

Staff Report – Agenda Item # 1

Case number	BZA-2024-03	Property size	13.25 ac
Applicant	Brian Bush	Property zoning	AG
Property owner	Brian Bush	Hearing date	06/12/2024
Property address	2841 S Brookside Rd., Lapel, IN 46051		

Requested action:

V 10.1.2. Special use to permit Dwelling, Mobile Home and Manufactured Home Type III

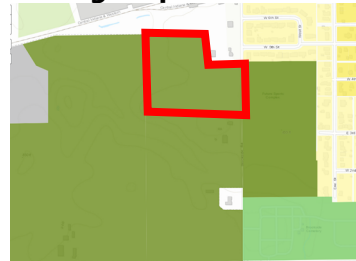
Recommendation:

APPROVE

Exhibits:

1. Staff report
2. Application
3. Site Plan
4. Subdivision Survey
5. Affidavits

Zoning map



AREA MAP



ANALYSIS

The site is located at 2841 S Brookside Rd., Lapel, IN 46051. This property is on the west side of County Road 950 W, 0.31 miles South of the SR 13 and CR 950 W intersection. The 13.2-acre subject site consists of 1 parcel, is currently zoned Agricultural and used for agricultural purposes.

The surrounding zoning districts and uses can be seen on the previous page.

Proposal

The petitioner, Brian Bush, requests permission to conduct a Mobile Home Dwelling Special Use at the subject site, specifically the garage part of the future permanent house. The garage would be constructed first, and used as a dwelling until the permanent structure is completed. The duration would be until the future permanent house is constructed, fulfilling the Single-Family Dwelling Permitted Use. See exhibit 3 for the proposed site plan.

Analysis

Mobile Home Dwelling is a Special Use in the Agricultural zoning district, which means that the BZA has the authority to approve it if the proposed project meets 4 criteria listed in Lapel's UDO and analyzed below. Please note that while granting the special use is a matter committed to discretion of the BZA, granting a Special Use approval is mandatory once the applicant shows compliance with relevant statutory criteria.

Criteria 1

The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Mobile Home Dwelling will not produce injuries to the public health, safety, morals, and general welfare of the community. The applicant has stated that this will be a temporary use for the property, and that the use of the mobile home will be along the same lines as a Single-Family Dwelling. Additionally, the structure being built will in fact be incorporated into the final structure of the permanent home, thus eliminating the special use and turning the building into a permitted use.

Criteria 2

The requirements and development standards for the requested special use as prescribed by this Ordinance will be met.

Per Lapel UDO V 2.2.6, the proposed garage does satisfy the special use standards and requirements.

- "J. If a dwelling is present on the property, the following accessory uses are also permitted, subject to all applicable requirements of this Code:
- i. child day-care home,
 - ii. home occupation (type I) (subject to the Home Occupation Standards in Section V2.2.15), and
 - iii. swimming pool.

- K. The following accessory structures are permitted, subject to all applicable requirements of this Code:
- i. additional agricultural structures,
 - ii. antennas and satellite dishes (subject to the Satellite Dish Standards in Section V2.2.20)
 - iii. bath houses, hot tubs and saunas,
 - iv. attached and detached decks and patios,
 - v. detached garages and carports,
 - vi. gazebos,
 - vii. recreational greenhouses,
 - viii. mini barns, sheds and other storage buildings,
 - ix. privacy fences (subject to the Fence and Wall Standards in Section V2.2.22),
 - x. sport courts, and
 - xi. swimming pools.
- L. In the Ag District, an accessory building may be permitted as a Special Use on a lot prior to construction of the primary structure for a period of up to two (2) years for the purpose only to allow a homeowner / builder a place to store materials for that home. A covenant is required by the BZA that the home will be started within two (2) years and that there will be no business activity from the accessory structure."

According to the current plan, the primary structure will be built within the 2 year requirement. A covenant will be written to ensure there is no business activity, as this building will be used as the primary residence in that time. All required standards and codes will be applied to the garage for primary residence.

Criteria 3

Granting the special use will not subvert the general purposes served by this Ordinance and will not permanently injure other property or uses in the same district and vicinity.

The general purpose of Lapel's UDO per V1.2.4 is to "secure adequate light, air, and convenience of access; and safety from fire, flood, and other dangers" and to "promote the public health, safety, comfort, convenience, morals, and general welfare." Analysis for criteria 1 addresses these general ordinance purposes.

The UDO describes Agricultural district in the following way:

"The "Ag", Agriculture Zoning District is intended to provide locations for agricultural operations and related land uses. This district is further intended to reduce conflicts between residential and agricultural uses, preserve the viability of agricultural operations, and limit development in areas with minimal infrastructure. This district should be used to protect agricultural operations from land uses that are incompatible with the available infrastructure."

Permitting this proposal would help accommodate residential land use in Lapel improves the general welfare of the community.

Most uses around the subject site are either vacant, agricultural or industrial (see Zoning Map). It is likely that the way that the applicant is proposing to conduct its operations will NOT be injurious to the surrounding properties.

Criteria 4

The proposed use will be consistent with the character of the zoning district in which it is located and the Town of Lapel Comprehensive Plan.

The Mobile Dwelling land use is consistent with other uses typically permitted in the Agricultural zoning district, notably Single-Family Home which this land use is proposed to become upon the completion of the primary structure.

Lapel’s Comprehensive Plan (CP) only notes a desire for diversity of land uses near the town center, and retains the current land use for the property. This property lies outside of the town center but retains the current land use character. As the final proposed land use falls within the permitted land uses, this special use will facilitate the final character that is desired for the area.

SPECIAL USE FINDINGS

AGENDA ITEM #1

If the Board should decide to APPROVE the requested Special Use, please use the following findings of fact:

The Lapel Board of Zoning Appeals is authorized to approve or deny Special Uses by Indiana Code 36-7-4-918.2 and by Lapel UDO V1.6.3. The BZA may impose reasonable conditions as part of its approval. A Special Use may be approved upon a determination in writing that the following four (4) criteria are met (V1.6.8.A):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

It is likely that this special use will NOT be injurious to the public health, safety, morals, and general welfare of the community. The applicant will use the proposed dwelling as a primary residence in line with the permitted use, a single-family dwelling. Once the primary structure is completed, it will follow the permitted use of the Agricultural zoning district.

2. The requirements and development standards for the requested special use as prescribed by this Ordinance will be met:

Per V 2.2.6.L, the primary structure must be completed within 2 years, and a covenant is required to prevent any business activity from the accessory structure. All standards and codes for primary residence will be followed in the interim.

3. Granting the special use will not subvert the general purposes served by this Ordinance and will not permanently injure other property or uses in the same district and vicinity:

Permitting this proposal would help accommodate a residential use in Lapel that improves the general welfare of the community. It is likely that the way that the applicant is proposing to conduct its use will NOT be injurious to the surrounding properties. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this Special Use request will not have a substantially adverse effect on the use of adjacent properties.

4. The proposed use will be consistent with the character of the zoning district in which it is located and the Town of Lapel Comprehensive Plan:

The proposed mobile dwelling is consistent with the character of other Agricultural uses recommended in the area around the subject site proposed in the Comprehensive Plan.

RECOMMENDATIONS

AGENDA ITEM #1:

APPROVE the requested Variance of Development Standards based upon the following findings of fact:

- The approval **will not** be injurious to the public health, safety, morals, and general welfare of the community;
- The requirements and development standards for the requested special use as prescribed by this Ordinance **will** be met;
- Granting the special use **will not** subvert the general purposes served by this Ordinance and will not permanently injure other property or uses in the same district and vicinity;
- The proposed use **will be** consistent with the character of the zoning district in which it is located and the Town of Lapel Comprehensive Plan.

With the following specific conditions:

1. The applicant will follow all standards and codes for single-family dwelling.
2. The primary structure will be completed in two years.
3. The applicant shall enter into a covenant to not perform any business activities on the site while the primary structure is being constructed.
4. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.

EXHIBIT #1

5. This Special Use approval is given to the current applicant at this current location. Should there be a change in the tenant who operates the use, then a new Special Use application shall be submitted to the BZA.



BZA APPLICATION

*Required sections to fill out

Application type*:

- Variance of Development Standard(s)
- Special Use
- Administrative Appeal

For office use only:

App No: _____
 Date received: _____
 App fee: _____
 Fee paid by: Cash Check
 Check #: _____

PROPERTY INFORMATION*

Address/Location: 2841 S Brookside rd Lapel IN 46051
 Parcel(s)' ID(s): 48-10-28-304-003-032

Current use: Vacant Current zoning: Agg
 Request code reference: _____ Project total size: _____ Acres 13.25
 Request description: _____

PROPERTY OWNER INFORMATION*

Name: Brian Bush
 Mailing address: 19429 Prairie Crossing Dr
 City/Town: Noblesville Zip code: 46062
 Email: bbush91@hotmail.com Phone #: 765-635-0772

APPLICANT INFORMATION* Same as owner

Name: _____ Title: _____
 Company name: _____
 Mailing address: _____
 City/Town: _____ Zip code: _____
 Email: _____ Phone #: _____

NOTE: The person listed as applicant will be contacted regarding all applications steps and payments, including being contacted by the newspaper publisher for Legal Notice payment.

COMPLIANCE WITH VARIANCE OF DEVELOPMENT STANDARDS CRITERIA*

The Lapel Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Development Standards from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Development Standards may be approved only upon a determination in writing that the following three (3) statements are true (see Indiana Code § 36-7-4-918.5):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

Building Garage first, then adding House onto garage.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner by the approval of this variance request because:

- property will be used as residence.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property because:

garage will be used in addition to camper as temporary dwelling until House is added to garage.

COMPLIANCE WITH SPECIAL USE CRITERIA*

The Lapel Board of Zoning Appeals (BZA) is authorized to approve or deny Special Use in accordance with the terms of the Unified Development Ordinance, V 1.6.8. The BZA may impose reasonable conditions as part of its approval (see Indiana Code 36-7-4-918.2).

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed Special Use request in terms of the following four (4) standards. The BZA shall determine whether there is adequate evidence showing the truth of the following statements:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because:

garage of house is being built.

2. The requirements and development standards for the requested special use as prescribed by this Ordinance will be met in the following way:

Everything will be built in compliance with code.

3. Granting the special use will not subvert the general purposes served by this Ordinance and will not permanently injure other property or uses in the same district and vicinity because:

House will be added onto the garage to complete a primary residence.

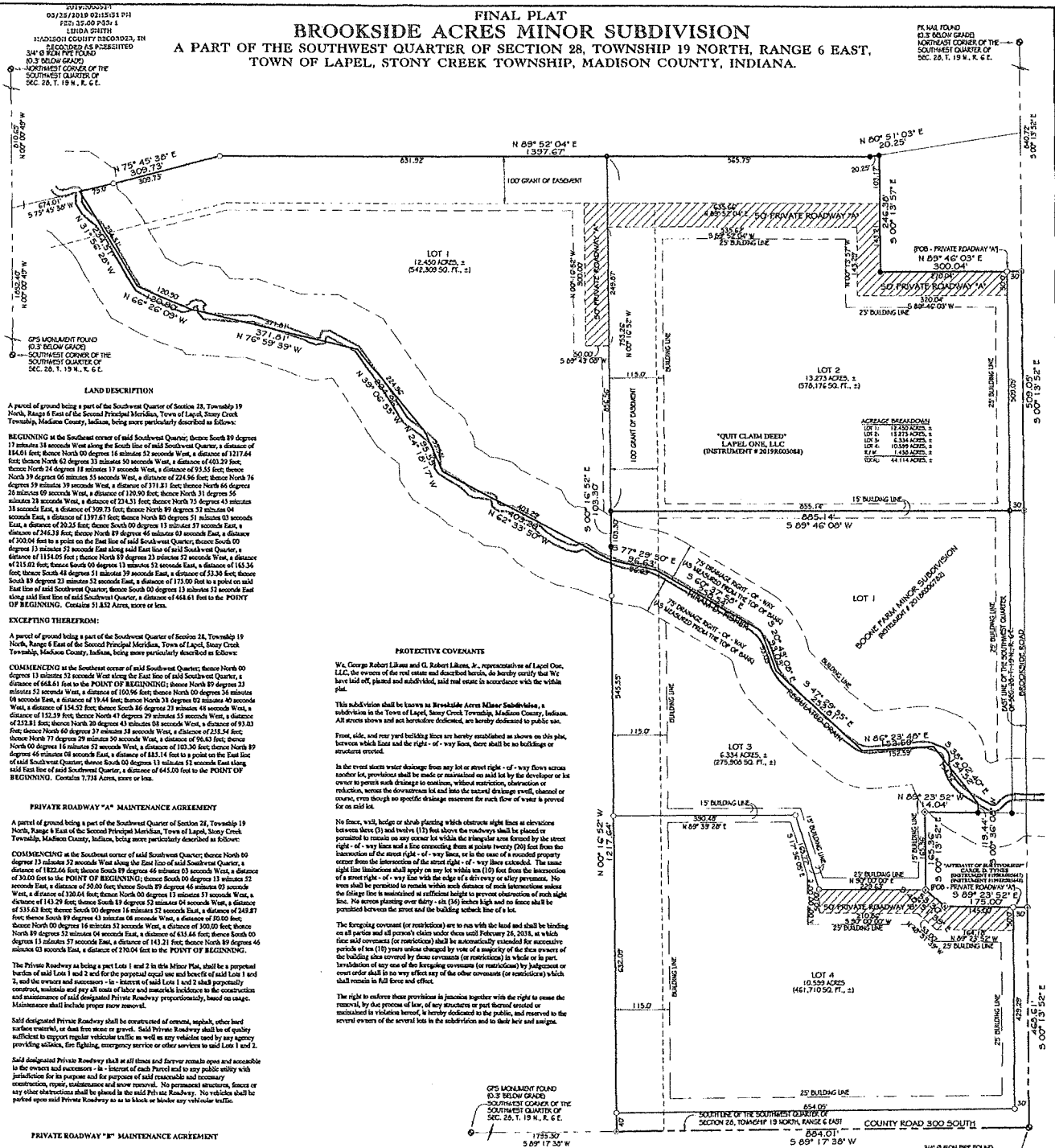
4. The proposed use will be consistent with the character of the zoning district in which it is located and the Town of Lapel Comprehensive Plan in the following way:

property will be used as primary residence.

FINAL PLAT BROOKSIDE ACRES MINOR SUBDIVISION

A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 6 EAST,
TOWN OF LAPEL, STONY CREEK TOWNSHIP, MADISON COUNTY, INDIANA.

PLAT FOUND
0.3' BELOW GRADE
NORTH CORNER OF THE
SOUTHWEST QUARTER OF
SEC. 28, T. 19 N., R. 6 E.



LAND DESCRIPTION

A parcel of ground being a part of the Southwest Quarter of Section 28, Township 19 North, Range 6 East of the Second Principal Meridian, Town of Lapel, Stony Creek Township, Madison County, Indiana, being more particularly described as follows:

BEGINNING at the Southeast corner of said Southwest Quarter, thence North 89 degrees 11 minutes 38 seconds West along the South line of said Southwest Quarter, a distance of 184.01 feet; thence North 00 degrees 16 minutes 53 seconds West, a distance of 121.74 feet; thence North 62 degrees 33 minutes 50 seconds West, a distance of 403.29 feet; thence North 24 degrees 18 minutes 11 seconds West, a distance of 53.55 feet; thence North 39 degrees 06 minutes 55 seconds West, a distance of 224.96 feet; thence North 76 degrees 59 minutes 39 seconds West, a distance of 100.00 feet; thence North 46 degrees 26 minutes 09 seconds West, a distance of 120.00 feet; thence North 51 degrees 56 minutes 28 seconds West, a distance of 231.51 feet; thence North 75 degrees 43 minutes 28 seconds East, a distance of 309.73 feet; thence North 89 degrees 33 minutes 04 seconds East, a distance of 1371.81 feet; thence North 89 degrees 33 minutes 04 seconds East, a distance of 20.25 feet; thence North 00 degrees 11 minutes 37 seconds East, a distance of 276.23 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 300.04 feet to a point on the East line of said Southwest Quarter, thence South 00 degrees 11 minutes 37 seconds East, a distance of 444.61 feet to the POINT OF BEGINNING. Contains 31.832 Acres, more or less.

EXCEPTING THEREFROM:

A parcel of ground being a part of the Southwest Quarter of Section 28, Township 19 North, Range 6 East of the Second Principal Meridian, Town of Lapel, Stony Creek Township, Madison County, Indiana, being more particularly described as follows:

COMMENCING at the Southeast corner of said Southwest Quarter, thence North 00 degrees 13 minutes 23 seconds East along the East line of said Southwest Quarter, a distance of 648.61 feet to the POINT OF BEGINNING; thence North 00 degrees 13 minutes 23 seconds West, a distance of 100.00 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 14.41 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 154.52 feet; thence North 46 degrees 26 minutes 09 seconds West, a distance of 112.39 feet; thence North 47 degrees 29 minutes 55 seconds West, a distance of 232.81 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 103.30 feet; thence North 60 degrees 37 minutes 38 seconds East, a distance of 232.84 feet; thence North 77 degrees 29 minutes 09 seconds East, a distance of 112.00 feet to a point on the East line of said Southwest Quarter, thence North 00 degrees 13 minutes 23 seconds East, a distance of 103.30 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 183.14 feet to a point on the East line of said Southwest Quarter, thence North 00 degrees 13 minutes 23 seconds East, a distance of 645.00 feet to the POINT OF BEGINNING. Contains 1.718 Acres, more or less.

PRIVATE ROADWAY "A" MAINTENANCE AGREEMENT

A parcel of ground being a part of the Southwest Quarter of Section 28, Township 19 North, Range 6 East of the Second Principal Meridian, Town of Lapel, Stony Creek Township, Madison County, Indiana, being more particularly described as follows:

COMMENCING at the Southeast corner of said Southwest Quarter, thence North 00 degrees 13 minutes 23 seconds West along the East line of said Southwest Quarter, a distance of 1822.66 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 30.00 feet to the POINT OF BEGINNING; thence North 00 degrees 13 minutes 23 seconds East, a distance of 50.00 feet; thence North 89 degrees 44 minutes 03 seconds West, a distance of 232.84 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 142.29 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 535.63 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 248.87 feet; thence North 89 degrees 44 minutes 03 seconds West, a distance of 103.30 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 100.00 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 635.46 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 142.21 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 270.04 feet to the POINT OF BEGINNING.

The Private Roadway as being a part Lot 1 and 2 in this Minor Plat, shall be a perpetual burden of said Lots 1 and 2 and for the personal use and benefit of said Lots 1 and 2, and the owners and successors in interest of said Lots 1 and 2 shall proportionately construct, maintain and pay all costs of labor and materials incident to the construction and maintenance of said designated Private Roadway proportionately, based on usage. Maintenance shall include proper snow removal.

Said designated Private Roadway shall be constructed of concrete, asphalt, other hard surface material, or dust free stone or gravel. Said Private Roadway shall be of quality sufficient to support regular vehicle traffic as well as any vehicle used by any agency providing utilities, fire fighting, emergency services or other services to said Lot 1 and 2.

Said designated Private Roadway shall at all times and forever remain open and accessible to the owners and successors in interest of said Parcel and to any public utility with jurisdiction for the purpose and for purposes of said reasonable and necessary construction, repair, maintenance and snow removal. No personal structure, fence or any other obstruction shall be placed in the said Private Roadway. No vehicles shall be parked upon said Private Roadway so as to block or hinder any vehicular traffic.

PRIVATE ROADWAY "B" MAINTENANCE AGREEMENT

A parcel of ground being a part of the Southwest Quarter of Section 28, Township 19 North, Range 6 East of the Second Principal Meridian, Town of Lapel, Stony Creek Township, Madison County, Indiana, being more particularly described as follows:

COMMENCING at the Southeast corner of said Southwest Quarter, thence North 00 degrees 13 minutes 23 seconds West along the East line of said Southwest Quarter, a distance of 648.61 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 30.00 feet to the POINT OF BEGINNING; thence North 00 degrees 13 minutes 23 seconds East, a distance of 50.00 feet; thence North 89 degrees 44 minutes 03 seconds West, a distance of 232.84 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 142.29 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 535.63 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 248.87 feet; thence North 89 degrees 44 minutes 03 seconds West, a distance of 103.30 feet; thence North 00 degrees 13 minutes 23 seconds East, a distance of 100.00 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 635.46 feet; thence North 00 degrees 13 minutes 23 seconds West, a distance of 142.21 feet; thence North 89 degrees 44 minutes 03 seconds East, a distance of 270.04 feet to the POINT OF BEGINNING.

The Private Roadway as being a part Lot 4 in this Minor Plat, shall be a perpetual burden of said Lot 4 and for the personal use and benefit of said Lot 4, and the owners and successors in interest of said Lot 4 shall proportionately construct, maintain and pay all costs of labor and materials incident to the construction and maintenance of said designated Private Roadway proportionately, based on usage. Maintenance shall include proper snow removal.

Said designated Private Roadway shall be constructed of concrete, asphalt, other hard surface material, or dust free stone or gravel. Said Private Roadway shall be of quality sufficient to support regular vehicle traffic as well as any vehicle used by any agency providing utilities, fire fighting, emergency services or other services to said Lot 4 and 2.

Said designated Private Roadway shall at all times and forever remain open and accessible to the owners and successors in interest of said Parcel and to any public utility with jurisdiction for the purpose and for purposes of said reasonable and necessary construction, repair, maintenance and snow removal. No personal structure, fence or any other obstruction shall be placed in the said Private Roadway. No vehicles shall be parked upon said Private Roadway so as to block or hinder any vehicular traffic.

LAND SURVEYOR CERTIFICATE

I, Keith Van Wagoner, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana; and that to the best of my knowledge and belief, the plat within represents a survey made under my supervision in accordance with Title 36, Article 1, Rule 12 of the Indiana Administrative Code. The field work for said survey was completed on: May 13, 2019.

Keith Van Wagoner
Keith Van Wagoner, PLS
Indiana Reg. No. 200500118

PROTECTIVE COVENANTS

We, George Robert Libens and G. Robert Libens, Jr., representatives of Lapel One, LLC, the owners of the real estate and described herein, do hereby certify that we have laid out, planned and subdivided, said real estate in accordance with the within plat.

This subdivision shall be known as Brookside Acres Minor Subdivision, a subdivision in the Town of Lapel, Stony Creek Township, Madison County, Indiana. All streets shown and not herebefore dedicated, are hereby dedicated to public use.

Front, side, and rear yard building lines are hereby established as shown on this plat, between which front and the right-of-way lines, there shall be no buildings or structures erected.

In the event storm water drainage from any lot or street right-of-way flows across another lot, provisions shall be made or maintained on said lot by the developer or lot owner to permit such drainage to continue, without restriction, obstruction or reduction, across the downstream lot and into the natural drainage bed, channel or course, even though no specific drainage easement for such flow of water is provided for on said lot.

No fence, wall, hedge or shrub planting which obstructs sight lines shall be placed between lots (1) and (2) that share the roadway shall be elevated to permit to maintain as any corner lot within the triangular area formed by the street right-of-way lines and a line connecting them at points twenty (20) feet from the intersection of the street right-of-way lines, or to the rear of a recorded property corner from the intersection of the street right-of-way lines extended. The same sight line limitations shall apply on any lot within an (10) feet from the intersection of a street right-of-way line with the edge of a driveway or alley driveway. No view shall be permitted to remain within such distances of such intersections inside the footage line is maintained as sufficient height to prevent obstruction of such sight line. No screen planting over thirty (30) inches high and no fence shall be permitted between the street and the building setback line of a lot.

The foregoing covenant (or covenants) are to run with the land and shall be binding on all parties and all persons' claim under them said February 26, 2018, in which this said covenant (or covenants) shall be automatically extended for successive periods of ten (10) years unless changed by vote of a majority of the true owners of the building lots covered by these covenants (or restrictions) in which to be put.

Termination 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 in judgment together with the right to cause the removal, by the 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 several owners of the several lots in the subdivision and to their heirs and assigns.

APPROVAL AND ACCEPTANCE OF DEDICATION BY THE LAPEL TOWN COUNCIL

David Williams
David Williams
Mayor

Keith Van Wagoner
Keith Van Wagoner
Deputy Mayor

Rick Gardner
Rick Gardner
Madison County Auditor

DATE APPROVED AND ACCEPTED: June 20, 2019

DULY ENTERED FOR TAXATION THE 20th DAY OF June, 2019.

Keith Van Wagoner
Keith Van Wagoner
Madison County Auditor

Recorded this 20th day of June, 2019 at 2:15 PM.

Keith Van Wagoner
Keith Van Wagoner
Madison County Auditor

CERTIFICATE OF OWNERSHIP

We, George Robert Libens and G. Robert Libens, Jr., representatives of Lapel One, LLC, do hereby certify that we are the owners of the property described in the above captioned plat and that as such owners we have caused the said above described property to be surveyed and subdivided as shown on the hereto drive plat, as our own free and voluntary act and deed.

This the 20th day of June, 2019.

Lapel One, LLC
George Robert Libens
George Robert Libens
President

G. Robert Libens, Jr.
G. Robert Libens, Jr.
President

STATE OF INDIANA } ss:
COUNTY OF Madison

Heath P. Ray
Heath P. Ray
Notary Public

MY COMMISSIONS EXPIRES August 16, 2025.



SCALE: 1" = 100'

- (1) 5" x 10" x 24" Rubber Seal with 1/4" Thick Plastic 200000111 D.D. Cap
- (2) 1/4" x 1/4" x 1/4" Rubber Seal
- (3) 5" x 10" Rubber Seal with "Van Wagoner" D.D. Cap
- (4) 1/4" x 1/4" x 1/4" Rubber Seal
- (5) Section corner (not plat)
- (6) Measured Dimension
- (7) Calculated Dimension
- (8) Physical Possession

PRECISE LAND SURVEYING
920 MAIN STREET
ANDERSON, INDIANA 46016

LAND SURVEYOR
STATE OF INDIANA
REG. NO. 200500118
PHONE: (317) 841-1807
WWW.PRECISELANDSURVEYING.COM

MEMBER
JOB NUMBER: 17-100
DRAWN BY: KWB
DATE: 5/13/2019
CHECKED BY: KWB

THE DOCUMENT WAS PREPARED BY PRECISE LAND SURVEYING, UNDER THE SUPERVISION OF KEITH VAN WAGONER, PLS.

Keith Van Wagoner
Keith Van Wagoner
Madison County Auditor

PLAT FOR THE BROOKSIDE ACRES MINOR SUBDIVISION, BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 19 NORTH, RANGE 6 EAST, TOWN OF LAPEL, STONY CREEK TOWNSHIP, MADISON COUNTY, INDIANA.

NO. 17-100
BESSIN
WATKINS
AUDIT
KEY

1 OF 1

OWNER AFFIDAVIT

STATE OF Indiana
COUNTY OF Madison S.S.

The undersigned, having been duly sworn on oath, states that they are the Owner of the Property involved in this application and that they hereby acknowledge and consent to the forgoing Application.

Owner printed name**: Brian Bush

Owner signature**: Brian Bush

Before me the undersigned, a Notary Public in and for said County and State, personally appeared the Property Owner, who having been duly sworn acknowledged and consents to the execution of the foregoing Application. Subscribed and sworn to before me this 21st day of April, 20 24.



Courtney Courtney, Notary Public
Madison County, State of Indiana
Commission No: NP0735746
My Commission Expires 08/24/2029

Notary printed name: Courtney Courtney

Notary signature: Courtney Courtney

My commission expires: 8/24/2029

*** A signature from each party having interest in the property involved in this application is required. If the Property Owner's signature cannot be obtained on the application, then a notarized statement by each Property Owner acknowledging and consenting to the filing of this application is required with the application.*

APPLICANT AFFIDAVIT

STATE OF Indiana
COUNTY OF Madison S.S.

The undersigned, having been duly sworn on oath, states that the information in the Application is true and correct as they are informed and believe.

Applicant printed name: Brian Bush

Applicant signature: Brian Bush

Subscribed and sworn to before me this 26th day of April, 20 24.



Courtney Courtney, Notary Public
Madison County, State of Indiana
Commission No: NP0735746
My Commission Expires 08/24/2029

Notary printed name: Courtney Courtney

Notary signature: Courtney Courtney

My commission expires: 8/24/2029