WHITLEY COUNTY ADVISORY PLAN COMMISSION STAFF REPORT

22-W-SUBD-14 PRIMARY PLAT APPROVAL

DECEMBER 21, 2022

James & Meredith Bishop

AGENDA ITEM: 2

Bishop Ridge Addition, southeast corner of SR 109 and Morsches Road

SUMMARY OF PROPOSAL

Current Zoning: RR, Rural Residential Code Minimum Proposed Minimum

Area of plat: 54.999 acres Lot size: .344 acre 6.55 acres

Number of lots: 5 lots Lot width: 100' 500'±

Dedicated ROW: 3.17 acres Lot frontage: 50' 500'±

The petitioner, owner of the subject property, is requesting an approval for a five-lot subdivision to be named Bishop Ridge Addition. The proposed plat is located on the southeast corner of SR 109 and Morsches Road, in Section 4 of Thorncreek Township. The property was most recently used as a golf course and any improvements are remnants of that use.

Proposed are five lots and dedicated right-of-way for both the state and county roads. Platting is required due to the number of lots being created. The nearest current CFO is about 2.8 miles to the southeast. The anticipated use is for residential. Each lot is to be a road front lot as no internal street is to be constructed; this may be appropriate for the proposed lot sizes.

The proposed plat appears to comply with the development standards of the zoning code as shown in the above table.

UTILITY AND REVIEW COMMENTS

Comment letters received (as of date of staff report)

Electric X Health X Cable TV Parcel Cmte. X

Gas Co. Engineer X Sanitary Sewer

Telephone SWCD X Water NA

A 40' wide half right-of-way for the state road and a 30' half right-of-way for the county road would be dedicated along the frontages. Note that the actual width of additional right-of-way being dedicated along Morsches Road varies as some dedicated rights-of-way already exist, but the resulting area is 30' from the centerline of the road. The County Engineer provided comment regarding limitations on driveway placement.

20' drainage and utility easements are shown on the perimeters of the lots. These are larger than the 10' minimum easements typically required for minor plats. Given the minimal amount of development activity expected on these lots for residential construction, drainage is anticipated to follow existing water courses.

At the time of this writing, the Health Department had not yet received soil testing for the required sites. Other comments received indicated the proposed plat was adequate.

Separate restrictive covenants have not been submitted at the time of this writing. Being a multiple-lot plat, covenants could be appropriate.

WAIVER REQUESTS

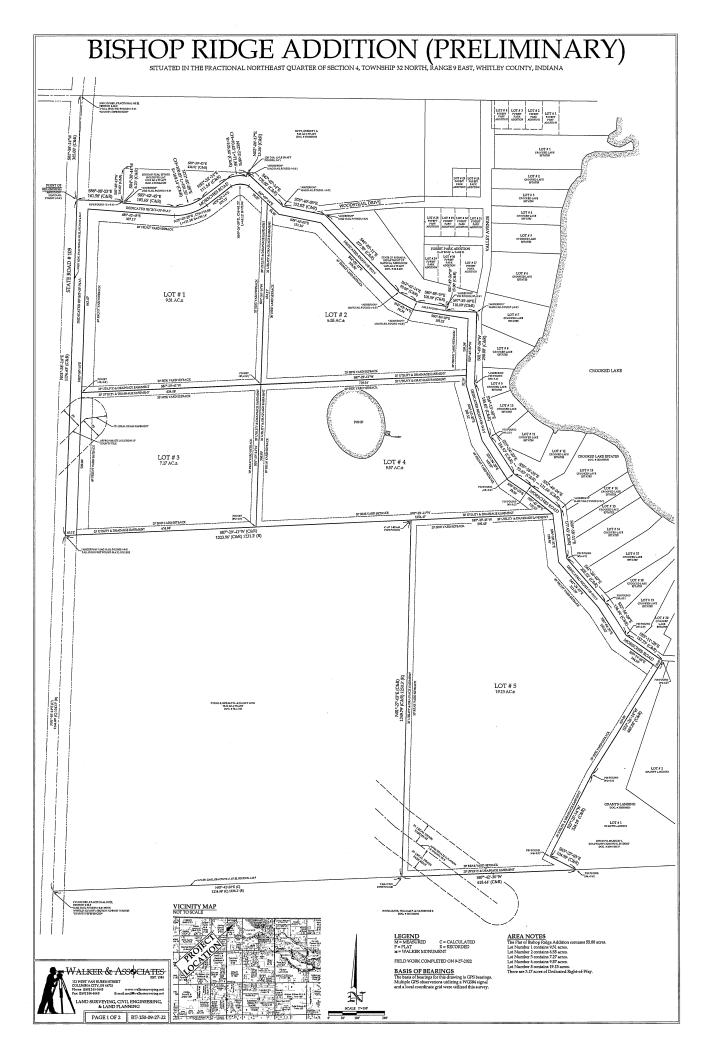
There are no waiver requests.

REVIEW CRITERIA

Subdivision primary plats are reviewed for compliance with the standards of Subdivision Control Ordinance and the Zoning Code. Staff finds that the proposed primary plat appears consistent with the standards, with the following condition(s):

- 1. Health Department requirements must be met prior to recordation of the plat.
- 2. Add notes to the plat regarding the driveway placement limitations as stated in the Engineer's comments.
- 3. Secondary plat approval delegated to the Plan Commission Staff.

Date rep	port complet	ted: 12/9/22	2						
			PLAN (COMMISSIO	N RECORD	OF ACTION			
Motion:		By:		Second by:					
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Vote:	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Schrumpf	Wolf	Wright
Yes									43-9
No									,
Abstain						1		100	



BISHOP RIDGE ADDITION (PRELIMINARY) SITUATED IN THE FRACTIONAL NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 32 NORTH, RANGE 9 EAST, WHITLEY COUNTY, INDIANA

DESCRIPTION Per Document Number 2022060081) The lands conveyed to Geoded Lake Colf Course, Enc. in Necorder's Document 889-96 (Treats A-C) and In Security Execution Colf. 2014. In an immediate the Particular Members Quarter of Security Colf. 2014. In Colf. 201 Nathan Bilger, Executive Director EXCEPT THEREFROM THE FOLLOWING DESCRIBED REAL ESTATE:

Part of the lands of Crooked Labs Golf Course, LLC as described in Recorder's Document #2015100528 being situated in the fractional Northwest Quarter of Section 5, Township 32 North, Range 9 East, Second Principal Worldish. Thorracter's Crownship Nittle; Courser, Inclinan, is have description having been prepared by Middeal C. Vodda, Folduna Professional Surveyor #20100011, as part of Anderson Surveying, Inc. Survey #15-09-101-1, dated April 25, 2022, nore particularly described on follower:

April 35, 2022, more particularly described as follows:

Commending at a lock in more of annotating the Northwest corner of the Fractional Northwest Counter of said Section 4, throne South 01 disperse 88 minutes 14 sections Weef (all bearings in this description are based on WCSSA instruments). The section of the Weef Intel of Restriction Northwest Quarter, a distance of \$50.00 feet to a Mag Natl with no Metallication cap a simple of "ANDESCON FIRM 250A" minutes rings in the Section Northwest Anderson Section 10 (1998). The Northwest Northw

FLOOD HAZARD STATEMENT

The accuracy of any flood hazard data shown on this expect is nabject to map scale uncertainty and to any other uncertainty in scales or develation on the referenced Food Insurance Rath Map. The surveyed text appears to be situated in Zora "X", which is not in Bood plan, as said lead globs by scale on Map Number 13/8500085C of the Food Insurance Rath Map of Whistip Constitution, fallows, death when the State of the Stat

THEORY OF LOCATION
This is a retractivent boundary survey of part of the Fractional Northeast Quarter of Section 4, Township 32 North,
Range 9 East, Whitley County, Indiana, located on State Road Number 109 and Morsches Road, deed recorded in
Document Number 2022060381 in the records of Whitley County, Indiana.

Document Number 202200081 in the eccode of Whalley County, Indiana.

Multiple ICR Observation stitling in Workship and and leaved coordinate grid were utilized this survey.
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SURVEYOR'S REPORT

In accordance with the Tale 865 IAC 1-12 "Rule 12" of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties of the Ionation of the lines and corners established on this survey on a result of:

(A) <u>Availability and condition of referenced monuments.</u>
See comments above concerning monuments set or found and held this survey. The monuments found are in good condition unless otherwise noted. Certain monuments are referenced as shown.

(B) Occupation or possession lines. None were observed.

(C) Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject treet with adjoiners' lines.

The actual calculated lengths of certain lines of the surveyed tract wary from the recorded distances as shown on this

(D) The relative positional accuracy of the measurements.

The Relative Positional Accuracy (due to rendom errors in measurements) of the corners of the subject tract established by this survey is within the specifications for Schurban surveys: 0.13 feet (40 millimeters) plus 100 parts per million as defined by IAC 885.

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WETLAND NOTE
According to the National Wetlands In According to the National Wetlands Inventory, wetlands exist on portions of Lots within this Addition. The wetlands are under the jurisdiction for U.S. Army Corps of Engineers. Any modifications (filling, draining, clearing, elearing, elearing, elearing, elearing, etc.) to said wetlands usib approved prior to construction by said Corps of Engineers.

____, 20__ by the Board of Commissioners of the County of

PLAN COMMISSION STAFF CERTIFICATION OF APPROVAL Secondary approval granted this ______ day of _____ , 20__ by the Staff of the Whitley County Advise Plan Commission.

DEVELOPER Meredith Elaine Bishop 19112 Wesley Chapel R Churubusco IN 46723

REDACTION STATEMENT
I difirm, under the penalites for perjury, that I have taken this document, unless required by law. - Kevin Michel asonable care to redact each Social Security number in

SURVEYOR'S CERTIFICATION

1. The undersigned Registered Land Surveyor licensed in compliance with the lows of the state of Induses, benefy
that the control of the state of Induses, benefy
that all the monuments above befores readily ontic, that lost and streets shown in the Plat have been established to
accordance with true and established boundaries of raid flavarys, and that this Survey and accompanying report has
been complicted in accordance with Talk SelS-ACI-12 and and Induse assemblements better

1. The street of the stre

870006

I hereby certify that to the best of my knowledge the above Plat and Survey are correct.

Kevin P x 7 rin R. Michel, Professional Surveyor

DEED OF DEDICATION
We the undersigned, James Brejamin Bishop and Mercelish Bishop owners of the real easter shown such
We the undersigned, James Brejamin Bishop and Mercelish Bishops owners Number 2020(6081), 4o benety certify that
bare bind off plainted and subdivided, and hereby lay off, plat and subdivide, and read endowners.

This subdivision shall be known and designated as BSHOP RIDGE ADDITION, a subdivision in Whiley Court, Indiana. All tights-of-ways of public roads, streets, and alleys shown and not herefolior dedicated, are heavily decidized to the public Frent year building stables. He are set precipe stabilities as shown on this pals, between which lines and the property lines of the street, there shall be recreded or maintained no building or structure, one as it conformance with the requirements of the Whiley Court, Zevining Ordinance.

A preparate descent is breity gravited to app private or publicability or marticals department bein excessed between, which is near bow and the pictural may be firstly framework? In mall proportion, tempor operates, markatin and remove conduits, onlies, pices, polos and writes, overhead and underground, with all necessary braces, gay, enclose and other equipment for the parapete of serving the adultivation or adjoining property with talecommunication, electric, gas severe, and water services as a part of the respective utulity system and the right is servery granted to enter upon the lost of all times process accreasily.

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Areas designated on the pile as "Drainage Easteners" are hereby reserved to the County, or subsequent governmental authority, for the purpose of constructing, munitativing operating, removing, and replacing governmental authority, for the purpose of constructing, munitativing operating, removing, and replacing commental during the construction of the construction

The removal of any obstructions located in any Utility Easement or Drainage Easement by an authorized person or persons performing maintenance or other work authorized herein shall in no way obligate the person in damages to restore the obstruction to its original form.

In addition to the Lots, Rights-of-way, Easements, and Building Lines dedicated on the face of this plat, the prope is also subject to additional "Protective Coverants and Restrictions" that may be recorded together with this plat.

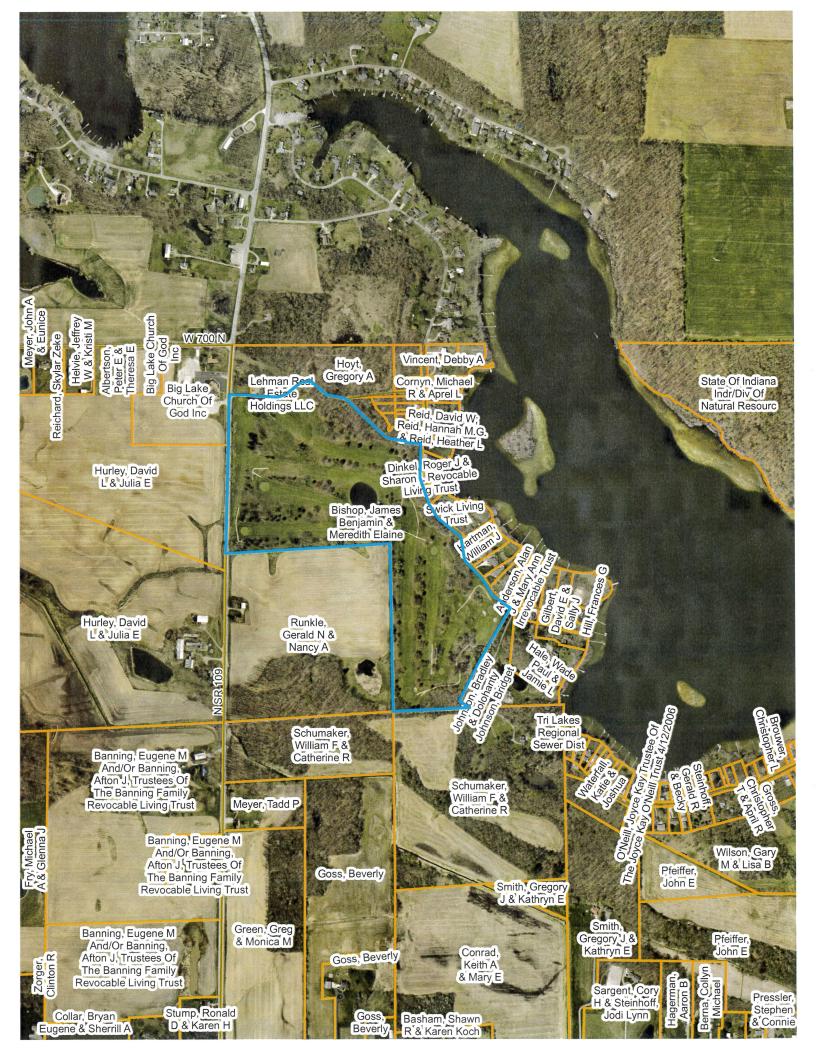
The foregoing covenants, or restrictions, are to run with the kind and shall be binding on all parties and all parties are partied foregoing to partie and an all parties are partied foregoing parties are all parties are partied foregoing parties are partied foregoing and all parties are partied foregoing parties and all parties are parties are parties are parties are parties and all parties are parties are parties are parties are parties are parties and all parties are parties

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof exected, or maintained in violation hereof, is hereby dedicated to the public, any reserved to the owners of the lots in this subdivision and to their heirs and assign.

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Vitness our hands and seals this	day of	, 20	
ames Benjamin Bishop	***************************************		
deredith Elaine Bishop			
tate of Indiana)			

Before me, the undersigned Notary Public in and for said County and State, personally appeared James Benjamin Bibnip and Meredilih Elaine Bibnip, and each expantely and severally acknowledge the execution of the foregoing instruments as his or her voluntary act and deed, for the purposes therein expressed. Witness my hard and notatial soul this day of 2,0

Notary Public My Commission Expires



Beacon[™] Whitley County, IN



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