

MONROE COUNTY PLAT COMMITTEE



**June 15, 2023
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=c2lrWFp0eGFNQUtqK0NOQQIFLazRTQT09>

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: June 15, 2023, 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. SMN-23-2 Langley Minor Subdivision Preliminary Plat PAGE 4**
Partial Plat Vacation Request.
Plat Committee Decision.
Two (2) parcels on 57.34 +/- acres in Van Buren Township, Section 32 & 33, at 8087 W Kirksville RD, Parcel #53-09-32-400-007.000-015, 53-09-33-300-002.002-015.
Owner: Langley, Aaron
Zoned AG/RR. Contact: drbrown@co.monroe.in.us
- 2. SSS-23-1 Heshelman Sliding Scale Subdivision Preliminary Plat PAGE 13**
Partial Plat Vacation.
Plat Committee Decision.
One (1) parcel on 13.5 +/- acres in Indian Creek Township, Section 19, at 9401 W Rockeast RD, parcel #53-10-19-400-001.092-007.
Owner: Heshelman, Marvin & Frost, Darla
Zoned AG/RR. Contact: acrecelius@co.monroe.in.us
- 3. SSS-23-2 Heshelman Sliding Scale Subdivision II Preliminary Plat PAGE 26**
Partial Plat Vacation.
Plat Committee Decision.
One (1) parcel on 55.4 +/- acres in Indian Creek Township, Section 19, at 9091 W Rockeast RD, parcel # 53-10-19-400-002.002-007.
Owner: Heshelman, Marvin & Frost, Darla
Zoned AG/RR. Contact: acrecelius@co.monroe.in.us
- 4. SMN-23-6 McHaffey Farms Minor Subdivision Preliminary Plat PAGE 40**
Plat Committee Decision.
One (1) parcel on 80 +/- acres in Van Buren Township, Section 28, at 5393 S Harmony RD, parcel #53-09-28-400-021.000-015.
Owner(s): Edwards, Peggy & Steven
Zoned AG/RR. Contact: acrecelius@co.monroe.in.us

Buried Utility Waiver.**Plat Committee Decision.**

Two (2) parcels on 59.72 +/- acres in Richland Township, Section 16, at 7935 W Ratliff RD, parcels #53-04-16-300-004.000-011 and #53-04-16-300-007.000-011.

Owners: Powell, Brandon R & Hannah D

Zoned AG/RR. Contact: drbrown@co.monroe.in.us

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: June 15, 2023

CASE NUMBER	PROPOSED NAME	DETAIL
SMN-23-2	Aaron Langley Minor Subdivision	4-Lot Minor Subdivision Preliminary Plat

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

PLAT COMMITTEE	<input type="checkbox"/> Recommendation	<input checked="" type="checkbox"/> Decision
RECOMMENDED MOTION	Approval	Planner: Daniel Brown

Recommended Motion Conditions or Reasoning:

Approve with conditions the subdivision based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance, with the following condition:

1. The new floodplain map from the Department of Natural Resources is reflected on the final plat and also designated as a drainage easement per the MS4 Coordinator.

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

PETITIONER	Deckard Land Surveying	
OWNERS	Langley, Aaron	
ADDRESS	8087 W Kirksville RD; 53-09-32-400-007.000-015 & 53-09-33-300-002.002-015	
TOWNSHIP + SECTION	Van Buren; 32 & 33	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/> Platted:	
ACREAGE +/-	57.34 +/- acres	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR
COMP PLAN	Rural Residential	Rural Residential
USE	Vacant Land	Residential, Other Residential Structures

SUMMARY

The petitioner is proposing a 4-lot Minor Subdivision Preliminary Plat with no waiver requests. The property is zoned Agriculture/Rural Reserve (AG/RR). All proposed lots will meet the minimum requirements for subdividing land in their respective zoning districts. Septic Permits have already been applied for and issued **with the exception of the septic for Lot 3**. Right-of-Way permits have been applied for and are pending the approval of this subdivision.

Comments from Stormwater:



Kelsey Thetonia

Remove Comment • May 11, 2023 at 2:18 pm

Hi Eric, for the DE on Lot 4, we've submitted a request to DNR for them to help us delineate the floodplain, since it's within their jurisdiction and the floodplain is not currently mapped. I will let you know when I hear back from them.

Comments from Highway Department:



Ben Ayers

Remove Comment · Feb 9, 2023 at 12:42 pm

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. See RW-23-26, RW-23-27, RW-23-28 & RW-23-29.

All Lots are to share existing driveway entrances.

Existing shared driveway entrance for Lot #1, Lot #2, Lot #3 and 7988 West Evans Road shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within (1) year of recording the Final Plat.

Existing shared driveway entrance for Lot #4, 8109 and 8131 West Kirksville Road shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within (1) year of recording the Final Plat.

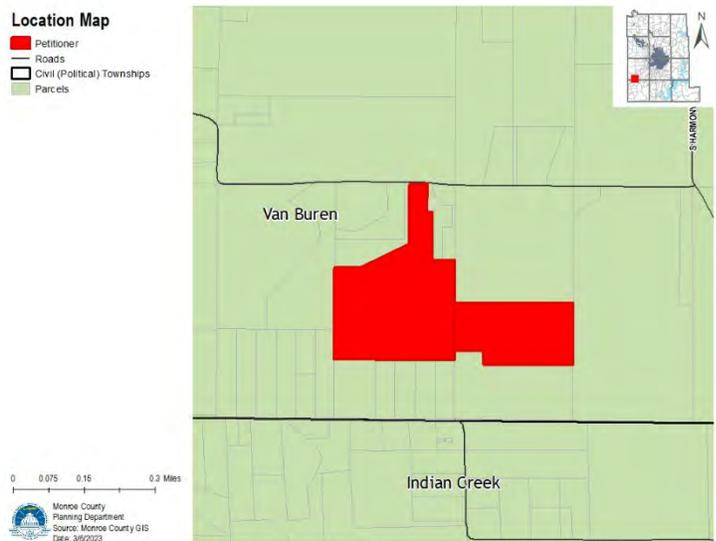
DISCUSSION

The proposed subdivision will create four lots out of 57.34 +/- acres. Below is a summary table of facts regarding the three lots. The property is located just southeast of a DNR floodplain zone.

There are no waiver requests for this subdivision petition.

Below is a summary of the lot configurations and requirement. Electricity will be provided to all lots by Utilities District of Western Indiana REMC, and water will be provided to all lots by Van Buren Water Inc.

Location Map
 ■ Petitioner
 — Roads
 □ Civil (Political) Townships
 ■ Parcels



	Lot 1	Lot 2	Lot 3	Lot 4
Acreage / Buildable Area (+/-)	10.00 acres / 1.35 acres	10.07 acres / 1.03 acres	27.37 acres / 8.63 acres	10.00 acres / 3.47 acres
Wastewater	WW-23-21 (Issued)	WW-23-22 (Issued)	WW-23-23 (Not yet issued)	WW-23-24 (Repair)
Property Access	W Evans RD; RW-23-27	W Evans RD; RW-23-28	W Evans RD; RW-23-29	W Kirksville RD; RW-23-26
R/W Dedication;	No	No	No	Yes = 25 Feet

W Kirksville RD (local)				
R/W Dedication; W Evans RD (local)	Yes	Yes	Yes	No
Environmental Conditions	Slopes > 15%	Slopes > 15%	Slope > 15%	Slopes > 15%
Existing Structure(s)	Vacant	Vacant	Vacant	Shed, House

EXHIBITS - *Immediately following report*

1. County Slope Maps
2. Site Photos
3. Preliminary Plat
4. Planning Staff Findings of Fact

EXHIBIT 1: County Slope Map

Site Conditions Map

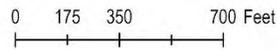
- Petitioner
- 10-Foot Contours

Percent Slopes

- 0 - 12%
- 13 - 15%
- 16 - 18%
- 19 - 21%
- 22 - 24%
- > 25%
- Local Roads [50']
- Hydrologic Features

DNR Best Available Data

- Flood Zone A
- A, APPROXIMATE FLOODWAY
- Parcels



Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/8/2023

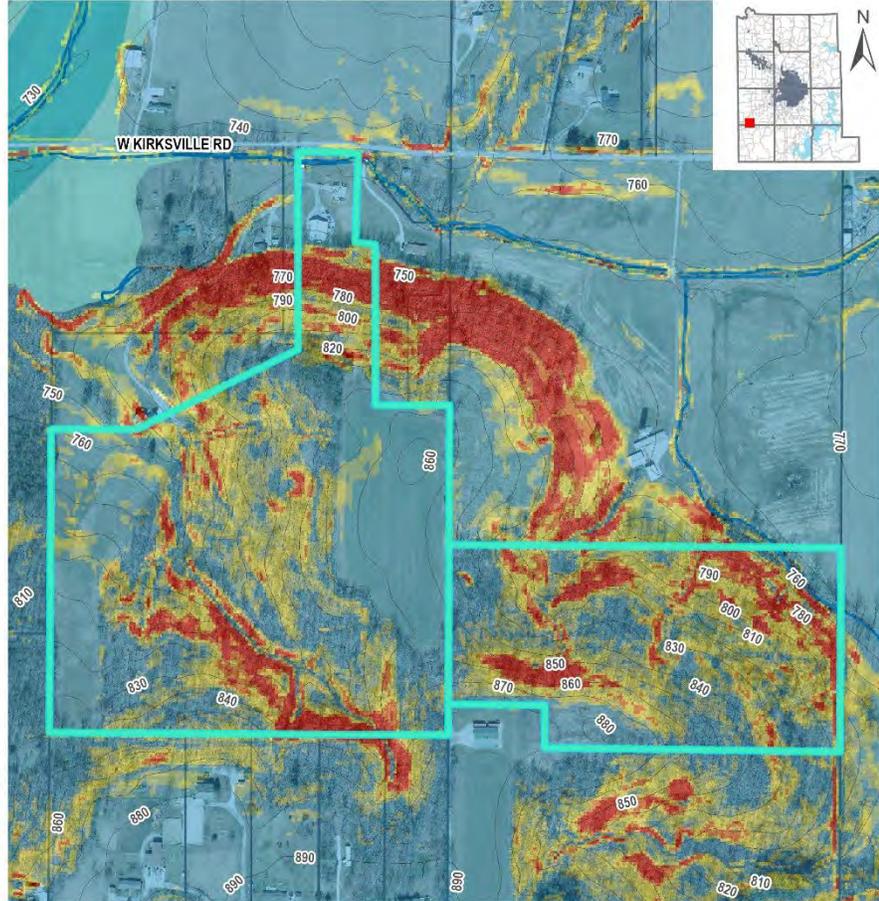


EXHIBIT 2: Site Photos

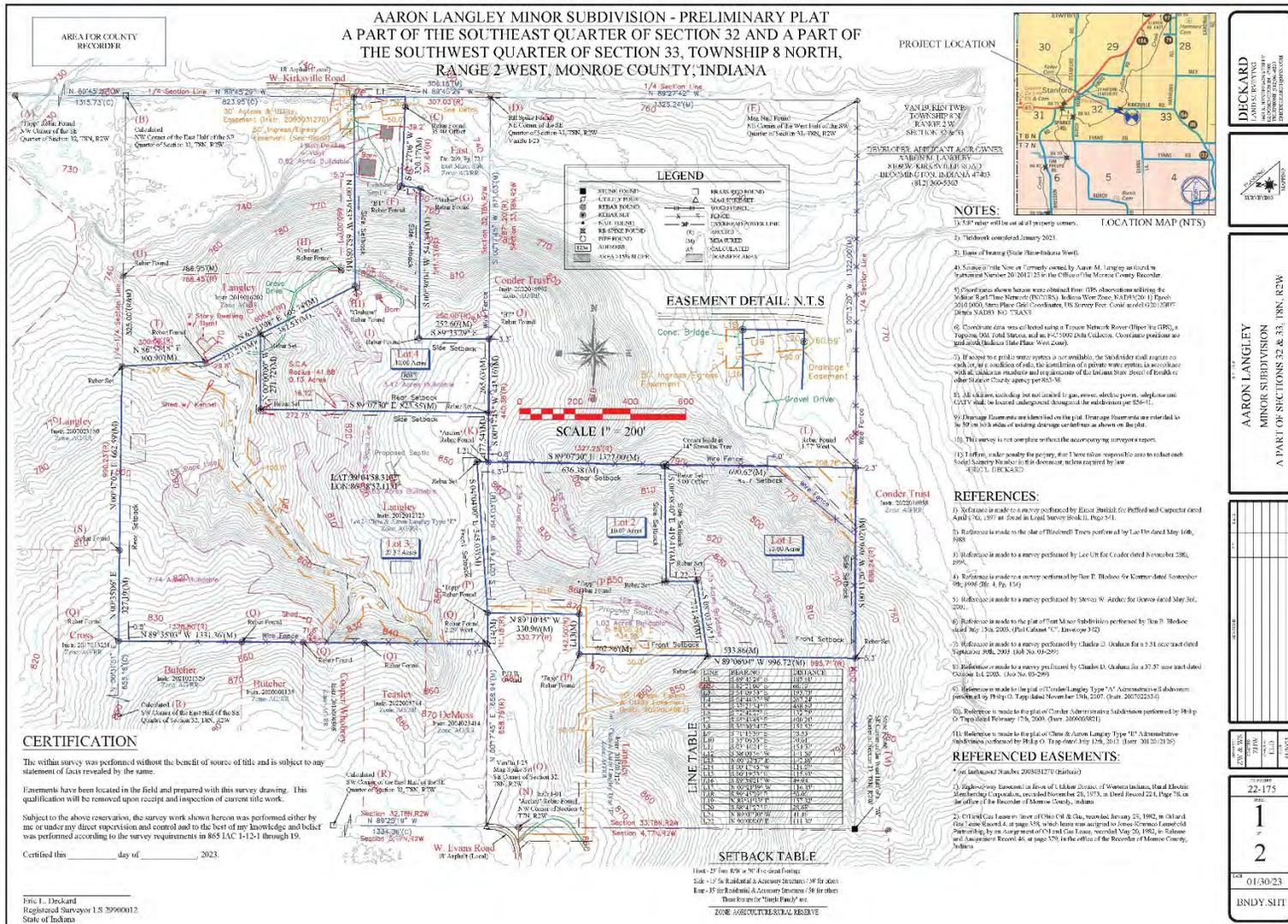


Photo 1: Existing home and structures on the proposed Lot 4



Photo 2: An existing shed on the proposed Lot 4

EXHIBIT 3: Preliminary Plat



SURVEYOR'S REPORT

In accordance with Title 865, I.A.C. 1-2-2 (revision 1-30 of the Indiana Administrative Code), the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

- A) Variations in the reference monuments.
B) Discrepancies in the record description and plat.
C) (Inexactness) in type of occupation mark.
D) Relative Positional Accuracy (RPA)

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban class survey (0.13 plus 0.00 RPA) as defined I.A.C. Title 865. "Relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty, due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.

SUBJECT PROPERTY

A Monumentation was performed on the property now or formerly owned by Aaron M. Langley as found in instrument number 2012012125 as found in the Office of the Monroe County Recorder. The purpose of this survey is to retrace the boundary lines of the subject property and divide into four separate lots. This property is located in Section 32, Township 8 North, Range 2 West and Section 33, Township 8 North, Range 2 West of the Second Principal Meridian Monroe County, Indiana.

REFERENCE MONUMENTS

A) A 5/8 inch diameter rebar with cap stamped "Tapp" was found 5 inches below grade marking the Northeast corner of the Southeast Quarter of Section 32, Township 8 North, Range 2 West. This rebar was believed to have been set in the original plat of Corner Administrative Subdivision performed by Philip O. Tapp dated February 17th, 2009 (Instr. 2009065821). This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

B) The Northwest corner of the East Half of the Southeast Quarter of Section 32, Township 8 North, Range 2 West was calculated based on an equal distance split between the monument described in line "A" and the monument previously described in line "A".

C) A 5/8 inch diameter rebar was found 2 inches above grade marking a point on the east line of the subject property (Lot 3). The origin of this rebar is unknown, however it was found to agree with other monuments in the area and was accepted and held as said point on line.

D) A railroad spike was found 1 inch below grade marking the Northeast corner of the Southeast Quarter of Section 32, Township 8 North, Range 2 West. The origin of this spike is unknown, however it has been referenced in the office of the Monroe County Surveyor as Corner D) Vanita 1-23, and in several surveys in the area and accepted and held as said corner.

E) A metal nail was found flush with grade marking the Northeast corner of the West Half of the Southeast Quarter of Section 33, Township 8 North, Range 2 West. The origin of this nail is unknown, however it was found to agree with other monuments in the area and was accepted and held as said corner.

F) A 5/8 inch diameter rebar with cap stamped "Blodgett" was found flush with grade marking the south end of the 320.17 foot long line on the subject property (Lot 4). This rebar was believed to have been set in the original platting of Fair Minor Subdivision performed by Ben E. Blodgett dated July 15th, 2003 (Plat Cabinet "C", Enclosure 313). This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

G) A 5/8 inch diameter rebar with cap stamped "Ancho" was found 5 inches below grade marking the west end of the 68.10 foot long line on the subject property (Lot 4). The origin of this rebar is unknown, however it was found to agree with other monuments in the area and was accepted and held as said corner.

H) Two 5/8 inch diameter rebar with caps stamped "Graham" were found marking points on the subject property (Lot 4) and the land now or formerly owned by Langley (Instr. 2019016202). These rebar were believed to have been set in a survey performed by Charles D. Graham for a 5.31 acre tract dated September 30th, 2003. These rebar were found to agree with other monuments in the area and were accepted and held as said corners.

I) A 5/8 inch diameter rebar was found 3 inches below grade marking the south end of the 541.44 foot long line on the subject property (Lot 1). This rebar was believed to have been set in a survey performed by Charles D. Graham for a 37.27 acre tract dated October 1st, 2003. This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

J) A 5/8 inch diameter rebar with cap stamped "Blodgett" was found 1 inch below grade marking the Southeast corner of the land now or formerly owned by Langley (Instr. 2019016202). This rebar was believed to have been set in the original platting of Fair Minor Subdivision performed by Ben E. Blodgett dated July 15th, 2003 (Plat Cabinet "C", Enclosure 342). This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

K) A 5/8 inch diameter rebar with cap stamped "Ancho" was found 2 inches above grade marking the Southwest corner of the land now or formerly owned by Corner Trust (Instr. 2022010192). The origin of this rebar is unknown, however it was found to be referenced in the plat of Chris and Aaron Langley Type "E" Administrative Subdivision performed by Philip O. Tapp dated July 12th, 2012 (Instr. 2012012126). This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

L) A 5/8 inch diameter rebar was found near the Northeast corner of the subject property (Lot 1) and accepted as a point on the north line of said Lot 1. The origin of this rebar is unknown, however it was found to agree with other monuments in the area and was accepted and held as said point on line.

M) A 6 inch long by 1/2 inch wide stone with faint "1" was found 3 inches above grade marking the Southwest corner of the West Half of the Southeast Quarter of Section 33, Township 8 North, Range 2 West. This stone was believed to have been set in survey performed by Elmer (Instr. Monroe County Deputy Surveyor) dated April 17th, 1897. This stone was found to be the best evidence available and was accepted and held as said corner.

N) A 5/8 inch diameter rebar with cap stamped "Ancho" was found 1 inch below grade marking the Northeast corner of Section 4, Township 2 North, Range 2 West. The origin of this rebar is unknown, however it was found to agree with other monuments in the area and was also found to be referenced in the office of the Monroe County Surveyor as Corner D) 1-23 1-01 1-01 rebar was accepted and held as said corner.

LANGLEY MINOR SUBDIVISION - PRELIMINARY PLAT
A PART OF THE SOUTHEAST QUARTER OF SECTION 32 AND A PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 2 WEST, MONROE COUNTY, INDIANA



(1) A metal spike with "Blodgett" washer was set in place of a strong metal or signal that is believed to be marking the Southeast corner of Section 32, Township 8 North, Range 2 West. This signal is believed to be the 5/8 inch diameter rebar referenced in the office of the Monroe County Surveyor as corner D) Vanita 1-23, and in several surveys in the area. This signal was found to be the best evidence available and was accepted and held as said corner.

P) Several 5/8 inch diameter rebar with caps stamped "Tapp" were found marking corners on the subject property (Lot 3). These rebar were believed to have been set in the original platting of Chris and Aaron Langley Type "E" Administrative Subdivision performed by Philip O. Tapp dated July 12th, 2012 (Instr. 2012012126). These rebar were found to agree with other monuments in the area and were accepted and held as said corners.

Q) Several 5/8 inch diameter rebar were found marking points on the south line of the subject property (Lot 3) and the adjoining property to the south. These rebar were believed to have been set in the original platting of Blackwell Tracts performed by Lee Utz dated May 16th, 1988. These rebar were found to agree with other monuments in the area and were accepted and held as said corners.

R) The Southwest corner of the West Half of the Southeast Quarter of Section 32, Township 8 North, Range 2 West, this corner was calculated based on the geometry of the Blackwell Tracts performed by Lee Utz dated May 16th, 1988 and the monuments described in line "Q".

S) A 1/8 inch diameter rebar was found marking a point on the west line of the subject property (Lot 3) and the Northeast corner of the land now or formerly owned by Cross (Instr. 2017012511). This rebar was believed to have been set in a survey performed by Lee Utz for Corner Dated November 7th, 1994 and referenced in several other surveys in the area. This rebar was found to agree with other monuments in the area and was accepted and held as said corner and point on line.

T) A 5/8 inch diameter rebar was found 12 inches below grade marking the east end of the 300.90 foot long line on the subject property. This rebar was believed to have been set in a survey performed by Charles D. Graham for a 2.31 acre tract dated September 30th, 2003. This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

U) A 5/8 inch diameter rebar was found flush with grade marking the Northeast corner of the land now or formerly owned by Langley (Instr. 2019016202). This rebar was believed to have been set in a survey performed by Charles D. Graham for a 5.31 acre tract dated September 30th, 2003. This rebar was found to agree with other monuments in the area and was accepted and held as said corner.

LINE OF OCCUPATION

The lines of occupation, which affect this survey, are detailed as follows:

- 1) A wire fence was found running north and south along the 413.10 foot long line on the subject property (Lots 3 & 4). This fence extends from 11-3.2 feet east of line to the north end to 10-08 feet east of line at the south end.
2) A wire fence was found running east and west along a portion of the north line of the subject property (Lots 1 & 2). This fence extends from 2-2.5 feet north of line at the west end to 11-4.0 feet north of line at the east end.
3) A wire fence was found running north and south along the east line of the subject property (Lot 1). This fence extends from 1-2.1 feet west of line at the north end to 11-5.2 feet west of line at the south end.
4) An monument wire fence was found running along the south line of the subject property (Lot 3). This fence extends from 0-0.1 feet south of line at the east end to 0-0.5 feet north of line at the west end.

RECORD DESCRIPTIONS

1) No discrepancies were associated with the record description.

CERTIFICATION

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

Statements have been located in the field and proposed with this survey drawing. This qualification will be removed upon receipt and inspection of entire 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 is conforming according to the survey requirements in 865 I.A.C. 1-2-1 through 19.

Certified this 26th day of January, 2023.

Eric L. Deckard
Registered Surveyor or LS 28900012
State of Indiana



DEDICATION OF PUBLIC RIGHTS-OF-WAY

Aaron M. Langley, (Owner of the real estate shown and described herein do hereby convey, by gift and plat laws mentioned, to be known as Langley Minor Subdivision - Final Plat, Rights-of-way and hereafter dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certification, this plat shall be known as Langley Minor Subdivision - Final Plat.

The right-of-way to be dedicated for W. Kinkville Road shall measure 25 feet perpendicular to and parallel with the existing centerline of W. Kinkville Road. Any interest that said parties have in within said right-of-way is hereby dedicated to Monroe County, Indiana.

As owners of a Lot 2 in Chris & Aaron Langley Type "E" Administrative Subdivision we by this instrument dedicate this plotted lot vacated.

There are building setbacks on this plat upon which no structures may be erected or maintained.

Witness our hands and seals this ___ day of _____, 20__.

Aaron M. Langley
8109 W. Kinkville Road
Bloomington, IN 47403
(812) 366-3363

STATE OF INDIANA)
) S.S.
COUNTY OF MONROE)

I, before me, the undersigned Notary Public, in and for said County and State, personally appeared Aaron M. Langley, (Owner) each separately and severally acknowledged the execution of the foregoing instrument to his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and official seal this ___ day of _____, 20__.

Notary Public:

County of Residence: (Seal)

My Commission Expires: _____

STORM & SURFACE DRAINAGE

This is to certify that the subject property is located in Zone "X", according to IDDM, Final Number 1810S02250 dated December 17th, 2010.

COMMISSION CERTIFICATE

Under the authority of Chapter 174, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance; these parcels were created through the Minor Subdivision procedure and approved by the Monroe County Planning Commission on _____.

Monroe County Planning Commission:

President:

Secretary:

SURVEY DESCRIPTION

On and in the Southeast Quarter of Section 32 and a part of the Southeast Quarter of Section 33 all in Township 8 North, Range 2 West of the Second Principal Meridian in Monroe County, Indiana, being that 57.44 acre parcel surveyed by Eric L. Deckard, Indiana Professional Surveyor #28900012 and shown on a plat of survey in Deed and Land Surveying Job No. 22-175, being more particularly described as follows:

Commencing in a range spike marking the Southeast Corner of said Section 32, thence along the east line of said Southeast Quarter, North 00 degrees 15 minutes 45 seconds East for a distance of 538.94 feet, thence leaving said east line North 89 degrees 13 minutes 02 seconds West for a distance of 121.36 feet to a rebar on the west line of the East Half of said Southeast Quarter, thence along said west line North 00 degrees 25 minutes 06 seconds East for a distance of 327.19 feet to a rebar, thence continuing along said west line North 00 degrees 47 minutes 07 seconds East for a distance of 667.59 feet to a rebar stamped "Blodgett", thence leaving said west line North 06 degrees 57 minutes 18 seconds East for a distance of 209.90 feet to a rebar, thence North 62 degrees 13 minutes 08 seconds East for a distance of 605.74 feet to a rebar stamped "Graham", thence North 09 degrees 19 minutes 53 seconds West for a distance of 682.08 feet to a rebar stamped "Deckard" on the north line of said Southeast Quarter, thence along said north line North 89 degrees 15 minutes 29 seconds East for a distance of 185.61 feet, thence leaving said north line South 02 degrees 27 minutes 06 seconds West for a distance of 320.17 feet to a rebar stamped "Blodgett Tapp", passing through a rebar at 32.40 feet, thence South 82 degrees 23 minutes 08 seconds East for a distance of 66.10 feet to a rebar stamped "Ancho", thence South 00 degrees 31 minutes 01 seconds West for a distance of 511.41 feet to a rebar, thence South 89 degrees 33 minutes 29 seconds East for a distance of 252.61 feet to a rebar stamped "Blodgett Tapp" on the east line of the Southeast Quarter of said Section 32, thence along said east line South 00 degrees 17 minutes 45 seconds West for a distance of 441.16 feet to a rebar stamped "Ancho", thence leaving said east line South 89 degrees 07 minutes 30 seconds East for a distance of 1327.00 feet to the east line of the West Half of the Southeast Quarter of said Section 33, passing through a rebar at 124.22 feet, thence along said east line South 60 degrees 13 minutes 20 seconds West for a distance of 686.02 feet to a rebar stamped "Deckard", thence leaving said east line North 89 degrees 06 minutes 04 seconds West for a distance of 966.72 feet to a rebar stamped "Tapp", thence North 00 degrees 12 minutes 57 seconds East for a distance of 142.80 feet to a rebar stamped "Ancho", thence North 37 degrees 10 minutes 45 seconds West for a distance of 139.96 feet to a rebar stamped "Tapp" on the east line of the Southeast Quarter of said Section 32, thence along said east line South 09 degrees 17 minutes 45 seconds West for a distance of 111.87 feet to the Point of Beginning, continuing 57.44 acres more or less.

Subject to the right of way of W. Kinkville Road and all easements of record.

Vertical strip on the right side of the page containing a 'DECKARD' stamp, a north arrow, and the title 'LANGLEY MINOR SUBDIVISION A PART OF SECTIONS 32 & 33, T8N, R2W'. Below this is a table with columns for 'ACRES' and 'SQ. FT.' and rows for 'LOT 1', 'LOT 2', 'LOT 3', and 'LOT 4'. The table shows 0.00 acres and 0.00 sq. ft. for each lot. At the bottom of the strip is a 'BNIDY SHI' stamp.

EXHIBIT 4: Findings of Fact
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 is two parcels totaling 57.34 +/- acres;
- The petition site is in a platted subdivision, plat vacation fees have been paid;
- The site is zoned Agriculture/Rural Reserve (AG/RR) along with the surrounding area;
- The preliminary plat amendment request is to subdivide the property into three new lots with the following details:
 - LOT 1: 10.00 acres; LOT 2: 10.07 acres; LOT 3: 27.37 acres; LOT 4 10.00
- The preliminary plat does not request any subdivision waivers;
- Street tree requirements will be met by existing trees on the property in Lot 4;
- Proposed lots 1, 2, and 3 are accessed by an existing ingress, egress & utility easement with access off of W Evans RD, while Lot 4 is accessed by an existing driveway with access off of W Kirksville RD;

(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

- The Comprehensive Plan designates the property as Farm and Forest;
- See findings under Section A;

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

Findings

- The MS4 Coordinator requests ;
- See findings under Section A;

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

Findings

- Neighboring properties are zoned AG/RR;
- The use of neighboring properties is either residential or agricultural;
- See findings under Sections A & C;

(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

- Designated floodplain is to be delineated on the preliminary plat;
- See findings under Sections A & C;

(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, a final plat will be required to be recorded as the result of the proposed preliminary plat amendment process;

MONROE COUNTY PLAT COMMITTEE		June 15, 2023
PLANNER	Anne Crecelius	
CASE NUMBER	SSS-23-1	
PETITIONER	Doug Heshelman c/o Deckard Land Surveying	
ADDRESS	9401 W Rockeast RD, parcel #53-10-19-400-001.092-007	
REQUEST	Heshelman Sliding Scale Subdivision Preliminary Plat Partial Plat Vacation	
ACRES	14.28 +/- acres	
ZONE	AG/RR	
TOWNSHIP	Indian Creek Township	
SECTION	19	
PLATS	Platted: Moore's Buena Vista Farm II	
COMP PLAN DESIGNATION	Farm and Forest	

EXHIBITS

1. Preliminary Plat
2. Moore's Buena Vista Farm II Final Plat
3. Final Plat Amendment SFP-23-6

STAFF RECOMMENDATION

Staff recommends **approval** of the Sliding Scale Subdivision Preliminary Plat based on findings of fact and subject to the Monroe County Highway Department reports with the following conditions:

1. Update drives to approved locations
2. Final plat to include the instrument number for the Moore's Buena Vista Farm II Minor Subdivision Amendment 1 Final Plat.
3. Provide water and electric capacity letters.

SUMMARY

The petition site is formerly one lot of record that totaled 40.10 acres located in Indian Creek Township, Section 19. The site is zoned Agriculture/Rural Reserve (AG/RR). The property was platted as Lot 2 within the *Moore's Buena Vista Farm II Minor Subdivision* (Instrument 2019014000 – see Exhibit 2). The petitioner recently submitted a Final Plat Amendment to amend the lot line of Lot 2, transferring 25.81 acres to a separate property directly adjacent to the north (see Exhibit 3). This resulted in Lot 2 having total acreage of 14.28 acres (Exhibit 3). The *Moore's Buena Vista Farm II Minor Subdivision Final Plat Amendment 1* should be recorded at the time of this petition's review. The petitioner is now proposing to vacate the 14.28 acre Lot 2 from the recently recorded plat *Moore's Buena Vista Farm II Minor Subdivision Final Plat Amendment 1* and subdivide under this petition. This petition is for a 2-lot Sliding Scale Subdivision. No waivers are requested for this petition (sidewalks and street trees are not required). Utilities will be required to be buried.

The final plat amendment is an administrative approval and should have been recorded by the time the Plat Committee reviews this proposed 2-lot Sliding Scale Subdivision with a partial plat vacation.

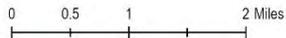
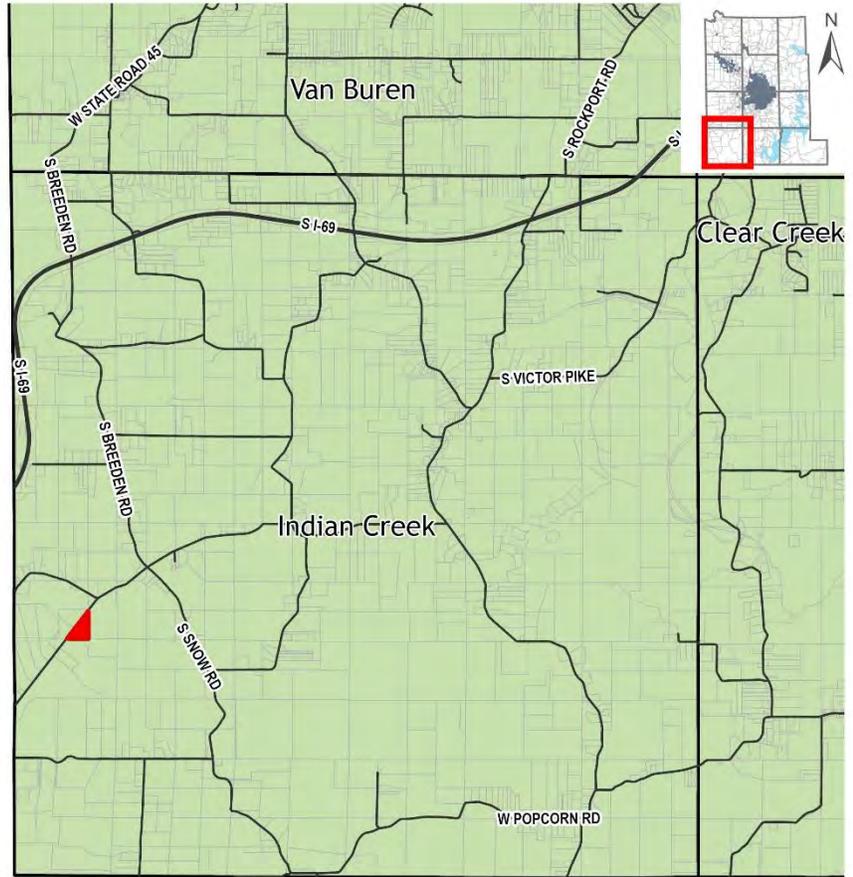
	Lot 1	Lot 2
Total Acreage	10.53 acres 6.71 buildable	3.75 acres 2.29 buildable
Wastewater	WW-23-33	WW-23-34
Access	Direct frontage on Rockeast RD RW-23-41 – approved	Direct frontage on Rockeast RD RW-23-41 - approved
ROW Dedication	25' RoW previously dedicated	25' RoW previously dedicated
Environmental	<ul style="list-style-type: none"> • 50' riparian easement on eastern boundary • 50' riparian easement on western internal lot line 	<ul style="list-style-type: none"> • 50' riparian easement on eastern internal lot line • 100' previously platted riparian easement

	<ul style="list-style-type: none"> Flood Zone A & Drainage Easement on southern boundary 	
Structures	Undeveloped, vacant	Undeveloped, vacant

LOCATION MAP

Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Parcels



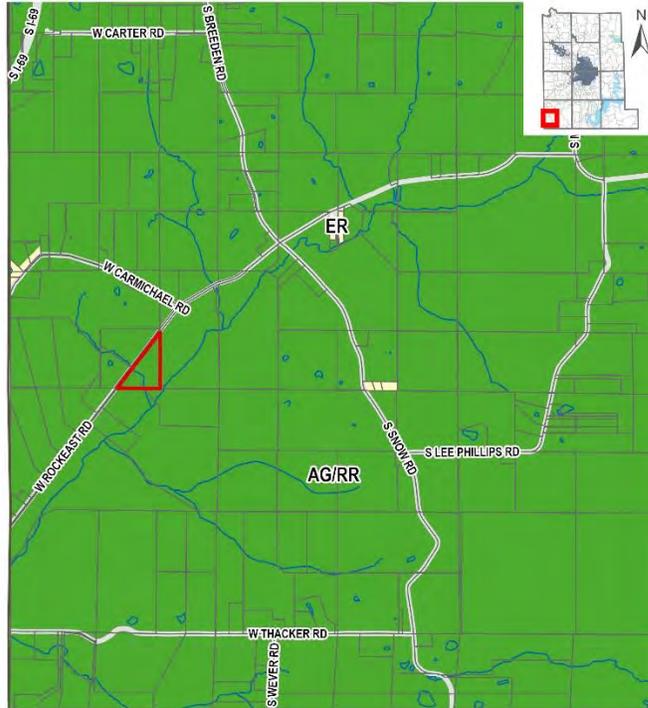

 Monroe County
 Planning Department
 Source: Monroe County GIS
 Date: 4/10/2023

ZONING

The zoning for the petition site and adjacent properties are zoned Agricultural Rural Reserve (AG/RR).

Current Zoning Map

- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning**
- AG/RR - Agriculture/Rural Reserve
- ER - Estate Residential



SITE CONDITIONS MAP

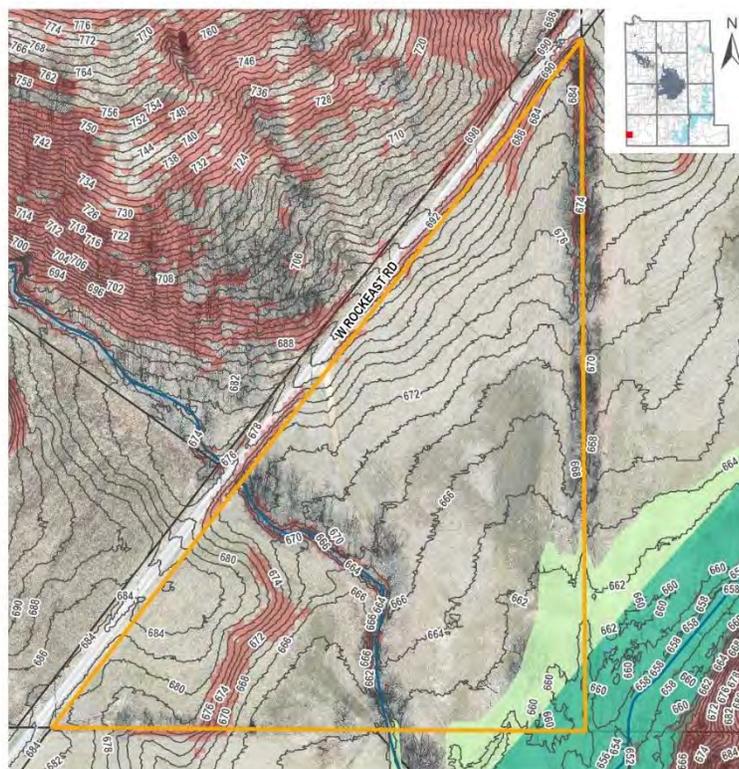
The petition site is mainly slopes under 15% with a stream crossing through the center of proposed lot 2. The south-eastern portion of the lot contains some Floodplain areas.

Kelsey Thetonia, MS4 Coordinator, requested the following as of 4/10/23:

Please use the Best Available floodplain layer to delineate the drainage easement covering the floodplain on Lots 1 and 2. Also, MC has a 36" culvert at the west corner of Lot 2. Please provide a 25 ft. DE along the south side of Lot 2.

Site Conditions Map

- Petitioner
- 2-Foot Contours
- 15% Slope (County/ECO2)
- <VALUE>
- 0 - 15
- > 15
- Local Roads [50']
- Hydrologic Features
- DNR Best Available Data**
- Flood Zone**
- A
- A, APPROXIMATE FLOODWAY
- Parcels



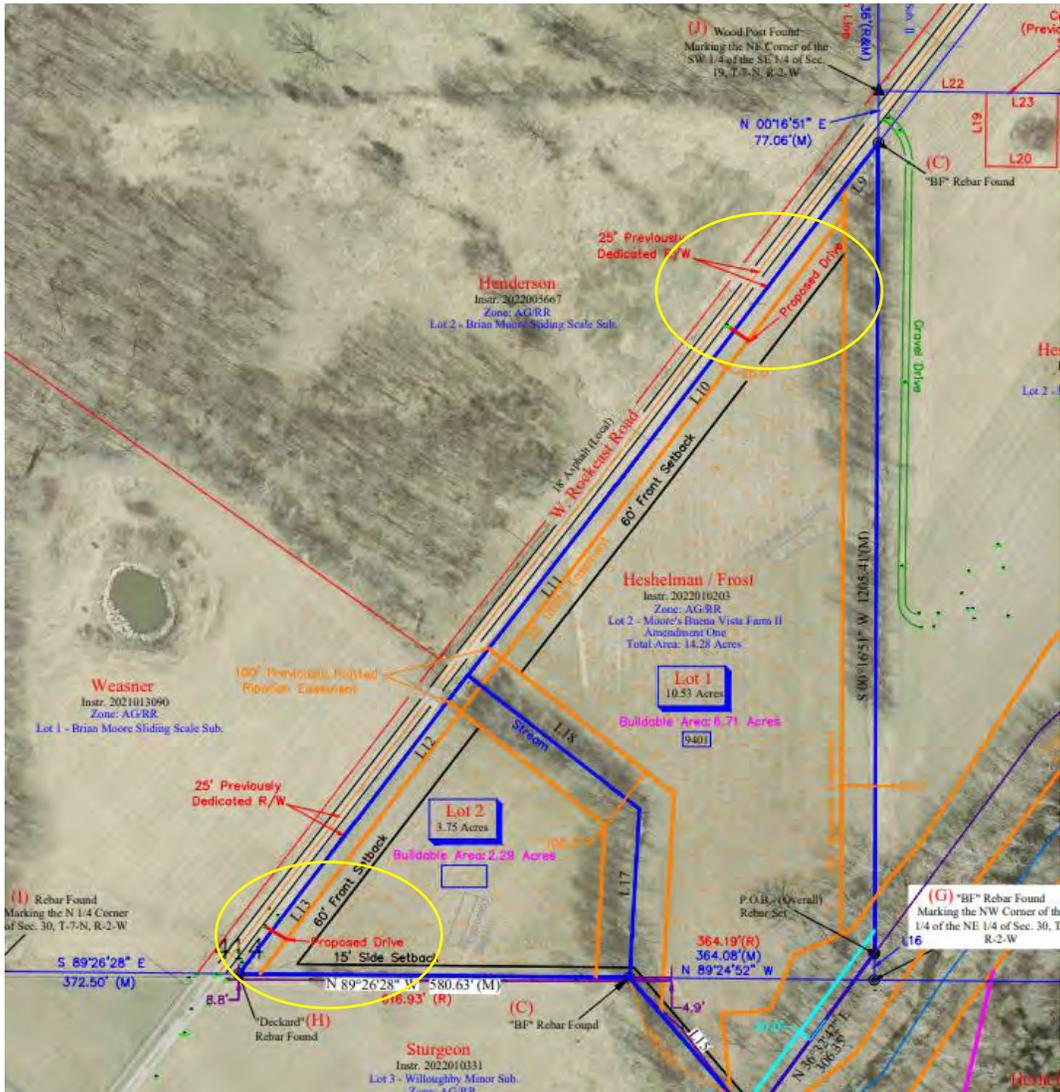
INFRASTRUCTURE AND ACCESS

The parcel maintains frontage along W Rockeast RD, which is classified as a Local Road with 25' of previously dedicated right-of-way.

Ben Ayers, Project Manager, has stated:

Right of way Activity permit applications have been submitted and will be approved pending Final Plat. See RW-23-41 and RW-23-42.

Remove existing driveway entrance on Lot #1. Monroe County Code Chapter 755; 755-11 Manual for Construction Within and Adjacent to Monroe County Right-of-way states that Residential lots are limited to a single driveway.



SITE PICTURES



Photo 1. Pictometry photo of the petition site looking SW.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the **Farm and Forest** designation of the Comprehensive Plan. The Comprehensive Plan states the following for this designation:

Farm and Forest Residential

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall

consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.
- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

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

- Approval of the subdivision would subdivide one lot into two (2) lots which will meet all design standards;
- Lot 1, the designated Parent Parcel Remainder, shall not be further subdivided for a period of twenty-five (25) 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 authorized by ordinance;
- Proposed lots have an approved septic permit location;
- Proposed lots 1 and 2 have received approved with conditions driveway permit off of W Rockeast RD;
- The MS4 Coordinator has reviewed the application and requested drainage easements;
- 25' of right-of-way was previously dedicated;

(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

- The Comprehensive Plan designates the site as Farm and Forest, which includes low-density single-family subdivisions;
- The site has access to utilities;
- See findings under Section A;

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

Findings

- See findings under (A);
- The proposed use is residential;
- Structures may not cover more than 65 percent of the lot;
- The surrounding uses are residential or agricultural;

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

Findings

- The property is currently zoned Agricultural Rural Reserve (AG/RR) and is undeveloped and vacant;
- Adjacent properties are zoned Agricultural Rural Reserve (AG/RR), and are used for agricultural or residential uses;
- Approval of the subdivision would create two (2) lots that meet the design standards for the zoning designation AG/RR;
- See findings under Sections A & C;

(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 & D;

(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.

(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.

EXHIBIT 1: Preliminary Plat

HESHELMAN SLIDING SCALE SUBDIVISION - PRELIMINARY PLAT
 A PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND A PART
 OF THE NORTHEAST QUARTER OF SECTION 30 ALL IN
 TOWNSHIP 7 NORTH, RANGE 2 WEST
 MONROE COUNTY, INDIANA

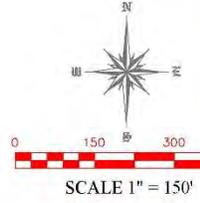
AREA FOR COUNTY RECORDER

INDIAN CREEK TWP
 TOWNSHIP 7 N
 RANGE 2 W
 SECTIONS 19 & 30

DEVELOPER, APPLICANT & OWNER
 DOUG HESHELMAN
 5651 S. ISJK ROAD
 BLOOMINGTON, IN 47403
 785-691-7698

LEGEND

STONE POUND	BEARS ROD POUND
UTILITY POLE	MAN SPRING
SHAR POINT	WOOD FENCE
RHARAZIM	POUCT
STUBBLE BEAM	CONCRETE POWERLINE
AN PRINCIPLE POINT	RECORD
UTTERLINE	MEASURED
ADDRESS	CALCULATED
BUILDABLE AREA	TRANSFER AREA



SETBACK TABLE

Front - 60' from R/W or 50' if no direct frontage
 Side - 15' for Residential & Accessory Structures / 50' for other
 Rear - 35' for Residential & Accessory Structures / 50' for other
 These lots are for "Single Family" use.

ZONE: AGRICULTURE/RURAL RESERVE

CERTIFICATION

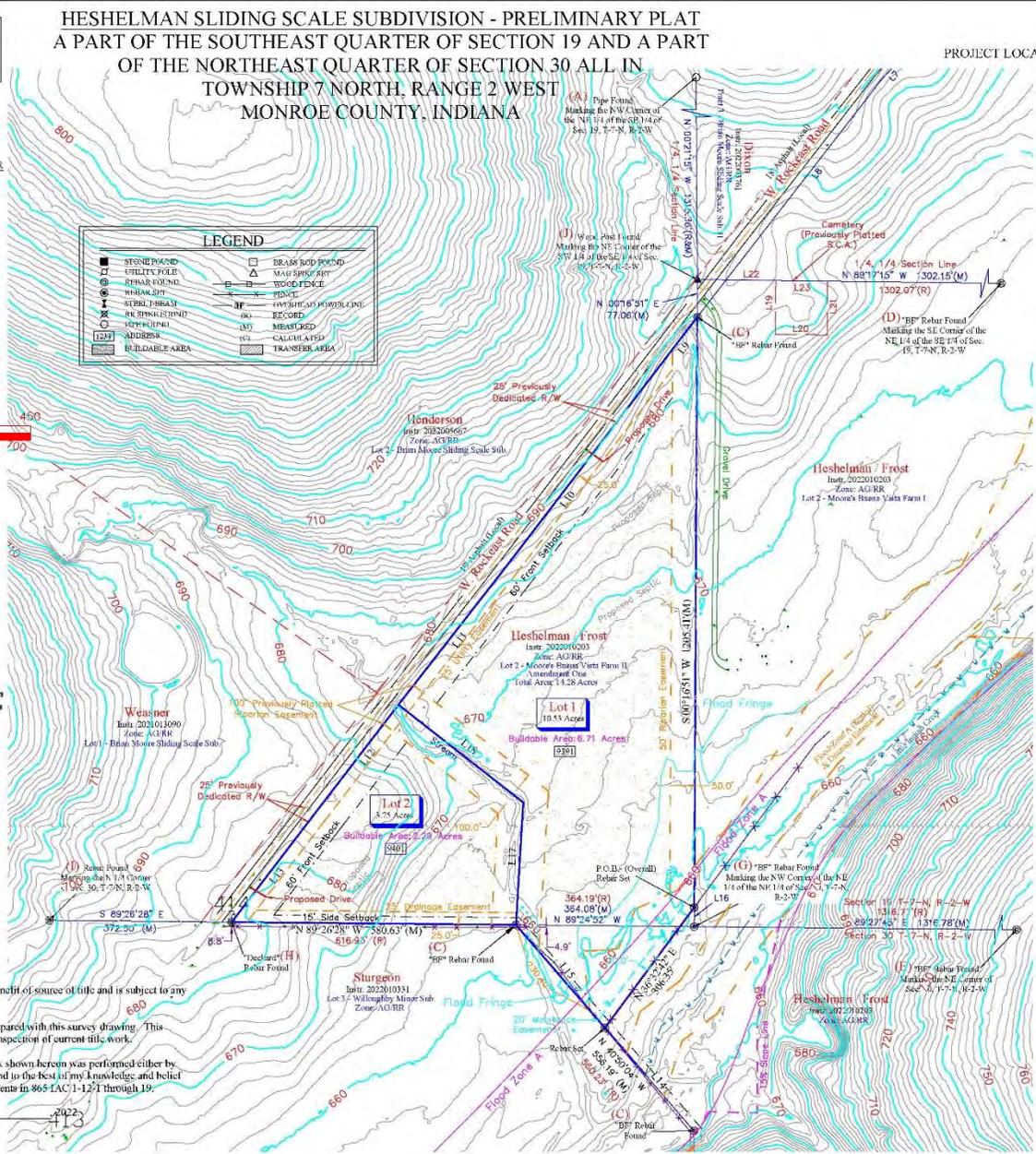
The within survey was performed without the benefit of source of title and is subject to any statement of facts revealed by the same.

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 herein 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 865 IAC 1-12-1 through 19.

Certified this _____ day of _____, 2022.

Eric L. Deckard
 Registered Surveyor LS 29900112
 State of Indiana



- NOTES:**
- 1) 538' rear lot will be set at all property corners.
 - 2) Fieldwork completed November 2022.
 - 3) Basis of Bearing (State Plane-Indiana West)
 - 4) Source of title and easements owned by Marvin Douglas Heshelman and Darla Frost is found in Instrument Number 2022010203 in the Office of the Monroe County Recorder.
 - 5) Reference is made to the plat of Atkinson Minor Subdivision performed by Ben E. Hildebrand dated May 17th, 2003 as found in Instrument Number 2003017165 in the Office of the Monroe County Recorder.
 - 6) Reference is made to the plat of Moore's Hazza Vista Farms I & II Minor Subdivision performed by Charles D. Graham dated November 10th, 2018 as found in Instrument Number 2018010000 & 2018010001 in the Office of the Monroe County Recorder.
 - 7) Reference is made to a survey performed by Eric L. Deckard for Willoighby dated August 4th, 2020. (Job No. 20-20)
 - 8) Reference is made to a survey performed by Eric L. Deckard for Moore dated December 10th, 2020. (Job No. 20-61)
 - 9) Per Monroe County Subdivision and Control Ordinance - Chapter 862-4(A)(1). The designated Parent Parcel Remainder (Lot 1) shall not be further subdivided for a period of twenty-five (25) 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 authorized by ordinance.
 - 10) Coordinates shown herein were obtained from GPS observations utilizing the Indiana Real-Time Network (INCOBS) Indiana West Zone, NAD83(2011) Epoch 2010.0000, State Plane Grid (Coordinate: US Survey Feet, Goid model G2011B77, Datum NAD83, NS_TRANS).
 - 11) Coordinate data was collected using a Topcon HiPer SR GPS, a Topcon 302 Total Station, and an I-C 5000 Data Collector. Coordinate positions are grid north (Indiana State Plane West Zone).
 - 12) This survey is not complete without the accompanying surveyor's report.
 - 13) I affirm, under penalty for perjury, that I have taken reasonable care to reduce each Social Security Number in this document, unless required by law. -ERIC L. DECKARD

Line Table

LINE	BEARING	DISTANCE
L1	S 21°23'46" E	175.77'
L2	S 00°44'09" W	366.23'
L3	S 27°12'29" E	144.41'
L4	S 59°15'34" W	465.89'
L5	S 59°05'29" W	336.90'
L6	S 54°06'52" W	68.91'
L7	S 42°24'14" W	80.41'
L8	S 37°48'20" W	613.02'
L9	N 37°46'54" E	311.45'
L10	N 37°26'06" E	610.52'
L11	N 37°57'38" E	357.49'
L12	N 37°31'28" E	274.68'
L13	N 37°26'57" E	284.80'
L14	N 40°50'04" W	278.10'
L15	N 40°50'04" W	278.09'
L16	N 00°16'51" E	39.43'
L17	N 03°25'33" E	250.44'
L18	N 51°57'15" W	323.91'
L19	S 00°42'29" W	110.14'
L20	S 89°17'31" E	106.34'
L21	N 00°42'29" E	110.13'
L22	S 89°17'15" E	160.20'
L23	N 89°17'31" W	106.34'
L24	S 35°53'08" E	20.00'
L25	N 54°06'52" E	68.04'
L26	N 59°05'29" E	336.00'
L27	N 59°15'34" E	464.63'
L28	S 27°12'29" E	20.04'
L29	S 27°12'29" E	124.37'

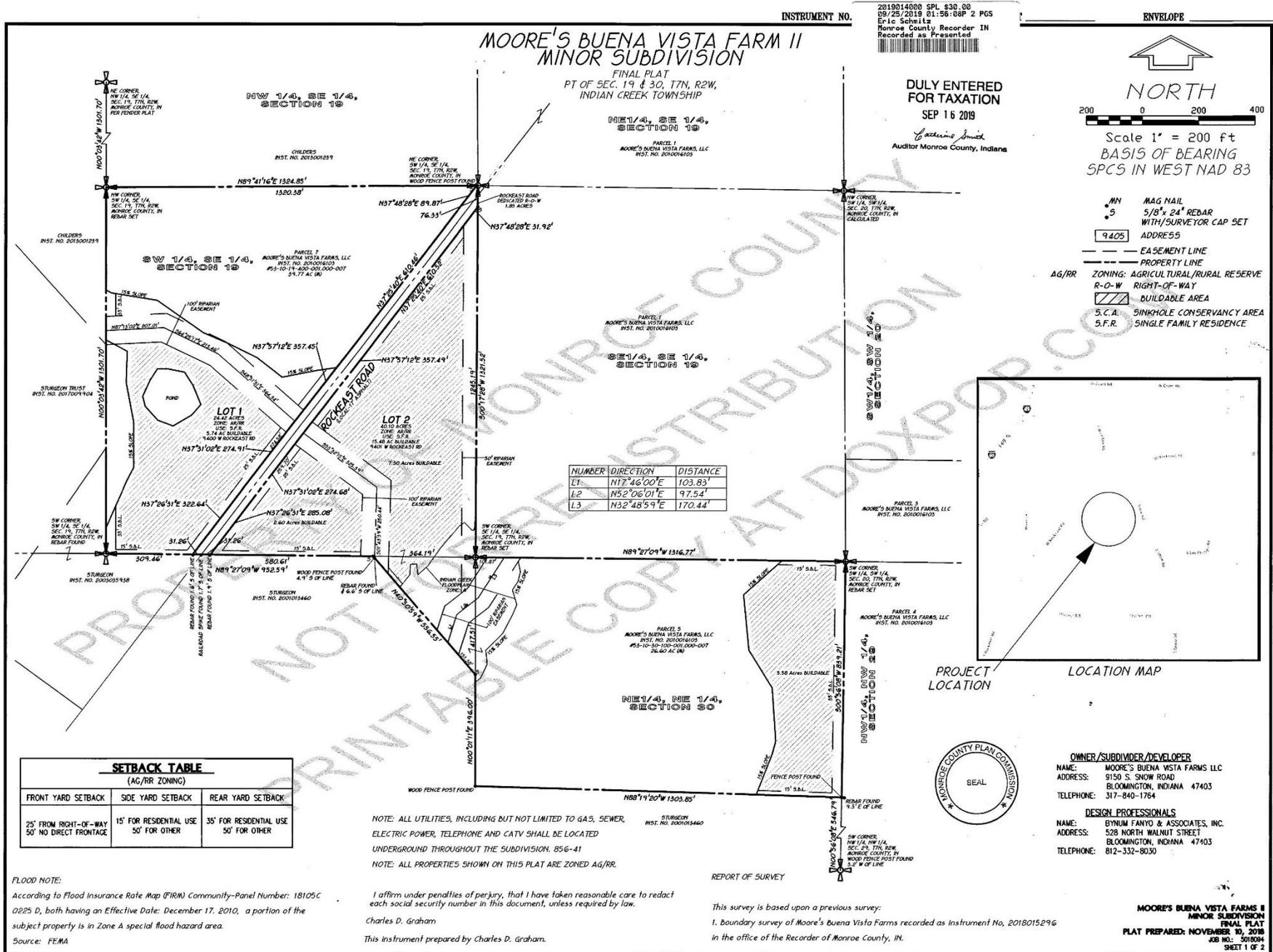
DECKARD
 ERIC L. DECKARD, SURVEYOR
 1000 S. WASHINGTON STREET
 BLOOMINGTON, IN 47403
 785-691-7698

HESHELMAN
 SLIDING SCALE SUBDIVISION
 A PART OF SECTIONS 19 & 30, 17N, 2W

DATE: 11/29/22
 SHEET: 1 OF 2
 DRAWN BY: ELD
 CHECKED BY: ELD

11/29/22
 22-148
1
 OF
2
 11/29/22
 BNDY.SHT

EXHIBIT 2: Moore's Buena Vista Farm II Final Plat



MOORE'S BUENA VISTA FARM II MINOR SUBDIVISION

FINAL PLAT
PT OF SEC. 19 & 30, T7N, R2W,
INDIAN CREEK TOWNSHIP

We, Moore's Buena Vista Farms, LLC, the owners of the real estate described below, certify that we have subdivided and platted it according to this plat.

This subdivision is called MOORE'S BUENA VISTA FARM II MINOR SUBDIVISION in addition to Monroe County, Indiana, and consists of 2 lots, numbered 1 through 2, inclusively. The streets and alleys shown, as far as they have not already been so dedicated, are dedicated to the public.

Front, rear and side yard setback lines are established as shown on the plat. Between them and the property lines of the adjacent streets no building or other structure shall be erected or maintained.

The strips of ground that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines and wires. Buildings or other structures shall not be erected or maintained on these strips.

Signed and sealed this 26 day of August, 2019

BY: [Signature] BY: [Signature]
Signed Printed

STATE OF INDIANA)
)SS:
COUNTY OF MONROE)

before me, the undersigned Notary Public, in and for the said County and State, personally appeared SELAN MOORE and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and seal this 26th day of August, 2019.

MONROE
County of Residence
Maury T. Block
Notary Public Signature



AUGUST 13, 2022
Commission Expires
Maury T. Block
Notary Public Printed

These parcels were created through the Minor Subdivision procedure and approved by the Monroe County Plan Commission on September 3, 2019.

Under the authority of Chapter 174, Acts of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Minor Subdivision procedure.

MONROE COUNTY PLAN COMMISSION
[Signature]
PRESIDENT, Susie Johnson
[Signature]
SECRETARY, Larry Wilson



LEGAL DESCRIPTION

Owners: Moore's Buena Vista Farms, LLC
Source: Inst. No. 2010016103

66.37 ACRES

The Southwest quarter of the Southeast quarter of Section 19, a part of the Northeast quarter of the Northeast quarter of Section 30 and a part of the Northwest quarter of the Northeast quarter of Section 30, all being located in Township 7 North, Range 2 West, Indian Creek Township, Monroe County, Indiana, more particularly described as follows:

beginning at the northwest corner of the Northeast quarter of the Northeast quarter of Section 30; Thence on the north line of said quarter quarter South 89 degrees 27 minutes 09 seconds East 1316.77 feet to the northeast corner of said quarter quarter; Thence on the east line of said quarter quarter South 00 degrees 56 minutes 08 seconds West 839.21 feet; Thence leaving said east line North 88 degrees 19 minutes 20 seconds West 1303.85 feet to the west line of said quarter quarter; Thence on said west line North 00 degrees 01 minute 11 seconds East 396.00 feet; Thence leaving said west line North 40 degrees 30 minutes 59 seconds West 556.55 feet to the south line of the Southwest quarter of the Southeast quarter of Section 19; Thence on said south line North 89 degrees 27 minutes 09 seconds West 952.59 feet to the southwest corner of said quarter quarter; Thence on the west line of said quarter quarter North 00 degrees 03 minutes 42 seconds West 1301.70 feet to the northwest corner of said quarter quarter; Thence on the north line of said quarter quarter North 89 degrees 41 minutes 16 seconds East 1324.85 feet to the northeast corner of said quarter quarter; Thence on the east line of said quarter quarter South 00 degrees 17 minutes 28 seconds West 1321.52 feet to the Point of Beginning, containing within said bounds 66.37 acres.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on November 10, 2018 and that the monuments shown on it exist; and that their locations, sizes, types, and materials are accurately shown.

[Signature]

November 10, 2018

Charles D. Graham
Registration No. LS29500014
within the State of Indiana
bynum fanyo & Associates, Inc.
528 N. Walnut St.
Bloomington, IN 47404
812-332-8030 tel
812-339-2990 fax
jlfay@bynumfanyo.com

Date of Map

Date of Last Revision



MOORE'S BUENA VISTA FARMS II
MINOR SUBDIVISION
FINAL PLAT
PLAT PREPARED: NOVEMBER 10, 2018
JOB NO.: 201804
SHEET 2 OF 2

EXHIBIT 3: Final Plat Amendment SFP-23-6

MOORE'S BUENA VISTA FARM II - FINAL PLAT AMENDMENT ONE
A PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND A PART
OF THE NORTHEAST QUARTER OF SECTION 30 ALL IN
TOWNSHIP 7 NORTH, RANGE 2 WEST
MONROE COUNTY, INDIANA

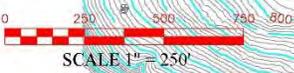
AREA FOR COUNTY RECORDER

INDIAN CREEK TWP
 TOWNSHIP 7 N
 RANGE 2 W
 SECTION 19 & 30

DEVELOPER, APPLICANT & BOUNDARY OWNER
 DICK SPITSHEDMAN
 5651 S. 18TH ST. #100
 ELlettsVILLE, IN 47415
 316-231-1008

LEGEND

■	STONE FOUND	□	BRASS ROD FOUND
○	UTILITY POLE	□	WASHER FOUND
⊙	REBAR FOUND	□	WOOD PILE
⊕	STEEL ANCHOR	□	WELL
⊗	SYNTHETIC POWER LINE	□	WELL
⊘	RR SPUR FOUND	□	WELL
○	WELL FOUND	□	WELL
○	ADDRESS	□	WELL
□	BUILDABLE AREA	□	WELL
□	NON-BUILDABLE AREA	□	WELL



SETBACK TABLE

Front - 25' from R/W or 50' if no direct access
 Side - 15' for Residential & Accessory Structures / 50' for others
 Rear - 35' for Residential & Accessory Structures / 50' for others
 (Read map for "No-Setback" Areas)

ZONE AGRICULTURAL RESERVE

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 865 IAC 1-12-1 through 19.

Certified this _____ day of _____, 2022.

Eric L. DeKard
 Registered Surveyor LS 29900112
 State of Indiana

PROJECT LOCATION



LOCATION MAP

- NOTES:**
- 5/8" rebar will be set at all property corners.
 - Fieldwork completed November 2022.
 - Date of bearing (State Plane-Indiana West).
 - Source of title now or formerly owned by Marvin Douglas Heshelman and Darla Frost as found in Instrument Number 2022010203 in the Office of the Monroe County Recorder.
 - Reference is made to the plat Moore's Buena Vista Farm I performed by Ben E. Bleshow dated May 13th, 2003 as found in Instrument Number 2003011606 in the Office of the Monroe County Recorder.
 - Reference is made to the plat of Moore's Buena Vista Farm I & II Miner Subdivision performed by Charles D. Graham dated November 10th, 2018 as found in Instrument Numbers 2018014000 & 2018013999 in the Office of the Monroe County Recorder.
 - Reference is made to a survey performed by Eric L. DeKard for Willoughby dated August 4th, 2020 (Job No. 20-20).
 - Reference is made to a survey performed by Eric L. DeKard for Moore dated December 16th, 2020 (Job No. 20-81).
 - Coordinates shown hereon were obtained from GPS observations utilizing the Indiana Real-Time Network (INCOORS) Indiana West Zone, NAD83(2011) Epoch 2010.0000, State Plane Grid Coordinates, U.S. Survey Feet. Geoid model G2012B07, Datum NAD83_NO_TRANS.
 - Coordinate data was collected using a Topcon Network Rover (Hiper SR GPS), a Topcon 302 Total Station, and an F-C 5000 Data Collector. Coordinate positions are grid north (Indiana State Plane West Zone).
 - This survey is not complete without the accompanying surveyor's report.
 - I affirm, under penalty for perjury, that I have taken responsible care to reduce each Social Security Number in this document, unless required by law. 49816-1-1900(KA)(1)

Line Table

LINE	BEARING	DISTANCE
L1	S 21°23'46" E	175.77'
L2	S 00°44'09" W	366.23'
L3	S 27°12'29" E	144.41'
L4	S 59°15'34" W	465.89'
L5	S 59°05'29" W	336.90'
L6	S 54°06'52" W	68.91'
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L16	S 00°16'51" W	39.43'
L17	N 03°25'33" E	250.44'
L18	N 51°57'15" W	323.91'
L19	S 00°42'29" W	110.14'
L20	S 89°17'31" E	106.34'
L21	N 00°42'29" E	110.13'
L22	S 89°17'15" E	160.20'
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L27	N 59°15'34" E	464.63'
L28	S 27°12'29" E	20.04'
L29	S 27°12'29" E	124.37'

DEKARD
 LAND SURVEYING
 1000 W. STATE ST. #100
 ELlettsVILLE, IN 47404
 316-231-1008



MOORE'S BUENA VISTA FARM II
FINAL PLAT AMENDMENT ONE
A PART OF SECTIONS 19 & 30 T7N, R2W

DATE	11/29/22
BY	ERIC L. DEKARD
FOR	DICK SPITSHEDMAN
PROJECT NO.	22-148
DATE	11/29/22
BY	ERIC L. DEKARD
FOR	DICK SPITSHEDMAN

11/29/22

2

BNDY.SIT

SURVEYOR'S REPORT

In accordance with Title 865, IAC, 1-12 sections 1-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

- A). (Variances) in the reference monuments.
- B). (Discrepancies) in the record description and plats
- C). (Inconsistencies) in lines of occupation and;
- D). (Relative Positional Accuracy) "RPA"

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban survey (0.13" plus 100 PPM) as defined I.A.C. Title 865 ("relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.)

SUBJECT PROPERTY:

A Final Plat Amendment was performed on the property now or formerly owned by Marvin Douglas Heshelman and Darla Frost as found in Instrument Number 2022010203 in the Office of the Monroe County Recorder. The purpose of this survey is to retrace the boundary lines of the subject property and divide into two separate lots. This property is located in Sections 19 & 30, all in Township 7 North, Range 2 West, Monroe County, Indiana.

REFERENCE MONUMENTS:

- A). A 1 inch pipe was found 12 inches above grade marking the Northwest corner of the Northeast quarter of the Southeast quarter of said Section 19. The origin of this monument is unknown, however was found to be referenced in said survey for Moore's Buena Vista Farms I Minor Subdivision. This monument was accepted and held as said corner. The record versus measured distance between this monument and the monument described in line "F" is negligible.
- B). A 5/8 inch diameter rebar with cap stamped "Bynum Fanyo" was found 14 inches above grade marking the Northeast corner of the Southeast quarter of said Section 19. This monument was believed to have been set in said survey for Moore's Buena Vista Farms I Minor Subdivision. This monument was accepted and held as said corner. The record versus measured distance between this monument and the monument previously described in line "A" is 1302.49 feet versus 1302.32 feet respectively.
- C). Several 5/8 inch rebars with caps stamped "Bynum Fanyo" were found marking corners of the subject property. These rebars are believed to have been set in the original platting of Moore's Buena Vista Farms I & II (Instr. 2019013999 & 2019014000) and were accepted and held as said corners.
- D). A 5/8 inch diameter rebar with cap stamped "Bynum Fanyo" was found 4 inches above grade marking the Southeast corner of the Northeast quarter of said Section 19. This monument is believed to have been set in said survey for Moore's Buena Vista Farms I Minor Subdivision. This monument was accepted and held as said corner. The record versus measured distance between this monument and the monument previously described in line "B" is 1318.02 feet versus 1317.89 feet respectively.
- E). A 5/8 inch rebar with cap stamped "Bynum Fanyo" was found 6 inches above grade marking the Northeast corner of Section 30, Township 7 North, Range 2 West. This rebar is believed to have been set in said survey for Moore's Buena Vista Farms I and was accepted and held as said corner.
- F). A railroad steel "T" beam was found 5 feet above grade marking the East quarter corner of Section 30, Township 7 North, Range 2 West. This monument was found to be referenced as Corner I.D. "InCr L-19" in the Office of the Monroe County Surveyor records. This monument was found to be referenced in several surveys in the area and was accepted and held as said corner.
- G). A 5/8 inch rebar with cap stamped "Bynum Fanyo" was found 12 inches above grade marking the Northeast corner of the Northeast quarter of the Northeast quarter of Section 30, Township 7 North, Range 2 West. This rebar is believed to have been set in said survey for Moore's Buena Vista Farms I and was accepted and held as said corner.
- H). A 5/8 inch diameter rebar with cap stamped "Deckard" was found flush with grade marking the Southwest corner of Lot 2 in Moore's Buena Vista Farm II Minor Subdivision. This rebar was set in the original platting of Willoughby Minor Subdivision performed by Eric L. Deckard dated April 16th, 2020 (Job No. 20-20) This rebar was found to agree with other monuments in the area and was accepted and held as said corner.
- I). A 5/8 inch rebar was found 2 inches above grade marking the North quarter corner of Section 30, Township 7 North, Range 2 West. This monument was found to be referenced on the plat of Moore's Buena Vista Farms II Minor Subdivision and was accepted and held as said corner.
- J). An 8 inch diameter wooden fence post was found marking the Northeast corner of the Southwest quarter of the Southeast quarter of Section 19, Township 7 North, Range 2 West. This corner post was referenced on said plat of Moore's Buena Vista Farms II Minor Subdivision. This corner post was accepted and held as said corner.

LINE OF OCCUPATION:

The lines of occupation, which affect this survey, are detailed as follows:

- 1). A wire fence was found running east and west on the south line of the subject property (Transfer Area).
- 2). A wire fence was found running east and west along the south line of Lot 2 in Moore's Buena Vista Farm II Minor Subdivision. This fence members from -- 4.9 feet south of line at the east end to +- 8.8 feet south of line at the west end.

**MOORE'S BUENA VISTA FARM II - FINAL PLAT AMENDMENT ONE
A PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND A PART
OF THE NORTHEAST QUARTER OF SECTION 30 ALL IN
TOWNSHIP 7 NORTH, RANGE 2 WEST
MONROE COUNTY, INDIANA**

AREA FOR COUNTY
RECORDER

INDIAN ORIGIN TWP:
TOWNSHIP 7 N
RANGE 2 W
SECTION 19 & 30

DEVELOPER, APPLICANT &/OR OWNER:
MARVIN DOUGLAS HESHELMAN
8651 S. ISON ROAD
BLOOMINGTON, IN 47403
781-691-7698

- 3). The centerline of W. Rockcast road was found running in a northeasterly direction along the west line of the subject property (Lot 2). This centerline was found to be -- 25 feet west of the of line along the subject property

RECORD DESCRIPTIONS:

- 1). No discrepancies in the subject description were found.

SURVEY DESCRIPTIONS

Lot 2
A Part of the Northeast Quarter of Section 30 and a part of the Southeast Quarter of Section 19, all in Township 7 North, Range 2 West of the Second Principal Meridian in Monroe County, Indiana, being that 14.28 acre parcel surveyed by Eric L. Deckard, Indiana Professional Surveyor #29900012 and shown on a plat of survey as Deckard Land Surveying Job No. 22-148, being more particularly described as follows:

Commencing at rebar stamped "Bynum Fanyo" marking the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 30, thence along the east line of the Southwest quarter of the Southeast quarter of Section 19 Township 7 North, Range 2 West North 00 degrees 16 minutes 51 seconds East for a distance of 39.43 feet to a rebar stamped "Deckard" marking the Point of Beginning; thence leaving said east line South 36 degrees 32 minutes 42 seconds West for a distance of 306.35 feet to a rebar stamped "Deckard"; thence North 40 degrees 50 minutes 04 seconds West for a distance of 278.09 feet to a rebar stamped "Bynum Fanyo"; thence North 89 degrees 26 minutes 28 seconds West for a distance of 580.63 feet to a rebar stamped "Deckard" on the easterly right-of-way of W. Rockcast Road thence along said right-of-way the following five (5) courses:

- 1). North 37 degrees 26 minutes 57 seconds East for a distance of 284.80 feet.
- 2). North 37 degrees 31 minutes 28 seconds East for a distance of 274.68 feet.
- 3). North 37 degrees 57 minutes 38 seconds East for a distance of 357.49 feet.
- 4). North 37 degrees 26 minutes 06 seconds East for a distance of 610.52 feet.
- 5). North 37 degrees 46 minutes 54 seconds East for a distance of 31.45 feet to a rebar stamped "Bynum Fanyo" on the east line of the Southwest quarter of the Southeast quarter of Section 19, Township 7 North, Range 2 West; thence leaving said right-of-way and along said east line South 00 degrees 16 minutes 51 seconds West for a distance of 1205.41 feet to the Point of Beginning, containing in all 14.28 acres, more or less.

Subject to the right-of-way of W. Rockcast Road and all legal easements of record.

TRANSFER AREA

Part of the Northeast Quarter of Section 30 and a part of the Southeast Quarter of Section 19, all in Township 7 North, Range 2 West of the Second Principal Meridian in Monroe County, Indiana, being that 25.81 acre parcel surveyed by Eric L. Deckard, Indiana Professional Surveyor #29900012 and shown on a plat of survey as Deckard Land Surveying Job No. 22-148, being more particularly described as follows:

Beginning at rebar stamped "Bynum Fanyo" marking the Northwest Corner of the Northeast Quarter of the Northeast Quarter of said Section 30, thence along the north line of said quarter-quarter South 89 degrees 27 minutes 45 seconds East for a distance of 1316.78 feet to a rebar stamped "Bynum Fanyo" marking the Northeast corner of said Section 30; thence leaving said north line and along the east line of said quarter-quarter South 00 degrees 53 minutes 37 seconds West for a distance of 839.46 feet to a wood fence post; thence leaving said east line North 88 degrees 18 minutes 54 seconds West for a distance of 1303.75 feet to a wood fence post; thence North 00 degrees 02 minutes 57 seconds West for a distance of 396.28 feet to a rebar stamped "Bynum Fanyo"; thence North 36 degrees 32 minutes 42 seconds East for a distance of 278.10 feet to a rebar stamped "Deckard" on the east line of the Southwest quarter of the Southeast quarter of Section 19, Township 7 North, Range 2 West; thence along said east line South 00 degrees 16 minutes 51 seconds West for a distance of 39.43 feet to the Point of Beginning, containing 25.81 acres more or less.

Subject to all easements of record.

DEDICATION OF PUBLIC RIGHTS-OF-WAY:
Marvin Douglas Heshelman & Darla Frost (Owners) of the real estate shown and described herein do hereby certify, lay off and plat Lot numbered 2 to be known as Moore's Buena Vista Farm II - Final Plat Amendment One. Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certification, this plat shall be known as Moore's Buena Vista Farm II - Final Plat Amendment One.

The right-of-way to be dedicated for West Rockcast Road shall measure 25 feet perpendicular to and parallel with the existing centerline of West Rockcast Road. Any interest of said parties have within said right-of-way is hereby dedicated to Monroe County, Indiana.

There are building setbacks on this plat upon which no structures may be erected or maintained.

Witness our hands and seals this _____ day of _____, 20____.

Marvin Douglas Heshelman (Owner)
5651 S. Ison Road
Bloomington, Indiana 47403
(781) 691-7698

Darla Frost (Owner)
????????

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, the undersigned Notary Public, in an for said County and State, personally appeared Marvin Douglas Heshelman & Darla Frost (Owners), each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____.

Notary Public: _____

County of Residence: _____ (Seal)

My Commission Expires: _____

STORM & SURFACE DRAINAGE:

This is to certify that the subject property is located in zone "X", and does not appear to be located in a special flood hazard area, according to FIRM, Panel Number 18105C0225D dated December 17th, 2010.

COMMISSION CERTIFICATE:

Under the authority of Chapter 174, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Final Plat Amendment procedure and approved by the Monroe County Plan Commission on _____.

Monroe County Plan Commission:

President: _____

Secretary: _____

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 865 IAC 1-12-1 through 19.

Certified this _____ day of _____, 2022.

Eric L. Deckard
Registered Surveyor I.S. 29900012
State of Indiana

DECKARD
LAND SURVEYING
1000 W. STATE ST. SUITE 100
BLOOMINGTON, IN 47403
781-691-7698



**MOORE'S BUENA VISTA FARM II
FINAL PLAT AMENDMENT ONE
A PART OF SECTIONS 19 & 30 T7N, R2W**

PROV. SURV.
MARVIN DOUGLAS HESHELMAN
DARLA FROST
ERIC L. DECKARD
11/29/22

22-148
2
of
2
11/29/22
LNDY, SITT

MONROE COUNTY PLAT COMMITTEE		June 15, 2023
PLANNER	Anne Crecelius	
CASE NUMBER	SSS-23-2	
PETITIONER	Doug Heshelman c/o Deckard Land Surveying	
ADDRESS	9091 W Rockeast RD, parcel # 53-10-19-400-002.002-007	
REQUEST	Heshelman Sliding Scale Subdivision II Preliminary Plat Partial Plat Vacation	
ACRES	81.35 +/- acres	
ZONE	AG/RR	
TOWNSHIP	Indian Creek Township	
SECTION	19	
PLATS	Platted: Moore's Buena Vista Farm I	
COMP PLAN DESIGNATION	Farm and Forest	

EXHIBITS

1. Preliminary Plat SSS-23-2
2. Moore's Buena Vista Farm I Final Plat
3. Final Plat Amendment SFP-23-7

STAFF RECOMMENDATION

Staff recommends **approval** of the Sliding Scale Subdivision Preliminary Plat based on findings of fact and subject to the Monroe County Highway Department reports with the following conditions:

1. Update approved driveway entrances
2. Update approved septic locations
3. Add language to Flood Zone A to also clarify that it's a drainage easement (per MS4 Coordinator)
4. Final plat to include the instrument number for the Moore's Buena Vista Farm I Minor Subdivision Amendment 1 Final Plat.
5. Provide water and electric capacity letters.

SUMMARY

The petition site is formerly one lot of record that totaled 55.54 acres located in Indian Creek Township, Section 19. The site is zoned Agriculture/Rural Reserve (AG/RR). The property was platted as lot 2 within the *Moore's Buena Vista Farm I Minor Subdivision* (2019013999 – see Exhibit 2). The petitioner recently submitted a Final Plat Amendment to amend the lot line of Lot 2, to receive a transfer of 25.81 acres to the petition site from an adjacent property to the west (see Exhibit 3). This resulted in Lot 2 having a total acreage of 81.35 acres (Exhibit 3). The *Moore's Buena Vista Farm I Minor Subdivision Final Plat Amendment 1* should be recorded at the time of this petition's review. The petitioner is now proposing to vacate the 81.35 acre Lot 2 from the recently recorded plat *Moore's Buena Vista Farm I Minor Subdivision Final Plat Amendment 1* and subdivide under this petition. This petition is for a 4-lot Sliding Scale Subdivision. No waivers are requested for this petition (sidewalks and street trees are not required). Utilities will be required to be buried.

The final plat amendment is an administrative approval and should have been recorded by the time the Plat Committee reviews this proposed 4-lot Sliding Scale Subdivision with a partial plat vacation.

	Lot 1	Lot 2
Total Acreage	7.46 acres 4.13 buildable	7.57 acres 5.19 buildable
Wastewater	WW-23-37 - new septic installation approved	WW-23-38 - new septic installation approved
Access	Direct frontage on Rockeast RD RW-23-44 – approved Drive to be shared with Lot 2	Direct frontage on Rockeast RD RW-23-45 – denied Drive to be shared with Lot 1
ROW Dedication	• 25' RoW previously dedicated	• 25' RoW previously dedicated

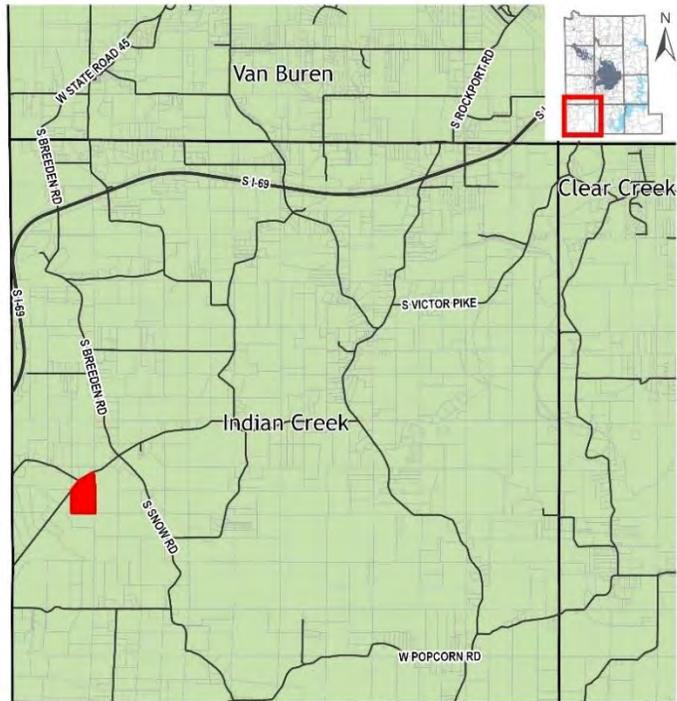
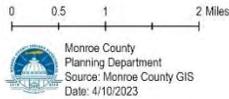
& Other Easements	<ul style="list-style-type: none"> • 25' utility easement • 20' maintenance easement on southern boundary 	<ul style="list-style-type: none"> • <i>Partial</i> 45' RoW dedicated required • 25' utility easement • 20' maintenance easement on southern boundary
Environmental	<ul style="list-style-type: none"> • Previously platted SCA • Flood Zone A on southern boundary 	<ul style="list-style-type: none"> • Flood Zone A on southern boundary
Structures	Undeveloped, vacant	Undeveloped, vacant

	Lot 3	Lot 4 Parent Parcel
Total Acreage	6.82 acres 4.34 buildable	59.10 acres 5.59 buildable on northern portion 5.84 buildable on southern portion
Wastewater	WW-23-39 - new septic installation approved	WW-23-40 - new septic installation approved
Access	Direct frontage on Rockeast RD RW-23-46 – approved Drive to be shared with Lot 4	Direct frontage on Rockeast RD RW-23-47 – denied Drive to be shared with Lot 3
ROW Dedication & Other Easements	<ul style="list-style-type: none"> • 25' RoW previously dedicated • 45' RoW dedicated required • 25' utility easement • 20' maintenance easement on southern boundary 	<ul style="list-style-type: none"> • 25' RoW previously dedicated • 45' RoW dedicated required • 25' utility easement • 20' maintenance easement on southern boundary
Environmental	<ul style="list-style-type: none"> • Flood Zone A on southern boundary 	<ul style="list-style-type: none"> • Flood Zone A on southern boundary • SCA • Slopes > 15%
Structures	Undeveloped, vacant	Agricultural Barn

LOCATION MAP

Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Parcels

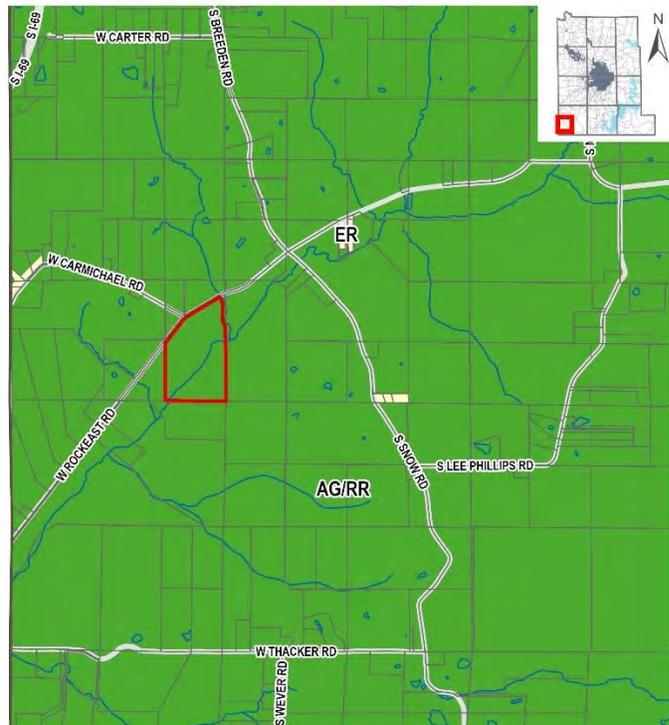
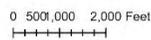


ZONING

The zoning for the petition site and adjacent properties are zoned Agricultural Rural Reserve (AG/RR).

Current Zoning Map

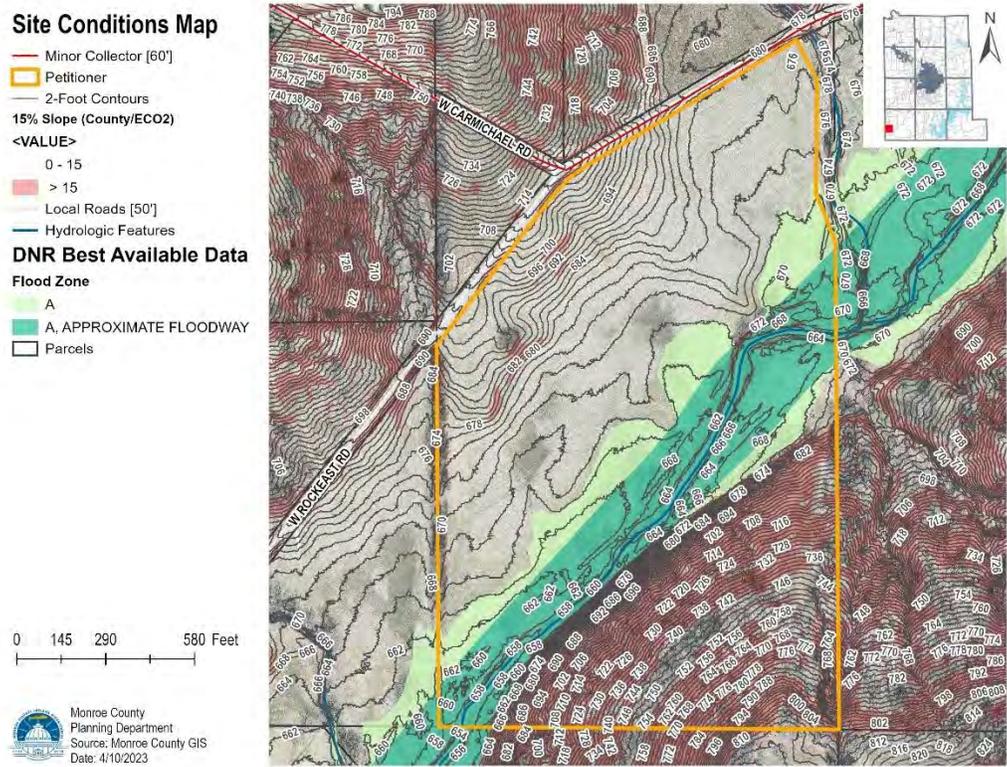
- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning
 - AG/RR - Agriculture/Rural Reserve
 - ER - Estate Residential



SITE CONDITIONS MAP

The petition site is mainly slopes under 15% with a stream crossing through the center of proposed lot 2. The south-eastern portion of the lot contains some Floodplain areas.

Kelsey Thetonia, MS4 Coordinator, requested multiple riparian easements which are shown on the plat.



INFRASTRUCTURE AND ACCESS

The parcel maintains frontage along W Rockeast RD, which is classified as a Minor Collector with 45’ of right-of-way.

Ben Ayers, Project Manager, has stated:

Right of way Activity permit applications have been submitted and will be approved pending Final Plat for Lot #1 & Lot #3. Lot #2 is denied due to the driveway spacing requirement in Monroe County Code Chapter 755; 755-11 Manual for Construction Within and Adjacent to Monroe County Right-of-Way. Lot #4 is denied due to the sight distance requirements in Monroe County Code Chapter 755; 755-11 Manual for Construction Within and Adjacent to Monroe County Right-of-Way. See RW-23-44, RW-23-45, RW-23-46 and RW-23-47.

Lot #2 shall share driveway entrance with Lot # 1 due to the driveway spacing requirement in Monroe County Code Chapter 755; 755-11 Manual for Construction Within and Adjacent to Monroe County Right-of-Way unless approved by the Board of Commissioners of the County of Monroe, Indiana.

Lot #4 shall share driveway entrance with Lot #3 due to sight distance requirements in Monroe County Code Chapter 755; 755-11 Manual for Construction Within and Adjacent to Monroe County Right-of-Way unless approved by the Board of Commissioners of the County of Monroe, Indiana.

Paul Satterly, Highway Engineer, has stated:

Driveways need to be a minimum of 150 ft. apart and 150 ft. from the intersection. Driveways also need to meet sight distance requirements.

SITE PICTURES



Photo 1. Pictometry photo of the petition site looking East.

COMPREHENSIVE PLAN DISCUSSION

The petition site is located within the **Farm and Forest** designation of the Comprehensive Plan. The Comprehensive Plan states the following for this designation:

Farm and Forest Residential

Much of Monroe County is still covered by hardwood forests, in no small part because of the presence of the Hoosier National Forest, Morgan-Monroe State Forest, Army Corps of Engineers properties, and Griffy Nature Preserve. Much of the low lying floodplains and relatively flat uplands have been farmed for well over 100 years. These areas are sparsely populated and offer very low density residential opportunities because of both adjoining Vulnerable Lands and the lack of infrastructure necessary for additional residential density. This category encompasses approximately 148,000 acres including about 40,000 acres of our best agricultural property located primarily in the Bean-Blossom bottoms and western uplands of Richland Township and Indian Creek Township. It includes private holdings within the state and federal forests.

Farm and Forest Residential also includes the environmentally sensitive watersheds of Monroe Reservoir, Lake Lemon, and Lake Griffy and several other large vulnerable natural features in Monroe County. There are approximately 78,000 acres of watershed area in this portion of the Farm and Forest Residential category. These natural features provide a low density residential option while protecting the lakes and the water supply resources of the County. The Farm and Forest areas comprise most of the Vulnerable Land in Monroe County.

A low residential density is necessary in order to protect associated and adjoining Vulnerable Lands and to sustain particular “quality of life” and “lifestyle” opportunities for the long-term in a sparsely populated, scenic setting. With a few exceptions like The Pointe development on Monroe Reservoir, these areas do not have sanitary sewer services and have limited access on narrow, winding roadways. Those portions not already used for agriculture are usually heavily forested and have rugged topography. They offer unique and sustainable residential opportunities that cannot be replaced.

In reviewing rezoning, subdivision and site development proposals, the County Plan Commission shall consider the following:

- Public services or improvements are not expected for these areas within the horizon of this Plan because those improvements require significant investment in roadways, sanitary sewer, private utilities, and public services for which County financial resources do not exist.

- New residential density places additional stress on nearby vulnerable natural features that cannot be mitigated by sustainable practices without additional public expense.
- Low density residential opportunities and their associated lifestyle are scarce resources that are sustained only by our willingness to protect that quality of life opportunity for residents who have previously made that lifestyle choice and for future residents seeking that lifestyle.

To maintain Farm and Forest property use opportunities an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. The grouping of more than four residential units sharing the same ingress/egress onto a County or state roadway shall not occur on rural property in this category. All property subdivided in this category must provide for adequate contiguous Resilient Land to support either two independent conventional septic fields or one replaceable mound system, sufficient space for buildings traditionally associated with this type use must also be available. In addition, public roadways shall not experience less than the Monroe County Level of Service standard designation which exists at the time this Plan is adopted as a result of subdivision. Roadways classified as state Highways, major collectors, or local arterials are exempt from this requirement.

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

- Approval of the subdivision would subdivide one lot into four (4) lots which will meet all design standards;
- Lot 4, the designated Parent Parcel Remainder, shall not be further subdivided for a period of twenty-five (25) 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 authorized by ordinance;
- Proposed lots have approved septic permit locations;
- Proposed lots 1 and 3 have received approved with driveway permit off of W Rockeast RD and are required to be shared with lots 2 and 4;
- The MS4 Coordinator has reviewed the application and requested drainage easements;
- 25' of right-of-way was previously dedicated;
- A total of 45' of right-of-way is required to be dedicated along W Rockeast RD, a Minor Collector road;

- (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

- The Comprehensive Plan designates the site as Farm and Forest, which includes low-density single-family subdivisions;
- The site has access to utilities;
- See findings under Section A;

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

Findings

- See findings under (A);
- The proposed use is residential;
- The surrounding uses are residential or agricultural;

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

Findings

- The property is currently zoned Agricultural Rural Reserve (AG/RR) and is undeveloped and vacant;
- Adjacent properties are zoned Agricultural Rural Reserve (AG/RR), and are used for agricultural or residential uses;
- Approval of the subdivision would create four (4) lots that meet the design standards for the zoning designation AG/RR;
- See findings under Sections A & C;

- (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 & D;

- (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.

- (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.

EXHIBIT 1: Preliminary Plat SSS-23-2

HESHELMAN SLIDING SCALE SUBDIVISION II - PRELIMINARY PLAT
A PART OF THE SOUTHEAST QUARTER OF SECTION 19 AND A PART
OF THE NORTHEAST QUARTER OF SECTION 30 ALL IN
TOWNSHIP 7 NORTH, RANGE 2 WEST
MONROE COUNTY, INDIANA

AREA FOR COUNTY RECORDER

INDIAN CREEK TWP.
 TOWNSHIP 7 N
 RANGE 2 W
 SECTIONS 19 & 30

DEVELOPER, APPLICANT &/OR OWNER
 DOUG THIBTITZMAN
 5651 S. 187TH ROAD
 BLOOMINGTON, IN 47418
 785-691-7698



0 250 500 750
SCALE 1" = 250'

SETBACK TABLE

Front - 60' from R/W or 50' if no direct frontage
 Side - 15' for Residential & Accessory Structures / 50' for others
 Rear - 35' for Residential & Accessory Structures / 50' for others
 *These lots are for "Single Family" use.
ZONE: AGRICULTURE/RURAL RESERVE

SINKHOLE CONSERVANCY AREA

S.C.A FROM	BEARING	DISTANCE	RADIUS	BEGINNING
1867.28(1.27)	S 13°52'14" E	1353.32	70.89	RD POINT

LEGEND

■ STONE FOUND	□ TRUSS ROD FOUND
⊕ UTILITY POLE	△ MAG SPIKE SET
⊙ REBAR FOUND	⊖ WOOD SPIKE SET
⊙ REBAR SET	⊖ FENCE
⊖ STEEL BEAM	⊖ OVERHEAD POWER LINE
⊖ IR SPIKE FOUND	(R) RECORD
⊖ IRPI FOUND	(M) MEASURED
⊖ ADDRESS	(C) CALCULATED
⊖ BUILDING AREA	▨ TRANSFER AREA

CERTIFICATION

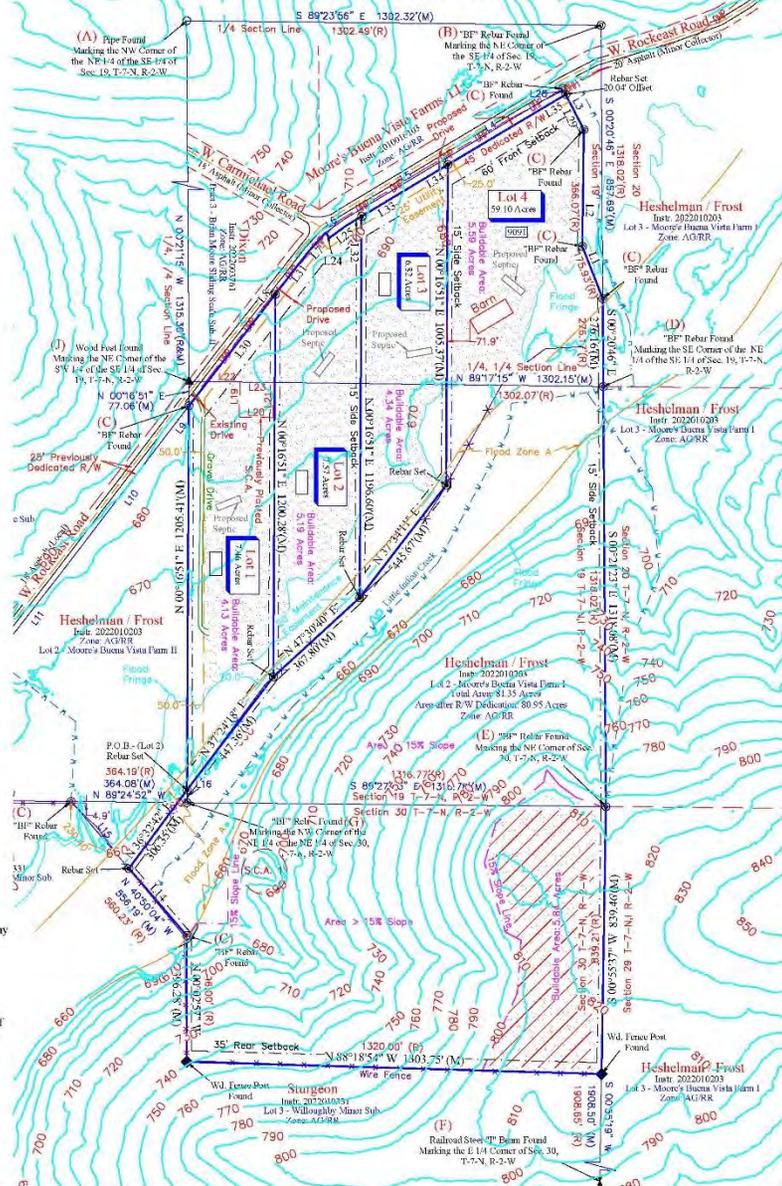
The within survey was performed without the benefit of source of title and is subject to any statement of facts revealed by the same.

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 865 IAC 1-12-1 through 19.

Certified this _____ day of _____, 2022.

Eric L. Deckard
 Registered Surveyor LS 29900012
 State of Indiana



PROJECT LOCATION



NOTES:

- 5/8" rebar will be set in all property corners.
- Fieldwork completed November 2022.
- Basis of bearing (State Plane-Indiana West).
- Source of title now or formerly owned by Marvin Douglas Heshelman and Dana Tavel as found in Instrument Number 2022010203 in the Office of the Monroe County Recorder.
- Reference is made to the plat Atkinson Minor Subdivision performed by Ben E. Hedges dated May 13th, 2005 as found in Instrument Number 2005017166 in the Office of the Monroe County Recorder.
- Reference is made to the plat of Moore's Buena Vista Farm I & II Minor Subdivision performed by Charles D. Graham dated November 10th, 2018 as found in Instrument Numbers 2019014080 & 2019015999 in the Office of the Monroe County Recorder.
- Reference is made to a survey performed by Eric L. Deckard for Wiloughby dated August 4th, 2020. (Job No. 20-20).
- Reference is made to a survey performed by Eric L. Deckard for Moore dated December 18th, 2020. (Job No. 20-41).
- Per Monroe County Subdivision and Control Ordinance - Chapter 862-4(A)(1) The designated Parent Parcel Remainder (Lot 1) shall not be further subdivided for a period of twenty-five (25) years from the date of recording of the Final Plat unless contracted to a public sewage disposal system or further subdivisions of the property is authorized by ordinance.
- Coordinates shown hereon were obtained from GPS observations utilizing the Indiana Real-Time Network (INDORS), Indiana West Zone, NAD83(2011) Epoch 2010.0000, State Plane Grid Coordinate, UTM Survey Feet, Goid model (2011.24), Datum NAD83, NO TRANS.
- Coordinate data was collected using a Topcon Survey Rover (Hiper SR OPS), a Topcon 302 Total Station, and an F-3, 5000 Data Collector. Coordinate positions are grid north (Indiana State Plane West Zone).
- This survey is not complete without the accompanying surveyor's report.
- I affirm, under penalty for perjury, that I have taken reasonable care to reflect each Social Security Number in this document, unless required by law.
 -ERIC L. DECKARD

Line Table

LINE	BEARING	DISTANCE
01	S 81°21'40" E	175.37
02	S 00°44'00" W	826.33
03	S 89°27'52" W	1144.41
04	S 50°15'41" W	355.89
05	S 89°05'29" W	236.90
06	S 81°00'32" W	688.20
07	S 42°21'11" W	804.19
08	S 71°42'30" W	614.02
09	N 17°48'44" E	114.32
10	N 37°36'00" E	610.52
11	N 27°02'30" E	337.09
12	N 32°31'28" E	224.68
13	N 27°26'57" E	281.80
14	N 30°40'04" W	278.10
15	N 40°00'04" W	278.09
16	N 60°18'51" E	387.48
17	N 03°25'33" E	259.44
18	N 01°41'15" W	253.01
19	S 00°42'29" W	110.14
20	S 89°17'41" E	106.34
21	N 60°29'29" E	110.13
22	S 89°17'15" E	168.20
23	N 89°17'31" W	106.34
24	S 33°33'00" E	203.00
25	N 34°06'53" E	68.09
26	N 50°15'29" E	391.63
27	N 30°15'33" E	361.63
28	S 21°15'29" W	502.00
29	S 21°15'29" W	124.37
30	N 19°48'20" E	441.39
31	N 78°48'20" E	189.59
32	N 30°29'29" E	337.09
33	N 30°44'29" E	282.30
34	S 30°17'41" W	106.34
35	N 30°15'34" E	481.36

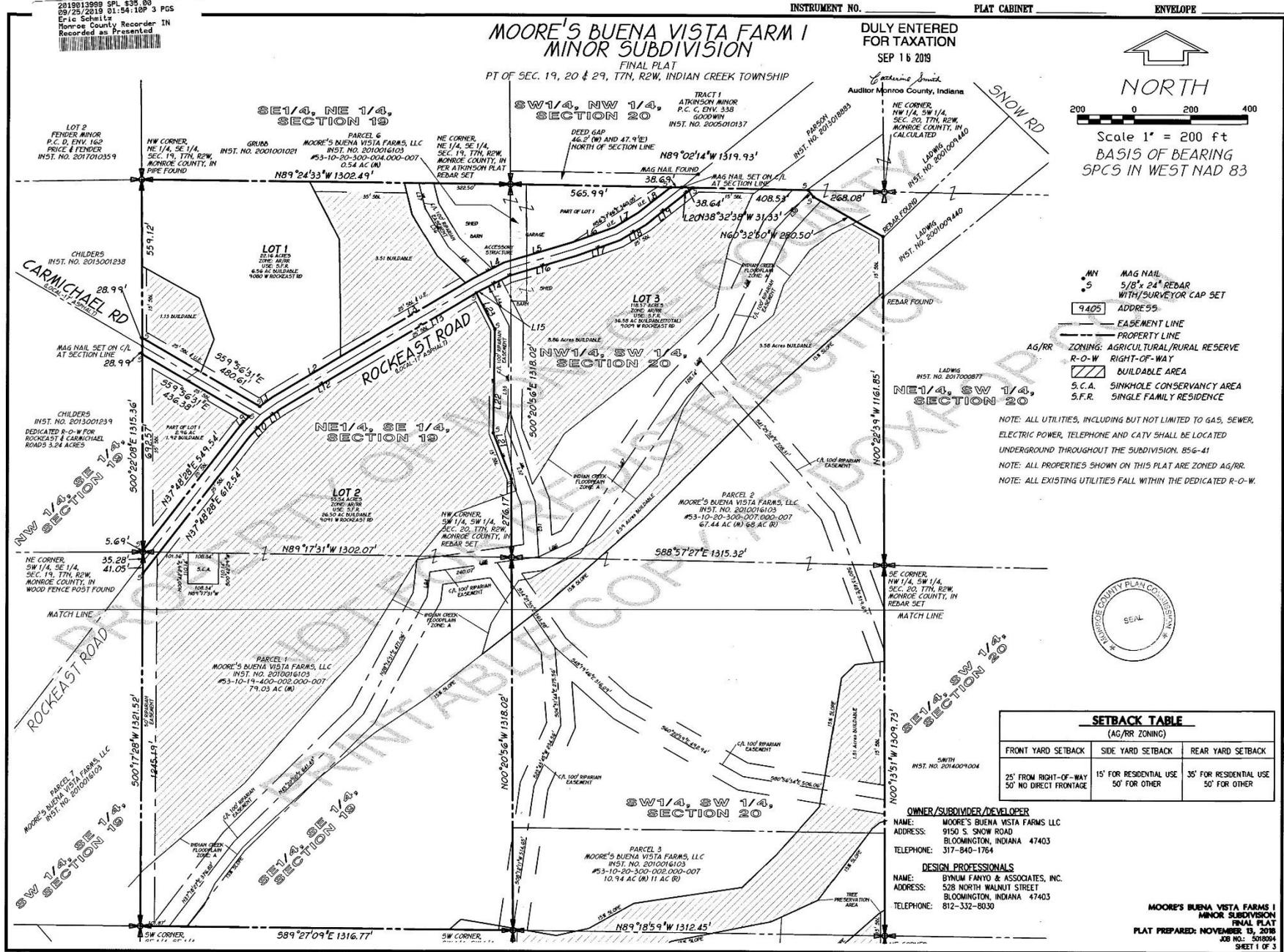
DECKARD
 LAND SURVEYING
 1000 N. STATE ST. SUITE 100
 BLOOMINGTON, IN 47403
 785-691-7698
 WWW.DECKARDLANDSURVEYING.COM

INDIANA
 SURVEYING

MOORE'S BUENA VISTA FARM I
 SLIDING SCALE SUBDIVISION
 A PART OF SECTIONS 19 & 30 17N, R2W

22-148
 11/7/22
 BNDY.SHT

EXHIBIT 2: Moore's Buena Vista Farm I Final Plat



2018013989 SPL \$35.00
09/25/2019 01:54:10P 3 PGS
Eric Schmitz
Monroe County Recorder IN
Recorded as Presented

INSTRUMENT NO. _____ PLAT CABINET _____ ENVELOPE _____

**MOORE'S BUENA VISTA FARM I
MINOR SUBDIVISION**
FINAL PLAT
PT OF SEC. 19, 20 & 29, T19N, R2W, INDIAN CREEK TOWNSHIP

DULY ENTERED
FOR TAXATION
SEP 16 2019



200 0 200 400
Scale 1" = 200 ft
BASIS OF BEARING
SPCS IN WEST NAD 83

- MAG NAIL
- 5/8" x 24" REDAR WITH SURVEYOR CAP SET
- 9405 ADDRESS
- EASEMENT LINE
- PROPERTY LINE
- AG/RR ZONING: AGRICULTURAL/RURAL RESERVE
- R-O-W RIGHT-OF-WAY
- BUILDABLE AREA
- S.C.A. SINKHOLE CONSERVANCY AREA
- S.F.R. SINGLE FAMILY RESIDENCE

NOTE: ALL UTILITIES, INCLUDING BUT NOT LIMITED TO GAS, SEWER, ELECTRIC POWER, TELEPHONE AND CATV SHALL BE LOCATED UNDERGROUND THROUGHOUT THE SUBDIVISION. 856-41
NOTE: ALL PROPERTIES SHOWN ON THIS PLAT ARE ZONED AG/RR
NOTE: ALL EXISTING UTILITIES FALL WITHIN THE DEDICATED R-O-W.



SETBACK TABLE (AG/RR ZONING)		
FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK
25' FROM RIGHT-OF-WAY 50' NO DIRECT FRONTAGE	15' FOR RESIDENTIAL USE 50' FOR OTHER	35' FOR RESIDENTIAL USE 50' FOR OTHER

OWNER/SUBDIVIDER/DEVELOPER
NAME: MOORE'S BUENA VISTA FARMS LLC
ADDRESS: 9150 S. SNOW ROAD
BLOOMINGTON, INDIANA 47403
TELEPHONE: 317-840-1784

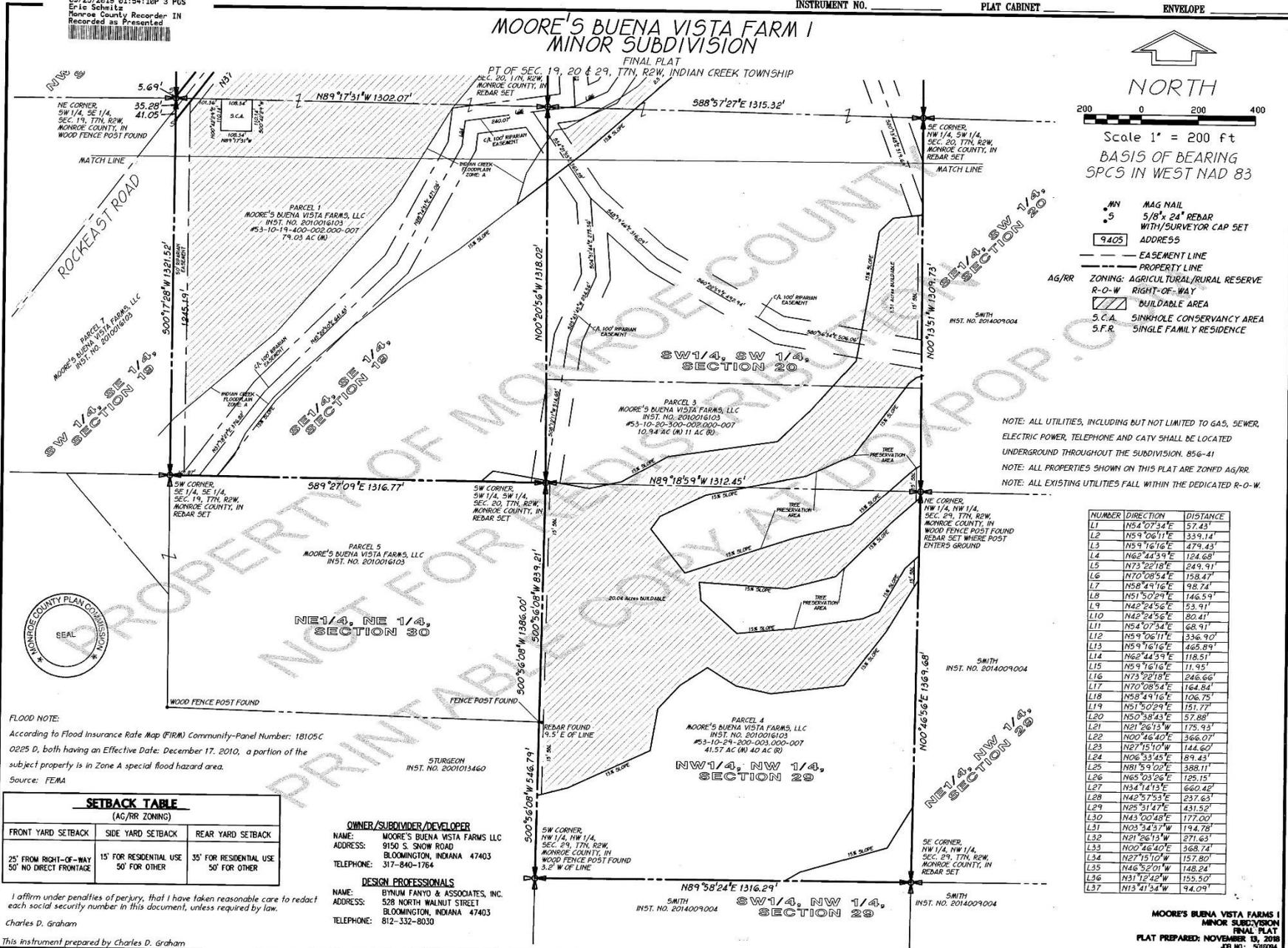
DESIGN PROFESSIONALS
NAME: BYNUM FANYO & ASSOCIATES, INC.
ADDRESS: 528 NORTH WALNUT STREET
BLOOMINGTON, INDIANA 47403
TELEPHONE: 812-332-8030

MOORE'S BUENA VISTA FARMS I
MINOR SUBDIVISION
FINAL PLAT
PLAT PREPARED: NOVEMBER 13, 2018
JOB NO.: 508984
SHEET 1 OF 3

2019013899 SPL \$35.00
 09/25/2019 01:54:10P 3 PGS
 Eric Scheidt
 Monroe County Recorder IN
 Recorded as Presented

INSTRUMENT NO. PLAT CABINET ENVELOPE

MOORE'S BUENA VISTA FARM I MINOR SUBDIVISION



BASIS OF BEARING
 SPCS IN WEST NAD 83

- MN MAG NAIL
- 5 5/8" x 24" REBAR WITH SURVEYOR CAP SET
- 9405 ADDRESS
- EASEMENT LINE
- PROPERTY LINE
- AG/RR ZONING: AGRICULTURAL/RURAL RESERVE
- R-O-W RIGHT-OF-WAY
- /// BUILDABLE AREA
- S.C.A. SINKHOLE CONSERVANCY AREA
- S.F.R. SINGLE FAMILY RESIDENCE

NOTE: ALL UTILITIES, INCLUDING BUT NOT LIMITED TO GAS, SEWER, ELECTRIC POWER, TELEPHONE AND CATV SHALL BE LOCATED UNDERGROUND THROUGHOUT THE SUBDIVISION. 856-41
 NOTE: ALL PROPERTIES SHOWN ON THIS PLAT ARE ZONED AG/RR
 NOTE: ALL EXISTING UTILITIES FALL WITHIN THE DEDICATED R-O-W

NUMBER	DIRECTION	DISTANCE
L1	N54°07'34"E	57.43'
L2	N59°06'11"E	339.14'
L3	N59°16'16"E	479.43'
L4	N62°44'39"E	124.68'
L5	N73°22'18"E	249.91'
L6	N70°08'54"E	158.47'
L7	N58°49'16"E	198.74'
L8	N51°50'29"E	146.59'
L9	N42°24'56"E	53.91'
L10	N42°24'56"E	80.41'
L11	N54°07'34"E	68.91'
L12	N59°06'11"E	336.90'
L13	N59°16'16"E	465.84'
L14	N62°44'39"E	118.51'
L15	N59°16'16"E	11.93'
L16	N73°22'18"E	246.66'
L17	N70°08'54"E	164.84'
L18	N58°49'16"E	106.75'
L19	N51°50'29"E	151.77'
L20	N50°38'43"E	57.88'
L21	N21°26'13"W	175.93'
L22	N00°46'40"E	366.07'
L23	N27°15'10"W	144.60'
L24	N06°33'45"E	89.43'
L25	N81°59'02"E	388.11'
L26	N65°03'26"E	125.15'
L27	N54°14'13"E	660.42'
L28	N42°57'53"E	237.63'
L29	N25°51'47"E	431.32'
L30	N43°00'48"E	177.00'
L31	N03°34'37"W	194.78'
L32	N21°26'13"W	271.63'
L33	N00°46'40"E	368.74'
L34	N27°15'10"W	157.80'
L35	N46°52'01"W	148.24'
L36	N31°42'24"E	155.50'
L37	N13°41'54"W	94.09'

FLOOD NOTE:
 According to Flood Insurance Rate Map (FIRM) Community-Panel Number: 18105C 0225 D, both having an Effective Date: December 17, 2010, a portion of the subject property is in Zone A special flood hazard area.
 Source: FEMA

SETBACK TABLE (AG/RR ZONING)		
FRONT YARD SETBACK	SIDE YARD SETBACK	REAR YARD SETBACK
25' FROM RIGHT-OF-WAY 50' NO DIRECT FRONTAGE	15' FOR RESIDENTIAL USE 50' FOR OTHER	35' FOR RESIDENTIAL USE 50' FOR OTHER

OWNER/SUBDIVIDER/DEVELOPER
 NAME: MOORE'S BUENA VISTA FARMS LLC
 ADDRESS: 9150 S. SNOW ROAD
 BLOOMINGTON, INDIANA 47403
 TELEPHONE: 317-840-1764

DESIGN PROFESSIONALS
 NAME: BYNUM FANYO & ASSOCIATES, INC.
 ADDRESS: 528 NORTH WALNUT STREET
 BLOOMINGTON, INDIANA 47403
 TELEPHONE: 812-332-8030

I affirm under penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.
 Charles D. Graham
 This instrument prepared by Charles D. Graham

MOORE'S BUENA VISTA FARM I MINOR SUBDIVISION

FINAL PLAT
PT OF SEC. 19, 20 & 29, T7N, R2W, INDIAN CREEK TOWNSHIP

We, Moore's Buena Vista Farms, LLC, the owners of the real estate described below, certify that we have subdivided and platted it according to this plat:

This subdivision is called MOORE'S BUENA VISTA FARM I MINOR SUBDIVISION an addition to Monroe County, Indiana, and consists of 3 lots, numbered 1 through 3, inclusively. The streets and alleys shown, as far as they have not already been so dedicated, are dedicated to the public.

Front, rear and side yard setback lines are established as shown on the plat. Between them and the property lines of the adjacent streets no building or other structure shall be erected or maintained.

The strips of ground that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines and wires. Buildings or other structures shall not be erected or maintained on these strips.

Signed and Sealed this 26 day of AUGUST, 2019.

[Signature] BY DAVE MOORE
Signed Printed

STATE OF INDIANA)
COUNTY OF MONROE)

before me, the undersigned Notary Public, in and for the said County and State, personally appeared DAVE MOORE and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and seal this 26th day of AUGUST, 2019.

MONROE
County of Residence
Mary T Block
Notary Public Signature



AUGUST 13, 2022
Commission Expires
MARY T BLOCK
Notary Public Printed

These parcels were created through the Minor Subdivision procedure and approved by the Monroe County Plan Commission on September 3, 2019.

Under the authority of Chapter 174, Acts of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Minor Subdivision procedure.

MONROE COUNTY PLAN COMMISSION
[Signature] PRESIDENT, Suzie Johnson
[Signature] SECRETARY, Larry Wilson



REPORT OF SURVEY

This survey is based upon a previous survey:
1. boundary survey of Moore's Buena Vista Farms recorded as Instrument No. 2018015296 in the office of the Recorder of Monroe County, IN.

COVENANTS & RESTRICTIONS

The strips of ground varying in width that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for installation and maintenance of water and sewer mains, poles, ducts, lines and wires. Buildings or other structures shall not be erected or maintained on these strips, but owners of lots in this subdivision, shall take their titles subject to the rights of the owners of other lots in this subdivision.

LEGAL DESCRIPTION
Owners: Moore's Buena Vista Farms, LLC
Source: Inst. No. 2010016103

199.52 ACRES.

The Northwest quarter of the Northwest quarter of Section 29, the Southwest quarter of the Southwest quarter of Section 20, the Southeast quarter of the Southeast quarter of Section 19, the Northeast quarter of the Southeast quarter of Section 19 and a part of the Northwest quarter of the Southwest quarter of Section 20, all being located in Township 7 North, Range 2 West, Indian Creek Township, Monroe County, Indiana, more particularly described as follows:

beginning at the northwest corner of the Northeast quarter of the Southeast quarter of Section 19; Thence on the west line of said quarter quarter South 00 degrees 22 minutes 08 seconds East 1315.36 feet to the northwest corner of the Southeast quarter of the Southeast quarter of Section 19; Thence on the west line of said quarter quarter South 00 degrees 17 minutes 28 seconds West 1321.52 feet to the southwest corner of said quarter quarter; Thence on the south line of said quarter quarter South 89 degrees 27 minutes 09 seconds East 1316.77 feet to the northwest corner of the Northwest quarter of the Northwest quarter of Section 29; Thence on the west line of said quarter quarter South 00 degrees 56 minutes 08 seconds West 1386.00 feet to the southwest corner of said quarter quarter; Thence on the south line of said quarter quarter North 89 degrees 58 minutes 24 seconds East 1316.29 feet to the southeast corner of said quarter quarter; Thence on the east line of said quarter quarter North 00 degrees 13 minutes 51 seconds West 1309.73 feet to the southeast corner of the Northwest quarter of the Southwest quarter of Section 20; Thence on the east line of said quarter quarter North 00 degrees 22 minutes 39 seconds West 1161.85 feet; Thence leaving said east line North 60 degrees 32 minutes 50 seconds West 280.50 feet; Thence North 38 degrees 32 minutes 38 seconds West 31.33 feet to the north line of said quarter quarter; Thence on said north line North 89 degrees 02 minutes 14 seconds West 1051.85 feet to the northeast corner of the Northeast quarter of the Southeast quarter of Section 19; Thence on the north line of said quarter quarter North 89 degrees 24 minutes 33 seconds West 1302.49 feet to the Point of Beginning, containing within said bounds 199.52 acres.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on November 10, 2018 and that the monuments shown on it exist; and that their locations, sizes, types, and materials are accurately shown.

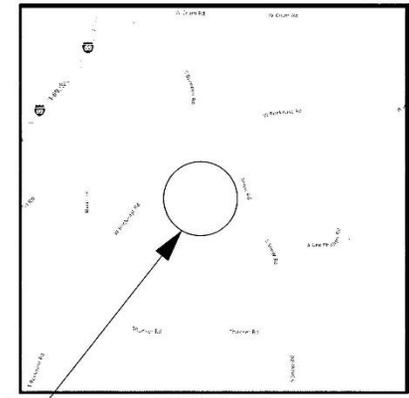
[Signature]
Charles D. Graham

November 10, 2018
Date of Map

Registration No. LS29500014
within the State of Indiana
Bynum Fanyo & Associates, Inc.
528 N. Walnut St.
Bloomington, IN 47404
812-332-8030 tel
812-339-2990 fax
jfoyd@bnyumfanyo.com



Date of Last Revision



PROJECT LOCATION

LOCATION MAP

MOORE'S BUENA VISTA FARMS I
MINOR SUBDIVISION
FINAL PLAT
PLAT PREPARED: NOVEMBER 13, 2018
JGK WLS - 5010004
SHEET 3 OF 3



MONROE COUNTY PLAT COMMITTEE

Public Meeting

Date: June 15, 2023

CASE NUMBER	PROPOSED NAME	DETAIL
SMN-23-6	McHaffey Farms Minor Subdivision Preliminary Plat	2-Lot Minor 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: Anne Crecelius
<i>Recommended Motion Conditions or Reasoning:</i> Approval based on the finding that the proposed preliminary plat meets the Subdivision Control Ordinance.		

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

PETITIONER	c/o Chris Porter, BRCJ Civil Engineering	
ADDRESS	5393 S Harmony RD, parcel #53-09-28-400-021.000-015.	
TOWNSHIP + SECTION	Van Buren, 28	
PLATS	<input checked="" type="checkbox"/> Unplatted <input type="checkbox"/>	
ACREAGE +/-	80	
	PETITION SITE	ADJACENT
ZONING	AG/RR	AG/RR, ER
CDO	Rural Residential	Rural Residential
USE	Residential and/or Agricultural	Residential and/or Agricultural

DISCUSSION

The petitioner is requesting to subdivide one (1) lot of record into two (2) buildable lots using the Minor Subdivision process. There are no waiver requests. Any overhead utilities will be required to be buried.

The proposed subdivision does not require any waivers that require Plan Commission approval and is therefore considered a by-right subdivision under the Subdivision Control Ordinance. Adjoining property owners will be notified of the Plat Committee’s decision and instructions to appeal the subdivision. An appeal that is deemed valid must be submitted 10 days of mailing and reference the specific portion(s) of the Monroe County Subdivision Control Ordinance that the appellant believes are not met by the petition. If the proposed subdivision is approved, the proposed subdivision may file a Minor Subdivision Final Plat and must wait 30 days before recording upon approval by Planning Staff.

	Lot 1	Lot 2
Acreeage / Buildable Area (+/-)	39.74 acres total 0.68 acres dedicated RoW 31.90 acres buildable	39.74 acres total 0.68 acres dedicated RoW 24.20 acres buildable
Wastewater	Existing septic #17441	Approved septic WW-22-257
RoW Dedication	Major Collector, 45' dedicated	Major Collector, 45' dedicated
Property Access	Permit RW-22-279 approved – required relocation of existing drive.	RW-22-277 location approved with standards.
Environmental Conditions		
Existing Structure(s)	SFR Dwelling and Accessory Structures. SFR within front setback. Note added to plat.	Undeveloped, vacant

The Monroe County Highway Department MS4 Coordinator, Kelsey Thetonia, left the following comments for the design professional:

Please check the SE portion of Lot 2 for a sinkhole conservancy area?

A reminder that if the development of a residential lot will disturb 1 acre or more, they will be required to submit a SWPPP and file for CSGP coverage prior to commencing any land disturbing activities. Disturbed area includes private driveways and utilities.

The Monroe County Highway Department Project Manager, Ben Ayers, has approved two driveway entrances with standards listed below.

RW-22-279 – Lot 1

As part of the approval for the McHaffey Farms Minor Subdivision remove the existing driveway entrance to the north within (1) year of recording the Final Plat and install new driveway entrance.

For Residential Driveway Entrances entering onto County Roads that are pipe. See Monroe County Standard Drawing MC-603-001.

A pipe 12.0” in diameter and 24.0’ in length with end sections is required. Pipe must have a minimum cover of 6.0” inches and be at least 5.0’ from the edge of pavement. 14.0 gauge steel or ASTM Reinforced Concrete Pipe must be used unless approved by the Monroe County Highway Engineer or MS4 Operator. See Monroe County Standard Drawing MC-603-001.

Driveway entrance to be no wider than 12.0’ wide with no more than a 15.0’ radius on each side unless approved by the Monroe County Highway Engineer. See Monroe County Standard Drawing MC-603- 001 and INDOT Curb Radius Layout.

Driveway Approach Grade should not exceed + or - 4% within 5.0’ of the edge of pavement and should not exceed + or - 10%, 10.0’ from the edge of pavement to the Right of way line or within 25.0’ of the center of the road, whichever is greater. See Monroe County Standard Drawing MC-603-008.

Driveway pavement section must be 1.5” of Asphalt Surface on 3.5” of Intermediate Base on 6.0” of no. 53 Compacted Aggregate or 6.0” INDOT Class A concrete on 6.0” of no. 53 Compacted

Aggregate. See Monroe County Standard Drawing MC-603-001.

Clear brush and remove trees to the north and south for sight distance requirements.

Cut down bank to the south for sight distance requirements.

RW-22-277 – Lot 2

For Residential Driveway Entrances entering onto County Roads that are pipe. See Monroe County Standard Drawing MC-603-001.

A pipe 12.0” in diameter and 24.0’ in length with end sections is required. Pipe must have a minimum cover of 6.0” inches and be at least 5.0’ from the edge of pavement. 16.0 gauge steel or 14.0 gauge aluminum pipe must be used unless approved by the Monroe County Highway Engineer or MS4 Operator. See Monroe County Standard Drawing MC-603-001.

Driveway entrance to be no wider than 12.0’ wide with no more than a 15.0’ radius on each side unless approved by the Monroe County Highway Engineer. See Monroe County Standard Drawing MC-603-xxx and INDOT Curb Radius Layout.

Driveway Approach Grade should not exceed + or - 4% within 5.0’ of the edge of pavement and should not exceed + or - 10%, 10.0’ from the edge of pavement to the Right of way line or within 25.0’ of the center of the road, whichever is greater. See Monroe County Standard Drawing MC-603-008.

Driveway pavement section must be 1.5” of Asphalt Surface on 3.5” of Intermediate Base on 6.0” of no. 53 Compacted Aggregate or 6.0” INDOT Class A concrete on 6.0” of no. 53 Compacted Aggregate. See Monroe County Standard Drawing MC-603-001.

Clear brush, remove trees and cut down bank to the north and south for sight distance requirements.

EXHIBITS - *Immediately following report*

1. County Location Map
2. County Site Conditions Map
3. Staff Site Visit Photos
4. McHaffey Farms Minor Subdivision Preliminary Plat
5. McHaffey Farms Minor Subdivision Final Plat

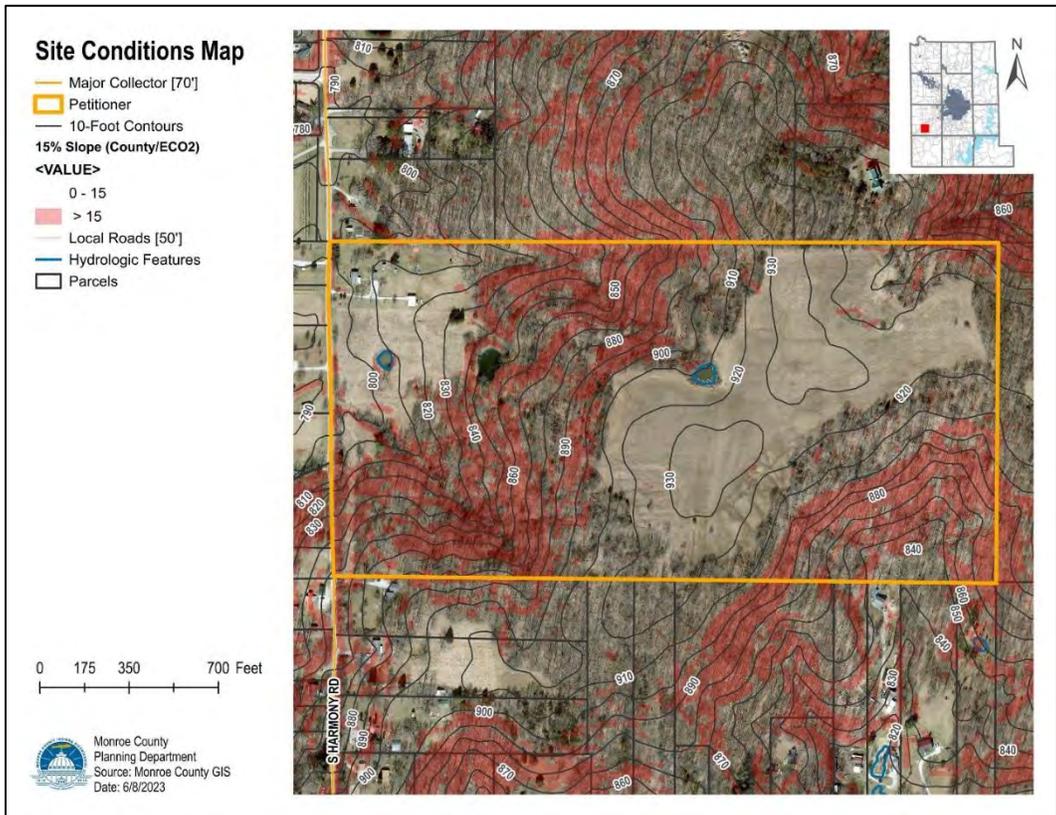
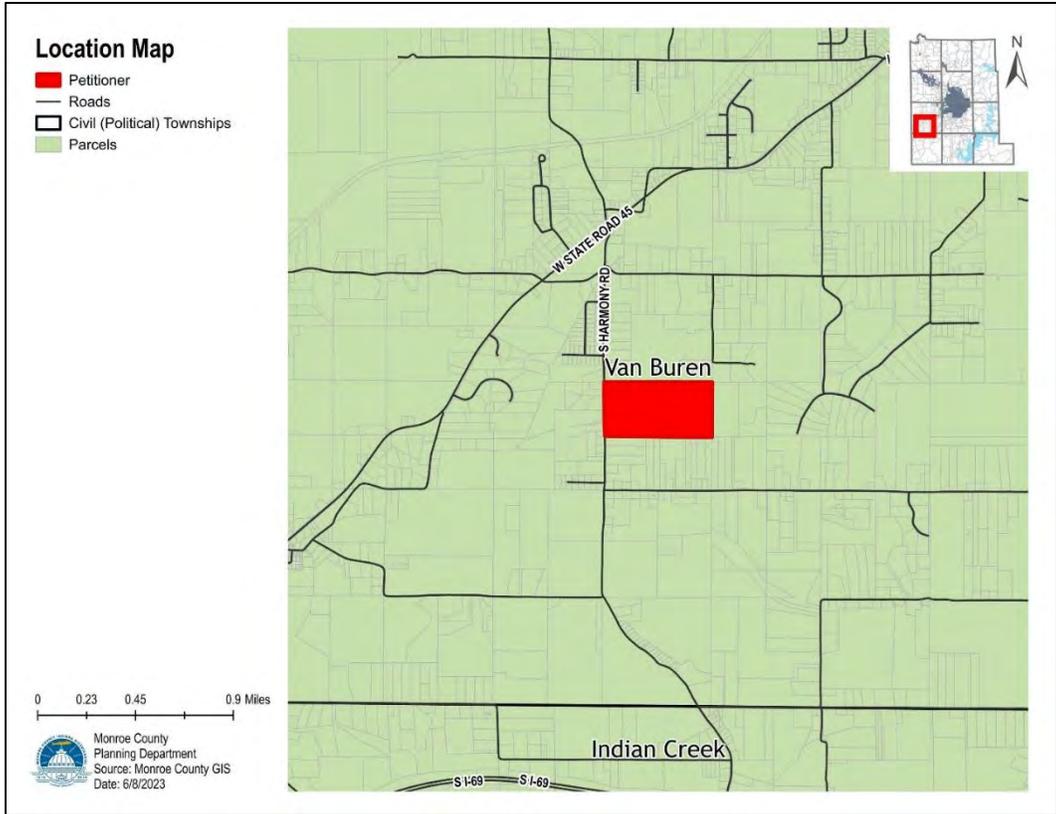




Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8



Photo 9



Photo 10



Photo 11



Photo 12

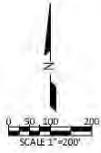


Photo 13



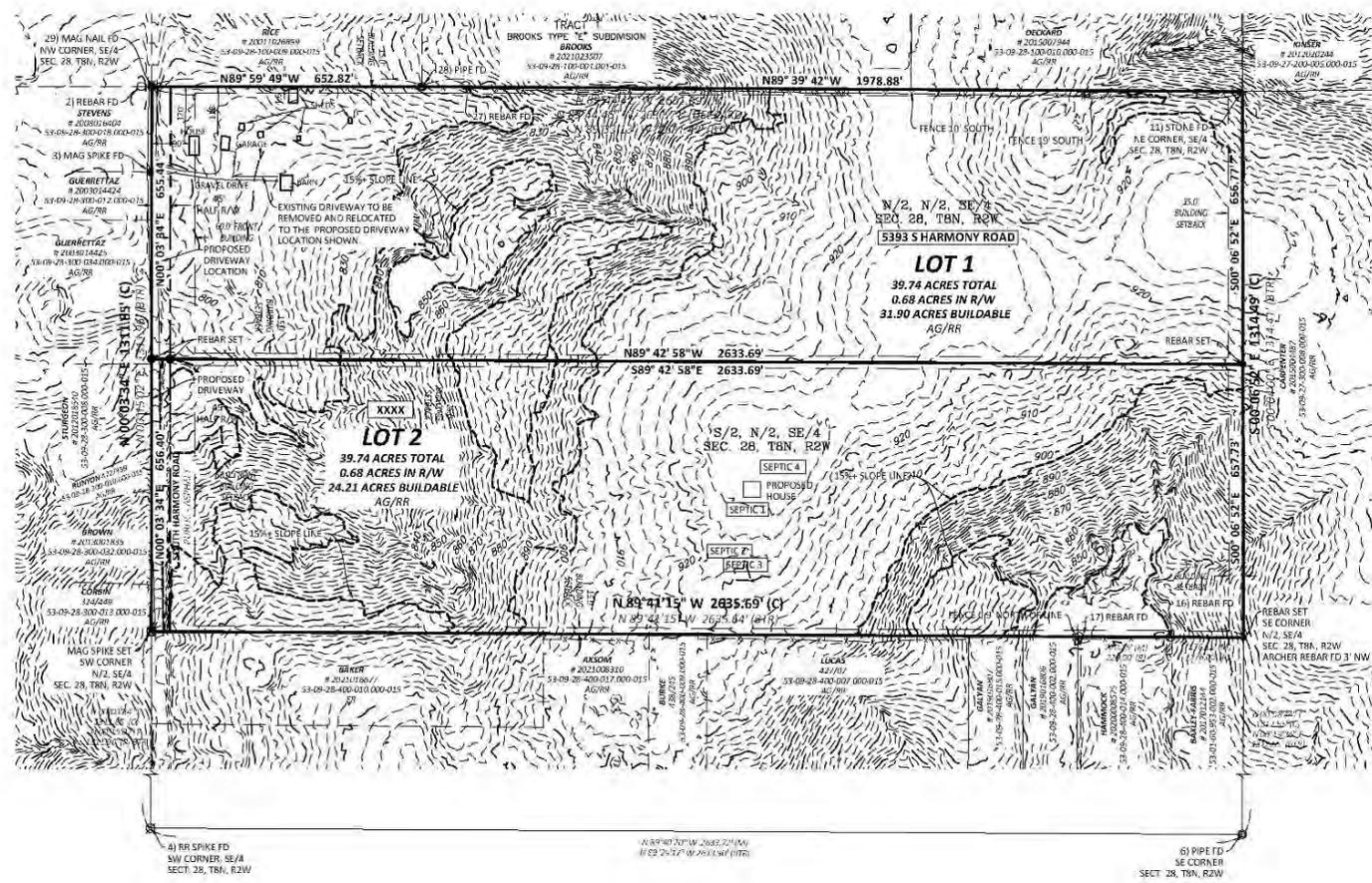
Photo 14

**McHaffey Farms
MINOR SUBDIVISION
PRELIMINARY PLAT
THE NORTH HALF OF THE SOUTHEAST QUARTER OF
SECTION 28, T8N, R2W
MONROE COUNTY, INDIANA**



RECORDER'S STAMP

AUDITOR'S STAMP



OWNER/DEVELOPER:
Steven M Edwards & Peggy J Edwards
5393 S. Harmony Road
Bloomington, IN 47403
Phones: 812

RECORD INFORMATION:
Steven M Edwards & Peggy J Edwards
BK 488, PL 136
53-09-28-300-015-000-015

ZONING:
Subject: AG/RR
Adjacines: AG/RR & EN

AGRICULTURE/RURAL RESIDENTIAL (AG/RR) SETBACKS:
FRONT - 60' from R/W, 50' where no frontage
SIDE - 15' for residential and residential accessory structures, 30' for other structures
REAR - 35' for residential and residential accessory structures, 50' for other structures

FLOOD ZONE:
PORTIONS OF THE PROPERTY ARE LOCATED IN FLOOD ZONE "X" PER FEMA FLOOD INSURANCE RATE MAP NUMBER 18105C1025D, DATED 12/17/2018.

NO FLOOD ZONE X: Areas outside 1%-2% annual chance flooding.

LEGEND:

- SET REBAR
- SET MAG SPIKE
- FD REBAR
- FD MAG NAIL
- FD PIPE
- FD RR SPIKE
- FD STONE
- NOT TO SCALE LINE
- PROPERTY LINE
- FENCE LINE
- ADJACENT PROPERTY
- 15%+ SLOPE LINE
- XXXX ADDRESS
- SEPTIC X APPROVED SEPTIC LOCATION

- NOTES:**
1. FIELD WORK PERFORMED APRIL 19 - 21, 2022.
 2. ALL SET REBAR SET ARE MARKED WITH YELLOW CAP STAMPED "BRCJ, INC 6832 IN"
 3. THE BASIS OF BEARINGS ON THIS SURVEY IS THE INDIANA STATE PLANE COORDINATE SYSTEM, WEST ZONE, U.S. SURVEY FEET, BASED ON GPS OBSERVATIONS PROCESSED USING THE INDIANA DEPARTMENT OF TRANSPORTATION INXORS NETWORK ON DECEMBER 23, 2021.
 4. THE PRE-EXISTING NONCONFORMING RESIDENTIAL STRUCTURE (THE EXISTING HOUSE ON LOT 1) DOES NOT MEET FRONT YARD SETBACK REQUIREMENTS, AND MAY NOT BE ENLARGED, MOVED OR OTHERWISE CHANGED, UNLESS A VARIANCE FROM THE TERMS OF THE ORDINANCE IS OBTAINED FROM THE BOARD OF ZONING APPEALS. FURTHER, THE NONCONFORMING STRUCTURE STATUS APPLIES TO THE RESIDENTIAL STRUCTURE AND REMOVAL OR DESTRUCTION OF THE STRUCTURE SHALL ELIMINATE THE NONCONFORMING STATUS.
 5. ALL UTILITIES, INCLUDING BUT NOT LIMITED TO GAS, SEWER, ELECTRIC POWER, TELEPHONE AND CATV SHALL BE LOCATED UNDERGROUND THROUGHOUT THE SUBDIVISION.
 6. THE PROPOSED USE FOR BOTH LOTS IS SINGLE FAMILY RESIDENTIAL.



1351 West Tapp Road Bloomington, Indiana 47403
Phone: 812-336-8277 Email: qporter@brcjvll.com

PLAT DATED: May 15, 2023 JOB # 10966

McHaffey Farms
MINOR SUBDIVISION
PRELIMINARY PLAT
A PART OF THE WEST HALF OF
SECTION 32, T7N, R1W
MONROE COUNTY, INDIANA

RECORDER'S STAMP

AUDITOR'S STAMP

OWNER CERTIFICATION

Steven M. Edwards, and Peggy J. Edwards, Owners of the real estate shown and described herein, do hereby certify, layoff, and plat (c) tracts, numbered 1 and 2.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certificate, this plat shall be known as McHaffey Farms Minor Subdivision.

IN WITNESS WHEREOF, the undersigned Owners set their hand and seal this _____ day of _____, 2023.

Steven M. Edwards

Peggy J. Edwards

STATE OF INDIANA
COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, personally appeared Steven M. Edwards, and Peggy J. Edwards, owners, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this _____ day of _____, 2023.

Notary Public (Signature)

Notary Public (Printed Name)

My Commission Expires:

My County of Residence:

Under the authority of Chapter 174, Acts of 1947, as amended General Assembly of the State of Indiana, and the Monroe County Subdivision Ordinance, this plat was processed as a Minor Subdivision on _____, 2023.

Jackie N. Jelen, Secretary
Monroe County Plan Commission

Margaret Clements, President
Monroe County Plan Commission

SURVEYOR'S CERTIFICATION

This survey was executed according to survey requirements contained in Section 1 through 19 of 865 IAC 1-12.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

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

Certified this _____th day of Month, 2023.

Christopher L. Porter
Professional Surveyor No. 1521200027
State of Indiana

REPORT OF SURVEY

In accordance with Title 865, I-12.1 through I-12.30 of the 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:

- Reference monuments of record
- Title documents of record
- Evidence of active lines of occupation
- Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of this survey is within that allowable for a Rural survey (0.26 feet (79 millimeters) plus 700 parts per million) as defined in IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.)

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This survey is a Retrace Survey performed at the request of Todd Edwards.

The property is currently in the names of Steven M. and Peggy J. Edwards (Book 388, Page 195) recorded in the office of the Recorder, Monroe County, Indiana.

The field work was completed in June, 2023.

SURVEYS & PLATS OF RECORD:

- Brooks Type "E" Administrative Subdivision by Declarand Land Surveying, recorded as Instrument Number 2016009454, found in Plat Cabinet "D", Envelope 153 in said Recorder's office.
- Guerrataz/Harmony Minor Subdivision - Final Plat by Declarand Land Surveying, recorded as Instrument Number 2015006938, found in Plat Cabinet "D", Envelope 143 in said Recorder's office.
- Thickens Sliding Scale Subdivision Final Plat by Declarand Land Surveying, recorded as Instrument Number 2019018386 in said Recorder's office.
- Carpenner Minor Subdivision by Bynum Farny & Associates Inc., recorded as Instrument Number 2015003244, found in Plat Cabinet "D", Envelope 140 in said Recorder's office.
- Survey by Bledsoe Tapp Riggert, Inc. for HIKKI Liford, recorded as Instrument Number 2005022697 in said Recorder's office.
- Survey by Steven Archer of what is now the Gary L. and Ann E. Lucas parcel as recorded in Deed Record 427, Page 7. The survey is certified November 23, 1990 but has no recording information and was found in the Archer files in the office of Bledsoe Riggert Cooper James.

MONUMENTS FOUND:

- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.3 feet above grade witnessing the Northwest Corner of the Southeast Quarter of Section 28, T8N, R2W per Monroe County Corner "Van Bu K-19" tie sheet.
- Mag spike found flush with grade marking the southeast corner of a parcel in the name of Thomas W. Stevens recorded as Instrument Number 2008016404.
- 1/4 inch spike found 0.4 feet below grade marking the Southwest Corner of said Southeast Quarter per Monroe County Corner "Van Bu K-21" tie sheet.
- Pipe found 0.3 feet below grade marking the Southeast Corner of said Southeast Quarter per Monroe County Corner "M-21" for the Southwest Corner of Section 27, T8N, R2W.
- 4 inch by 8 inch stone found 0.3 feet above grade marking the Northeast Corner of said Southeast Quarter per Monroe County Corner "Van Bu M-19" tie sheet.
- Rebar with cap engraved "Archer" found 0.3 feet above grade N 81°15'28" W, 3.09 feet from the calculated Southeast Corner of the north half of the Southeast Quarter of Section 28. The origin of this monument is unknown.
- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.4 feet above grade on the south line of the north half of the Southeast Quarter of Section 28.
- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.3 feet above grade on the south line of the north half of the Southeast Quarter of Section 28.
- 5/8-inch diameter rebar with cap engraved Archer found flush with grade 5.87 feet north of the north line of the north half of the Southeast Quarter of Section 28 and N 88°35'12" E, 304.45' from monument 28. The origin of this monument is unknown.
- 3/4-inch diameter pipe found 0.4 feet above grade. This monument was held as being on the north line of the north half of the Southeast Quarter of Section 28 on survey 1 (Brooks Type "E").
- Mag nail found flush with grade marking the Northwest Corner of the north half of said Southeast Quarter of Section 28.

DEED ANALYSIS:

The subject deed calls for the north half of the Southeast Quarter of Section 28. The descriptions for the southern adjoiners have captions that contain them to the south half of said Southeast Quarter, although many of them assume a 1320 feet long north/south dimension for said south half. Since said south half measures approximately 1312 feet, the metes and bounds calls could be interpreted to overlap the subject by approximately 8 feet. In my opinion the intent of the descriptions was to limit the deeds to the south half of the quarter so there is no overlap.

ESTABLISHMENT OF LINES AND CORNERS:

Monuments 28, 29 and 31 were used to establish the northern line of the subject parcel. The southwest corner was created at the midpoint of the line from monument 4 to monument 29. Survey 4 and survey 5 show a pipe found at the Southeast Corner of the north half of the Southeast Quarter of Section 28 (herein referred to as the aliquot corner). Survey 4 repeated the pipe as the aliquot corner and survey 5 accepted it as the aliquot corner. Both surveys state the theoretical corner should be approximately 1 foot north and 3 feet west of the pipe's location. The pipe was not found during this survey, although an Archer rebar (monument 15) was found near the theoretical corner. Since the pipe dates prior to survey 5, since it was found on that survey, and we have no records showing when the Archer rebar was set and no surveys acknowledging it as being found, I feel the location of the pipe represents the best evidence of the historical location of the aliquot corner. Its location was reestablished based on monuments found from survey 5 and a rebar was set at its location.

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: Up to 3 feet at the Southeast Corner of the north half of the Southeast Quarter of Section 28. Up to 2 feet with the north line of the north half of the Southeast Quarter of Section 28 due to monument 28 being 3 feet north of the line between monument 29 and monument 11.

Due to Occupation or possession lines: A fence line near the north line of the subject parcel is as much as 19 feet; south and as much as 2.6 feet north of the surveyed line. Survey 1 shows a fence up to 9 feet north of the surveyed line and no fence south of said line. A fence line near the east line of the subject parcel and is as much as 4 feet east of the surveyed line. A fence line near the south line of the subject parcel is as much as 15 feet south of the surveyed line. The fence in the northeast corner area of the Galvan parcel (Instrument Number 2019018386) is up to 7 feet north of the south line of the subject parcel.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines: None beyond those discussed in deed analysis.

LEGAL DESCRIPTION

The North half of the Southeast Quarter of Section Twenty-eight (28), Township Eight (8) North, Range Two (2) West, containing Eighty (80) acres, more or less.



1851 West Tapp Road Bloomington, Indiana 47403
Phone: 812-336-8277 Email: cporter@brcjvil.com

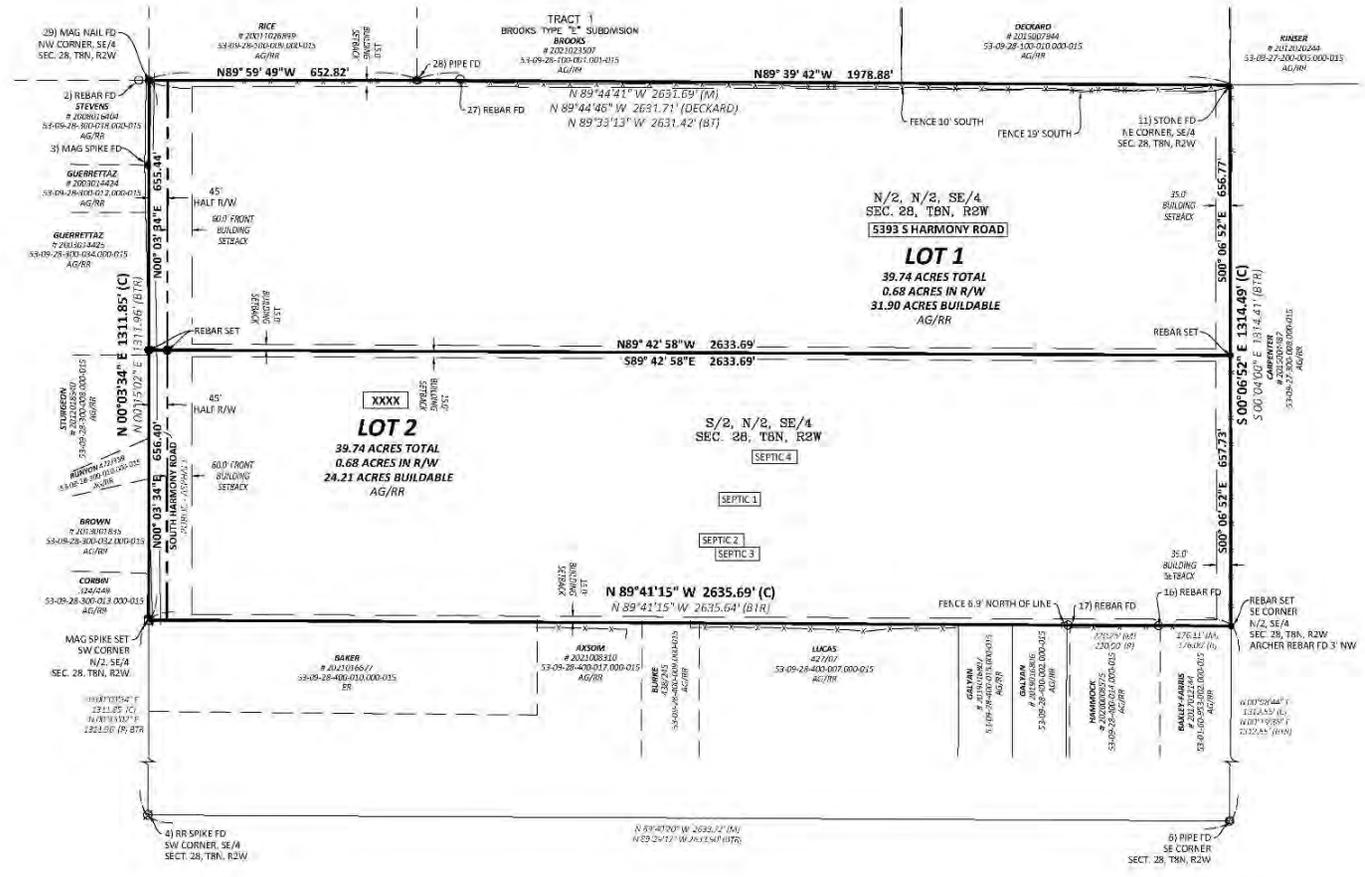
PLAT DATED: May 15, 2023 JOB # 10966

**McHaffey Farms
MINOR SUBDIVISION
FINAL PLAT**
THE NORTH HALF OF THE SOUTHEAST QUARTER OF
SECTION 28, T8N, R2W
MONROE COUNTY, INDIANA.



RECORDER'S STAMP

AUDITOR'S STAMP



OWNER/DEVELOPER:
Stewart M. Edwards & Peggy J. Edwards
5393 S. Harmony Road
Bloomington, IN 47403
Phone: 812-

RECORD INFORMATION:
Stewart M. Edwards & Peggy J. Edwards
BK 888, PG 186
53-09-28-400-021,000-015

ZONING:
Subject: AG/RR
Adjoiners: AG/RR & E/R

AGRICULTURE/RURAL RESIDENTIAL (AG/RR) SETBACKS:
FRONT = 40' from R/W; 50' where no frontage
SIDE = 15' for residential and residential accessory structures; 50' for other structures
REAR = 35' for residential and residential accessory structures; 50' for other structures

FLOOD ZONE:
PORTIONS OF THE PROPERTY ARE LOCATED IN FLOOD ZONE "X" PER FEMA FLOOD INSURANCE RATE MAP NUMBER 1805050220, DATED 12/17/2010.

- LEGEND:**
- SET REBAR
 - SET MAG SPIKE
 - ⊙ FD REBAR
 - ⊙ FD MAG NAIL
 - ⊙ FD PIPE
 - ⊙ FD RR SPIKE
 - ⊙ FD STONE
 - ↔ NOT TO SCALE LINE
 - PROPERTY LINE
 - - - FENCE LINE
 - - - ADJACENT PROPERTY
 - XXXX ADDRESS
 - SEPTIC X APPROVED SEPTIC LOCATION

- NOTES:**
- FIELD WORK PERFORMED APRIL 19 - 21, 2022.
 - ALL 5/8" REBAR SET ARE MARKED WITH YELLOW CAP STAMPED "BRCJ, INC 08/21/21"
 - THE BASIS OF BEARINGS ON THIS SURVEY IS THE INDIANA STATE PLANE COORDINATE SYSTEM, WEST ZONE, U.S. SURVEY FEET, BASED ON GPS OBSERVATIONS PROCESSED USING THE INDIANA DEPARTMENT OF TRANSPORTATION INCOITS NETWORK ON DECEMBER 23, 2021.
 - THE PRE-EXISTING NONCONFORMING RESIDENTIAL STRUCTURE (THE EXISTING HOUSE ON LOT 1) DOES NOT MEET FRONT YARD SETBACK REQUIREMENTS, AND MAY NOT BE ENLARGED, MOVED OR OTHERWISE CHANGED, UNLESS A VARIANCE FROM THE TERMS OF THE ORDINANCE IS OBTAINED FROM THE BOARD OF ZONING APPEALS. FURTHER, THE NONCONFORMING STRUCTURE STATUS APPLIES TO THE RESIDENTIAL STRUCTURE AND REPAIR OR RECONSTRUCTION OF THE STRUCTURE SHALL MAINTAIN THE NONCONFORMING STATUS.
 - ALL UTILITIES, INCLUDING BUT NOT LIMITED TO GAS, SEWER, ELECTRIC POWER, TELEPHONE AND CATV SHALL BE LOCATED UNDERGROUND THROUGHOUT THE SUBDIVISION.
 - THE PROPOSED USE FOR BOTH LOTS IS SINGLE FAMILY RESIDENTIAL.

Bledsoe Riggatt Cooper James

BRCJ

LAND SURVEYING • CIVIL ENGINEERING • GIS

1351 West Tapp Road Bloomington, Indiana 47403
Phone: 812-336-8277 Email: rporter@brcjcivil.com

PLAT DATED: May 15, 2023 JOB # 10966

S:\jobs\10966-10999\10966 EDWARDS-HARMONY ROAD SUBDIVISION\DRAW\10966_c3pl_plat.dwg

McHaffey Farms
MINOR SUBDIVISION
FINAL PLAT
A PART OF THE WEST HALF OF
SECTION 32, T7N, R1W
MONROE COUNTY, INDIANA

RECORDER'S STAMP

AUDITOR'S STAMP

OWNER CERTIFICATION

Steven M. Edwards, and Peggy J. Edwards, Owners of the real estate shown and described herein, do hereby certify, layoff, and plat (2) tracts, numbered 1 and 2.

Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana, in accordance with this plat and certificate. This plat shall be known as McHaffey Farms Minor Subdivision.

IN WITNESS WHEREOF, the undersigned Owners set their hand and seal this _____ day of _____, 2023.

Steven M. Edwards

Peggy J. Edwards

STATE OF INDIANA
COUNTY OF MONROE

Before me, a Notary Public in and for said County and State, personally appeared Steven M. Edwards, and Peggy J. Edwards, owners, who acknowledged the execution of the above referenced plat, to be their voluntary act for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal this _____ day of _____, 2023.

Notary Public (Signature)

Notary Public (Printed Name)

My Commission Expires:

My County of Residence:

Under the authority of Chapter 17A, Acts of 1947, as amended General Assembly of the State of Indiana, and the Monroe County Subdivision Ordinance, this plat was processed as a Minor Subdivision on _____, 2023.

Jackie N. Jehn, Secretary
Monroe County Plan Commission

Margaret Clements, President
Monroe County Plan Commission

SURVEYOR'S CERTIFICATION

This survey was executed according to survey requirements contained in Section 1 through 19 of 865 IAC 1-12.

The certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

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

Certified this _____ day of Month, 2023.

Christopher L. Porter
Professional Surveyor No. LS120002
State of Indiana

REPORT OF SURVEY

In accordance with Title 865, I. 12-1 through 1-12-39 of the 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:

- Reference monuments of record
- Title documents of record
- Evidence of active lines of occupation
- Relative Positional Accuracy "RPA"

The Relative Positional Accuracy "RPA" (due to random errors in measurement) of the survey is within that allowable for a Rural survey (0.26 feet (79 millimeters) plus 200 parts per million) as defined in IAC, Title 865 ("Relative Positional Accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level).

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above, ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore, portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

This survey is a Retracement Survey performed at the request of Todd Edwards.

The property is currently in the names of Steven M. and Peggy J. Edwards (Book 386, Page 196) recorded in the office of the Recorder, Monroe County, Indiana.

The field work was completed in June, 2022.

SURVEYS & PLATS OF RECORD:

- Brooks Type "E" Administrative Subdivision by DeKalb Land Surveying, recorded as instrument Number 2016030454, found in Plat Cabinet "D", Envelope 153 in said Recorder's office.
- Guerretz/Harmony Minor Subdivision - Final Plat by DeKalb Land Surveying, recorded as instrument Number 2015006938, found in Plat Cabinet "D", Envelope 143 in said Recorder's office.
- Thackeray Sidings Scale Subdivision Final Plat by DeKalb Land Surveying, recorded as instrument Number 2019018388 in said Recorder's office.
- Carpenter Minor Subdivision by Bynum Fanyo & Associates Inc., recorded as instrument Number 2015003244, found in Plat Cabinet "D", Envelope 140 in said Recorder's office.
- Survey by Bledsoe Tapp Riggers, Inc. for Nikki Lifford, recorded as instrument Number 2005023897 in said Recorder's office.
- Survey by Steven Archer of what is now the Gary L. and Ann E. Lucas parcel as recorded in Deed Record 427, Page 7. The survey is certified November 25, 1990 but has no recording information and was found in the Archer files in the office of Bledsoe Riggert Cooper James.

MONUMENTS FOUND:

- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.3 feet above grade witnessing the Northwest Corner of the Southeast Quarter of Section 28, T8N, R2W per Monroe County Corner "Van Bu K-19" tie sheet.
- Mag spike found flush with grade marking the southeast corner of a parcel in the name of Thomas W. Stevens recorded as instrument Number 2008026404.
- 6/8 spikes found 0.4 feet below grade marking the Southwest Corner of said Southeast Quarter per Monroe County Corner "Van Bu K-21" tie sheet.
- Pipe found 0.3 feet below grade marking the Southeast Corner of said Southeast Quarter per Monroe County Corner "M-21" for the Southwest Corner of Section 27, T8N, R2W.
- 4-inch by 4-inch stone found 0.3 feet above grade marking the Northeast Corner of said Southeast Quarter per Monroe County Corner "Van Bu M-19" tie sheet.
- Rebar with cap engraved "Archer" found 0.3 feet above grade N 81°15'28" W, 3.09 feet from the calculated Southeast Corner of the north half of the Southeast Quarter of Section 28. The origin of this monument is unknown.
- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.4 feet above grade on the south line of the north half of the Southeast Quarter of Section 28.
- 5/8-inch diameter rebar with a cap engraved "Bledsoe Tapp" found 0.3 feet above grade on the south line of the north half of the Southeast Quarter of Section 28.
- 5/8-inch diameter rebar with cap engraved Archer found flush with grade 5.87 feet north of the north line of the north half of the Southeast Quarter of Section 28 and N 88°35'12" E, 104.45' from monument 28. The origin of this monument is unknown.
- 3/4-inch diameter pipe found 0.4 feet above grade. This monument was held as being on the north line of the north half of the Southeast Quarter of Section 28 on survey 1 (Brooks Type "E").
- Mag nail found flush with grade marking the Northwest Corner of the north half of said Southeast Quarter of Section 28.

DEED ANALYSIS:

The subject deed calls for the north half of the Southeast Quarter of Section 28. The descriptions for the southern adjoiners have captions that contain them to the south half of said Southeast Quarter, although many of them assume a 1320 feet long north/south dimension for said south half. Since said south half measures approximately 1312 feet, the metes and bounds calls could be interpreted to overlap the subject by approximately 8 feet. In my opinion the intent of the descriptions was to limit the deeds to the south half of the quarter so there is no overlap.

ESTABLISHMENT OF LINES AND CORNERS:

Monuments 28, 29 and 31 were used to establish the northern line of the subject parcel. The southwest corner was created at the midpoint of the line from monument 4 to monument 29. Survey 4 and survey 5 show a pipe found at the Southeast Corner of the north half of the Southeast Quarter of Section 28 (herein referred to as the aliquot corner). Survey 4 reported the pipe as the aliquot corner and survey 5 accepted it as the aliquot corner. Both surveys state the theoretical corner should be approximately 1 foot north and 3 feet west of the pipe's location. The pipe was not found during this survey, although an Archer rebar (monument 15) was found near the theoretical corner. Since the pipe dates prior to survey 5, since it was found on that survey, and we have no records showing when the Archer rebar was set and no surveys acknowledging it as being found, 1 foot location of the pipe represents the best evidence of the historical location of the aliquot corner. Its location was reestablished based on monuments found from survey 5 and a rebar was set at its location.

As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments: Up to 3 feet at the Southeast Corner of the north half of the Southeast Quarter of Section 28. Up to 3 feet with the north line of the north half of the Southeast Quarter of Section 28 due to monument 28 being 3 feet north of the line between monument 29 and monument 31.

Due to Occupation or possession lines: A fence line near the north line of the subject parcel is as much as 19 feet south and as much as 2.6 feet north of the surveyed line. Survey 1 shows a fence up to 9 feet north of the surveyed line and no fence south of said line. A fence line near the east line of the subject parcel and is as much as 4 feet east of this surveyed line. A fence line near the south line of the subject parcel is as much as 18 feet south of the surveyed line. The fence in the northeast corner area of the Galvan parcel (instrument Number 2019018388) is up to 7 feet north of the south line of the subject parcel.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines: None beyond those discussed in deed analysis.

LEGAL DESCRIPTION

The North half of the Southeast Quarter of Section Twenty-eight (28), Township Eight (8) North, Range Two (2) West, containing Eighty (80) Acres, more or less.



851 West Tapp Road Bloomington, Indiana 47403
Phone: 812-336-8277 Email: cporter@brcjvill.com
PLAT DATED: May 15, 2023 JOB # 10966

MONROE COUNTY PLAT COMMITTEE		June 15, 2023
PLANNER	Daniel Brown	
CASE NUMBER	SSS-23-4	
PETITIONER	Powell, Brandon and Hannah c/o Deckard Land Surveying	
ADDRESS	7935 W Ratliff RD, parcels # 53-04-16-300-004.000-011 and 53-04-16-300-007.000-011	
REQUEST	Moxie Meadows Sliding Scale Subdivision Preliminary Plat	
ACRES	58.00 +/- acres	
ZONE	AG/RR	
TOWNSHIP	Richland	
SECTION	16	
PLATS	Platted:	
COMP PLAN DESIGNATION	Rural Residential	

EXHIBITS

1. Location, Zoning, and Site Conditions Maps
2. Site Pictures
3. Comprehensive Plan Discussion
4. Findings of Fact - Subdivisions
5. Petitioner Findings of Fact for Buried Utility Waiver
6. Staff Findings of Fact for Buried Utility Waiver
7. Preliminary Plat SSS-23-4

STAFF RECOMMENDATION

Staff recommends a **positive recommendation** to the Plat Committee of the Sliding Scale Subdivision Preliminary Plat based on findings of fact, subject to the following condition:

1. The Final Plat be subject to the design standard referenced in 856-41:
“All utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.”

SUMMARY

The petitioner is proposing a 4-lot Sliding Scale Subdivision Preliminary Plat with a waiver request for buried utilities. The property is zoned Agriculture/Rural Reserve (AG/RR). All proposed lots will meet the minimum requirements for subdividing land in their respective zoning districts. Septic Permits have already been applied for and issued. Right-of-Way permits have been applied for and are pending the approval of this subdivision. Sidewalks and street trees are not required. Water will be provided by Ellettsville Utilities, and electricity by South Central Indiana REMC.

Comments from Stormwater:



Kelsey Thetonia ✓

Powell Sliding Scale

[Remove Comment](#) - Apr 24, 2023 at 3:37 pm

- Look at all lots for possible SCAs. Some circled on marked up version. Sinkholes should have overflow DEs, especially if they are near proposed build sites.
- Encompass any mapped floodplain in a DE.
- Add DEs on Lot 4/modify 100 ft. easement to follow stream channel on north and south sides of what was proposed. See markup.
- Proposed septic system for Lot 3?

New homes will require SWPPP and permits. New driveway through DE to Lot 4 will require MS4 approval and must meet requirements of Ch. 761.

Comments from Highway Department:



Right of way Activity permit applications have been submitted and will be approved pending Final Plat.

Existing driveway entrance for Lot #4 shall meet the specifications of Chapter 755 and the Manual for Construction Within and Adjacent to Monroe County Right-of-Way within (1) year of recording the Final Plat.

See RW-22-400, RW-22-401, RW-22-403 & RW-23-1.

	Lot 1	Lot 2
Total Acreage	2.51 acres 1.63 buildable	3.14 acres 1.22 buildable
Wastewater	WW-22-327 (Issued)	WW-23-2 (Issued)
Access	Direct frontage on Ratliff RD RW-22-400	Direct frontage on Ratliff RD RW-22-401
ROW Dedication & Other Easements	<ul style="list-style-type: none"> 60' off of W Ratliff RD 	<ul style="list-style-type: none"> 60' off of W Ratliff RD 100' Drainage Easement
Environmental	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Karst, Wetland
Structures	Undeveloped, vacant	Single-family dwelling, car port, shed

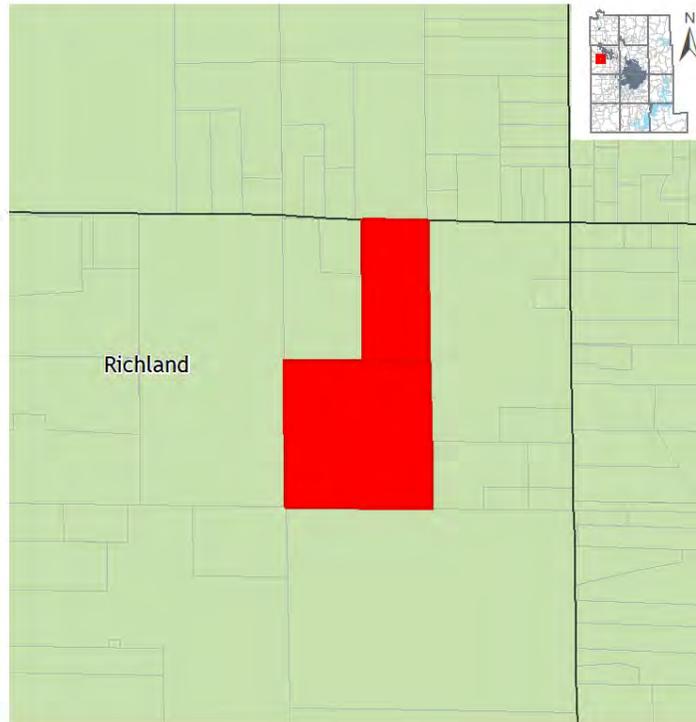
	Lot 3	Lot 4 Parent Parcel
Total Acreage	3.71 acres 1.62 buildable	49.81 acres 31.59 buildable
Wastewater	WW-22-328 (Issued)	WW-22-329 (Issued)
Access	Direct frontage on Ratliff RD RW-22-403	Direct frontage on Ratliff RD RW-23-1
ROW Dedication & Other Easements	<ul style="list-style-type: none"> 60' off of W Ratliff RD 100' Drainage Easement 	<ul style="list-style-type: none"> 60' off of W Ratliff RD 100' Drainage Easement 100' Drainage Easement
Environmental	<ul style="list-style-type: none"> Karsts 	<ul style="list-style-type: none"> Karsts, Creek
Structures	Undeveloped, vacant	Wood barn

EXHIBIT 1: Location, Zoning, Comprehensive Plan, and Site Conditions Maps

LOCATION MAP

Location Map

- Petitioner
- Roads
- Civil (Political) Townships
- Incorporated Areas**
- Ellettsville
- Parcels



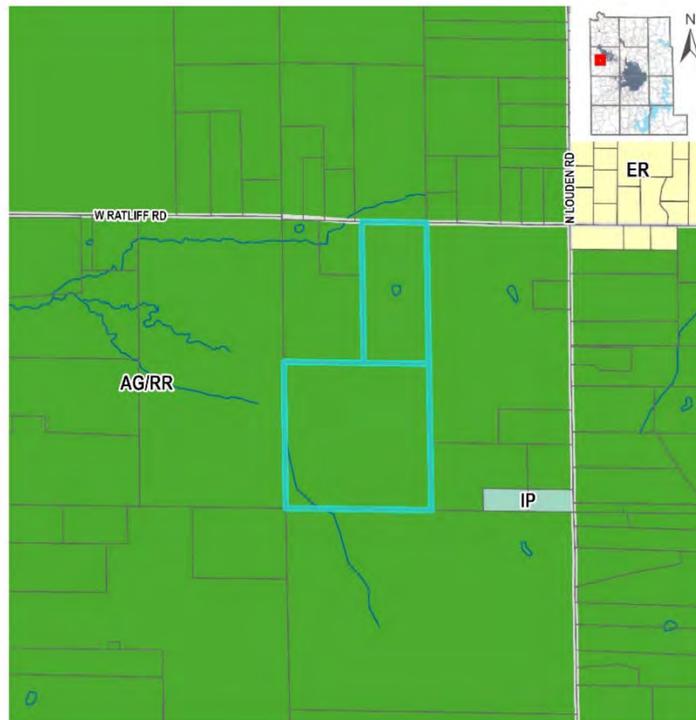
0 0.075 0.15 0.3 Miles
Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/3/2023

ZONING

The zoning for the petition site and adjacent properties are zoned Agricultural Rural Reserve (AG/RR).

Current Zoning Map

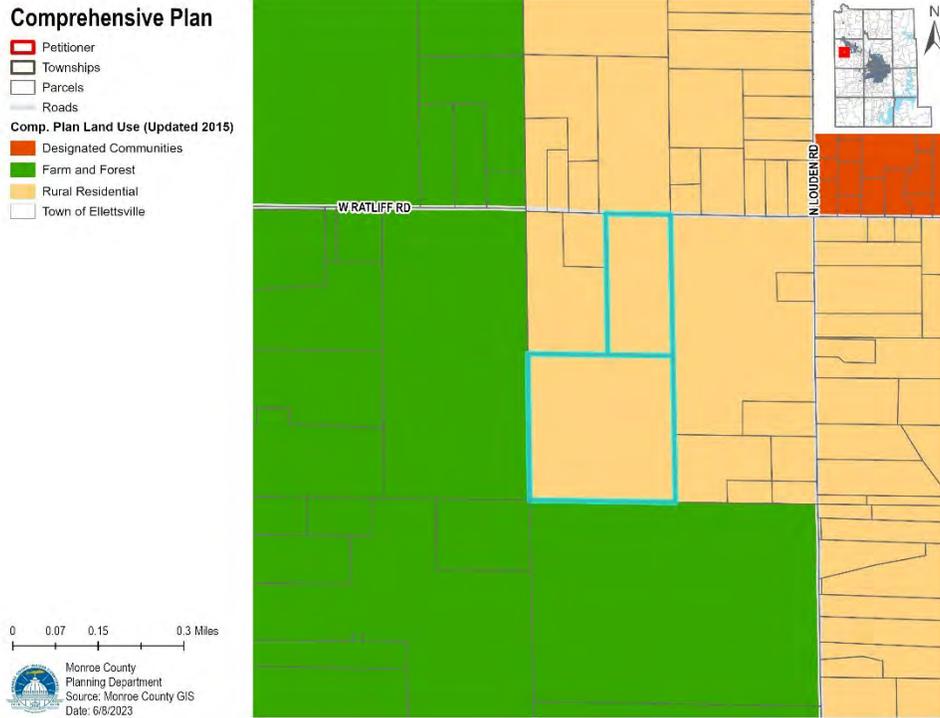
- Petitioner
- Parcels
- Roads
- Hydrologic Features
- Monroe County Zoning**
- AG/RR - Agriculture/Rural Reserve
- ER - Estate Residential
- IP - Institutional/Public
- N.T. - No Tag (Outside Juris.)
- Town of Ellettsville



0 360 720 1,440 Feet
Monroe County
Planning Department
Source: Monroe County GIS
Date: 5/3/2023

COMPREHENSIVE PLAN MAP

The Comprehensive Plan zoning for the petition site is Rural Residential. Adjacent properties are zoned Farm and Forest, as well as Rural Residential.



SITE CONDITIONS MAP

The petition site is mainly slopes under 15% with a stream crossing through the center of proposed lot 2.

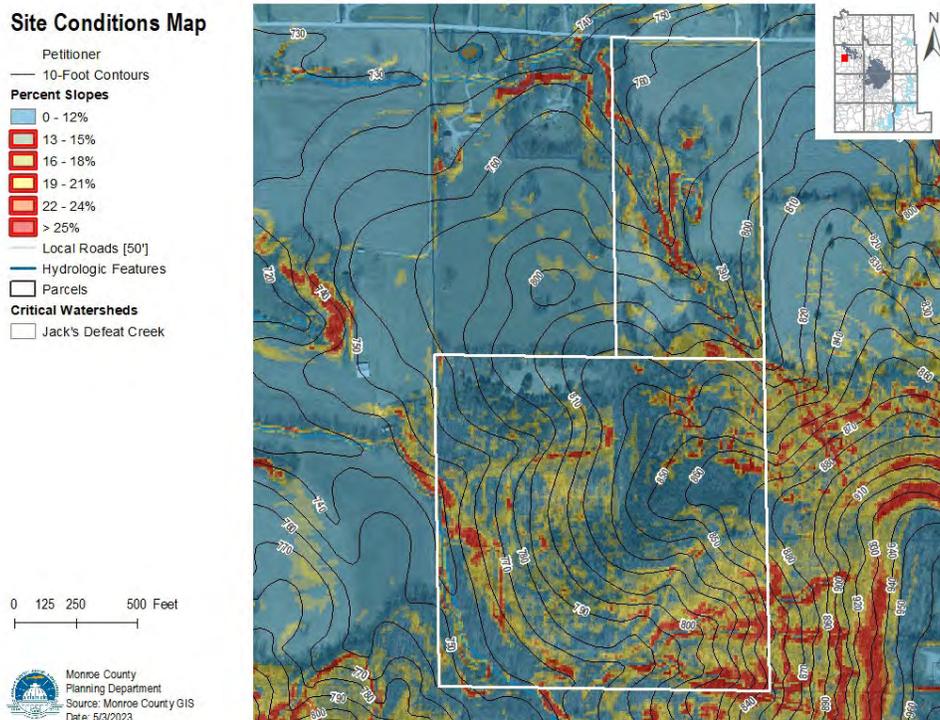


EXHIBIT 2: Site Pictures



Photo 1. A barn on proposed Lot 2.



Photo 2. The single-family dwelling on proposed Lot 2.



Photo 3. A carport on proposed Lot 2.



Photo 4. A barn on proposed Lot 2.



Photo 5. A view of proposed Lot 4.



Photo 6. A view of proposed Lot 4.



EXHIBIT 3: Comprehensive Plan Discussion

The petition site is located within the **Rural Residential** designation of the Comprehensive Plan. The Comprehensive Plan states the following for this designation:

Rural Residential

The Rural Residential use category includes rural property, environmentally sensitive areas, and areas adjacent to quarry operations where low densities are appropriate and desirable; however, the sparse population character of the Farm and Forest category is no longer applicable. Generally, these areas are characterized by active or potential mineral extraction operations nearby, steep slopes, and the remaining forest and/or agricultural land where roadways and other public services are minimal or not available.

The Rural Residential use category includes all property in Monroe County that is not within the Farm and Forest Residential area, Bloomington Urbanizing Area or a Designated Community, or an incorporated town or city. Approximately 52,000 acres of rural property in Indian Creek, Clear Creek, Van Buren, Bloomington, Richland, Bean Blossom, Washington, and Benton Townships are designated Rural Residential. Most often this category adjoins or is very close to the Farm and Forest Residential areas. Current Rural Residential densities are usually greater than 64 homes per section and some portions of the Rural Residential area have already been subdivided or developed at urban densities.

To maintain Rural Residential property use opportunities, an average residential density per survey section shall be established by ordinance. This average density shall preserve the rural lifestyle opportunity of this area and help protect nearby Vulnerable Lands. Where appropriate infrastructure is available, home clustering with open space dedications may be an option in this residential category. Open space can serve a variety of uses including recreational opportunities for local residents, limited accessory agricultural uses, or buffering of an adjoining use. Contiguous Resilient Land shall be available for each dwelling adequate to support either two independent conventional septic fields or one replaceable mound system. Sufficient space for buildings traditionally associated for this type of use must also be provided. In addition, public roadways shall not experience less than the Monroe County Level of Service standard existing at the time this Plan is adopted. New subdivision road traffic lanes that access County roadways shall not exceed the capacity of traffic lanes for adjoining public roadways. State highways, major collectors, or arterial roads are exempt from this requirement.

EXHIBIT 4: 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

- Approval of the subdivision would subdivide two lots into four (4) lots which will meet all design standards;
- Lot 4, the designated Parent Parcel Remainder, shall not be further subdivided for a period of twenty-five (25) 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 authorized by ordinance;
- Proposed lots have approved septic permit locations;
- Proposed lots have driveway permits off of W Ratliff RD on file and are pending the approval of this petition;
- The MS4 Coordinator has reviewed the application and requested drainage easements;
- 25' of right-of-way was previously dedicated;
- A total of 60' of right-of-way is required to be dedicated along W Ratliff RD, a Minor Collector road;

(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

- The Comprehensive Plan designates the site as Rural Residential, which includes low-density single-family subdivisions;
- The site has access to utilities;
- See findings under Section A;

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

Findings

- See findings under (A);
- The proposed use is residential;
- The surrounding uses are residential or agricultural;

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

Findings

- The two lots are currently zoned Agricultural Rural Reserve (AG/RR) and one is undeveloped and vacant;
- Adjacent properties are zoned Agricultural Rural Reserve (AG/RR), and are used for agricultural or residential uses;
- Approval of the subdivision would create two (2) lots that meet the design standards for the zoning designation AG/RR;
- See findings under Sections A & C;

(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 & D;

(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.

(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.

EXHIBIT 5: FINDINGS OF FACT - Petitioner



Eric L. Deckard, LS

1604 S. Henderson St.
Bloomington, IN 47401
Ph. 812.961-0235

March 23rd, 2023

To Members of the Monroe County Planning Commission

RE: Powell Sliding Scale Subdivision, 7935 W. Ratliff Road, Bloomington, IN 47404

I have been asked personally by Brandon Powell to request a buried utility waiver.

FINDINGS OF FACT - WAIVER for buried utility.

The petitioner has requested a waiver to continue using the existing overhead power line drop to the existing house located on proposed lot 2.

Section 850-12(A) of the Monroe County Subdivision Control Ordinance states: "The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

1. Practical difficulties have been demonstrated:

Findings:

- The existing house was built in 1945
- Replacing the utilities and burying them underground would be a large financial undertaking and unnecessary due to the age of the overhead line.

2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County:

Findings:

- There is an overhead power line running along the South side of W. Ratliff Road the entire length of the property to service other properties but would impose a financial burden for the client to bury from said line to the existing house.

3. Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):

Findings:

- The overhead utility line poses no threat to public safety, health, or welfare.

4. Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties.

Findings:

- The existing home has had overhead power since it was built. Other homes located along W. Ratliff Road are served by an overhead utility line.

5. The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties:

Findings:

The overhead power runs +/-400 feet and would be a financial burden for the owners to bury.

6. Granting the requested modifications would not contravene the policies and purposes of these regulations:

Findings:

Granting this waiver would not contravene the purposes for these regulations as the site has existing utilities on it now.



Eric L. Deckard, LS

1604 S. Henderson St.
Bloomington, IN 47401
Ph. 812.961-0235

-
7. The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done.

Findings:

- See findings under Section 1;

8. The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant, and,

Findings:

- The land owners purchased the property in 2013. The house existed before purchase and have used the overhead utilities since completion.

9. The practical difficulties cannot be overcome through reasonable design alternatives.

Findings:

- See #1 and #5 above.

If there are any questions, please contact this office at (812) 961-0235

Sincerely,

Eric L. Deckard, LS

EXHIBIT 6: FINDINGS OF FACT – Waiver of Overhead Utility Requirement

The petitioner has requested a waiver from Chapter 856 *Sliding Scale Option Subdivision* outlined in 856-41 (Utilities). The standard states:

All utilities, including but not limited to gas, sewer, electric power, telephone and CATV shall be located underground throughout the subdivision.

Existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision.

Existing utility lines servicing residential and residential accessory structures shall be removed and placed underground unless waived.

Waivers from these provisions for existing utility lines may be granted subject to the waiver modifications in Chapter 850-12, Sections A through D, excluding sections 5, 8, and 9. Waivers may be granted via the following process:

1. *for Subdivisions of more than 4 Lots by the Plan Commission*
2. *for Subdivisions of 4 Lots or Less by the Plat Committee*

All utility lines and other facilities existing and proposed throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the Subdivider's expense. At the discretion of the Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots that are to be retained in single ownership and that are to be developed for the same primary use.

Section 850-12 of the Monroe County Subdivision Control Ordinance states: “The Commission may authorize and approve modifications from the requirements and standards of these regulations (including the waiver of standards or regulations) upon finding that:

1. Practical difficulties have been demonstrated:

Findings:

- The petitioner has requested an overhead utility waiver for the existing overhead utility line that requires undergrounding;
- Findings for the utility waiver request were submitted by the petitioner’s representative;
- The petitioner’s representative’s findings state that the existing home on proposed Lot 2 was built in 1945 and has operated with an overhead utility since;
- The above ground electric line requires undergrounding, as per 856-41;
- An existing overhead power line extends the length of the property’s frontage to W Ratliff Road and services several other properties along W Ratliff Road;
- The existing utility service line crosses over W Ratliff Road from the power pole to the existing residence;

2. The requested modifications would not, in any way, contravene the provisions of the Zoning Ordinance, the Comprehensive Plan or the Official Map of the County;

Findings:

- See findings under Section 1;
- The Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions, except on public roads and rights-of-way or in easements serving other property;
- The existing overhead utility line runs west from the power pole going along the south side of W Ratliff Road to the existing residence on proposed Lot 2;

3. **Granting the modifications waiver would not be detrimental to the public safety, health, or welfare and would not adversely affect the delivery of governmental services (e.g. water, sewer, fire protection, etc.):**

Findings:

- See findings under Section 1;
- Occupants of the petition site served by the overhead utility will continue to be serviced regardless of the location of the lines above or below ground;
- Advantages and disadvantages exist in undergrounding electric lines both of which involve safety hazards;
- The approximate length of the electric line to be buried is 400’;

4. **Granting the modifications would neither substantially alter the essential character of the neighborhood nor result in substantial injury to other nearby properties;**

Findings:

- See findings under Section 1;
- Waiver approval would permit existing conditions to persist;
- Approval of the waiver would not substantially alter the essential character of the neighborhood;

5. **The conditions of the parcel that give rise to the practical difficulties are unique to the parcel and are not applicable generally to other nearby properties;**

Findings:

- The overhead utility line crosses along W Ratliff Road and would create unique practical difficulties to bury the line under W Brighton Road instead of using the existing overhead lines;

6. **Granting the requested modifications would not contravene the policies and purposes of these regulations;**

Findings:

- See findings under Sections 2 and 3;

7. **The requested modifications are necessary to ensure that substantial justice is done and represent the minimum modifications necessary to ensure that substantial justice is done;**

Findings:

- See findings under Sections 1, 2, and 3;
- The improvement is required due to the proposed subdivision of the property;
- The Subdivision Control Ordinance calls for utilities to be placed underground in all subdivisions – existing utility lines located above ground on public roads, rights-of-way or in easements serving other property are exempt from this provision;
- Existing utility lines servicing residential structures shall be removed and placed underground unless waived for existing and future structures;
- Occupants of the petition site served by the overhead utility lines will continue to be serviced regardless of the location of the lines above- or below ground;

8. **The practical difficulties were not created by the Developer, Owner, Subdivider or Applicant; and,**

Findings:

- Petitioner purchased the property in 2013 and the existing residence was built in the 1945;

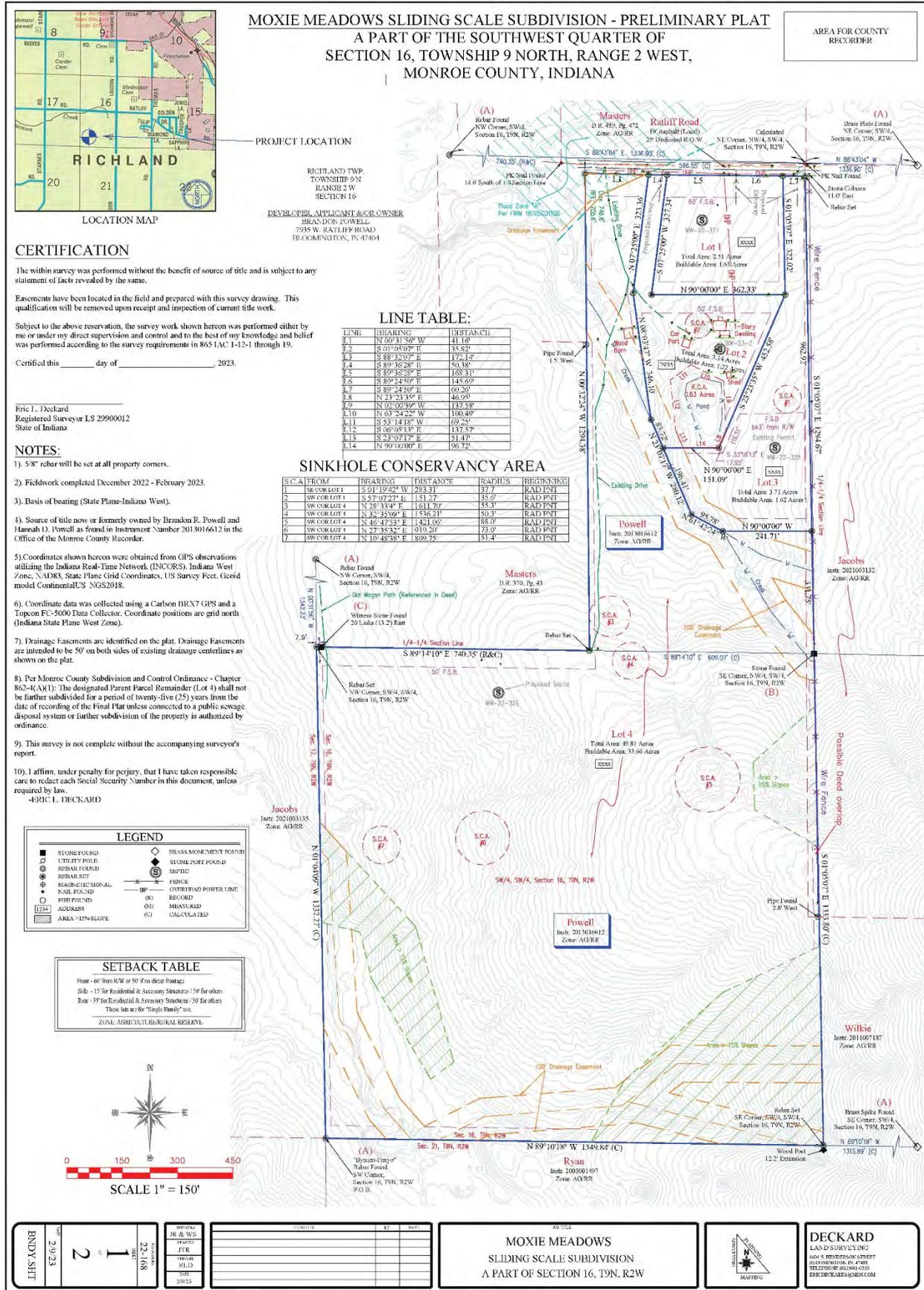
9. The practical difficulties cannot be overcome through reasonable design alternatives;

Findings:

- See findings under Sections 1, and 5;

In approving modifications, the Commission may impose such conditions as will in its judgment substantially secure the objectives of these regulations.

EXHIBIT 7: Preliminary Plat SSS-23-4



AREA FOR COUNTY
RECORDER

MOXIE MEADOWS SLIDING SCALE SUBDIVISION - PRELIMINARY PLAT
A PART OF THE SOUTHWEST QUARTER OF
SECTION 16, TOWNSHIP 9 NORTH, RANGE 2 WEST,
MONROE COUNTY, INDIANA

DEDICATION OF PUBLIC RIGHTS-OF-WAY:

Brandon R. Powell and Hannah D. Powell (Owners) of the real estate shown and described herein do hereby certify, lay off and plat Lots numbered 1 thru 4 to be known as MOXIE MEADOWS Sliding Scale Subdivision - Final Plat. Rights-of-way not heretofore dedicated are hereby dedicated to Monroe County, Indiana. In accordance with this plat and certification, this plat shall be known as MOXIE MEADOWS Sliding Scale Subdivision - Final Plat.

The right-of-way to be dedicated for Ratliff Road shall measure 25 feet perpendicular to and parallel with the existing centerline of Ratliff Road. Any interest that said parties have within said right-of-way is hereby dedicated to Monroe County, Indiana.

There are building setbacks on this plat upon which no structures may be erected or maintained.

Witness our hands and seals this _____ day of _____, 20____.

Brandon R. Powell (Owner)
7955 W. Ratliff Road
Bloomington, IN 47404

Hannah D. Powell (Owner)
7955 W. Ratliff Road
Bloomington, IN 47404

STATE OF INDIANA)
)SS:
COUNTY OF MONROE)

Before me, the undersigned Notary Public, in and for said County and State, personally appeared Brandon R. Powell and Hannah D. Powell (Owners) each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____.

Notary Public: _____

County of Residence: _____ (Seal)

My Commission Expires: _____

STORM & SURFACE DRAINAGE:

This is to certify that the subject property is located in zone "X" and zone "A", according to FHBM, Paul Number 18105C0110D dated December 17th, 2010.

COMMISSION CERTIFICATE:

Under the authority of Chapter 174, Act of 1947, as amended by the General Assembly of the State of Indiana, and the Monroe County Subdivision Control Ordinance, these parcels were created through the Sliding Scale Subdivision procedure and approved by the Monroe County Plan Commission on _____.

Monroe County Plan Commission:

President: _____

Secretary: _____

SURVEYOR'S REPORT:

In accordance with Title 865, I.A.C. 1-12 sections 1-30 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of lines and corners established on this survey as a result of:

- A). (Variances) in the reference monuments
- B). (Discrepancies) in the record description and plats
- C). (Inconsistencies) in lines of occupation and
- D). (Relative Positional Accuracy) "RPA"

The relative positional accuracy (due to random errors in measurement) of this survey is within that allowable for a Suburban class survey (0.13' plus 100 PPM) as defined I.A.C. Title 865 ("relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the 95 percent confidence level.")

SUBJECT PROPERTY:

A boundary survey and sliding scale subdivision was performed on the property now or formerly owned by Brandon R. Powell and Hannah D. Powell as found in Instrument Number 2013016612 in the Office of the Monroe County Recorder. The purpose of this survey was to retrace the boundary lines of the subject property and divide it per client direction.

REFERENCED SURVEYS:

- 1). Survey dated December 28th-30th, 1885 as found in Legal Book 2, Page 420 as found in the Office of the Monroe County Surveyor.
- 2). Surveys performed by Steven E. Ramsey dated September 1982 as found in the Office of the Monroe County Auditor.
- 3). Frye Reeves Road Type "E" Administrative Subdivision prepared by Ben F. Bledsoe dated June 21st, 2013 as found in Instrument Number 2013011320 in the Office of the Monroe County Recorder.
- 4). Corner perpetuation survey performed by Eric L. Deckard dated December 3rd, 2021 as found in Instrument Number 202207083 in the Office of the Monroe County Recorder.

REFERENCED MONUMENTS:

- A). Monuments labeled "A" were certified in the corner perpetuation survey by Eric L. Deckard dated December 3rd, 2021 as found in Instrument Number 202207083 in the Office of the Monroe County Recorder and were held for this survey.
- B). An irregularly shaped 6 inch x 4 inch stone was found standing 4 inches above grade in a wire fence marking the Southeast corner of the Northwest quarter of the Southwest quarter of Section 16. No indicative markings were found in this stone but it is believed to have been set in survey 1 listed above and was accepted and held as said corner.
- C). A 9 inch x 4 inch witness stone with a "X" was found 5 inches above grade near the Northwest corner of the Southwest quarter of the Southwest quarter of Section 16. Survey 1 listed above reports that a witness stone was set 20 links east of the corner and a witness stone was set 15 links west of the corner. The stone found in this survey is believed to be the witness stone set 20 links east of the corner and was used to calculate the position of the Northwest corner of the Southwest quarter of the Southwest quarter of Section 16.

ESTABLISHMENT OF LINES AND CORNERS:

- 1). The north line of the Southwest quarter of Section 16 was held as the north line of the subject property.
- 2). The Northeast corner of the Northwest quarter of the Southwest quarter of Section 16 was calculated at the midpoint between the center and the west quarter corners of said Section.
- 3). The Southeast corner of the Southwest quarter of the Southwest quarter of Section 16 was calculated by extending the line run from the Northeast corner of the Northwest quarter of the Southwest quarter through the Southeast corner of the Northwest quarter of the Southwest quarter to the south line of Section 16. This line was held for the east line of the subject property.
- 4). A record distance of 740.35 feet was run easterly along the quarter and along quarter-quarter Section lines from a rebar found marking the Northwest corner of the Southwest quarter to a brass plate marking the Northeast corner of the Southwest quarter and from a rebar set marking the Northwest corner of the Southwest quarter of the Southwest quarter to a stone marking the Southeast corner of the Northwest quarter of the Southwest quarter to establish the west line of the north portion of the subject property.

RECORD DESCRIPTION:

- 1). A possible deed over lap was found along a portion of the east line of the subject property. This overlap measures -- 3.2 feet at the north end to -- 30.0 feet at the south end.

SURVEY DESCRIPTION:

A part of the Southwest quarter of Section 16, Township 9 North, Range 2 West, Monroe County, Indiana, being that 59.72 acre parcel surveyed by Eric L. Deckard, Indiana Professional Surveyor #29900012 and shown on a plat of survey as Deckard I and Surveying Job No. 22-168, being more particularly described as follows:

Beginning at a rebar with a cap stamped "Dynam-Tonyo" marking the Southwest corner of Section 16; thence along the west line of said Section North 01 degrees 04 minutes 09 seconds West for a distance of 1332.27 feet to a rebar with a cap stamped "Deckard" marking the Northwest corner of the Southwest quarter of the Southwest quarter of said Section; thence leaving said Section line and along the north line of the Southwest quarter of Section 16 South 89 degrees 14 minutes 10 seconds East for a distance of 740.35 feet to a rebar with a cap stamped "Deckard", passing through a stone at 13.2 feet; thence leaving said quarter-quarter Section line North 00 degrees 32 minutes 24 seconds West for a distance of 1335.54 feet to the north line of the Southwest quarter of Section 16, passing through a rebar with a cap stamped "Deckard" at 1294.38 feet; thence along said quarter Section line South 88 degrees 43 minutes 04 seconds East for a distance of 596.55 feet to the east line of the West half of the Southwest quarter of Section 16; thence leaving said quarter Section line and along said east line South 01 degrees 05 minutes 07 seconds East for a distance of 1330.49 feet to a stone marking the Southeast corner of the Southwest quarter of the Southwest quarter of Section 16, passing through a rebar with a cap stamped "Deckard" at 35.82 feet; thence continuing South 01 degrees 05 minutes 07 seconds East for a distance of 1333.80 feet to a rebar with a cap stamped "Deckard" marking the Southeast corner of the Southwest quarter of the Southwest quarter of Section 16; thence leaving the east line of the West half of the Southwest quarter of Section 16 and along the south line of Section 16 North 89 degrees 10 minutes 18 seconds West for a distance of 1349.84 feet to the Point of Beginning containing 59.72 acres, more or less.

Subject to the Right-of-Way of Ratliff Road and all other legal easements of record.

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 herein 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 865 I.A.C. 1-12-1 through 19.

Certified this _____ day of _____, 2023.

Eric L. Deckard
Registered Surveyor LS 29900012
State of Indiana

DECKARD
LAND SURVEYING
INCORPORATED IN INDIANA
1000 W. STATE STREET
BLOOMINGTON, IN 47403



MOXIE MEADOWS
SLIDING SCALE SUBDIVISION
A PART OF SECTION 16, T9N, R2W

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