

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

20-W-SUBD-10 PRIMARY PLAT MODIFICATION

Steven & Kathleen Linvill
Miami Ridge

**AUGUST 19, 2020
AGENDA ITEM: 1**

This petition was filed for the July meeting. Failure to cause timely public hearing notice resulted in continuance to the August meeting.

SUMMARY OF PROPOSAL

Current zoning:	AG, Agricultural		<u>Code Minimum</u>	<u>Proposed Minimum</u>
Area of plat:	6.74 acres	Lot size:	1.837 acres	6.74 acres
Number of lots:	1 lot	Lot width:	225'	418'±
Dedicated ROW:	0.04 acre	Lot frontage:	50'	50'

This petition is a modification of the primary plat of Miami Ridge, previously approved as 20-W-SUBD-6 at the May 20, 2020 meeting. After approval, the buyer desired to add acreage to the purchase, which again triggered the need for a plat. Since the secondary plat was not yet recorded, this may be done by modification of the primary plat rather than an amendment/replat as frequently occurs.

The petitioner, owner of the subject property, is requesting primary plat approval for Miami Ridge, a proposed one-lot subdivision located on the south side of 600 North, approximately ¼ mile west of 550 East in Section 8 of Smith Township. The southern half of the buildable area of the lot is a wooded hillside, with the northern half and access strip being an agricultural field.

Proposed are one lot and dedicated right-of-way for the county road. Platting is required due to previous splits from the parent tract. This is the first lot platted from this parcel since 2018, so no rezoning from AG is required. After platting the subject lot, the remaining parent tract acreage will be 17.89± acres, which is below the 20-acre threshold for platting. However, since the parent tract is agricultural, the 10-acre threshold for agricultural parcels may be applied.

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

Comment letters received (as of date of staff report)

Electric	X	Health	X	Cable TV		Parcel Cmte.	X
Gas		Co. Highway	X	Sanitary Sewer	NA		
Telephone		SWCD	X	Water	NA		

A 30' wide right-of-way for the county road would be dedicated. 10' drainage and/or utility easements are shown on the lot perimeter. At the time of this writing, the comment letters received have stated that the proposed plat is generally adequate.

Separate restrictive covenants have not been submitted at the time of this writing.

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. An agricultural-only deed restriction must be added to the 17.89± remainder tract.

Date report completed: 8/12/20, MC.

PLAN COMMISSION ACTION

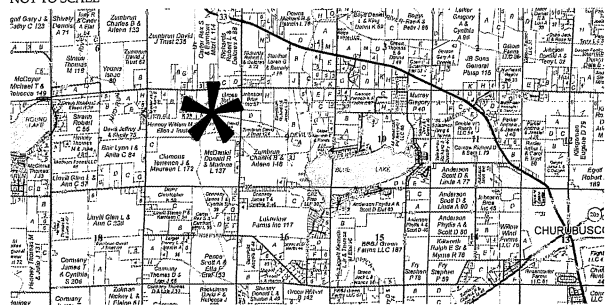
Motion:

By:

Second by:

<i>Vote:</i>	Hodges	Johnson	Mynhier	Western	J. Wolf	B. Wolfe	Woodmansee	Wright	<i>Vacant</i>
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									

SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 32 NORTH, RANGE 10 EAST, WHITLEY COUNTY, INDIANA



LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING

MIAMI RIDGE (PRELIMINARY)

SITUATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 32 NORTH, RANGE 10 EAST, WHITLEY COUNTY, INDIANA

DESCRIPTION

Part of the Northeast Quarter of Section 8, Township 32 North, Range 10 East, Whitley County, Indiana (This description prepared by Kevin R. Michel, LS80870006, as part of original Plat of Miami Ridge completed by J.K. Walker and Associates, P.C., dated June 15, 2020), being more particularly described as follows, to wit:

Commencing at an iron pin found at the Northwest corner of said Northeast Quarter; thence N85°-03'-00"E (adjoiner's deed bearing and used as the basis of bearings for this description), on and along the North line of said Northeast Quarter, a distance of 140.00 feet to a Mag nail found at a Northeast corner of the Plat of Little Turtle Ridge as recorded in Document Number 2006030098 in the records of Whitley County, Indiana, said Mag nail also being at the POINT OF BEGINNING; thence continuing N85°-03'-00"E, on and along said North line, being within the right-of-way of County Road 600N, a distance of 50.14 feet to a Mag nail; thence S00°-44'-00"E, a distance of 860.20 feet to a 5/8-inch iron pin capped "Walker"; thence N88°-42'-12"E, a distance of 513.16 feet to a 5/8-inch iron pin capped "Walker"; thence S00°-44'-00"E, a distance of 82.70 feet to a 5/8-inch iron pin capped "Walker"; thence S89°-33'-23"E, a distance of 372.59 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of a certain 2.30 acre tract of land as recorded in Document Number 2019070211 in said records; thence S00°-29'-00"E, on and along the West line of said 2.30 acre tract of land, a distance of 500.00 feet to a 5/8-inch iron pin capped "Walker" found at the Southwest corner of said 2.30 acre tract of land, said iron pin also being on the North line of a certain tract of land as recorded in Document Number 2002120588 in said records; thence N89°-33'-23"W, on and along said North line, a distance of 460.32 feet to a 5/8-inch iron pin capped "Walker" at the Northwest corner of said tract of land in Document Number 2002120588, said iron pin also being on the East line of a certain tract of land as recorded in Document Number 2017010173 in said records; thence N00°-44'-00"W, on and along said East line, a distance of 252.30 feet to an iron pin found at the Northeast corner of said tract of land in Document Number 2017010173, said iron pin also being at the Southeast corner of said Plat of Little Turtle Ridge, said iron pin further being at a Southwest corner of a certain 1.00 acre tract of land as recorded in Document Number 2019070212 in said records; thence N84°-49'-00"E, on and along a South line of said 1.00 acre tract of land, a distance of 40.00 feet to a 5/8-inch iron pin capped "Walker" found at the Southeast corner of said 1.00 acre tract of land; thence N00°-44'-00"W, on and along the East line of said 1.00 acre tract of land, a distance of 275.00 feet to a 5/8-inch iron pin capped "Walker" found at the Northeast corner of said 1.00 acre tract of land; thence S88°-42'-12"W, on and along the North line of said 1.00 acre tract of land, a distance of 513.16 feet to a 5/8-inch iron pin capped "Walker" found at the Northwest corner of said 1.00 acre tract of land, said iron pin also being on an East line of said Plat of Little Turtle Ridge; thence N00°-44'-00"W, on and along said East line, a distance of 907.01 feet to the point of beginning, containing 6.74 acres of land, more or less, subject to legal right-of-way for County Road 600N, subject to all legal drain easements and all other easements of record.

FLOOD HAZARD STATEMENT

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. The surveyed tract appears to be situated in Zone "X", which is not in a flood plain, as said land plots by scale on Map Number 18183C0070C and Map Number 18183C0160C of the Flood Insurance Rate Maps for Whitley County, Indiana, dated May 4, 2015.

THEORY OF LOCATION

This is an original boundary survey of part of the Northeast Quarter of Section 8, Township 32 North, Range 10 East, Whitley County, Indiana. The surveyed tract is part of a larger tract of land as recorded in Document Number 81-12-125 in the records of Whitley County, Indiana. The surveyed tract was created as directed by a representative of the owner.

Multiple GPS observations utilizing a WGS84 signal and a local coordinate grid were utilized this survey.

The Northwest corner of said Northeast Quarter is county referenced. An iron pin was found at this corner and was held this survey.

The Northeast corner of said Northeast Quarter is county referenced. An iron pin was found at this corner and was held this survey.

A P.K. nail was found at the Northeast corner of the West half of said Northeast Quarter and was held this survey.

The East line of the West half of said Northeast Quarter was established using existing monuments found.

A 5/8-inch iron pin capped "Walker" was found at the Southeast corner of the surveyed tract and was held this survey.

A Mag nail was found at the Northwest corner of the surveyed tract and was held this survey.

A 5/8-inch iron pin capped "Walker" was found at the Northeast corner of the surveyed tract and was held this survey.

An iron pin was found at each of Four (4) Westerly corners of the surveyed tract. Said iron pins were held this survey.

The Southwest corner of the surveyed tract was established at deeded distances. A 5/8-inch iron pin capped "Walker" was set at this corner.

A Mag nail was set at the Northeast corner of the surveyed tract.

A 5/8-inch iron pin capped "Walker" was set at Three (3) corners of the surveyed tract.

See survey for other monuments found near the surveyed tract.

See survey for monuments found that are referenced.

SURVEYOR'S REPORT

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

(A) Availability and condition of referenced monuments.

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

(C) Clarity or ambiguity of the record description used and of adjoining descriptions and the relationship of the lines of the subject tract with adjoining lines.

None

(D) The relative positional accuracy of the measurements.

The Relative Positional Accuracy (due to random errors in measurements) of the corners of the subject tract established by this survey is within the specifications for Suburban surveys: 0.13 feet (40 millimeters) plus 100 parts per million as defined by IAC 865.

NOTES

- This survey is subject to any facts and / or easement that may be disclosed by a full and accurate title search. The undersigned should be notified of any additions or revision that are required. The undersigned was not provided with a current title commitment for use on this survey.
- For monuments found and set, see survey. All pins set are #5 Rebars with caps marked "Walker".
- Origin of monuments unknown unless noted on survey.
- Measurements of this survey are based on aforesaid G.P.S. and/or E.T.S. traverse measurements.
- Ownership research of the subject tract, and adjoining tracts, was obtained from current tax records on file in the Offices of the county Auditor and Recorder.
- Reference survey(s) by J.K. Walker & Associates, P.C., dated 11-04-91, 05-22-92, 09-28-92, 03-23-99, 08-27-01, 05-17-02, 08-26-05, 08-05-15, 06-24-19 (2).

PLAN COMMISSION CERTIFICATION OF APPROVAL

Primary approval granted on this _____ day of _____, 20____ by the Whitley County Advisory Plan Commission.

Douglas Wright, Plan Commission President John Johnson, Plan Commission Secretary

COUNTY COMMISSIONERS CERTIFICATION OF APPROVAL AND ACCEPTANCE

Approved and accepted this _____ day of _____, 20____ by the Board of Commissioners of the County of Whitley, State of Indiana.

George Schrumppf

Don Amber

Thomas Western

PLAN COMMISSION STAFF CERTIFICATION OF APPROVAL

Secondary approval granted this _____ day of _____, 20____ by the Staff of the Whitley County Advisory Plan Commission.

Nathan Bilger, Executive Director

REDACTION 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. - Kevin Michel

SURVEYOR'S CERTIFICATION

I, the undersigned Registered Land Surveyor licensed in compliance with the laws of the state of Indiana, hereby certify the hereon Plat to correctly represent a Survey of the real estate described above as made under my direction, that all the monuments shown thereon actually exist, that lots and streets shown in the Plat have been established in accordance with true and established boundaries of said Survey, and that this Survey and accompanying report has been completed in accordance with Title 865-IAC 1-12 and all other amendments thereto.

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

Prepared by:

Kevin R. Michel

Kevin R. Michel, Professional Surveyor

DEED OF DEDICATION

We the undersigned, Steven P. Linvill and Kathleen C. Linvill, owners of the real estate shown and described herein by virtue of a certain deed recorded as Document Number 81-12-125, do hereby certify that we have laid off, platted and subdivided, and hereby lay off, plat and subdivide, said real estate in accordance with this plat.

This subdivision shall be known and designated as MIAMI RIDGE, a subdivision in Whitley County, Indiana. All rights-of-way of public roads, streets, and alleys shown and not heretofore dedicated, are hereby dedicated to the public. Front yard building setback lines are hereby established as shown on this plat, between which lines and the property lines of the street, there shall be erected or maintained no building or structure, except as in conformance with the requirements of the Whitley County Zoning Ordinance.

A perpetual easement is hereby granted to any private or public utility or municipal department, their successors and assigns, within the area shown on the plat and marked "Utility Easement," to install, lay, construct, renew, operate, maintain and remove conduits, cables, pipes, poles and wires, overhead and underground, with all necessary braces, guys, anchors and other equipment for the purpose of serving the subdivision or adjoining property with telecommunication, electric, gas, sewer, and water service as a part of the respective utility systems, and the right is hereby granted to enter upon the lots at all times for all of the purposes aforesaid.

The owners of land over which a Regulated Drain Easement right-of-way runs may use the land in any manner consistent with Indiana Code 36-9-27 and the proper operation of the drain. Permanent structures may not be placed on any right-of-way without the written consent of the Whitley County Drainage Board. Temporary structures may be placed upon or over the right-of-way without the written consent of the Board, but shall be removed immediately by the owner when so ordered by the Board or by the County Surveyor. Crops grown on a right-of-way are at the risk of the owner, and if necessary, in the reconstruction or maintenance of the drain, may be damaged without liability on the part of the surveyor, the Board, or their representatives. Trees, shrubs, and woody vegetation may not be planted in the right-of-way without the written consent of the Board, and trees and shrubs may be removed by the surveyor, if necessary, to ensure the proper operation or maintenance of the drain.

Areas designated on the plat as "Drainage Easement" are hereby reserved to the County, or subsequent governmental authority, for the purpose of constructing, maintaining, operating, removing, and replacing stormwater drainage facilities, be it surface or subsurface, in accordance with plans and specifications approved by the Whitley County Engineer, or comparable agent of a subsequent governmental authority. No plantings, structures, fill, or other materials shall be placed in the Drainage Easements so as to impede the flow of storm water. Drainage Easements shall not be disturbed in a manner as to interfere with the flow of storm water and all grades shall be maintained as constructed. Responsibility for the maintenance of Drainage Easement stormwater facilities, including but not limited to periodic removal and disposal of accumulated particulate material and debris and mowing of common stormwater detention areas, shall remain with the owner or owners of property within the plat, and such responsibility shall pass to any successive owner.

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 or to restore the obstruction to its original form.

No owner of any Lot or any other parcel within this Plat shall at any time remonstrate against or attempt to cause the cessation of any farming operation, whether now existing or existing in the near future which interferes with the residential use of the Lot or tract owned by the person or the tract owned by the person or persons remonstrating. Any person accepting title to a Lot or tract within this Plat, acknowledges that general agricultural areas exist adjacent to or near this Plat, and that activities on such agricultural areas may result in normal farm interference such as noise, odor, dust, agricultural implement traffic, unusual hours, and other normal agricultural uses.

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

The foregoing covenants, or restrictions, are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2046, at which time said covenants, or restrictions, shall be automatically renewed for successive periods of ten years unless amended through the Plan Commission. Invalidation of any one of the foregoing covenants, or restrictions, by judgment or court order shall in no way affect any of the other covenants or restrictions, which shall remain in full force and effect.

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 erected, or maintained in violation hereof, is hereby dedicated to the public, and reserved to the owners of the lots in this subdivision and to their heirs and assigns.

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

Steven P. Linvill

Kathleen C. Linvill

State of Indiana)

County of Whitley)

Before me, the undersigned Notary Public in and for said County and State, personally appeared Steven P. Linvill and Kathleen C. Linvill, and each separately and severally acknowledge 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

My Commission Expires

DEVELOPER

Steven P. Linvill
Kathleen C. Linvill
123W 500N
Columbia City IN 46725



WALKER & ASSOCIATES
EST. 1984

112 WEST VAN BUREN STREET
COLUMBIA CITY, IN 46725
Phone: (260) 244-5640
Fax: (260) 244-4640
E-mail: mail@walkersurveying.net

www.walkersurveying.net

LAND SURVEYING, CIVIL ENGINEERING,
& LAND PLANNING

Mark Cullnane

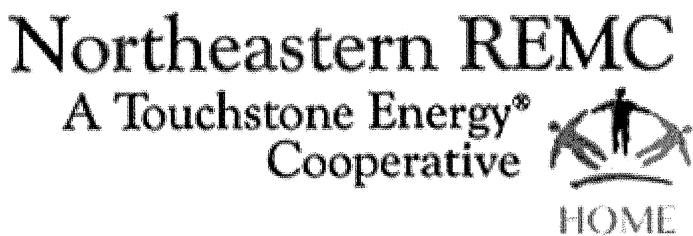
From: Brad Deutsch <b_deutsch@nremc.com>
Sent: Thursday, June 25, 2020 9:44 AM
To: Mark Cullnane
Subject: RE: Request for Comment on 20-W-SUBD-10 Miami Ridge

Mark,

NREMC has no comment.

Brad Deutsch
Field Engineering Supervisor
O: 1-888-413-6111 ext. 427
C: 260-229-6662

4901 East Park 30 Drive | Columbia City, IN 46725



From: Mark Cullnane <wcplanning2@whitleygov.com>
Sent: Tuesday, June 23, 2020 2:37 PM
To: Emily Romine <wctaxdeputy@whitleygov.com>; Brandon Forrester <wcengineer@whitleygov.com>; Scott Wagner <swagner@whitleygov.com>; Gotz, Jon - NRCS-CD, Columbia City, IN <Jon.Gotz@in.nacdnet.net>; jrkanouse@NiSource.com; William.T.Sanner@CenturyLink.com; Brad Deutsch <b_deutsch@nremc.com>
Subject: Request for Comment on 20-W-SUBD-10 Miami Ridge

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

On March 3, I sent an email requesting comment on proposed subdivision 20-W-SUBD-6 Miami Ridge. The preliminary plat of Miami Ridge was given a favorable recommendation by the Whitley County Plan Commission at its May meeting. The potential buyer has subsequently requested more acreage. As a result, I am distributing the attached plat that shows a modification to the lot size. The original plat showed a lot size of 4.62 Ac± and the modified plat shows a lot size of 6.70 Ac±. Other features of the plat appear to be the same.

The parent tract does not currently have an address, but is located on the south side of E. 600 North, approximately ½ mile east of N. 450 East in Section 8 of Smith Township. The Parcel ID is 92-04-08-000-102.000-009.

Please let me know if you have questions or concerns.

Thank you,

Mark Cullnane

Planner I

Columbia City/Whitley County Joint Planning & Building Department

220 West Van Buren Street, Suite 204

Columbia City, IN 46725

260-248-3112

wcplanning2@whitleygov.com



Whitley County Health Department
220 W. VanBuren Street, Ste. 111
Columbia City, IN 46725
Phone (260) 248-3121 - Fax (260) 248-3129

PREVENT PROMOTE PROTECT.
08-10-20

To Whom It May Concern:

Soil analysis has been completed for lot 1 of the Miami Ridge Addition, located in Section 8, T: 32N, R: 10E, of Smith Whitley County, Indiana. Based on the soils report, soils contained in the areas of the assigned soil borings do allow for the installation of an on-site sewage disposal system. Based on this report, there is room on this lot for septic system and a replacement system. If care is given to protect the areas suited for the septic system, there will exist appropriate areas; however, if the areas are disturbed, there may be grounds to reject the soil testing site.

This area, on this lot, needs to be staked off prior to the construction of driveways, houses or any excavation on the lots, by the landowner, developer, or contractor. During construction in the addition, there shall be no soil placed in the areas on or around the soil boring areas, and large equipment shall not be driven over or placed upon the soil boring areas. All on-site sewage disposal systems shall not be placed in depressed contours, swales, areas subject to ponding, or over field tiles. There must exist appropriate drainage for all soil boring areas before permits are issued. Once again, soil boring sites on this lot shall be staked off completely, until all construction of the site is completed. Each soil boring site shall be preserved for the life of the lot.

As long as the areas for the septic system remain undisturbed, the Whitley County Health Department will consider these lots for well and septic permit applications.

Sincerely,

Scott Wagner, REUS

Director

Mark Cullnane

From: Brandon Forrester
Sent: Monday, June 29, 2020 7:58 AM
To: Mark Cullnane
Cc: Nathan Bilger
Subject: RE: Request for Comment on 20-W-SUBD-10 Miami Ridge
Attachments: Miami_Ridge_4.6.20.pdf

Mark,

The amendment to this plat does not affect my comment letter, attached, from the previous plat.

Thank you,

Brandon C Forrester PE
Whitley County Engineer
801 S Line St
Columbia City IN 46725
(260) 248-3124 desk
(260) 248-3125 fax

From: Mark Cullnane
Sent: Tuesday, June 23, 2020 2:37 PM
To: Emily Romine <wctaxdeputy@whitleygov.com>; Brandon Forrester <wcengineer@whitleygov.com>; Scott Wagner <swagner@whitleygov.com>; Gotz, Jon - NRCS-CD, Columbia City, IN <Jon.Gotz@in.nacdnet.net>; jrkanouse@NiSource.com; William.T.Sanner@CenturyLink.com; b_deutsch@nremc.com
Subject: Request for Comment on 20-W-SUBD-10 Miami Ridge

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The parent tract does not currently have an address, but is located on the south side of E. 600 North, approximately ½ mile east of N. 450 East in Section 8 of Smith Township. The Parcel ID is 92-04-08-000-102.000-009.

Please let me know if you have questions or concerns.

Thank you,

Mark Cullnane
Planner I
Columbia City/Whitley County Joint Planning & Building Department
220 West Van Buren Street, Suite 204
Columbia City, IN 46725

WHITLEY COUNTY HIGHWAY

801 SOUTH LINE STREET COLUMBIA CITY, IN 46725

PHONE: (260) 248-3123 FAX: (260) 248-3125

e-mail: whitleyhighway@whitleygov.com

April 6, 2020

Columbia City/Whitley County Joint Planning & Building Department
220 W Van Buren St Ste 204
Columbia City IN 46725
Attention: Nathan Bilger

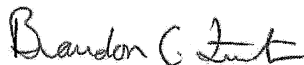
Subject: Miami Ridge

Dear Nathan:

The subject subdivision plat and site have been reviewed for drainage and highway requirements. There are no regulated drains on the property, and so there will be no setback requirements for regulated drains.

Regarding the Highway Department, there will be no restrictions on the driveway location due to sight distance requirements. When the landowner is ready to develop, they will need to come to our office to complete a driveway permit. 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,



Brandon C Forrester, PE
Whitley County Engineer

Mark Cullnane

From: Gotz, Jon - NRCS-CD, Columbia City, IN <Jon.Gotz@in.nacdn.net>
Sent: Tuesday, June 30, 2020 10:22 AM
To: Mark Cullnane
Subject: RE: Request for Comment on 20-W-SUBD-10 Miami Ridge

Mark:

According to the USDA soil survey, the larger lot shown on the modified plat includes a small area of Pewamo soil on the northeast corner of the lot. This is a wet soil, subject to ponding or a high water table in the winter and spring. Generally, this soil is unsuitable for buildings or septic systems. Part of the farm field to the north appears to drain across the east side of the lot toward the gully I noted in my review letter of March 31, 2020. There may be a private field tile on the east side of the lot as well. Otherwise, I don't have any additional comments or concerns.

Jon

From: Mark Cullnane <wcplanning2@whitleygov.com>
Sent: Tuesday, June 23, 2020 2:37 PM
To: Emily Romine <wctaxdeputy@whitleygov.com>; Brandon Forrester <wcengineer@whitleygov.com>; Scott Wagner <swagner@whitleygov.com>; Gotz, Jon - NRCS-CD, Columbia City, IN <Jon.Gotz@in.nacdn.net>; jrkanouse@NiSource.com; William.T.Sanner@CenturyLink.com; b_deutsch@nremc.com
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Please let me know if you have questions or concerns.

Thank you,

Mark Cullnane
Planner I
Columbia City/Whitley County Joint Planning & Building Department
220 West Van Buren Street, Suite 204
Columbia City, IN 46725
260-248-3112
wcplanning2@whitleygov.com

**Whitley County Soil and Water Conservation District
788 West Connexion Way—Suite C
Columbia City, IN 46725
Phone 260-244-6266 ext. 3
Fax 260-248-2062**



March 31, 2020

Mark Cullnane, Planner I
Columbia City/Whitley County
Joint Planning & Building Department
220 W. Van Buren Street, Suite 204
Columbia City, Indiana 46725

Re: Miami Ridge Preliminary Plat of Subdivision

It appears the intent of this subdivision is to create a buildable lot for a single family residence. At present, submittal of an erosion control plan and a Notice of Intent is not required for the construction of a rural single family residence when less than 5 acres is disturbed. However, there are Rule 5 requirements that will apply to construction activities on the lot. The applicable provisions of Rule 5 are attached.

If some other type of construction is proposed, submittal of an erosion control plan and a Notice of Intent may be required. Please let me know if this is the case. After IDEM's new construction general permit takes effect, possibly by the end of 2020, submittal of an erosion control plan and a Notice of Intent will be required for construction of a single family residence if more than one acre of land is disturbed. The disturbed area of the driveway must be included in the calculation of the land disturbed.

According to the USDA Soil Survey, the sloping soils on the lot are highly erodible. Minimizing the amount of area disturbed and temporary seeding of disturbed areas can help reduce erosion during construction. Keeping undisturbed vegetation around the perimeter of the construction site is recommended. All disturbed areas should be stabilized permanently as soon as possible after construction activities are completed.

The soils on the lot percolate slowly. Therefore, planning and construction of a septic system will require extra care. The soils also have the potential to shrink and swell. Strengthening foundations and basement walls and backfilling with coarse textured material can help prevent damage caused by shrinking and swelling.

There appears to be a gully or a ravine on the lot about 80 feet west of the east lot line. The gully receives drainage from the farm field to the north of the lot. If the gully is eroding currently or will be disturbed by construction, stabilizing measures should be taken.

Please give the developer a copy of the attached Rule 5 provisions.

Sincerely yours,

Jon Gotz

Jon Gotz
Whitley County Soil and Water
Conservation District