REQUEST: RePlat of Sunset Acres, Section II, Lot 2

PURPOSE: RePlat

EXISTING ZONING: A2, Agricultural

SURROUNDING LAND USES AND ZONING: North: Single Family Residential/Farm Ground (A2)
 South: Farm Ground (A2)
 East: 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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- The RePlat of Sunset Acres, Section II, Lot 2 will combine Lot 2 with an approximately 5' x 550' strip of land to the east that is needed an addition to meet the setback requirements.
- 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 easements)*
 - Proposed Lot 2 Area: 2.37 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 2 Width: 200.81 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 2 Frontage: 190.32 feet
- This division of land fronts the following roads:
 - County Road 66 is considered County Local road with a projected total right-of-way width of 60 feet.

- The right-of-way has been dedicated per the original Sunset Acres, Section II. Additional right of way has been dedicated on the additional land being added to Lot 2.

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 **September 13, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 22, 2021**
5. Letter from County Highway dated **September 13, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 13, 2021**
7. Letter from the Drainage Board, dated **September 24, 2021**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Tri County 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 minor subdivision will be used for a residential use, which is compatible to 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 66 with dedication of right of way where required.*
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. Existing Private Septic System is being utilized. Health Department does recommend that a soil evaluation be performed to ensure adequate area and soil conditions are available on the property for the installation of a replacement residential onsite sewage system if and when determined necessary.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

There is no staff recommendation for this Minor Subdivision. However, the Plan Commission will consider 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.

DeKalb County Planning Department
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
Fax: 260-927-4791

FOR OFFICE USE ONLY:
File Number: 21-28
Date Application Filed: 9/14/2021

PO. CK 1337 9/14/21

Application for SUBDIVISION
Minor Conventional ___ Conservation ___ Traditional ___
Strip ___ Commercial District ___ Industrial Park ___
(Section 9.22)

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

APPLICANT INFORMATION

Applicant's Name: Gregory W. Schwilke
Address: 4954 CR22 Waterloo IN 46793
Telephone Number: 260-908-6211

OWNER INFORMATION (if different from applicant information)

*Owner's Name: Greg Schwilke / Brad Schick
*Address: 4954 CR22 Waterloo IN 46793
*Telephone Number: 260-908-6211

RESPESENTATIVE INFORMATION (if different from applicant information)

*Representative: JERRY TROVIER, TRI-COUNTY LAND SURVEYING, P.C.
*Address: 114 N. GARDEN ST. GARRETT, IN 46738
*Telephone Number: (260) 357-5450

Name of Proposed Subdivision: ~~Sub~~ GREG'S PLACE

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

Address or common description of property:
ON 22 West of 4954 CR22 Waterloo, Hay Field Beside Property

Legal description of property affected:
PART OF SW 1/4, SECTION 31, T35N, R14E

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

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

Applicant's Signature: Greg Schwilke / Brad Schick / Schick
(If signed by representative for applicant, state capacity)

1 inch = 150 feet



George Matson Lateral 12

4911

CR-22

4954

- Greg's Place
- Regulated Drain
- - - Tile Drain
- Tax Parcel

CoCiGIS and/or its partnering agencies do not warrant or make any representations as to the quality, content, accuracy, or completeness of the information, text, graphics, links and other items contained on this document. The information and materials contained on this document have been compiled from a variety of sources and, as such, are subject to change without notice. In no event will CoCiGIS and/or its partnering agencies, or their officers, agents or employees, be liable for any damages, whether direct, indirect, general, consequential, incidental, exemplary or special arising from the use of information provided on this document. For more information, visit the CoCiGIS website at <http://www.ci.auburn.in.us/cocigis>.

S PLACE
 ION TO THE
 ECTION 31,
 FRANKLIN TWP,
 JNTY, INDIANA

NW CORNER
 SW ¼
 SECTION 31,
 T35N, R14E
 FOUND
 HARRISON
 MONUMENT

SCHIEK
 REMAINDER OF
 DOC. # 202100223

DESCRIPTION HAVE BEEN GENERATED USING
 S COLLECTED DURING THE SURVEYING OF
 ER 21-041.

CTION 31, TOWNSHIP 35 NORTH, RANGE 14
 DEKALB COUNTY, INDIANA, AND BEING

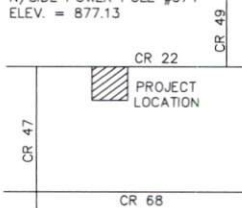
NT MARKING THE NORTHEAST CORNER OF
 T, TOWNSHIP 35 NORTH, RANGE 14 EAST;
 51 SECONDS WEST (ASSUMED BASIS OF
 NE OF SAID SOUTHWEST QUARTER 652.43
 IT OF BEGINNING OF THIS DESCRIPTION;
 35 MINUTES 51 SECONDS WEST, 322.00
 1 DEGREE 24 MINUTES 09 SECONDS EAST,
 LASTIC CAP STAMPED LS9700007; THENCE
 ONDS EAST, PARALLEL WITH SAID NORTH
 1TH PLASTIC CAP STAMPED LS9700007P;
 09 SECONDS WEST 405.83 FEET TO THE
 ACRES PLUS OR MINUS AND BEING SUBJECT
 HTS-OF-WAY OF RECORD.

, BRADLEY W. SCHIEK, & JEFFERY B.
 m and described herein, do hereby lay off,
 accordance with the within plot.
 igned as "GREG'S PLACE", an addition to
 own and not heretofore dedicated are hereby

es are hereby established as shown on this
 lines of the streets, there shall be erected
 There are strips of ground (NA) feet in
 d, reserved for the use of local utility
 lines subject at all times to the proper
 reserved. No permanent or other
 ined upon said strips of land, but owners
 ir titles subject to the rights of the public
 s of other lots in this subdivision.

BENCHMARK:

PROJECT BM = HARRISON MONUMENT
 MARKING THE NE CORNER OF THE SW ¼,
 SECTION 31, T35N, R14E.
 ELEV. = 896.61
 SITE BM = TOP OF AN PK NAIL IN THE
 N/SIDE POWER POLE #374
 ELEV. = 877.13



LOCATION MAP

___ day of
 ___ 2021.

subdivision agrees to recognize the existing
 subdivision and further agrees to not
 ind use or changes therein as permitted by

vision arising from any further development
 no intention that any terms, conditions or
 any retroactive applicability to this division

rs and regulations of any Federal, State, or

water or existing tiled water drainage,
 obstructed by any development on this site.
 e conditions by injunctive relief with

ER 174- ACTS OF 1947, ENACTED BY THE
 INDIANA AND ALL ACTS AMENDATORY
 BY THE BOARD OF COUNTY COMMISSIONERS
 T WAS GIVEN APPROVAL BY THE COUNTY OF

SSION AT A MEETING HELD ON THE
 ____, 2021.

DEVELOPER & OWNER:
 GREGORY W. SCHIEK, BRAD

4954 CR 22
 WATERLOO, INDIANA 46793

SURVEYOR:
 GERALD E. TEDERS P.L.S.

TRI-COUNTY LAND SURVEYING P.C.
 114 N. COWEN STREET
 GARRETT, INDIANA 46738

NOTE: THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF
 SCHEDULE "B" OF A TITLE POLICY WHICH MAY REVEAL
 ESTATE WHICH IS NOT SHOWN ON THIS SURVEY.

FLOOD HAZARD STATEMENT:
 ALL OF THE ABOVE DESCRIBED LAND DOES LIE WITHIN
 FLOOD HAZARD AREA, AS SAID LANDS PLOT BY SCALE
 18033C0155E OF THE FLOOD INSURANCE RATE MAP FC
 DATED 9-29-2006.

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:

- PETITIONER:** Greg Schiek II, Bradley Schiek & Jeffrey Schiek
- SUBJECT SITE:** south side of County Road 22, approximately one-quarter mile east of the intersection of County Road 47 & County Road 22, Waterloo
- REQUEST:** 1 Lot Minor Subdivision – Greg’s Place
- EXISTING ZONING:** A2, Agricultural
- SURROUNDING LAND USES AND ZONING:** North: Single Family Residential/Farm Ground (A2)
South: Farm Ground (A2)
East: Single Family Residential/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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 04-03-31-300-003 are considered the parent parcels and this is the 1st buildable split from parent parcel -003.
- 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: 2.88 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 322 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 322 feet

- This division of land fronts the following roads:
 - County Road 22 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 **September 14, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 22, 2021**
5. Letter from County Highway dated **September 15, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 15, 2021**
7. Letter from the Drainage Board, dated **September 24, 2021**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Tri County 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 minor subdivision will be used for a residential use, which is compatible to 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 22 with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.

DeKalb County Planning Department
301 S. Union St.
Auburn, IN 46706
Ph: 260-925-1923
Fax: 260-927-4791

FOR OFFICE USE ONLY:
File Number: 21-29
Date Application Filed: 9/14/21

pd. ck #4793 9/14/21

Application for SUBDIVISION
Minor Conventional ___ Conservation ___ Traditional ___
Strip ___ Commercial District ___ Industrial Park ___
(Section 9.22)

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

APPLICANT INFORMATION

Applicant's Name: WILLIAM H SCHLEMMER
Address: 6629 COUNTY ROAD 11A
GARRETT, IN 46738
Telephone Number: 260-341-6878

OWNER INFORMATION (if different from applicant information)

*Owner's Name: _____
*Address: _____
*Telephone Number: _____

RESPRESENTATIVE INFORMATION (if different from applicant information)

*Representative: JERRY TEDERS, TRI-COUNTY LAND SURVEYING
*Address: 114 N. COWDEN ST.
GARRETT, IN. 46738
*Telephone Number: (260) 357-5454

Name of Proposed Subdivision: _____

Number of Parcels & Total Area (square feet or acreage):
~ 8 acres

Address or common description of property:
North Point of current property

Legal description of property affected:
PART OF WEST 1/2, NE 1/4, SECTION 27, T33N, R12E

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: [Signature]
(If signed by representative for applicant, state capacity)

1 inch = 200 feet



1485

CR.64

CR.9A

CR.11A

New Era Station

George Reeve

- Schlemmer Addition
- Regulated Drain
- Tile Drain

Survey Division Lot

- Lots
- Tax Parcel

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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:

PETITIONER: William & Karen Schlemmer

SUBJECT SITE: south corner of County Road 11A & County Road 64, Garrett

REQUEST: 1 Lot Minor Subdivision – Schlemmer Addition

EXISTING ZONING: A2, Agricultural

SURROUNDING LAND USES AND ZONING: North: Single Family Residential/Farm Ground (A2)
 South: Single Family Residential/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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- Parcel 01-09-27-200-008 & -007 are considered the parent parcels and this is the 1st buildable split from parent parcel -003.
- 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: 5.62 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 1290.85 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 1224.95 feet

- This division of land fronts the following roads:
 - County Road 11A is considered County Minor Arterial road with a projected total right-of-way width of 100 feet.
 - Proposed right-of-way dedication: 50 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 **September 14, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 23, 2021**
5. Letter from County Highway dated **September 15, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 15, 2021**
7. Letter from the Drainage Board, dated **September 24, 2021**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Tri County 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 minor subdivision will be used for a residential use, which is compatible to 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 11A with dedication of right of way. Applicant or buyer will need to apply for and receive a Driveway Permit from the Highway Department.*
 - c. The extension of water, sewer & other municipal services, if applicable or required. *None Required. Private Septic System will be utilized. Applicant or buyer will need to apply for and receive a permit for a Residential Onsite Sewage System from the Health Department.*
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.

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: 21-30
Date Application Filed: 9/16/21
Fee Paid: 150

**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: Angela Wallace
Address: PO Box 12
Leo, IN 46765
Telephone Number: 260-417-3643 E-Mail: compasslandsurveying@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: L. M. BEAM RAMONA E. LANE
Address: 5471 COUNTY ROAD 51 5417 COUNTY ROAD 51
SAINT JOE, INDIANA 46785 SAINT JOE, INDIANA 46785
Telephone Number: 260-633-1153 E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
Telephone Number: _____ E-Mail: _____

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

2 Parcels & 8.49 Acres

Name of Subdivision and Address or common description of property:

LB Acres - vacant and 5417 COUNTY ROAD 51 SAINT JOE, IN 46785

Legal description of property affected:

Lot 1 in the Plat of LB Acres and 5 acres south of plat

Reason for the Proposed Replat:

Combine Lot 1 in LB Acres with the south adjoining parcel owned by daughter in law to transfer to grandson for a building site with family barns.

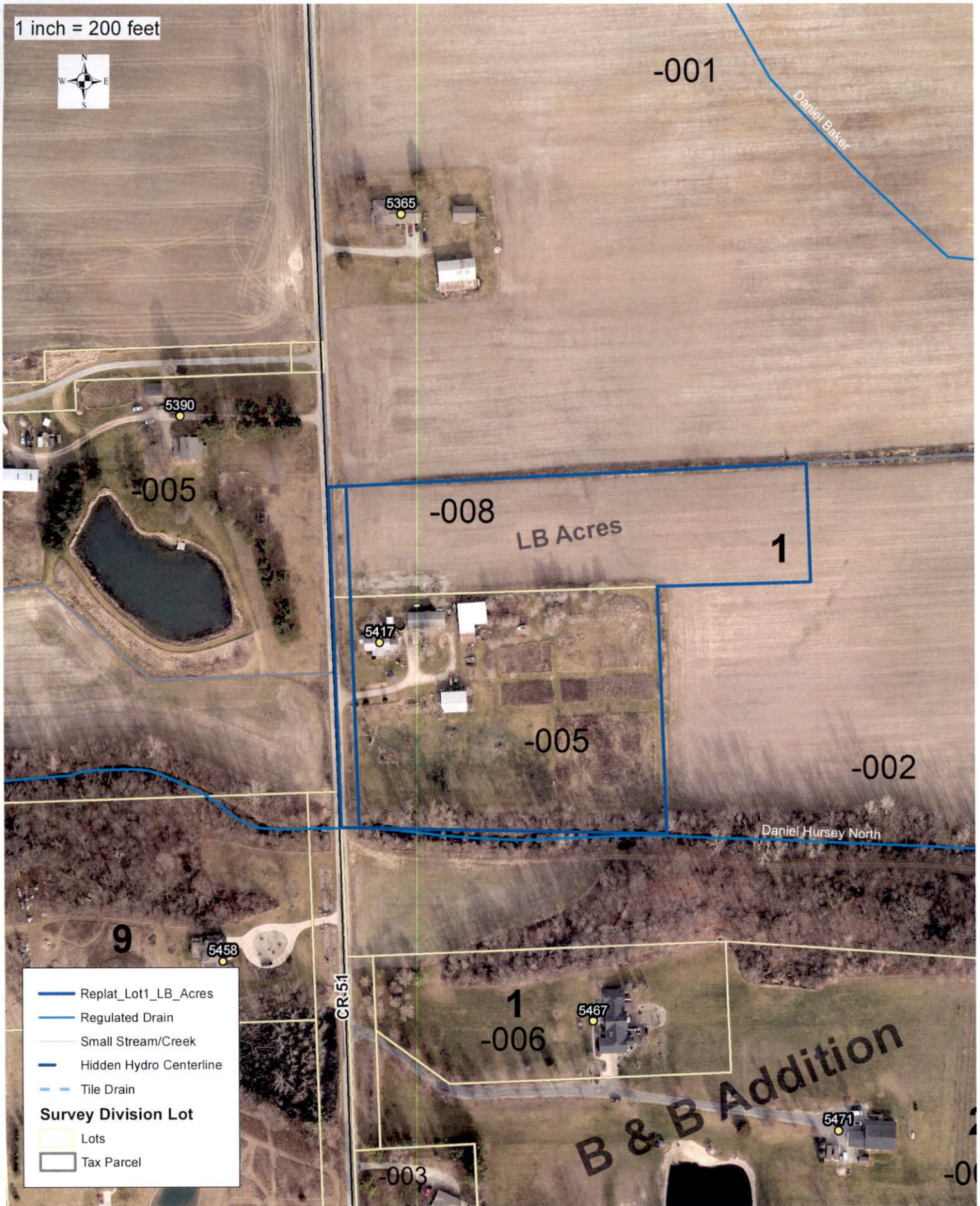
The Replat should include (check all that apply):

- All of the Platted Area All recorded restrictive covenants
 Part of the Platted Area as shown in the attached documents 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: Angela D Wallace Professional Surveyor 09/16/2021
(If signed by representative for applicant, state capacity)

1 inch = 200 feet



- Replat_Lot1_LB_Acres
- Regulated Drain
- Small Stream/Creek
- Hidden Hydro Centerline
- Tile Drain

Survey Division Lot

- Lots
- Tax Parcel

CoCiGIS and/or its partnering agencies do not warrant or make any representations as to the quality, content, accuracy, or completeness of the information, text, graphics, links and other items contained on this document. The information and materials contained on this document have been compiled from a variety of sources and, as such, are subject to change without notice. In no event will CoCiGIS and/or its partnering agencies, or their officers, agents or employees, be liable for any damages, whether direct, indirect, general, consequential, incidental, exemplary or special arising from the use of information provided on this document. For more information, visit the CoCiGIS website at <http://www.ci.auburn.in.us/cozigis>.

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:

PROPERTY OWNER: L.M. Beam & Ramona Lane

SUBJECT SITE: 5417 County Road 51, St. Joe

REQUEST: RePlat of LB Acres, Lot 1

PURPOSE: RePlat

EXISTING ZONING: A2, Agricultural

SURROUNDING LAND USES AND ZONING: North: Single Family Residential/Farm Ground (A2)
 South: Single Family Residential/Farm Ground (A2)
 East: Farm Ground (A2)
 West: Single Family Residential/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 6.05 Maximum of 4 total lots (including residual parent tract of land) may be generated from any single parent tract

- The RePlat of LB Acres, Lot 1 will combine Lot 1 with approximately 5 acres to the South.
- 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 easements)*
 - Proposed Lot 1 Area: 6.77 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 687.12 feet
 - *Minimum Lot Frontage: 120 Feet*
 - Proposed Lot 1 Frontage: 567.56 feet
- This division of land fronts the following roads:
 - County Road 51 is considered County Local road with a projected total right-of-way width of 60 feet.

- The right-of-way has been dedicated per the original LB Acres. Additional right of way has been dedicated on the additional land being added to Lot 1.

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 **September 16, 2021**
2. Legal notice published in The Star on **September 30, 2021** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **September 22, 2021**
5. Letter from County Highway dated **September 16, 2021**
6. Report from the DeKalb County Soil & Water Conservation District, dated **September 16, 2021**
7. Letter from the Drainage Board, dated **September 30, 2021**
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 minor subdivision will be used for a residential use, which is compatible to 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 51 with dedication of right of way where required.*
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. Existing Private Septic System is being utilized. Health Department does recommend that a soil evaluation be performed to ensure adequate area and soil conditions are available on the property for the installation of a replacement residential onsite sewage system if and when determined necessary.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required. *None required.*

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

There is no staff recommendation for this Minor Subdivision. However, the Plan Commission will consider 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 shall be on the plat, if required.
5. The appropriate drainage covenants shall be on the plat, if required.
6. The appropriate 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, if required.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant for compliance with Airport Board requirements, if required.
6. No Certificate of Occupancy or Certificate of Completion shall be issued 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, or other agency as applicable. Further, where 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.