

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

24-W-SUBD-18 PRIMARY PLAT APPROVAL

Brandon Zumbrun and Beckett Zumbrun

"Zumbrun Minor Subdivision", 200 South, 2,000' east of SR 5

NOVEMBER 20, 2024

AGENDA ITEM: 1

SUMMARY OF PROPOSAL

Current Zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	4.66 acres	Lot size:	1.837 acre	4.66 acres
Number of lots:	1 lot	Lot width:	225'	880'±
Dedicated ROW:	0.0 acre	Lot frontage:	50'	899.84'

The petitioner, owner of the subject property, is requesting preliminary plat approval for a one-lot subdivision to be named "Zumbrun Minor Subdivision." The proposed plat is located on the north side of 200 South, 2,000' east of SR 5 in Section 16 of Richland Township. The property is currently unimproved.

The purpose of the proposed plat is to create new a building site. Platting is required due to the number of previous splits since 1979. This is the first platted lot from the 2018 parcel, so no rezoning is required.

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	NA		
Telephone		SWCD	X	Water	NA		

The Soil & Water Conservation District provided comments on the soils and advisable construction practices. He stated that the soils in the low ground are likely to have a high-water table. Also provided were routine comments regarding erosion control and guidelines to be provided to the applicant.

The County Engineer stated the stream on the north property line is not County regulated and would not require the 75' legal drain easement. Therefore, the easement can be removed from the plat. A driveway permit will be required from the Whitley County Highway Department, and the property does have sight-distance issues. He also recommends a note on the plat for a private drainage easement to allow maintainable drainage from the parcel to the north of the stream.

The Health Department noted that soil testing has not been completed for the property.

No right-of-way is shown to be dedicated on the submitted plat. 200 South is indicated to be a Local Road (60' right-of-way) on the Transportation Map of the 2022 Comprehensive Plan. Therefore, a 30' wide right-of-way for the county road would need to be dedicated.

Per the subdivision code standards, 10' drainage and/or utility easements will need to be shown on the perimeter of the lot, unless the Commission finds them to be unneeded.

No covenants and restrictions were submitted as of the time of writing. This is not unusual for one- or two-lot plats.

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. Secondary plat approval delegated to the Plan Commission staff.
- 2. Two septic sites per lot are to be determined and approved by the Health Department prior to issuance of a building permit for a primary structure.
- 3. 75’ drainage easement from the north stream be removed.
- 4. 10’ utility and drainage easements be denoted on the perimeter of the lot.
- 5. A 30’ wide right-of-way to be dedicated along 200 South, and the lot area adjusted.
- 6. Consider adding access easement for maintenance of the drains.

Date report completed: 11/14/2024

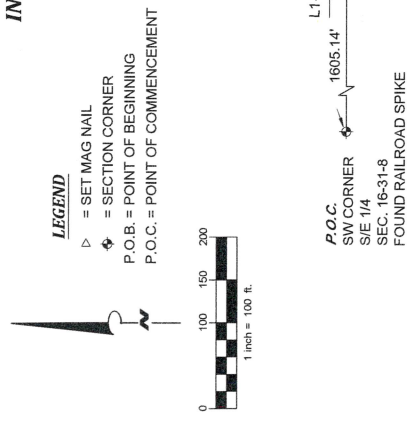
PLAN COMMISSION RECORD OF ACTION

Motion: By: Second by:

Approve _____
Approve w/conditions _____
Deny _____

<i>Vote:</i>	Baker	Banks	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Wolf
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

ZUMBRUN MINOR SUBDIVISION
IN THE SOUTHEAST QUARTER OF SECTION 15 & 16, TOWNSHIP 31 NORTH, RANGE 8 EAST,
RICHLAND TOWNSHIP, WHITLEY COUNTY, INDIANA



FLOOD HAZARD STATEMENT

THE SURVEYED PARCEL IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER INFORMATION OBTAINED FROM NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAPS, MAP NUMBER 18183C0120C, EFFECTIVE DATE MAY 3, 2015. THE INDIANA DEPARTMENT OF NATURAL RESOURCES (DNR) FLOODPLAIN INFORMATION PORTAL INDICATES THAT A PORTION OF THE SURVEYED PARCEL ALONG THE OPEN DITCH LIES WITHIN A DNR APPROXIMATE FRINGE AREA.

WETLAND NOTE

ACCORDING TO THE NATIONAL WETLANDS INVENTORY, NO WETLANDS EXIST ON SURVEYED PARCEL.

PROPERTY ADDRESS

COUNTY ROAD WEST 200 SOUTH, LARWILL, IN 46744

BASIS OF BEARING

BEARINGS ARE RELATED TO THE INDIANA STATE PLANE COORDINATE SYSTEM, EAST ZONE.

AREA NOTE

LOT 1 OF ZUMBRUN MINOR SUBDIVISION CONTAINS 3.53 ACRES MORE OR LESS

DEVELOPERS

BECKETT ZUMBRUN
3376 EDGEVIEW ST.
SAN MARCOS, CA, 92078



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 8 EAST, RICHLAND TOWNSHIP, WHITLEY COUNTY, INDIANA AS SHOWN ON A LAND SURVEY BEARING JOB NUMBER 241888 AS PREPARED BY WIGHTMAN ASSOCIATES AND CERTIFIED BY J. BERNARD FEENEY, PROFESSIONAL SURVEYOR NUMBER 80040309 ON NOVEMBER 1ST, 2024 AND BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT A RAILROAD SPIKE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 89° 55' 52" EAST ON THE SOUTH LINE OF SAID QUARTER A DISTANCE OF 1605.14 FEET TO A SET MAG NAIL ON SAID SOUTH LINE BEING THE POINT OF BEGINNING; THENCE NORTH 00° 59' 03" EAST A DISTANCE OF 32.04 FEET; THENCE NORTH 54° 32' 05" EAST A DISTANCE OF 19.77 FEET; THENCE NORTH 47° 01' 30" EAST A DISTANCE OF 41.59 FEET; THENCE NORTH 60° 49' 48" EAST A DISTANCE OF 162.86 FEET; THENCE NORTH 63° 20' 27" EAST A DISTANCE OF 101.21 FEET; THENCE NORTH 71° 13' 40" EAST A DISTANCE OF 81.20 FEET; THENCE NORTH 74° 42' 45" EAST A DISTANCE OF 161.50 FEET; THENCE NORTH 78° 48' 38" EAST A DISTANCE OF 91.57 FEET; THENCE SOUTH 87° 29' 15" EAST A DISTANCE OF 141.68 FEET; THENCE SOUTH 89° 17' 32" EAST A DISTANCE OF 45.32 FEET; THENCE NORTH 81° 43' 32" EAST A DISTANCE OF 45.32 FEET; THENCE NORTH 67° 35' 24" EAST A DISTANCE OF 54.75 FEET; THENCE SOUTH 59° 58' 06" EAST A DISTANCE OF 48.70 FEET TO THE CENTERLINE OF COMPTON DITCH; THENCE SOUTH 28° 13' 28" WEST ON SAID CENTERLINE A DISTANCE OF 45.31 FEET; THENCE SOUTH 04° 52' 42" WEST ON SAID CENTERLINE A DISTANCE OF 49.79 FEET; THENCE SOUTH 07° 45' 55" WEST A DISTANCE OF 192.38 FEET TO A SET MAG NAIL AT THE INTERSECTION OF THE EXTENSION OF SAID CENTERLINE OF SAID COMPTON DITCH AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89° 55' 52" WEST ON SAID SOUTH LINE A DISTANCE OF 899.84 FEET TO THE POINT OF BEGINNING, CONTAINING 4.66 ACRES MORE OR LESS.

SUBJECT TO THE LEGAL RIGHTS OF PUBLIC HIGHWAYS AND ANY EASEMENTS, COVENANTS OR RESTRICTIONS OF RECORD.

LAND SURVEYORS' CERTIFICATION:

I, J. BERNARD FEENEY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED OR CERTIFIED BY ME ON OCTOBER 25th, 2024, THAT THE LOCATION, SIZE, TYPE AND MATERIAL OF ALL MONUMENTS ARE ACCURATELY SHOWN, FURTHER 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. BY: J. BERNARD FEENEY.



J. Bernard Feeny
J. BERNARD FEENEY
PS #80040309

LINE NO.	BEARING	LENGTH
L1	N00°59'01"E	32.04'
L2	N54°32'05"E	19.77'
L3	N47°01'30"E	41.59'
L4	N60°49'48"E	162.86'
L5	N63°20'27"E	101.21'
L6	N71°13'40"E	81.20'
L7	N74°42'45"E	161.50'
L8	N78°48'38"E	91.57'
L9	S87°29'15"E	141.68'
L10	S89°17'32"E	70.11'
L11	N81°43'32"E	45.32'
L12	N67°35'24"E	54.75'
L13	S59°58'06"E	48.70'
L14	S28°13'28"W	45.31'
L15	S04°52'42"W	49.79'
L16	S07°45'55"W	192.38'

SURVEY RECORDING NOTE

THE ORIGINAL / RETRACEMENT BOUNDARY SURVEY FOR THIS PLAT IS RECORDED IN DOCUMENT NO. 2024100332

COUNTY COMMISSIONERS APPROVAL CERTIFICATE

ALL CONDITIONS OF PRIMARY APPROVAL HAVE BEEN MET AND THIS PLAT IS GRANTED APPROVAL
APPROVED AND ACCEPTED THIS ON _____ 20____ BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF WHITLEY, STATE OF INDIANA

CHAD CHANDS

THERESA BAYSINGER

ROB SCHUMAN

PLAN COMMISSION APPROVAL CERTIFICATE

SECONDARY APPROVAL GRANTED THIS _____ 20____ BY THE STAFF OF THE COUNTY OF WHITLEY ADVISORY PLAN COMMISSION

NATHAN BILGER, EXECUTIVE DIRECTOR

MINOR
SUBDIVISION



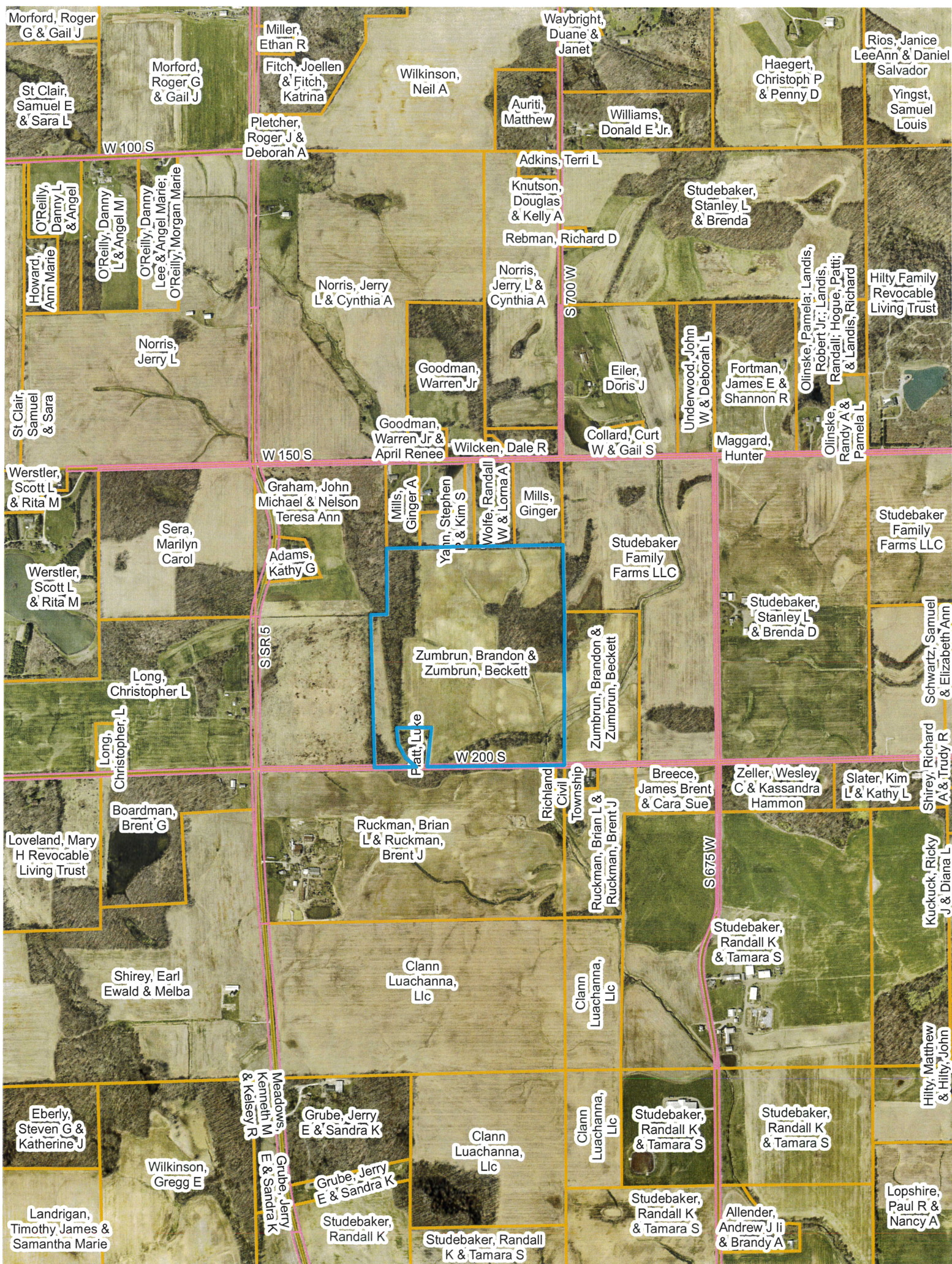
WIGHTMAN
1405 N. MICHIGAN ST.
PLYMOUTH, IN. 46563
574.936.3469

www.wightman.com

PROJECT NAME:
ZUMBRUN MINOR
SUBDIVISION
LARWILL, IN 46764

REVISIONS

DATE	10/23/2024
SCALE	1" = 100'
DRAWN BY	SSH
CHECKED BY	





WHITLEY COUNTY
INDIANA

November 14, 2024

WHITLEY COUNTY
Surveyor & Engineer Dept
County Government Center
220 West Van Buren St., Suite 203
Columbia City, IN 46725
Phone (260) 248-3107

Brent Bockelman
Columbia City/Whitley County
Planning & Building Department
220 W. Van Buren Street Suite 204
Columbia City, Indiana 46725

RE: Plat 24-W-SUBD-18 Zumbrun Minor Subdivision
Engineer Review

Dear Brent,

The subject subdivision plat have been reviewed for both drainage and highway requirements.

Drainage:

- The eastern boundary of Lot # 1 is the Compton Ditch which is a regulated drain. Any development, including woody vegetation, structures and driveways, will need approval from the Whitley County Drainage Board to be placed within the 75 foot easement from the top of bank of the drain.
- The stream that runs along the northern portion of Lot #1 is not regulated by the Whitley County Drainage Board, and so does not have a 75 foot easement, it can be removed from the plat.
- The parcel to the north drains to the non-regulated stream along the northern portion Lot #1. I would recommend a note on the plat allowing for a private drainage easement to allow maintainable drainage from the parcel to the north to the stream.

County Highways:

- A drive permit will be required from the Whitley County Highway Department for each drive if not acquired already.
- There are sight distance issues on this site. A preliminary review suggests a drive is possible onto W 200 S, but a location should be selected that has an unrestricted view of 500 feet of roadway in both directions. Sight distance will be reassessed when a permit is filed.
- When the driveway permit is filed, depending on the location, the appropriate culvert size will be determined.
- Finally, at a minimum, the first ten feet of the driveway needs to fall away from the edge of pavement, for drainage purposes.

Thank you,

Brad Allen, PE
Whitley County Engineer