

DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

301 S. Union St., Auburn IN 46706

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

AGENDA

DeKalb County Plan Commission

Plat Committee

Commissioners Court – 2nd Floor DeKalb County Court House

Tuesday, January 7, 2025

8:30 AM

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

1. Roll call
2. Prayer
3. Nomination of Officers
 - Chairperson:
 - Vice Chairperson:
 - Secretary: Meredith Reith
4. Approval of Minutes: December 3, 2024
5. Old Business: None
6. New Business:

Petition #25-01 – Jeffrey A & Susen A Chapman requesting a 1 Lot Subdivision known as Chapman Acres. The proposed 1 lot subdivision will be a total of 3 acres. The subdivision will be used for a single-family residence. The property is located on the east side of County Road 51, north of the intersection of County Road 51 and County Road 48, Auburn, Indiana and is zoned A2, Agricultural.

Petition #25-02 – John Dale Hovarter, Trustee of the 1999 Revocable Trust of John Dale Hovarter requesting a 1 Lot Subdivision known as Duval Acres. The proposed 1 lot subdivision will be a total of 5 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 28, east of the intersection of County Road 28 and County Road 17, Corunna, Indiana and is zoned A2, Agricultural.

7. Adjournment

Next Meeting: February 4, 2025

If you cannot attend, please contact Meredith Reith:

mreith@co.dekalb.in.us or (260) 925-1923

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

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

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, December 3, 2024 @ 8:30 AM

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

ROLL CALL:

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

Members Absent: None

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

Staff Absent: None

Public in Attendance: Andrew Jagoda

PRAYER:

Jerry Yoder led prayer.

APPROVAL OF MINUTES:

Suzanne Davis moved to approve the minutes from November 5, 2024; seconded by Sandra Harrison. None opposed. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Petition #24-45 – Tim A & Jan D McAlhany and Tim Alan McAlhany, Trustee of the Evelyn Lucille McAlhany Irrevocable Trust dated January 29, 2020 and Tim Alan McAlhany, Trustee of the Toni Anne McAlhany Irrevocable Trust dated January 29, 2020 requesting a RePlat of McAlhany Sub-Division, Lot 1. The purpose of the replat is to correct property lines and combine same-ownership parcels that were deeded from the original subdivision. No new buildable lots are being created and the replat will be used for single-family residences. The property is located at 2239 US Highway 6 and 2241 US Highway 6, Waterloo, Indiana and is zoned A2, Agricultural.

Elysia Rodgers stated what the reasoning was for this petition.

Chris Gaumer read the staff report stating why this RePlat is needed. He stated that like Elysia said this is to clean up the property lines.

Sandra Harrison asked if they were just moving the property line away from the building?

Mr. Gaumer answered yes.

Mrs. Rodgers asked if there were any questions or comments from the board or public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over the proposed Findings of Fact.

JURISDICTIONAL FINDINGS:

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

1. Application completed and filed on **November 12, 2024**
2. Legal notice published in The Star on **November 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **November 13, 2024**

5. Letter from County Highway dated **November 13, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **November 13, 2024**
7. Letter from the Drainage Board, dated **November 21, 2024**
8. Airport Board report, if applicable: **not applicable**
9. Plat prepared by **Anderson Surveying**
The real estate to be developed is in Zoning District A2, which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor subdivision/replat will be used for residential use, which is compatible to the existing and adjacent land uses.
2. Does the Minor Subdivision conform to the following UDO standards:
 - a. Minimum width, depth & area of lot(s).
Yes. See Plat & Staff Report.
 - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.
Adequate access off US Highway 6. The right of way has been dedicated. Additional right of way has been dedicated where required. The existing shared driveway for Lots will be utilized.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The existing Private Septic System is being utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, homes, businesses, and utilities, if applicable or required.
None required.

Standard Conditions to be recorded on or with the plat:

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

Conditions that will not be recorded but must be met:

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

compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS REPLAT PETITION #24-45, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 3RD DAY OF DECEMBER 2024.

Motion made by Sandra Harrison, Seconded by Jason Carnahan.

Vote tally: Yes: 5 No: 0

Elysia Rodgers

Sandra Harrison

Jason Carnahan

Jerry Yoder

Suzanne Davis

ADJOURNMENT:

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:40 a.m.

Elysia Rodgers

Meredith Reith - Secretary

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

FOR OFFICE USE ONLY:
File Number: 25-01
Date Application Filed: 12/11/2024
Fee Paid: _____

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

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

APPLICANT INFORMATION

Applicant's Name: Angela Wallace
Mailing Address: 1710 N. MAIN STREET, SUITE D
AUBURN, IN 46706
Telephone Number: 260-417-3643 E-Mail: angie@surveycls.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: JEFFREY A. & SUSEN A. CHAPMAN
Address: 4809 COUNTY ROAD 51
AUBURN, INDIANA 46706
Telephone Number: 260-494-2033 E-Mail: arizonabar20@gmail.com

REPRESENTATIVE INFORMATION (if different from applicant information)

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

Legal Ad Payment & Public Hearing Notifications: Applicant Owner ___ Representative ___

Name of Proposed Subdivision: CHAPMAN ACRES

Number of Parcels & Total Area (square feet or acreage):
1 Parcel & 3.00 Acres, 2.96 Net Acres

Address or Parcel ID # of property:
15-07-32-300-015

Legal description of property affected:
17.14 ACRES IN THE SW $\frac{1}{4}$, SECTION 32, T34N, R14E

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

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

Applicant's Signature: Angela D Wallace Professional Surveyor 12/05/2024
(If signed by representative for applicant, state capacity)

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

SUMMARY FACTS:

APPLICANT: Jeffrey & Susen Chapman
SUBJECT SITE: east side of County Road 51, north of the intersection of County Road 51 and County Road 48, Auburn
REQUEST: 1 Lot Minor Subdivision – Chapman Acres
EXISTING ZONING: A2: Agricultural
SURROUNDING LAND USES AND ZONING: North: Single Family Residential (A2)
South: Single Family Residential (A2)
East: Farm Ground (A2)
West: Farm Ground (A2)

ANALYSIS:

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

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

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

Minor Subdivision Standards:

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

- Parcel 15-07-32-300-013 is considered the parent parcel. This is the 2nd buildable split from parent parcel -013. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
 - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
 - Proposed Lot 1 Area: 2.81 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 175 feet
 - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
 - Proposed Lot 1 Frontage: 40 feet
- This division of land fronts the following roads:
 - County Road 51 is considered County Local Road with a projected total right-of-way width of 60 feet.
 - Proposed right-of-way dedication: 30 feet

JURISDICTIONAL FINDINGS:

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

1. Application completed and filed on **December 9, 2024**
2. Legal notice published in The Star on **December 27, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **December 12, 2024**
5. Letter from County Highway dated **December 11, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **December 12, 2024**
7. Letter from the Drainage Board, dated **December 19, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Compass Land Surveying, Inc.**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

PROPOSED FINDINGS OF FACT:

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

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.
2. Does the Minor Subdivision conform to the following UDO standards:
 - a. Minimum width, depth & area of lot(s).
Yes. See Plat & Staff Report.
 - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.
Adequate access off County Road 51 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. Private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.
None required.

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

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

Standard Conditions to be recorded on or with the plat:

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

4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

Conditions that will not be recorded but must be met:

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



Waterway (Status)

- Regulated Drain
- Vacated Drain

Waterway (Type)

- Small Stream/Creek
- Tile Drain

Survey Division Lot

- Lots

Tax Parcel

- Tax Parcel
- County Limits

Encumbrance

- Electric Easement
- Right of Way

Waterbodies

- Marsh/Swamp
- Pond - Recreational
- Proposed Subdivisions

Flood Zone New 2023

ZONE_SUBTY

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

CHAPMAN ACRES

A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 34 NORTH, RANGE 14 EAST, WILMINGTON TOWNSHIP, DEKALB COUNTY, INDIANA

OWNER & DEVELOPER

JEFFREY A. & SUSAN A. CHAPMAN
4809 COUNTY ROAD 51
AUBURN, INDIANA 46706

SURVEYOR

COMPASS LAND SURVEYING, INC.
1710 N. MAIN STREET, SUITE D
AUBURN, IN 46706
TEL: 260-417-3643

ZONING

ZONING DISTRICT:
AGRICULTURAL (A2)

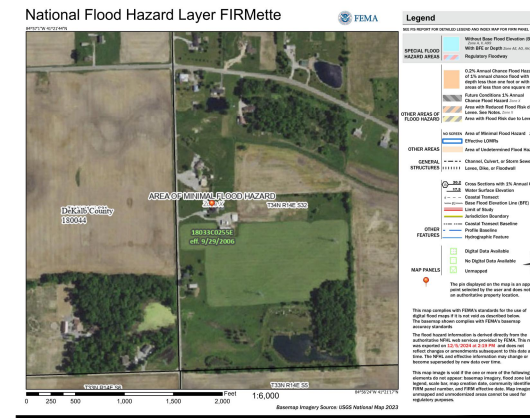
SETBACKS: SETBACKS:
PRIMARY ACCESSORY STRUCTURE
FRONT: 50' FRONT: 50'
SIDE: 30' SIDE: 10'
REAR: 30' REAR: 10'

LOT AREA

TOTAL AREA: 3.00 ACRES
30' R/W: 0.03 ACRES
B&M EASEMENT: 0.16 ACRES
NET BUILDABLE AREA: 2.81 ACRES

FLOODPLAIN CERTIFICATION

CHAPMAN ACRES LIES WITHIN ZONE X BASED ON THE NATIONAL FLOOD HAZARD MAP, COMMUNITY: DEKALB COUNTY, NUMBER: 180044, PANEL: 0155 E, EFFECTIVE DATE: SEPTEMBER 29, 2016, MAP NUMBER: 18092C0155E.



NFHL FIRMETTE NOT TO SCALE

OWNER DEDICATION

WE, THE UNDERSIGNED, JEFFREY A. & SUSAN A. CHAPMAN, OWNERS OF THE REAL ESTATE PLATTED AND DESCRIBED HEREIN CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS CHAPMAN ACRES IN THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 34 NORTH, RANGE 14 EAST, WILMINGTON TOWNSHIP, DEKALB COUNTY, INDIANA.

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

JEFFREY A. CHAPMAN

SUSAN A. CHAPMAN

NOTARY

STATE OF INDIANA)
COUNTY OF DEKALB) SS:

WITNESS OUR HAND AND SEAL THIS _____ DAY OF JANUARY, 2025.

JEFFREY A. CHAPMAN

SUSAN A. CHAPMAN

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, THIS _____ DAY OF JANUARY, 2025, PERSONALLY APPEARED JEFFREY A. & SUSAN A. CHAPMAN, ACKNOWLEDGING THE EXECUTION OF THE FOREGOING INSTRUMENT AS HIS OR HER VOLUNTARY ACT AND DEED, FOR THE PURPOSE THEREIN EXPRESSED.

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF JANUARY, 2025.

NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES: _____

AGRICULTURAL COVENANT

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

FURTHER DEVELOPMENT STANDARDS

FURTHER DEVELOPMENT: THIS LOT SHALL BE INCLUDED IN ANY SUBDIVISION ARISING FROM ANY FURTHER DEVELOPMENT FROM THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS, OR RESTRICTIONS ON A FUTURE PLAT WILL HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.

THERE SHALL BE COMPLIANCE WITH THE LAWS AND REGULATIONS OF ANY FEDERAL, STATE, OR LOCAL AGENCY.

NO OFFSITE DRAINAGE, EXISTING SURFACE WATER OR EXISTING TILED WATER DRAINAGE, CROSSING OVER SAID REAL ESTATE SHALL BE OBSTRUCTED BY ANY DEVELOPMENT ON THE SITE. THE PLAN COMMISSION MAY ENFORCE THESE CONDITIONS BY INJUNCTIVE RELIEF WITH ATTORNEY FEES.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION THIS _____ DAY OF JANUARY, 2025.

ELYSIA RODGERS, CHAIRPERSON

CHRISTOPHER GAUMER, ZONING ADMINISTRATOR

AUDITOR'S STAMP

RECORDER'S STAMP

NW CORNER SW1/4, SECT. 32, T34N, R14E HARRISON MARKER FOUND (-0.8', CM)

W. LINE SW1/4, SECT. 32, T34N, R14E 507'21.91'E ~ 2656.51'(M)

NOT 21'19"W ~ 425.00'(C) 507'21.91'E ~ 425.00'(C)

NOT 21'19"W ~ 927.00'(M) 507'21.91'E ~ 927.00'(M)

NOT 21'19"W ~ 502.00'(C) 507'21.91'E ~ 502.00'(C)

POC SW CORNER SW1/4, SECT. 32, T34N, R14E HARRISON MARKER FOUND (+0.0', CM) & RAILROAD SPIKE FOUND 3.3'W.

DICKISON D.R. 205, PAGE 320

DRIVEWAY LOCATION 18.5'S OF NORTH LINE

REAL ESTATE DESCRIPTION

CHAPMAN DOC. #201207900

PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 34 NORTH, RANGE 14 EAST, WILMINGTON TOWNSHIP, DEKALB COUNTY, INDIANA, AS SURVEYED BY AND SHOWN ON A PLAT OF SURVEY CERTIFIED BY ANGELA D. WALLACE LS #21200016 ON DECEMBER 5TH, 2024, AS PROJECT NUMBER 24-794, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT HARRISON MONUMENT AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 34 NORTH, RANGE 14 EAST; THENCE NORTH 01 DEGREE 21 MINUTES 19 SECONDS WEST, (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO. BASIS OF BEARINGS), ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 927.00 FEET TO A MAG NAIL WITH "WALLACE-LS21200016" IDENTIFICATION WASHER ON THE NORTH LINE OF DEED RECORD 205, PAGE 320 AS RECORDED WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA, ALSO BEING THE POINT OF BEGINNING, THENCE CONTINUING NORTH 01 DEGREE 21 MINUTES 19 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 40.00 FEET TO A MAG NAIL WITH "WALLACE-LS21200016" IDENTIFICATION WASHER; THENCE NORTH 88 DEGREES 38 MINUTES 41 SECONDS EAST, A DISTANCE OF 305.00 FEET TO A 5/8"x1/4" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP, THENCE SOUTH 01 DEGREE 21 MINUTES 19 SECONDS EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 175.00 FEET TO A 5/8"x1/4" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP, THENCE SOUTH 88 DEGREES 38 MINUTES 41 SECONDS WEST, A DISTANCE OF 700.00 FEET TO A 5/8"x1/4" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP ON THE EAST LINE OF SAID DEED RECORD 205, PAGE 320, THENCE NORTH 01 DEGREE 21 MINUTES 19 SECONDS WEST, ALONG SAID EAST LINE, A DISTANCE OF 195.00 FEET TO THE NORTH LINE OF SAID DEED RECORD 205, PAGE 320, THENCE SOUTH 88 DEGREES 38 MINUTES 41 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 205.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.00 ACRES OF LAND, MORE OR LESS, SUBJECT TO THE RIGHT OF WAY OF COUNTY ROAD 51 AND ALL OTHER RIGHTS OF WAY AND EASEMENTS.

MONUMENT LEGEND

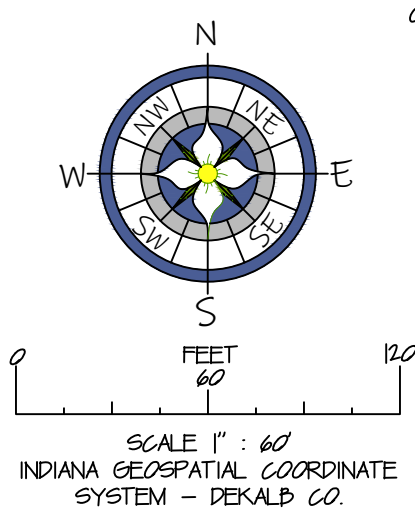
- "A" ~ 5/8"x1/4" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP SET
- "A-1" ~ 5/8"x1/4" REBAR WITH "WALLACE-LS21200016" IDENTIFICATION CAP SET 40'E
- "B" ~ MAG NAIL WITH "WALLACE-LS21200016" IDENTIFICATION WASHER SET
- "C" ~ BENT 5/8" REBAR FOUND 02E
- "D" ~ 5/8" REBAR FOUND
- "E" ~ 5/8" REBAR WITH "BURLAGE" IDENTIFICATION CAP FOUND ON 20' R/W
- "F" ~ 5/8" REBAR WITH "BURLAGE" IDENTIFICATION CAP FOUND ON 20' R/W

LEGEND

- M ~ MEASURED
- C ~ CALCULATED
- D ~ DEED
- CM ~ CONTROLLING MONUMENT
- R/W ~ RIGHT-OF-WAY
- FOB ~ POINT OF BEGINNING
- POC ~ POINT OF COMMENCEMENT
- CHB ~ CHORD BEARING
- CHL ~ CHORD LENGTH
- L ~ CURVE LENGTH
- R ~ RADIUS



VICINITY MAP NOT TO SCALE



SCALE 1" = 60' INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB CO.

PROFESSIONAL SURVEYOR'S CERTIFICATION

I, ANGELA D. WALLACE, HEREBY CERTIFY THAT I AM A PROFESSIONAL SURVEYOR REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT AND REAL ESTATE DESCRIPTION ACCURATELY REFLECTS AN ORIGINAL SURVEY COMPLETED ON MAY 6TH, 2024 AND RECORDED IN DOCUMENT NUMBER _____ WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA THAT WAS COMPLETED BY ME IN ACCORDANCE WITH TITLE 36B IAC 1-12-1 THRU 30, AND THAT THERE HAS BEEN NO CHANGE FROM THE MATTERS OF SURVEY REVEALED BY THE ABOVE REFERENCED SURVEY OR ANY PRIOR SUBDIVISION PLATS CONTAINED THEREIN, ON ANY LINES THAT ARE COMMON WITH THIS SUBDIVISION.



PROJECT NO: 24-794
DATE: DECEMBER 5TH, 2024
REVISED: DECEMBER 10TH, 2024

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

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

FOR OFFICE USE ONLY:
File Number: 25-02
Date Application Filed: 12/16/2024
Fee Paid: pd ck # 040

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

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

APPLICANT INFORMATION

Applicant's Name: On The Mark Land Surveying
Mailing Address: 2308 - B Centralyard Ct.
Fort Wayne, IN 46818
Telephone Number: 260-338-2052 E-Mail: smark@OTMLandSurveying.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: John Dale Hovarter
Address: 2849 County Road 17
Corunna, IN 46730
Telephone Number: 260-409-6586 E-Mail: Jimmy-duval@yahoo.com

REPRESENTATIVE INFORMATION (if different from applicant information)

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

Legal Ad Payment & Public Hearing Notifications: Applicant Owner ___ Representative ___

Name of Proposed Subdivision: Duval Acres

Number of Parcels & Total Area (square feet or acreage):
1 lot, 5 acres

Address or Parcel ID # of property:
09-05-02-300-006 ~ 2849 County Road 17, Corunna, IN

Legal description of property affected:
S End E 1/2 SW 1/4

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

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

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

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

SUMMARY FACTS:

APPLICANT: John Dale Hovarter, Trustee of the 1999 Revocable Trust of John Dale Hovarter

SUBJECT SITE: north side of County Road 28, east of the intersection of County Road 28 and County Road 17, Corunna

REQUEST: 1 Lot Minor Subdivision – Duval Acres

EXISTING ZONING: A2: Agricultural

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

ANALYSIS:

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

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

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

Minor Subdivision Standards:

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

- Parcel 09-05-02-300-006 is considered the parent parcel. This is the 2nd buildable split from parent parcel -006. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
 - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
 - Proposed Lot 1 Area: 4.912 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 483 feet
 - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
 - Proposed Lot 1 Frontage: 40 feet
- This division of land fronts the following roads:
 - County Road 28 is considered County Local Road with a projected total right-of-way width of 60 feet.
 - Proposed right-of-way dedication: 30 feet

JURISDICTIONAL FINDINGS:

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

1. Application completed and filed on **December 16, 2024**
2. Legal notice published in The Star on **December 27, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **December 19, 2024**
5. Letter from County Highway dated **December 19, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **December 18, 2024**
7. Letter from the Drainage Board, dated **December 19, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **On The Mark Land Surveying, Inc.**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

PROPOSED FINDINGS OF FACT:

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

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.
2. Does the Minor Subdivision conform to the following UDO standards:
 - a. Minimum width, depth & area of lot(s).
Yes. See Plat & Staff Report.
 - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.
Adequate access off County Road 28 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. Private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.
None required.

PLANNING STAFF RECOMMENDATIONS/COMMENTS:

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

Standard Conditions to be recorded on or with the plat:

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

4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

Conditions that will not be recorded but must be met:

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



Duval Acres

-006

-001

CR-17

CR-28

2849

1724 008

1726

1780

-007

-006

011

-005

Survey Division Lot

▭ Lots

Tax Parcel

▭ Tax Parcel

▭ County Limits

Waterbodies

▭ Pond - Recreational

▭ Proposed Subdivisions

Flood Zone New 2023

ZONE_SUBTY

▭

▭ 0.2 PCT ANNUAL CHANCE FLOOD HAZARD

▭ APPROXIMATE FLOODWAY

▭ FLOODWAY

▭ <all other values>



SURVEYOR'S REPORT

PURPOSE OF SURVEY: THE PURPOSE OF THIS SURVEY WAS TO AN ORIGINAL TRACT OF LAND FROM AN EXISTING TRACT OF LAND DESCRIBED IN DEED BOOK 225 PAGE 377 IN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA. THE PROPERTY ADDRESS BEING 2849 COUNTY ROAD 17, CORUNNA, IN 46730.

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

BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON THE MEASURED BEARING AND DISTANCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15. THE RECORD BEARING FOR THIS LINE PER THE SUBJECT DEED IS NOT LISTED. THE MEASURED BEARING OF THIS LINE IN INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB COUNTY IS SOUTH 86 DEGREES 00 MINUTES 16 SECONDS WEST.

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

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

- CONTROLLING MONUMENTS INCLUDE:
• MONUMENT "B" - 5/8" REBAR WITH BROKEN IDENTIFICATION CAP FOUND 0.2 FEET ABOVE GRADE - THIS MONUMENT IS AN ACCEPTED COUNTY SURVEYOR'S OFFICE SECTION CORNER
• MONUMENT "E" - HARRISON MONUMENT FOUND FLUSH - THIS MONUMENT IS AN ACCEPTED COUNTY SURVEYOR'S OFFICE SECTION CORNER
• MONUMENT "F" - HARRISON MONUMENT FOUND FLUSH - THIS MONUMENT IS AN ACCEPTED COUNTY SURVEYOR'S OFFICE SECTION CORNER

B) OCCUPATION OR POSSESSION LINES THERE WERE NO UNCERTAINTIES BASED ON VISUAL INSPECTION OF OCCUPATION OR POSSESSION LINES. THERE IS A BARB WIRE FENCE THAT RUNS ALONG THE EAST LINE OF THE PROPERTY. IT IS PRIMARILY LOCATED ON THE SUBJECT PARCELS PROPERTY OR ALONG THE LINE. IT DOES NOT CREATE ANY UNCERTAINTY IN POSSESSION.

C) CLARITY OR AMBIGUITY OF DESCRIPTIONS THERE WERE NO AMBIGUITIES FOUND WITHIN THE DESCRIPTIONS USED FOR THE SURVEY. DOCUMENTS USED INCLUDE:
1) DEED BOOK 225 PAGE 377 (WARRANTY DEED) - SUBJECT PARCEL
2) INSTRUMENT NUMBER 201005314 (PERSONAL REPRESENTATIVE DEED) - EAST ADJOINER
3) INSTRUMENT NUMBER 202303535 (QUIT CLAIM DEED)
4) RECORDED SURVEY BY ANDERSON SURVEYING - SURVEY NUMBER 24-02-101 DATED JANUARY 14, 2024 AND RECORDED AS INSTRUMENT NUMBER 202400895

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

THEORY OF LOCATION: THE SOUTH (40.00 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "E" AND "F". THESE MONUMENTS ESTABLISHED THE BEARING FOR THIS LINE AND THE BASIS OF BEARINGS FOR THIS SURVEY. THE DISTANCE WAS ESTABLISHED PER THE OWNER'S REQUEST.

THE EAST (1673.85 FEET) LINE OF THE SUBJECT TRACT WAS ESTABLISHED BY MONUMENTS "B" AND "E". THESE MONUMENTS WERE USED TO ESTABLISH THE BEARING OF THIS LINE. THE DISTANCE WAS ESTABLISHED PER THE OWNER'S REQUEST.

THE REMAINING LINES OF THE SUBJECT PARCEL WERE ESTABLISHED PER THE OWNER'S REQUEST TO MAKE 5.000 ACRES.

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

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

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

AFFIRMATION STATEMENT

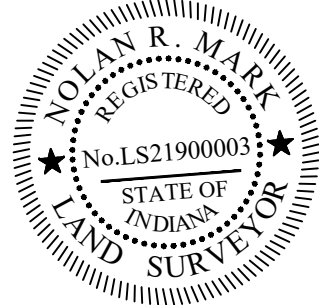
I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SURVEYOR'S CERTIFICATE

I, NOLAN R. MARK, HEREBY CERTIFY THAT I AM PROFESSIONAL SURVEYOR REGISTERED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT AND REAL ESTATE DESCRIPTION ACCURATELY DEPICTS A PARCEL OF LAND DESCRIBED IN DEED BOOK 225 PAGE 377 WITHIN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA ALONG WITH A BOUNDARY RETRACEMENT SURVEY APART OF JOB #24.0174 THAT WAS COMPLETED BY ME, OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH TITLE 865 IAC 1-12-1 THRU 30, AND THAT THERE HAS BEEN NO CHANGE FROM THE MATTERS OF SURVEY REVEALED BY THE ABOVE REFERENCE SURVEY.

DATE: DECEMBER 17TH, 2024

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



DUVAL ACRES, LOT 1
A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 12 EAST RICHLAND TOWNSHIP, DEKALB COUNTY, INDIANA

REAL ESTATE DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 34 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, BASED ON AN ORIGINAL SURVEY BY NOLAN R. MARK, INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND SURVEYING, LLC, SURVEY NO. 24.0174, DATED DECEMBER 12TH, 2024, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER AS MONUMENTED BY A HARRISON MONUMENT FOUND 0.2 FEET BELOW GRADE; THENCE SOUTH 86 DEGREES 00 MINUTES 16 SECONDS WEST (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB COUNTY BEARING AND BASIS OF BEARINGS TO FOLLOW) 40.00 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO A MAG NAIL WITH "MARK LS21900003" IDENTIFICATION WASHER SET FLUSH; THENCE NORTH 0 DEGREES 07 MINUTES 42 SECONDS EAST 1331.97 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH; THENCE SOUTH 85 DEGREES 57 MINUTES 59 SECONDS WEST 443.00 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH; THENCE NORTH 0 DEGREES 07 MINUTES 42 SECONDS EAST 341.85 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET 0.3 FEET ABOVE GRADE; THENCE NORTH 85 DEGREES 57 MINUTES 59 SECONDS EAST 483.00 FEET TO A 5/8 INCH REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET 0.3 FEET ABOVE GRADE AT THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES 07 MINUTES 42 SECONDS WEST 1673.85 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING, CONTAINING 5.000 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF COUNTY ROAD 28 AND EASEMENTS OF RECORD.

MONUMENT LEGEND

- "B" ~ 5/8" REBAR W/ BROKEN ID. CAP FOUND (+0.2') - C.M.
"E" ~ HARRISON MONUMENT FOUND (FLUSH) - C.M.
"F" ~ HARRISON MONUMENT FOUND (FLUSH) - C.M.
"O" ~ MAG NAIL W/ "MARK LS21900003" ID. WASHER SET (FLUSH)
"P" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
"Q" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP SET (+0.3')

Table with 2 columns: LOT 1 AREA, GROSS AREA: 5.000 ACRES, R/W DEDICATION: 0.028 ACRES, NET AREA: 4.912 ACRES

AGRICULTURAL COVENANT

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

FURTHER DEVELOPMENT STANDARDS

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

FLOODPLAIN CERTIFICATE

THIS PROPERTY IS WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DEFINED BY THE FIRM (FLOOD INSURANCE RATE MAP) FOR DEKALB COUNTY, INDIANA, COMMUNITY NO.180044, PANEL 18033C0140E, DATED SEPTEMBER 29, 2006.

NOTARY

STATE OF INDIANA)
COUNTY OF) SS:
WITNESS MY HAND AND SEAL THIS ____ DAY OF ____, 2024.

JOHN DALE HOVARTER, TRUSTEE OF THE 1999 REVOCABLE TRUST OF JOHN DALE HOVARTER

WITNESS MY HAND AND NOTARIAL SEAL THIS ____ DAY OF ____, 2024.
NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES: _____

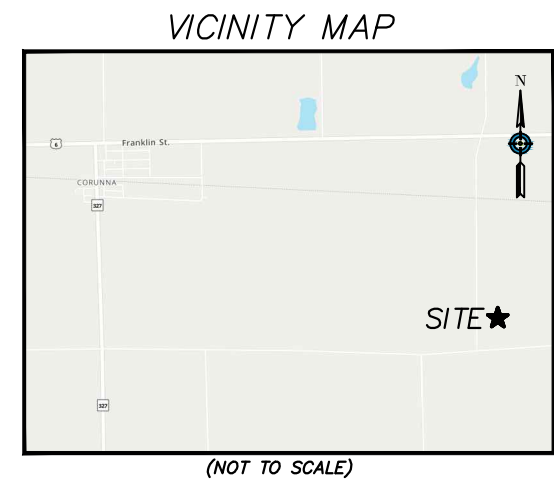
OWNER DEDICATION

I, THE UNDERSIGNED, JOHN DALE HOVARTER, TRUSTEE OF THE 1999 REVOCABLE TRUST OF JOHN DALE HOVARTER, OWNER OF THE REAL ESTATE PLATTED AND DESCRIBED HEREIN CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVIDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS DUVAL ACRES, LOT 1, AN ADDITION IN RICHLAND TOWNSHIP, DEKALB COUNTY, INDIANA.

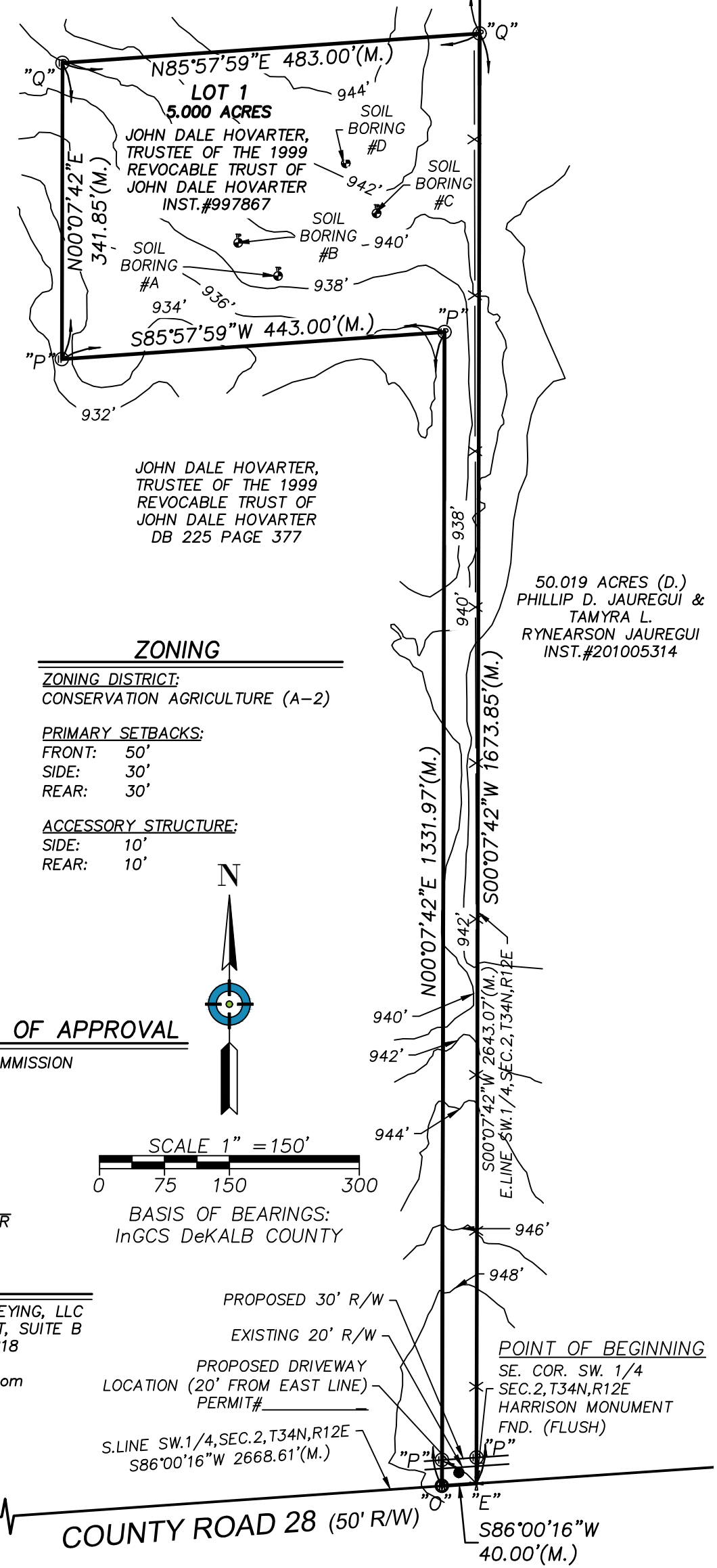
THE UNDERSIGNED HEREBY IRRECOVERABLY OFFERS FOR DEDICATION TO DEKALB COUNTY ALL THE STREETS, LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES SHOWN ON THE SUBDIVISION PLAT.

JOHN DALE HOVARTER, TRUSTEE OF THE 1999 REVOCABLE TRUST OF JOHN DALE HOVARTER
DATE:



LEGEND

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



ZONING

ZONING DISTRICT: CONSERVATION AGRICULTURE (A-2)

PRIMARY SETBACKS: FRONT: 50', SIDE: 30', REAR: 30'

ACCESSORY STRUCTURE: SIDE: 10', REAR: 10'

PLAN COMMISSION CERTIFICATE OF APPROVAL

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

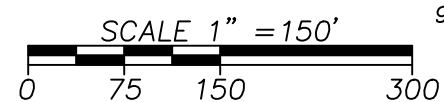
ELYSIA ROGERS, CHAIRPERSON

CHRISTOPHER GAUMER, ZONING ADMINISTRATOR

SURVEYOR

ON THE MARK LAND SURVEYING, LLC
2305 CENTRALYARD COURT, SUITE B
FORT WAYNE, INDIANA 46818
T: 260-338-2052
E: info@otmlandsurveying.com

SW. COR. SW. 1/4 SEC.2,T34N,R12E HARRISON MONUMENT FND. (FLUSH)



BASIS OF BEARINGS: InGCS DeKALB COUNTY

PROPOSED 30' R/W
EXISTING 20' R/W
PROPOSED DRIVEWAY LOCATION (20' FROM EAST LINE) PERMIT#

S.LINE SW.1/4,SEC.2,T34N,R12E S86°00'16\"/>

COUNTY ROAD 28 (50' R/W)