

MONROE COUNTY PLAT COMMITTEE



**August 18, 2022
4:00 pm**

Hybrid Meeting

In-person

Monroe County Government Center
Planning Department
501 N. Morton Street, Suite 224
Bloomington, IN 47404

Virtual

Zoom Link: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799

Meeting ID #: 823 0548 5858

Password: 278851

A G E N D A
MONROE COUNTY PLAT COMMITTEE
of the Monroe County Plan Commission

Monroe County Planning Department
HYBRID

When: August 18, 2022 at 4:00 PM

Where: 501 N Morton St, Suite 224

Or via Zoom: <https://monroecounty-in.zoom.us/j/82305485858?pwd=c2lrWFp0eGFNQUtqK0NQQiFLazRTQT09>

If calling into the Zoom meeting, dial: 312-626-6799.
When prompted, enter the Meeting ID #: 823 0548 5858
Password: 278851

ADMINISTRATIVE: None.

OLD BUSINESS: None.

NEW BUSINESS:

- | | | |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 1. SSS-22-1 | Swinney Sliding Scale Subdivision Preliminary Plat
Plat Committee Decision.
Two (2) parcels on 10.46 +/- acres in Section 15 & 16 of Bean Blossom Township at
8663 N Mt Tabor RD, Parcel #53-03-15-300-013.000-001.
Owner: Ronald & Marry Swinney
Zoned AG/RR. Contact: dmyers@co.monroe.in.us | PAGE 3 |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of Monroe County, should contact Monroe County Title VI Coordinator Angie Purdie, (812)-349-2553, apurdie@co.monroe.in.us, as soon as possible but no later than forty-eight (48) hours before the scheduled event.

Individuals requiring special language services should, if possible, contact the Monroe County Government Title VI Coordinator at least seventy-two (72) hours prior to the date on which the services will be needed.
The meeting will be open to the public.



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date:

August 18, 2022

CASE NUMBER	PROPOSED NAME	DETAIL
SSS-22-1	Swinney Sliding Scale Subdivision	2-Lot Sliding Scale Subdivision Preliminary Plat

The Subdivision Control Ordinance shall be interpreted, administered and enforced in a manner that is consistent with Chapter 850-3.

RECOMMENDED MOTION	Approval with Conditions	Planner: Drew Myers
<p><i>Recommended Motion Conditions or Reasoning:</i> <u>Approve</u> based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance subject to the following condition(s):</p> <ol style="list-style-type: none"> 1. The petitioner submit an after-the-fact Improvement Location Permit (ILP) for the approx. 288 sq. ft. tiny house located on proposed Lot 2. 		

Waiver(s) Requested:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes:
Waiver of Final Hearing Requested:	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> No <input type="checkbox"/> Yes
Plat Vacation:	<input checked="" type="checkbox"/> No <input type="checkbox"/> Partial <input type="checkbox"/> Yes:

PETITIONER	Eric Deckard, Deckard Land Surveying	
OWNERS	Swinney, Ronald E & Mary E	
ADDRESS	8663 N Mt Tabor RD; 53-03-15-300-013.000-001	
TOWNSHIP + SECTION	Bean Blossom; 15	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	10.46	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR and ME
COMP PLAN	Designated Communities	Designated Communities and Farm and Forest
USE	Residential	Residential, Agricultural, Vacant

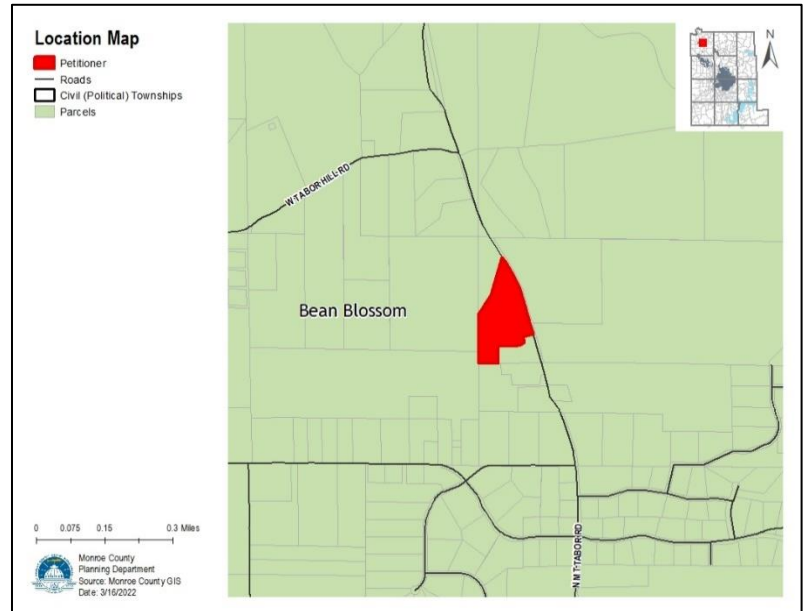
SUMMARY

The petitioner is proposing a 2-lot Sliding Scale Subdivision from one parcel with no waiver requests. Access to both proposed lots will be through an existing driveway to be shared with a new 25' easement for ingress/egress. Driveway permit applications for the two proposed lots have been submitted and were reviewed by the Highway Department. Driveway permit approvals are pending the outcome of this subdivision petition. A real estate inspection septic permit application and an existing septic permit application have been submitted for both Lot 1 and Lot 2, respectively.

DISCUSSION

Table 1 provides a summary of the lot configurations and requirements for the Swinney Sliding Scale Subdivision. The preliminary plat (Exhibit 3) provides more detail in regards to buildable area, topography, site conditions, and lot dimensions. A Construction Stormwater General Permit (CSGP) – formally known as Rule 5 – is not required for this subdivision. An easement for electric transmission lines in favor of Morgan County Rural Electric Membership Corporation is noted on the plat. Sidewalks and street trees were not required for this subdivision.

A note on the plat references the pre-existing nonconforming status of the larger pole barn located on proposed Lot 1 with respect to its encroachment into the required 60' front yard setback. The structure may not be enlarged or otherwise changed, unless a variance from the terms of the zoning ordinance is obtained from the Board of Zoning Appeals.



Note: it has come to the attention of the Planning Department that one of the existing pole barn structures on proposed Lot 1 was reported damaged by fire and likely needs to be removed if not done so already by the property owner.

TABLE 1: Summary of Lot Configurations

	Lot 1 (Parent Parcel)	Lot 2
Acreage (after R/W) / Buildable Area (+/-)	5.98 / 2.65	4.48 / 2.27
Wastewater	Repair Septic Permit; WW-22-5	Existing Septic Permit; #14342
Utility Access / Capacity	South Central Indiana REMC / BBP Water Corp	
Property Access	RW-22-9 (shared driveway)	RW-22-10 (shared driveway)
ROW Dedication / N Mt Tabor RD; minor collector	Yes = 45'	Yes = 45'
Environmental Conditions	Steep slopes / Transmission line easement / Existing pond	Steep slopes / Transmission line easement
Existing Structure(s)	~12,000 sf pole barn, ~4,200 sf pole barn, ~100 sf storage shed	~288 sf single family residence (no record of permit)

HIGHWAY COMMENTS:

BA

Ben Ayers

Remove Comment • Jan 27, 2022 at 3:35 pm

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. Existing driveway entrance is to be shared between Lot #(1) & Lot #(2) and shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within one (1) year of recording the Final Plat. See permit # RW-22-9 & RW-22-10.

STORMWATER COMMENTS:

KT

Kelsey Thetonia

Remove Comment • May 9, 2022 at 3:43 pm

Swinney Sliding Scale Subdivision

Hi Eric, I uploaded a marked up version of the plat. I'm asking for DEs on the north side of the property and through the pond, since the flowlines cross property boundaries on the west and south sides. Let me know if you have any questions. Thanks

Kelsey

EXHIBITS - *Immediately following report*

1. County Slope Map
2. Aerial Pictometry
3. Swinney Sliding Scale Subdivision Preliminary Plat
4. Swinney Sliding Scale Subdivision Preliminary Plat (w/ drainage easements)
5. Staff Findings of Fact for Subdivision

EXHIBIT 1: County Slope Map

Slope Map

- Minor Collector [60']
 - Local Roads [50']
 - Petitioner
 - Parcels
 - 2-Foot Contours
 - 10-Foot Contours
- 15% Slope (2010)**
- 0 - 15
 - > 15
 - Hydrologic Features

PARCEL #:
53-03-15-300-013.000-001

NOTE:
Areas > 15% slope are classified as
nonbuildable area per Chapter 804.

0 62.5 125 250 375 Ft



Monroe County
Planning Department
Source: Monroe County GIS
Date: 3/16/2022

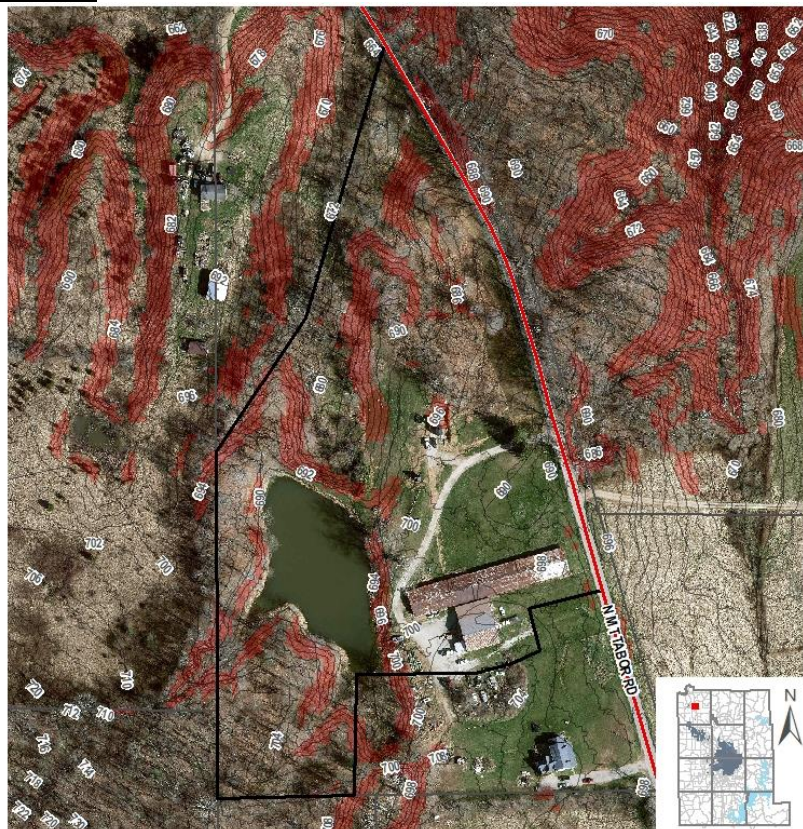


EXHIBIT 2: Aerial Pictometry



Photo 1: Aerial Pictometry from above (2020)



Photo 2: Aerial Pictometry from the north (2021)



Photo 3: Aerial Pictometry from the north (2021); zoomed in w/ proposed lot line

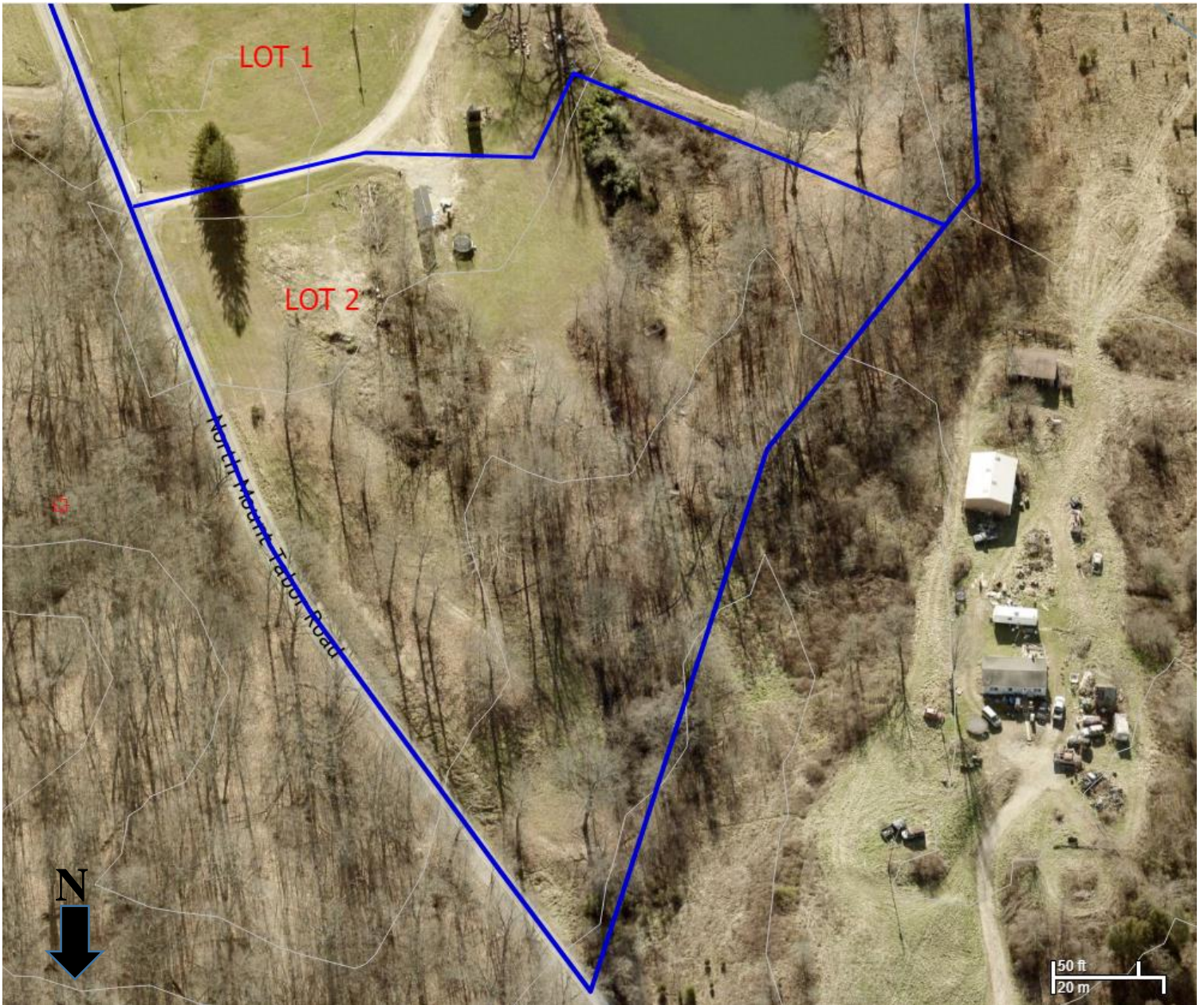


Photo 4: Aerial Pictometry from the north (2021); zoomed in w/ proposed lot line

[illegible]

SWINNEY SLIDING SCALE SUBDIVISION- PRELIMINARY PLAT
A PART OF THE SOUTHWEST QUARTER OF SECTION 15
TOWNSHIP 10 NORTH, RANGE 2 WEST
MONROE COUNTY, INDIANA

AREA FOR COUNTY
RECORDER

BEAN BLOSSOM TWP.
TOWNSHIP 10N
RANGE 2 W
SECTION 15

DEVELOPER, APPLICANT & OWNER
RONALD E. SWINNEY & MARY E. SWINNEY
INSTRUMENT NUMBER 2000001636
8663 N. MT. TABOR RD.
ELLETTSVILLE, INDIANA 47424
812-360-1065

LEGEND

■ STONE FOUND	□ BRASS ROD FOUND
○ UTILITY POLE	△ MAG. STAKE SET
● REBAR FOUND	— WOOD FENCE
○ REBAR SET	— FENCE
○ NAIL FOUND	— OVERHEAD POWER LINE
○ RE-SPICE POINT	— ALCOHO
○ PIPE FOUND	— MEASURED
○ ADDRESS	— CALCULATED
— AREA > 10% SLOPE	— TRANSFER AREA

SETBACK TABLE

Front - 40' 2nd Right-of-Way for Public Road
Side - 15' for Residential; Auxiliary Structures
50' for Other Structures
Rear - 25' for Residential; Auxiliary Structures
50' for Other Structures
(See also the "Single Family" use.)
ZONE: AGRICULTURAL RESERVE (AGRS)

CERTIFICATION

The within survey was performed without the benefit of source of title and is subject to any statement of facts revealed by the same.

Easements have been located in the field and prepared with this survey drawing. This qualification will be removed upon receipt and inspection of current title work.

Subject to the above reservation, the survey work shown hereon was performed either by me or under my direct supervision and control and to the best of my knowledge and belief was performed according to the survey requirements in 805 IAC 1-12-1 through 1-12-19.

Certified this ____ day of _____, 2021.

Eric L. Deekard
Registered Surveyor LS 29900012
State of Indiana



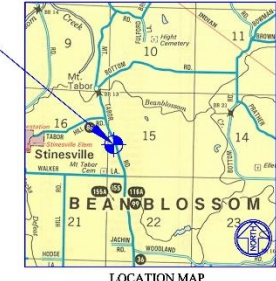
Curve Table

CURVE	BEARING	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
1	N 11° 20' 00" E	110.51	100.00	S 22° 50' 00" E	15° 10' 00"
2	S 89° 40' 00" W	185.71	174.50	N 11° 20' 00" E	15° 10' 00"

Line Table

LINE	BEARING	CHORD	DELTA ANGLE
1	N 11° 20' 00" E	110.51	15° 10' 00"
2	S 89° 40' 00" W	185.71	15° 10' 00"
3	S 89° 40' 00" W	185.71	15° 10' 00"
4	S 89° 40' 00" W	185.71	15° 10' 00"
5	S 89° 40' 00" W	185.71	15° 10' 00"
6	S 89° 40' 00" W	185.71	15° 10' 00"
7	S 89° 40' 00" W	185.71	15° 10' 00"
8	S 89° 40' 00" W	185.71	15° 10' 00"
9	S 89° 40' 00" W	185.71	15° 10' 00"
10	S 89° 40' 00" W	185.71	15° 10' 00"
11	S 89° 40' 00" W	185.71	15° 10' 00"
12	S 89° 40' 00" W	185.71	15° 10' 00"
13	S 89° 40' 00" W	185.71	15° 10' 00"
14	S 89° 40' 00" W	185.71	15° 10' 00"
15	S 89° 40' 00" W	185.71	15° 10' 00"
16	S 89° 40' 00" W	185.71	15° 10' 00"
17	S 89° 40' 00" W	185.71	15° 10' 00"
18	S 89° 40' 00" W	185.71	15° 10' 00"
19	S 89° 40' 00" W	185.71	15° 10' 00"
20	S 89° 40' 00" W	185.71	15° 10' 00"

PROJECT LOCATION



NOTES:

- 1) Basis of bearing (State Plane-Indiana West)
- 2) Fieldwork completed December 2021.
- 3) The pre-existing non-conforming structure on Lot 1, which is the barn that does not meet the front yard setback requirements, may not be enlarged or otherwise changed, unless a variance from the terms of the ordinance is obtained from the Board of Zoning Appeal.
- 4) For Monroe County Subdivision and Control Ordinance - Chapter 802.4(A)(1): The designated Parent Parcel Remainder (LOT 1) shall not be further subdivided for a period of twenty (20) years from the date of recording of the Final Plat unless connected to a public sewage disposal system or further subdivision of the property is substantiated by ordinance. This Remainder shall be recorded on the Final Plat and incorporated as a Recorded Commitment (which states the day, year and month in which the Parent Parcel Remainder (LOT 1) becomes eligible for further subdivision) referenced on any deed conveying the Parent Parcel Remainder (LOT 1).
- 5) This survey is not complete without the accompanying surveyor's report.
- 6) I affirm, under penalty for perjury, that I have taken reasonable care to select each Social Security Number in this document, unless required by law.
-Eric L. Deekard

SOURCE OF TITLE:

Now or Formerly owned by Ronald E. Swinney and Mary E. Swinney as found in Instrument Number 2000001636 in the Office of the Monroe County Recorder.

REFERENCED SURVEYS:

- 1) Reference is made to a survey performed by Edmund C. Farkas as found in Deed Record 316, Page 415 in the Office of the Monroe County Recorder.
- 2) Reference is made to the plat of Kelley Acres Minor Subdivision performed by Kevin Thron (not dated September 9th, 1991).
- 3) Reference is made to the plat of Swinney Minor Subdivision performed by Douglas R. Curry dated December 7th, 1998.
- 4) Reference is made to a survey performed by Michael D. Murdy for Jerry Kinser dated December 10th, 1991.
- 5) Reference is made to a survey performed by Eric L. Deekard for Jacobs dated July 9, 2009 as found in Deekard L and Survey job number 09-45.

REFERENCED EASEMENTS:

- 1) Together with an easement for water line as set forth in a Warranty Deed recorded July 24th, 1985 in Deed Record 316 pages 412-413 in the Office of the Recorder of Monroe County, Indiana.
- 2) Subject to and together with an easement for water line recorded July 24, 1985 in Deed record 316 page 409 in the Office of the Monroe County Recorder.
- 3) Subject to a Right-of-way Grant in favor of Bean Blossom-Patrick's Water Corporation recorded December 23, 1977 in Deed Record 208 page 129 in the Office of the Monroe County Recorder.
- 4) Subject to an easement for electric transmission lines and incidental purposes in favor of Morgan County Rural Electric Membership Corporation recorded July 3, 1967 in Miscellaneous Record 24 page 163 in the Office of the Monroe County Recorder.

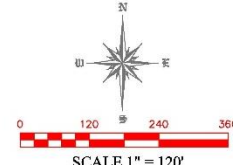
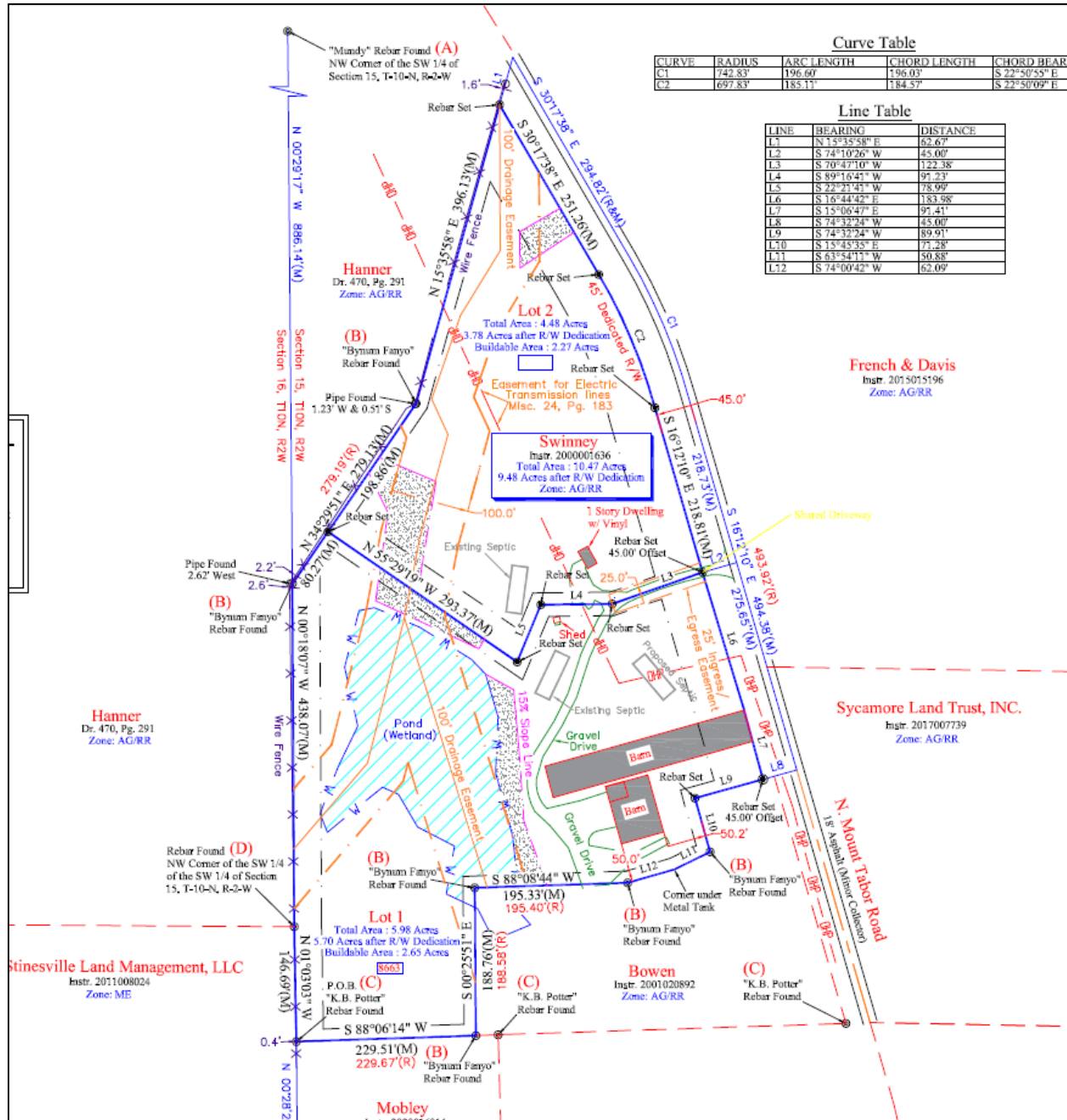


EXHIBIT 4: Swinney Sliding Scale Subdivision Preliminary Plat (w/ drainage easements)



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EXHIBIT 5: FINDINGS OF FACT - Subdivisions

850-3 PURPOSE OF REGULATIONS

(A) *To protect and provide for the public health, safety, and general welfare of the County.*

Findings

- The petition site consists of one parcel totaling 10.46 +/- acres;
- The petition site is not in a platted subdivision;
- The site is zoned Agriculture/Rural Reserve (AG/RR);
- Approval of the subdivision would result in two (2) lots that exceed the minimum lot dimension requirements for the Agriculture/Rural Reserve (AG/RR) Zoning District;
- Approval of the subdivision would result in Lot 1 (parent parcel) = 5.98 acres and Lot 2 = 4.48 acres;
- The preliminary plat does not request any subdivision waivers;
- Street trees nor sidewalks are not required for this particular subdivision petition;
- Both proposed lots are to receive access via a shared driveway and 25' ingress/egress easement that access N Mt Tabor Road;
- There will be no more than 4 lots using the same easement and therefore does not need to be brought up to county road standards;
- There is a note on the plat requiring all utilities to be underground;
- Construction Stormwater General Permit (CSGP) – formally known as Rule 5) – is not required as only one new lot is being created;

(B) *To guide the future development and renewal of the County in accordance with the Comprehensive Plan and related policies, objectives and implementation programs.*

Findings

- See findings under Section (A);
- The Comprehensive Plan designates the site as “Designated Communities”;
- The site is located within the Stinesville Rural Community;
- The site is not located within the “designated growth area” of the Stinesville Rural Community;

(C) *To provide for the safety, comfort, and soundness of the built environment and related open spaces.*

Findings

- See findings under Section (A);
- The surrounding uses are primarily residential or agricultural in nature;
- The site exhibits an existing pond measuring approximately 1.2 acres;
- The MS4 Coordinator requested drainage easements on the north side of the property and through the pond area;
- The petitioner’s land surveyor included the drainage easements on an updated plat drawing (see Exhibit 4);

(D) *To protect the compatibility, character, economic stability and orderliness of all development through reasonable design standards.*

Findings

- See findings under Sections (A) & (C);
- The adjoining properties are zoned Agriculture/Rural Reserve (AG/RR) or Mineral Extraction (ME);
- N Mt. Tabor Road is classified as a “Minor Collector” per the Monroe County Thoroughfare Plan;

- (E) *To guide public and private policy and action to ensure that adequate public and private facilities will be provided, in an efficient manner, in conjunction with new development, to promote an aesthetically pleasing and beneficial interrelationship between land uses, and to promote the conservation of natural resources (e.g., natural beauty, woodlands, open spaces, energy and areas subject to environmental constraints, both during and after development).*

Findings

- See findings under Sections (A) & (C);
- There are no visible karst features on the property;
- There is no floodplain on the property;

- (F) *To provide proper land boundary records, i.e.:*

- (1) *to provide for the survey, documentation, and permanent monumentation of land boundaries and property;*

Findings:

- The petitioner has submitted a preliminary plat drawn by a registered surveyor;

- (2) *to provide for the identification of property; and,*

Findings:

- The petitioner submitted a survey with correct references, to township, section, and range to locate parcel. Further, the petitioner has provided staff with a copy the recorded deed of the petition site. County Surveyor has also reviewed the plat for survey accuracy;

- (3) *to provide public access to land boundary records.*

Findings

- The land boundary records are found at the Monroe County Recorder's Office and, if approved, this petition will be recorded there as a plat. The plat must comply with Chapter 860 - Document Specifications to be recorded;