



109 N. York Street
Albion, Indiana 46701
Email: planning@nobleco.gov
Phone: (260) 636-7217

BOARD OF ZONING APPEALS

Special Meeting

DATE: November 1, 2023 • TIME: 6:30 p.m.

PLACE: Commissioners' Room in the Noble County Annex Building

AGENDA

- A. Call to Order
- B. Roll Call
- C. Determination of Quorum
- D. New Business

Variance #2313 Jody L & Valerie F Aistrop – Requests a Development Standards Variance from the Plat Restrictions applicable to Pheasant Cove to Lower Long Lake (rec. plat 04-0174) to allow less the required side yard setback of 20' to be at 5' from the west property line, and less the required backyard setback of 50' (north) to be at 37' (existing detached garage) for construction of a 40'x40' addition to the existing detached garage. Real estate is located in Section 28 of York Township, quadrant 100, parcel 039, common location is known as Lot 39 in Pheasant Cove; 3314 W. Vacation Way Albion, IN.

- E. Adjournment
-

Dear Board Members:

Site inspections assignments noted below for the November 1, 2023 Special Session. **Please contact the office for any questions regarding your site visit. Conversations between you and the petitioner should be at the meeting on record.** If you are not available to view the property before the meeting, please contact the office or another member to fulfill the inspection requirement. I highly encourage you to look at each property on your own, if possible, to get a clear understanding of what is happening on the property.

BZA MEETING – 6:30 P.M.

Assignment Application

P. Gatman Variance #2313 Jody L & Valerie F Aistrop – Requests a Development Standards Variance from the Plat Restrictions applicable to Pheasant Cove to Lower Long Lake (rec. plat 04-0174) to allow less the required side yard setback of 20' to be at 5' from the west property line, and less the required backyard setback of 50' (north) to be at 37' (existing detached garage) for construction of a 40'x40' addition to the existing detached garage. Real estate is located in Section 28 of York Township, quadrant 100, parcel 039, common location is known as Lot 39 in Pheasant Cove; 3314 W. Vacation Way Albion, IN.

If you will be unable to attend the meeting, please inform the office as soon as possible so we may determine if a quorum will be present. Thank you for your continuing efforts and we look forward to seeing you at the meeting.

Respectfully,

Kassandra Slain, Administrative Assistant

Noble County Plan Commission / Noble County Board of Zoning Appeals

NOBLE COUNTY BOARD OF ZONING APPEALS

Meeting Information:

County of Noble, Indiana

Phone: (260) 636-7217

Where: Conference Room-Annex

VARIANCE APPLICATION

Fax: (260) 636-6957

Date: Wednesday, November 1, 2023

Time: 6:30:00 PM

VARIANCE NO. 2313
Variance Type: Development

OWNER

Last Name: AISTROP First Name: JODY L & VALERIE F Phone #: 260-600-8597
Mailing Address: 3314 W VACATION WAY City: ALBION State: IN Zip: 46701

APPLIC

Last Name: Mefford, Weber & Blythe, P.C. First Name: Attorney Erik Weber Phone #: (260) 925-7679
Mailing Address: 130 East Seventh St City: Auburn State: IN Zip: 46706

PROPERTY INFO.

Physical Add/Loc: 3314 W VACATION WAY - Lot 39 City: ALBION State: IN Zip: 46701
Legal Descr: PHEASANT COVE L39, 39B Parcel ID Num: 57-15-28-100-039.000-021
Acres: Township: York Section: 28 Quadrant: 100 Parcel: 039 Zoning: LR
Parcel Conformity: Conforming Transfer Date: 3/24/2020 Size of Lot: X
Firm Panel Number: 18113C 0190 D, effective date March 2, 2015 does not lie within the approximate Flood Hazard Area. (If in Floodway, DNR approval is needed before permit is issued.)

VARIANCE REQUEST INFO.

Nature and Size of improvements now existing: House, Detached Garage
Section No. of the Noble County Zoning Ordinance from which a variance is being sought:
Restrictions Applicable to Pheasant Cove of Noble County; rec. plat -04-0174.
Transferable or Non-Transferable: Transferable Permanent, Temporary or N/A: Permanent
Details: (Transferable / Permanent or Temporary): Development
Detailed description of the variance applied for:
Requests a Development Standards Variance from the Plat Restrictions applicable to Pheasant Cove to Lower Long Lake (rec. plat 04-0174) to allow less the required side yard setback of 20' to be at 5' from the west property line, and less the required backyard setback of 50' (north) to be at 37' (existing detached garage).
Full Statement of reasons why the variance is being applied for:
To allow a 40'x40' addition to the existing detached garage. Also noting, because of the septic location the building structure must be off set to the west.
Notes: a) The applicant does meet the UDO Minimum setbacks in LR. b) The existing garage is 37' from the north property line - UDO req'd 5' for accessory.

Note: A plot plan showing the location of all existing and proposed structures and uses on the lot or parcel, with dimensions, including all projections above the street grade must be filed with this application. The above information, to my knowledge and belief, is true and correct.

This is to certify that \$6650.00 was received 10/4/2023 for a Variance application fee.
Applicant's/Agent's Signature Date Noble County Board of Zoning Appeals Date

BOARD ACTION

Petition Approved/Denied: Date Petition Approved/Denied:

If granted, subject to the following additional provisions:

Transferable to future owners - No / Yes / NA: Permanent, Temporary or N/A - Per BZA:

Transfer Details - Per BZA:

If denied, reasons:

OFFICE USE ONLY

Re-examine Date:

Comments:



Applicant Information

Variance: 2313

Applicant Jody L & Valerie F Aistrop
 Location Section 28 of York Township, quadrant 100, parcel 039
 Address 3314 W Vacation Way Albion, IN 46701
 Article _____ **Zoning** LR _____ **Acreage** Lot 39
 Request Variance from the Plat Restrictions applicable to Pheasant Cove to Lower Long Lake (rec. plat 04-0174) to allow less the required side yard setback of 20' to be at 5' from the west property line, and less the required backyard setback of 50' (north) to be at 37' (existing detached garage).

Physical Lower Long Lake – LR Zoning

Characteristics

Surrounding Land Uses	
North	LR
East	LR
South	LR
West	LR

Findings of Fact:

1. The approval of the variance will not be injurious to the public health, safety, morals, and general welfare of the community.
 - Article 5.08 C (1) there is no limit to the number of accessory structures if it meets the standards listed in 5.08 (A) and Section 5.08 (B).
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.
 - Neighboring adjacent parcels
 - i. Most parcels have one accessory structure, but not this large.
 - Lot sizes in this area are comparatively larger than most LR-zoned tracts.
 - The structure should not interfere with site distance at the road.
3. The strict application of the terms of the ordinance will result in practical difficulties in the use of the property.
 - The new development will adhere to the UDO Minimum Dev. Standards;
 - i. 30 from ROW
 - ii. 5' from Side and Rear yard
 - iii. 20' maximum height.
 1. Staff will want to verify the applicant is aware of the maximum height.
 - Members should review the Development Restrictions for Pheasant Cove; see submitted material in Exhibit A.

- Applicant noted the existing septic leach bed is directly to the east of the proposed structure.
- The 37' request from the Pheasant Cove Restrictive Covenants is being requested on behalf of an existing structure. *See attached building permit.



Proposed Commitments – None.

BZA Rule 9

- 1.) A petitioner who received Board approval for a Variance or Special Exception, has one (1) calendar year, from the date of approval, to show substantial completion of the approved use. Failure to show substantial completion of the approved use within the allotted time shall deem the Development Standard Variance, Use Variance, or Special Exception null and void.
- 2.) Additionally, Variances or Special Exceptions abandoned for more than six (6) months after beginning operation shall be deemed null and void.

APPLICATION FOR IMPROVEMENT LOCATION AND BUILDING PERMIT

Plan Commission
636-7217

County of Noble, Indiana

Building Department
636-2215

Imp Loc Permit #: NA

Building Permit #: 1964

The undersigned agrees that any construction, reconstruction, enlargement, relocation or alteration of structures, or any change in use of land or structure, requested by this application will comply with and conform to all applicable laws of the State of Indiana and Ordinances of the County of Noble, adopted under the authority of Chapter 174, General Assembly of the State of Indiana, and all acts amendatory thereto. Every application for an Improvement Location Permit shall be accompanied by a site plan as required by the Noble County Zoning and Subdivision Ordinances.

Drainage Check Results: NNN - 4449

Date Permit Issued: 5/28/2003

Building Permit expires 1 year from date issued

AG Statement: NA LR Driveway Permit #: EXISTING Septic Permit #: JC OK SIGNAT

Last Name of Applicant: PEARSON First Name: KIM

Address of Applicant: 3250 W QUIET RD, ALBION, IN 46701 Phone #: (260) 636-3571

Name and Address of Owner: SAME

Name and Address of Contractor: SELF Phone #:

LOCATION OF PROPERTY WHERE IMPROVEMENT WILL BE LOCATED:

Road: 3314 W VACATION WAY, ALBION, I Side of Rd: Btwn: And

Legal Description: PHEASANT COVE LOT 39 & L39B Size of Lot: X

Acres: Township: YORK Section: 28 Quadrant: 100 Parcel: 039 Zoning Classification: LR

SETBACKS -- (WHERE TO MEASURE FROM):

Centerline of Rd: 75 ft., From Edge of right-of-way: 50 ft., Side: 20 ft., Rear: 50 ft.

Edge of Lake: 75 ft., Must be 75 ft. from any regulated drain.

Present use of Property: HOUSE

Principle use of Building: GARAGE (DETACHED)

SIZE OF BUILDING:

Table with columns for building components (Unf. Bst., 1st Floor, etc.) and their costs. Includes a total for MINIMUM BUILDING PERMIT FEE: \$25.00.

Specify NH, MH, N/A or Comm.: N/A Electric Co.: NBOLE REMC Gas Co.: NA

Type of material to be used: WOOD FRAME

Estimated Cost of Construction: \$4,000.00 PDP or Root Parcel: PDP Transfer Date: 12/29/1995

Is Development a Permitted Use in this District? YES If No, Specify Reason (Ex: Varlance #):

Firm Panel Number: 180183- 0075 -B, date: 1-3-79 shows this property DOES NOT lie within the approximate location of a Flood Hazard. (If in Floodway, DNR approval is needed before permit is issued.) BFE: FPG:

For Construction within a floodplain: All Floodplain criteria applies to this project per the Noble County Flood Hazard Ordinance adopted January 8, 2007. The Landowner/Contractor confirm receipt of the Flood Ordinance by required Signature on this permit.

This is to certify that: \$0.00 was received: for this Improvement Location Permit.

This is to certify that: \$25.00 was received: 5/28/2003 for this Building Permit.

Under penalty of perjury the above information is, to the very best of my knowledge, true and correct.

Owner: Agent:

HOUSE NUMBER: Issued Date:

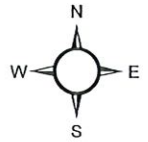
CERTIFICATE OF OCCUPANCY: Issued YES - RA Date: 10/23/2007

Notes:

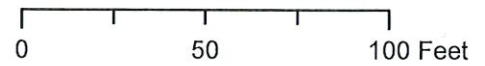
Noble County Plan Director

Noble County Building Inspector

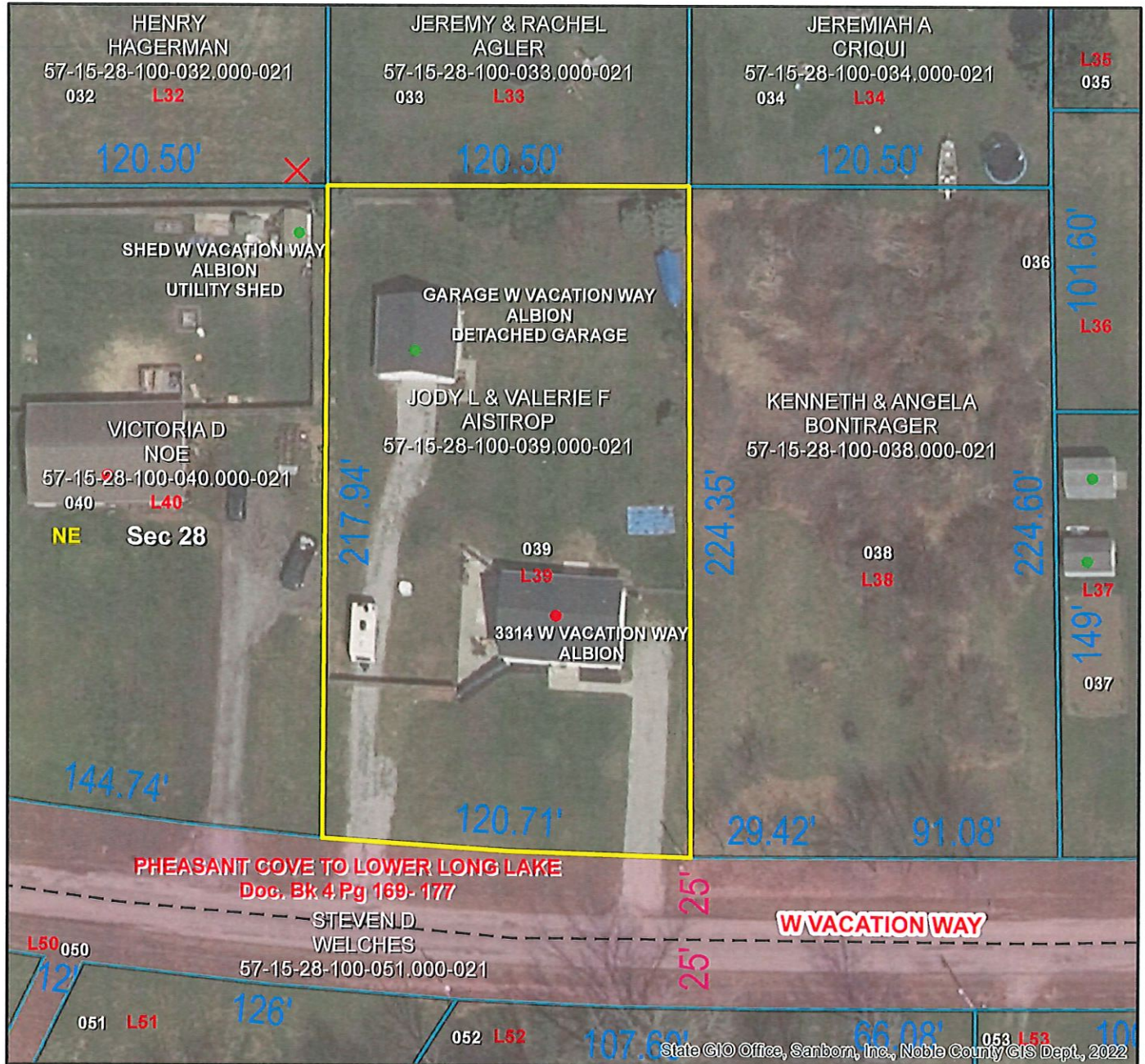
Aistrop Var #2313



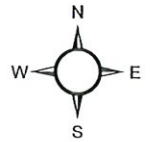
Date Printed: Date: 10/5/2023



Map Scale: 1 inch = 50 feet



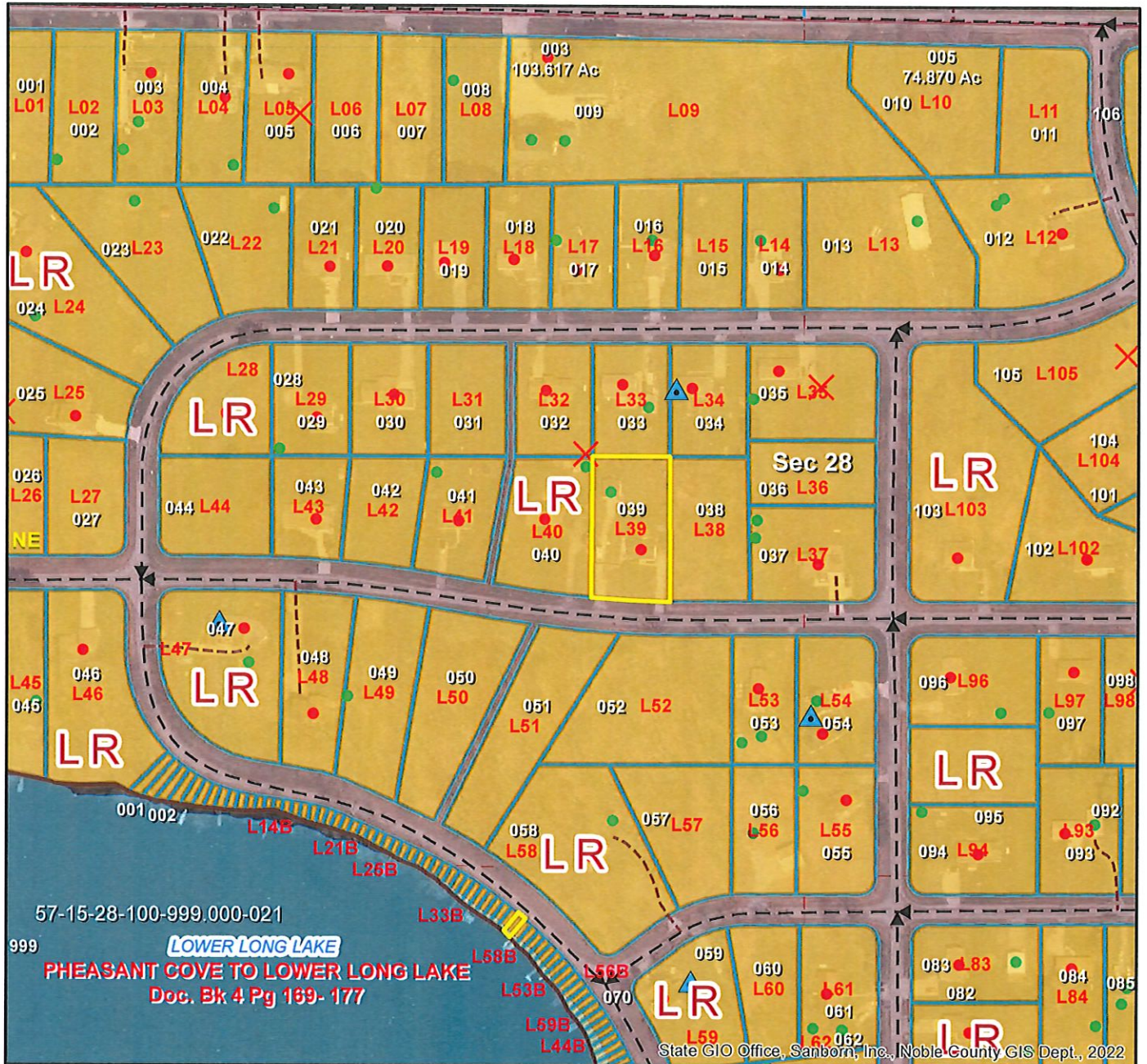
Aistrop Var #2313



Date Printed: Date: 10/5/2023

0 237.5 475 Feet

Map Scale: 1 inch = 233 feet



Mefford
1929-2019

W. Erik
Weber

Neal R.
Blythe

Hailey J.

Casto Owners:

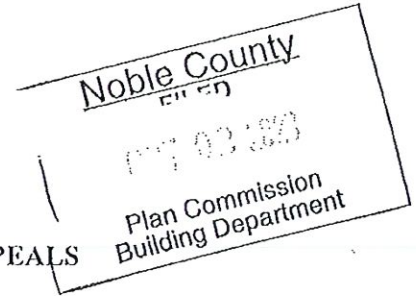
MEFFORD, WEBER AND BLYTHE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

September 29, 2023

PETITION FOR VARIANCE NOBLE COUNTY BOARD OF ZONING APPEALS



Jody L. and Valerie F. Aistrop

Address: 3314 W Vacation Way, Albion Indiana, 46701

Acreage: 0.622 acres

Township: York (Noble County)

Legal Desc.: Pheasant Acres Lots 39 and 39b

Type: Side Yard from 20 feet down to 5 feet west property line set back. Back Yard / Lot set back from 50 feet to 37 feet at the north property line.

Petition for "side yard/lot variance" to allow building side-yard set-back to vary from 20 feet side yard set-back down to 5 ft. side on the west boundary line of the owners' property line.

Petition for a "back yard/lot variance" to allow the building which will be attached to the existing garage to be 35 feet from the back lot line. The current set back of the existing garage is 37 feet. The garage is in existence and the additional construction will be beyond the back lot set back, but with the attachment it will be inside of the 50-foot set back.

Pursuant to Paragraph 3 of Exhibit "A" the Restrictive Covenant requiring a 20-foot side yard setback allows for a variance to be requested from the Board of Zoning Appeals.

A Restrictive Covenant exists that calls for lot owners to seek relief from the board of Zoning Appeals.

The restrictive covenant, which is included herein, calls for a 20-foot side-yard setback and a 50-foot back yard set-back.

In this case because of the septic system location the building structure must be off set to the west. In addition, it is the desire to connect the building structure to the current garage. The garage is inside of the 50-foot set back at 37 feet plus or minus.

It should be noted that the building structure would meet the County Zoning Code and no variance would be needed, had it not been for the restrictive covenants.

130 East Seventh Street Auburn, Indiana 46706-1839
PHONE (260) 925-2300 FAX (260) 925-2610 www.lawmwb.com

Federal Tax ID# 35-1489320

A. Attached hereto to is a detailed site plan of the property involved.

- The site plan involves new buildings and includes all existing structures and the proposed new structures along with distances to the property lines. Detail of the improvements include the following dimensions:
- The building structure is described as a "Pole/Out Building" and will be used for the following purpose: Storage of all personal recreational, and lawn and garden items.

Building Height: 16 feet
Building Length: 40 feet
Building Width: 40 feet

The building structure will be 71 feet from the east property line.
The building structure will be 8.5 feet from the west property line.
-Request of variance to 5 feet from the west property line.

The structure will be 112 feet from the front.
The new structure will be 63 feet from the back.
The structure will be attached to the current garage, which is 37 feet plus or minus from the back yard/lot setback.
-The request for the variance is for 35 feet plus or minus from the north backlot property line.

- Exhibit A: Restrictions (Restrictive Covenant) Applicable to Pheasant Cove Noble Co
- Exhibit B: B1 Pheasant Cove Plat, B2 Boundary Survey, and legal description – bld. loc.
- Exhibit C: Drawing

B. PETITIONER'S PROPOSED FINDINGS OF FACT

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

The approval of the variance WILL NOT be injurious to the public health, safety, morals, and general welfare, because the structure is an accessory building and is like other structures in the sub-division, is compatible with the residential structure, and is a structure that is allowed in this zoning district.

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.

The use and value of the area adjacent to the property included in the variance WILL NOT be affected in a substantially adverse manner because of evidence from adjoining landowner(s) that the addition is welcome, and that the real estate improvements will have no adverse effect to the neighborhood property values. The structure will be professionally designed and will be compatible with the existing structures on the property and appropriately landscaped. Further, similar structures exist in the current sub-division and those structures have not demonstrated an adverse effect to the value of property.

3. The strict application of the ordinance will result in practical difficulties in the use of the property.

The strict application of the ordinance WILL result in practical difficulties in the use of the property because this property contains a leach bed that forces the building to be moved slightly closer to the west from the center of the property. The movement is only to no more than 7 feet from the western side property line. The 20 feet required in the restrictive covenant cannot be complied with because of the location of the septic / leach bed. The combination of the leach bed and narrowness of the lot and the 20 ft. restrictive covenant has created a practical difficulty to put a modern storage structure on the site. The zoning ordinance calls for a five (5) yard setback. The back yard/lot set back is currently at 37 feet when counting the garage that it will be attached to, this is still substantially more than the regular back set back under the ordinance. Therefore, the location of the existing structures, and the size of the lot, along with the in-ground septic / leach bed create a practical difficulty.

MEFFORD, WEBER AND BLYTHE, PC
ATTORNEYS AT LAW
S. W. Erik Weber, Legal Counsel for App.
W. Erik Weber * Erik@lawmwb.com
Cell / Text 260.438.2677
Direct Dial 260.925.7679

Exhibit A

Restrictions (Restrictive Covenant) Applicable to Pheasant Cove Noble County

RESTRICTIONS APPLICABLE TO

PLEASANT COVE

NOBLE COUNTY, INDIANA

The following restrictions which constitute covenants running with the land shall be binding on every person acquiring any interest in any lot at Pleasant Cove in Noble County, Indiana; and be enforceable by any owner or lessee of any lot or lots in this subdivision.

1. The lots which are numbered on the plat without containing a letter constitute "Residence Lots" and the lots which are designated on the plat with a letter in addition to the number constitute "Boat Lots".

2. No lot or any improvements thereon shall be used for any purpose except private single-family residence purposes.

3. All requirements of any legally constituted public authority respecting all lots must be complied with or a valid legal variance from such requirements obtained. For informational purposes, the following permits are required respecting all lots at the time of the establishment of these Restrictions:

A. A permit from the Noble County, Indiana Health Department prior to the commencement of any construction, installation or placement of any septic tank or sanitary system on any lot, or the drilling of any well.

B. A permit from the Building Commissioner of Noble County, Indiana prior to the erection of any dwelling or structure on the lot.

C. A permit from the Highway Superintendent of Noble County, Indiana prior to the placement of any culvert or construction for any driveway to connect any lot with any public street or roadway.

D. A permit from the Indiana Department of Natural Resources prior to any alteration or change of the shore line of any Residence Lot or Boat Lot.

4. No building, structure, fence or hedge of any type or nature shall be erected, placed or permitted to exist on any Boat Lot. No sanitary system or well shall be permitted to exist on any Boat Lot.

* 5. No building or structure shall be permitted to exist between the front lot line of any Residence Lot and the front building set back line shown on the recorded plat. Except for buildings which are existing on the date these restrictions are enacted, no building or structure shall be permitted to extend closer than twenty (20) feet to any side lot line of any Residence Lot or closer than fifty (50) feet to any rear lot line of any Residence Lot. No residence building of less than eight hundred (800) square feet in ground floor area, excluding open porches and garages, shall be erected, placed or permitted to exist on any Residence Lot. All houses or structures shall have a minimum roof pitch of 5 inches in every 12 inches. No building or structure shall be permitted to exist within seventy-five (75) feet of any permanent body of water.

A. Easements where shown on the plat upon, under, and over the rear lines and side lines of lots are reserved for local bodies or public utilities for the construction, installation, operation and maintenance of sewers, conduits, pipe lines, electric lines, or other utilities, and for such surface or underground drainage structures as may be required for the benefit and use of any lot in the subdivision.

6. No mobile home shall be permitted to exist on any lot at any time. A Travel Trailer not more than twenty-nine (29) feet in body length or more than two hundred thirty-two (232) square feet in floor area which has a fully contained factory installed water and sanitary system as part of its original equipment which is kept in good working order and which bears the seal of approval of the Recreational Vehicle Institute and is not more than five (5) years of age may be parked on any lot either (1) during actual construction of a permanent dwelling where no unreasonable delay exists in the completion of such dwelling after the commencement of construction, or (2) for occasional periods of time not exceeding three days in duration; provided that each such period is separated by at least four days and provided that no objection is incurred from health or governmental authorities.

7. The exposed wood surface of any buildings erected or placed on any Residence Lot shall be stained or painted with at least two coats of stain or paint and all metal surfaces of any buildings on Residence Lots shall be of an aluminum or non-rusting material and shall be maintained free of rust by painting, enameling or other suitable means. Cement or masonry blocks may not be used or placed on the exterior of any building or structure above the foundation level. Asphalt or asphalt type siding shall not be permitted to exist on the exterior of any building or structure.

8. No septic tank shall be placed closer than fifty (50) feet to any private water supply well. The septic tank should be located at the rear of the Residence Lot and the water well at the front or roadside of the Residence Lot where possible. The location of the septic tank and water well must meet the approval of the Noble County, Indiana Board of Health and its approval obtained prior to any installation or construction work being commenced on any building, structure, septic tank or well.

9. No outside toilet or privy shall be constructed or permitted to exist on any lot. No lot shall be used for storing of miscellaneous junk, trash, or debris nor may any automobile not bearing a current license plate be parked on any lot. The construction or placing of all buildings or structures on any Residence Lots shall be completed exteriorwise (including any required staining, painting, enameling, or other process) within one hundred fifty (150) days after commencement of the construction or placing of any such building on any lot.

10. Except for household pets, no animals or poultry shall be kept or maintained on any lot; provided, however, a maximum total of four (4) riding horses or ponies may be kept and maintained on Lots Numbered 9 and 106 when the owner or lessee of such lot or lots takes reasonable precaution to see that such riding horses or ponies do not become a nuisance to adjacent property owners or lessees. The maintenance of such horses or ponies for noncommercial purposes on said Lots Numbered 9 and 106 shall be deemed a residential use for the purposes of these restrictions.

* 11. The invalidation of any one of the foregoing covenants in whole or in part by judgment of court order shall in no way affect any of the other covenants which shall remain in full force and effect.

* 12. These covenants may be amended or rescinded by the recording in the office of the Recorder of Noble County, Indiana, of a written instrument of amendment or rescission signed by the owners of sixty per cent (60%) of the lots in said Addition.

Plat-04-0174

Approval Of foregoing ion, protective restrictions, covenants, limitations, easements and accompanying plat of Pheasant Cove.

Approved by the Noble County Plat Commission at a meeting held on the 21st day of

April, 1971.

[Signature]
Chairman

[Signature]
Secretary

Approved by County Sealman, Noble County,

[Signature]

notarized this day of _____ 5 1971,

County Sealman

Under authority provided by Chapter 47, Acts of 1951, of the General Assembly, State of Indiana, this Plat was given approval by the Board of County Commissioners of Noble County, Indiana, at a meeting held on 10th day of May the, 1971.

BOARD OF COUNTY COMMISSIONERS:

COUNTY CLERK:

COMMISSIONERS:

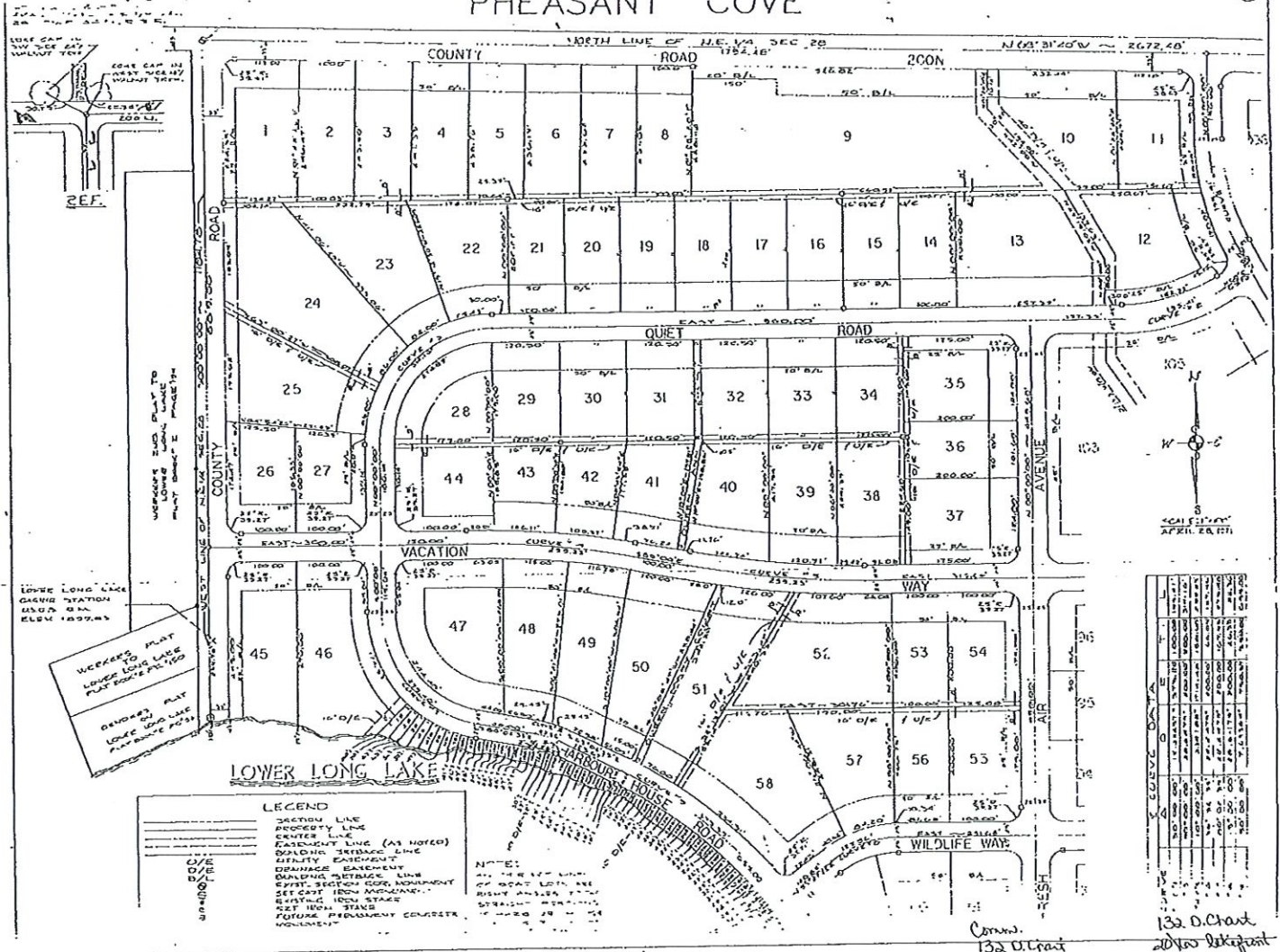
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Exhibit B

**B1 Pheasant Cove Plat, B2 Boundary Survey and legal
description – bld loc.**

PHEASANT COVE

PLAT-04-0175



WEEDERS PLAT
LOWER LONG LAKE
PLAT 04-0175

GRANDER PLAT
LOWER LONG LAKE
PLAT 04-0175

LEGEND

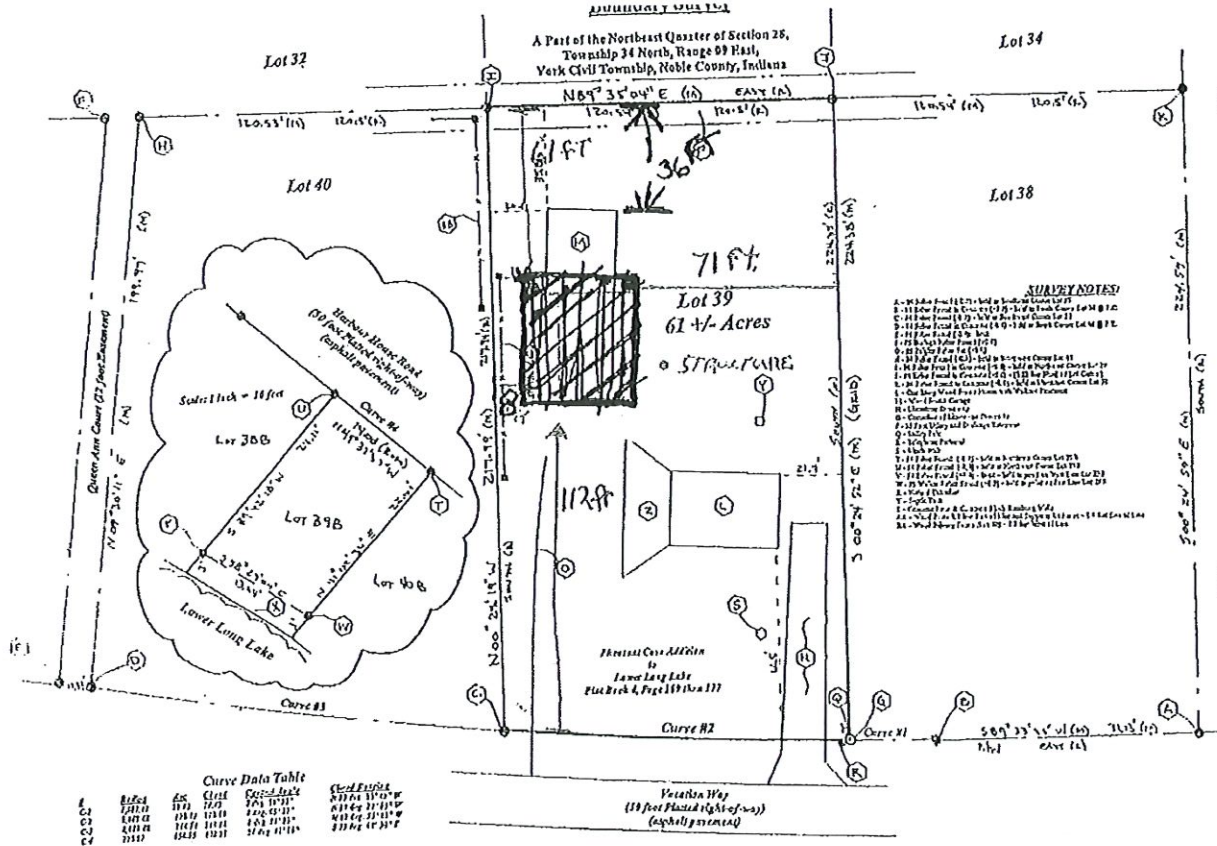
- SECTION LINE
- PROPERTY LINE
- CENTER LINE (AS NOTED)
- EASEMENT LINE
- DRAINAGE LINE
- EASEMENT LINE
- DRAINAGE EASEMENT
- DRAINAGE SYSTEM LINE
- EXIST. SECTION CORNER MONUMENT
- SET CORNER IRON MONUMENT
- SET IRON STAKE
- FOURTH PERMANENT CONCRETE MONUMENT

NOTES:
ALL THE LOTS ARE
OF ABOUT 10,000 SQ. FT.
STRAIGHT MONUMENTS
OF IRON ARE TO BE
SET AT THE CORNERS

Comm.
132 O. Grant
3-30-00

132 O. Grant
20/100 Replat

ADJACENT SURVEY
 A Part of the Northeast Quarter of Section 26,
 Township 34 North, Range 09 East,
 York Civil Township, Noble County, Indiana



SURVEY NOTES

1. All lots shown on this map are as shown on the plat.
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41. All lots shown on this map are as shown on the plat.
42. All lots shown on this map are as shown on the plat.

Curve Data Table

Curve	Radius	Chord	Chord	Chord	Chord	Chord
C1	110.00	110.00	110.00	110.00	110.00	110.00
C2	110.00	110.00	110.00	110.00	110.00	110.00
C3	110.00	110.00	110.00	110.00	110.00	110.00
C4	110.00	110.00	110.00	110.00	110.00	110.00



Legend

Survey Notes

Surveyor
 Scott D. Zeigler, PLS
 Registered Professional Surveyor
 License No. LS2600038
 State of Indiana

Client
 The Estate
 1111 West Jackson Way
 Adams, Indiana 46101

Project
 The Estate
 1111 West Jackson Way
 Adams, Indiana 46101

Date of Survey 11/19/21 100-011
 Page One of Two

Boundary Survey

A Part of the Northeast Quarter of Section 28,
Township 34 North, Range 09 East,
York Civil Township, Noble County, Indiana

Legal Description

A tract of land located in the Northeast Quarter of Section 28, Township 34 North, Range 09 East, in York Civil Township, Noble County, the State of Indiana. Said tract being a Dependent Re-Survey as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC, 5678 West - 350 South, Albion, Indiana 46701, being represented as Plat of Survey #34-09-28-100-022, and being more particularly described as follows, to-wit:

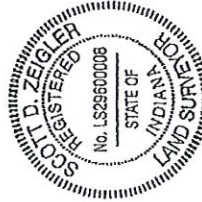
LOT 39 AND 39B IN THE PLAT OF PHEASANT COVE TO LOWER LONG LAKE, AS DESCRIBED IN NOBLE COUNTY PLAT BOOK 4, PAGES 169 thru 177. Said Lot 39 contains 0.61 Acres, more or less, and is subject to all public road right-of-ways and easements of record.

A survey of the above-described tract of land is represented on Plat of Survey #34-09-28-100-022 as prepared by Scott D. Zeigler, PS #LS29600008, dba Hand to the Plow Surveying, LLC, 5678 West - 350 South, Albion, Indiana 46701. The above described Lot 39 lies within Zone X Flood Hazard Boundary as it is shown on the Flood Insurance Rate Map Community Panel Number 18113C0190D, dated March 2, 2015 as prepared by the Federal Emergency Management Agency.

LAND SURVEYOR'S CERTIFICATE

I, Scott D. Zeigler, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana, and certify that this plat of survey correctly represents a survey completed under my direction on March 19, 2020, and that all monuments shown actually exist and their location, type, and material are accurately shown.

AFFIRMATION STATEMENT: I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each Social Security number in this document, unless required by law.



Scott D. Zeigler, PLS #LS29600008
Hand to the Plow Surveying, LLC
5678 West - 350 South
Albion, Indiana 46701
(260) 394-0580

Surveyor's Record
Job #34-09-28-100-022

In accordance with Title 865 IAC 1-12, Sections 1-30 the following observations and opinions are being submitted with regard to the availability and condition of reference monuments: (incompleteness in occupation and possession lines, clarity or ambiguity of the record description of the monument, and/or adjoiner's description, and the margin error in measurement (relative positional accuracy). The relative positional accuracy for the monument is based on this survey and the monument is in compliance with the requirements of the Indiana Surveying Code. The monument is located on the boundary of Lot 39 and 39B in the Plat of Pheasant Cove to Lower Long Lake, as recorded in Noble County Plat Book 4, Pages 169 thru 177. The monument is located in the Northeast Quarter of Section 28, York Civil Township. No surveys of record were found in the referenced area that would affect the monument. Additional information used to complete this survey was the location of the monuments found at or near the corners of the adjoining parcels, the governmental section corners (as needed) shown on the Plat of Survey, the physical evidence found in the field and the plat of Pheasant Cove.

A. Availability and condition of reference monument.

The monuments found at the governmental section corners are as shown on the attached Plat of Survey and are referenced by the Noble County Surveyor. These monuments are believed to be within five feet of the original location of the monuments set by the original surveyor. The found monuments are believed to be the original monuments set by the original surveyor for this subdivision plat and were held as such.

B. Theory of Location

The boundary line of Lot 39 was established as the line between the found monuments at the Northeast corner of Lot 38 and the Northwest corner of Lot 40. The distance along the line was proportioned and fell within 0.04 feet of record. The South line of Lot 39 was established as the line between the found monuments at points "B" and "Y" with the record radius and record arc distances. Four monuments were found on Lot 39 B and were held as the corners or lines that they represent. See the Plat of Survey for all found and set monuments as well as the record and measured distances and bearings.

C. Incompleteness in occupation and possession lines.

Possession for Lot 39 and 39B closely match the deed lines for the two lots.

D. Clarity or ambiguity of the record description used and/or adjoiner's descriptions.

None were observed.

Based on the observations listed above, it is the opinion of this surveyor that the uncertainties in the locations of the lines and corners established by this survey are as follows:

none observed in the surface monuments; the Plat of the subdivision shown here.

none observed in the lines of occupation and possession; see Part C above.

none observed in the easement descriptions; see Part D above.

General Comments

The fieldwork for this survey was completed on March 13, 2020. The field notes for this survey are kept on file within the records of Hand to the Plow Surveying, LLC and are referenced to this survey by the Plat of Survey/Drawing Number. All equipment and software used to complete this survey is owned and/or leased by Hand to the Plow Surveying, LLC. Serial numbers are available upon request.

All references to a "Rebar Stake" on this Plat of Survey shall mean that a 3/8-inch diameter by 2 feet long galvanized rod with a red plastic cap impregnated as follows: "Scott D. Zeigler" (on line 1) LS 29600008 (on line 2) was set at said location. All references to a "Marker Spike and Tag set" on the Plat of Survey shall indicate that a steel nail marker with a blue cap and a weather stamp: "Scott D. Zeigler," "LS 29600008" manufactured by Benchmark Industries was set flush with the paved surface at said location. All references to a "Bench Marker set" on the Plat of Survey shall indicate that a brass monument stamped: "Zeigler," "LS 29600008" manufactured by Benchmark Industries was set flush with the concrete surface at said location.

This survey was made in accordance with the most recent edition of Title 865 of the Indiana Administrative Code. A copy of this code is on file within the records of Hand to the Plow Surveying, LLC.

The Plat of Survey numbered is located in the surveyor's file number. The Plat of Survey was completed without the benefit of an up to date title commitment and/or abstract. Therefore, an automatic title search may reveal facts that could change parts of this survey.

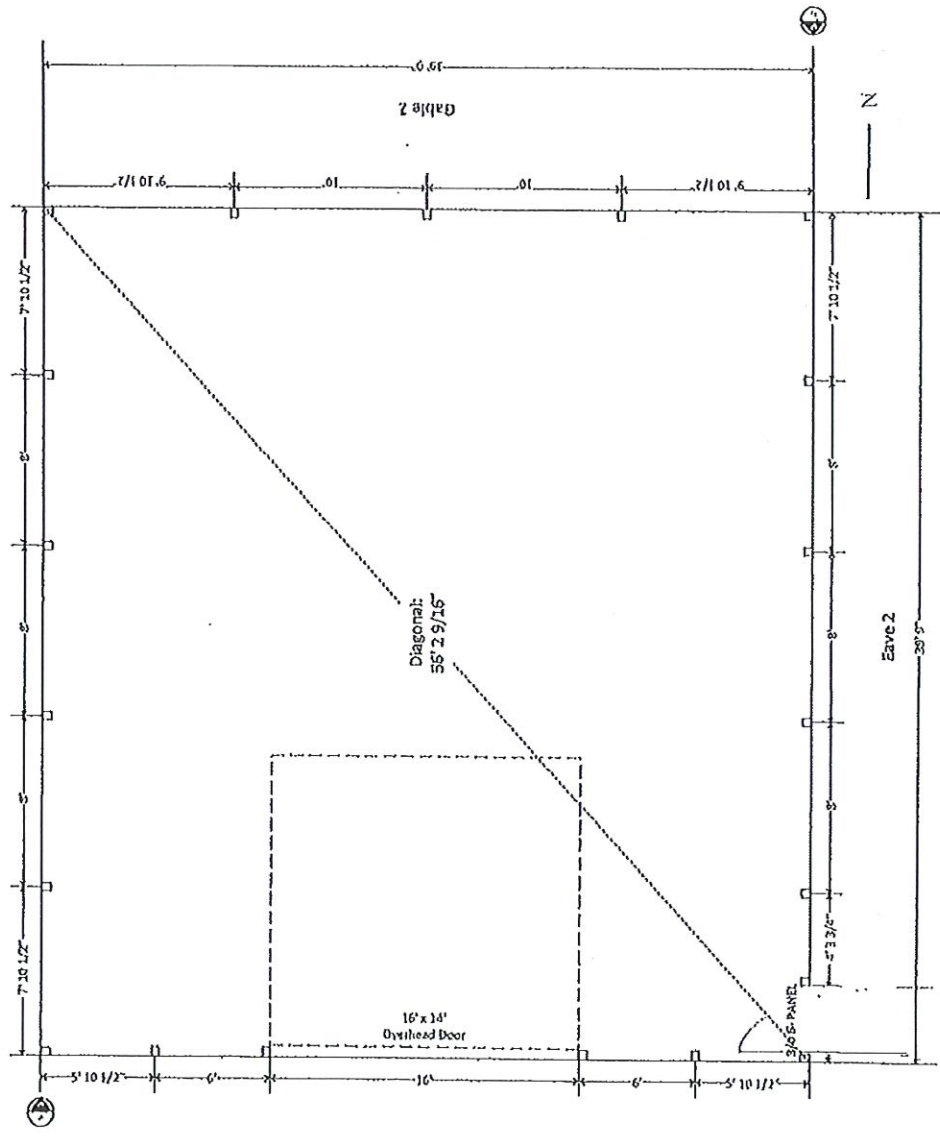
The accuracy of all monuments recovered in completing this survey are considered to be found flush with the ground unless otherwise noted. These monuments that were set while completing this survey were set flush with the ground unless noted differently. Therefore, the accuracy of the flood hazard statement shown on this survey is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map (FIRM).

The tract of land represented by the attached Plat of Survey is subject to all public road right-of-ways and easements of record. It is the responsibility of the landowner and/or their agent(s) to adhere to all zoning ordinances, building codes and other applicable regulations when placing improvements on the parcel of land.

Maestro

POLE LAYOUT
Personal Use, 1600 sq. ft.
Eave 1

YOUR LOGO



Gable 1

The Star Construction
Building Number 111
Drexler

Exhibit C

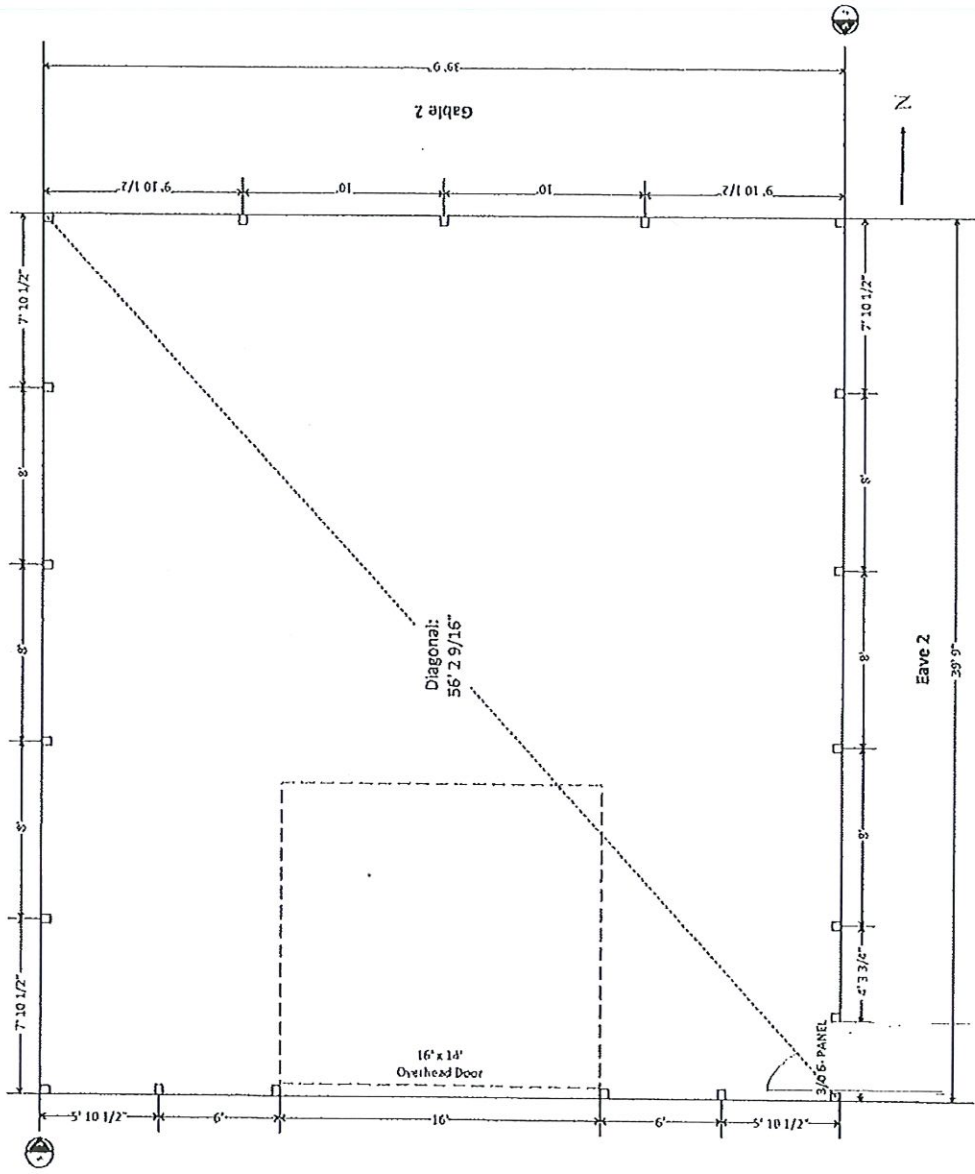
Drawing



POLE LAYOUT
Personal Use, 1600 sq. ft.

YOUR LOGO

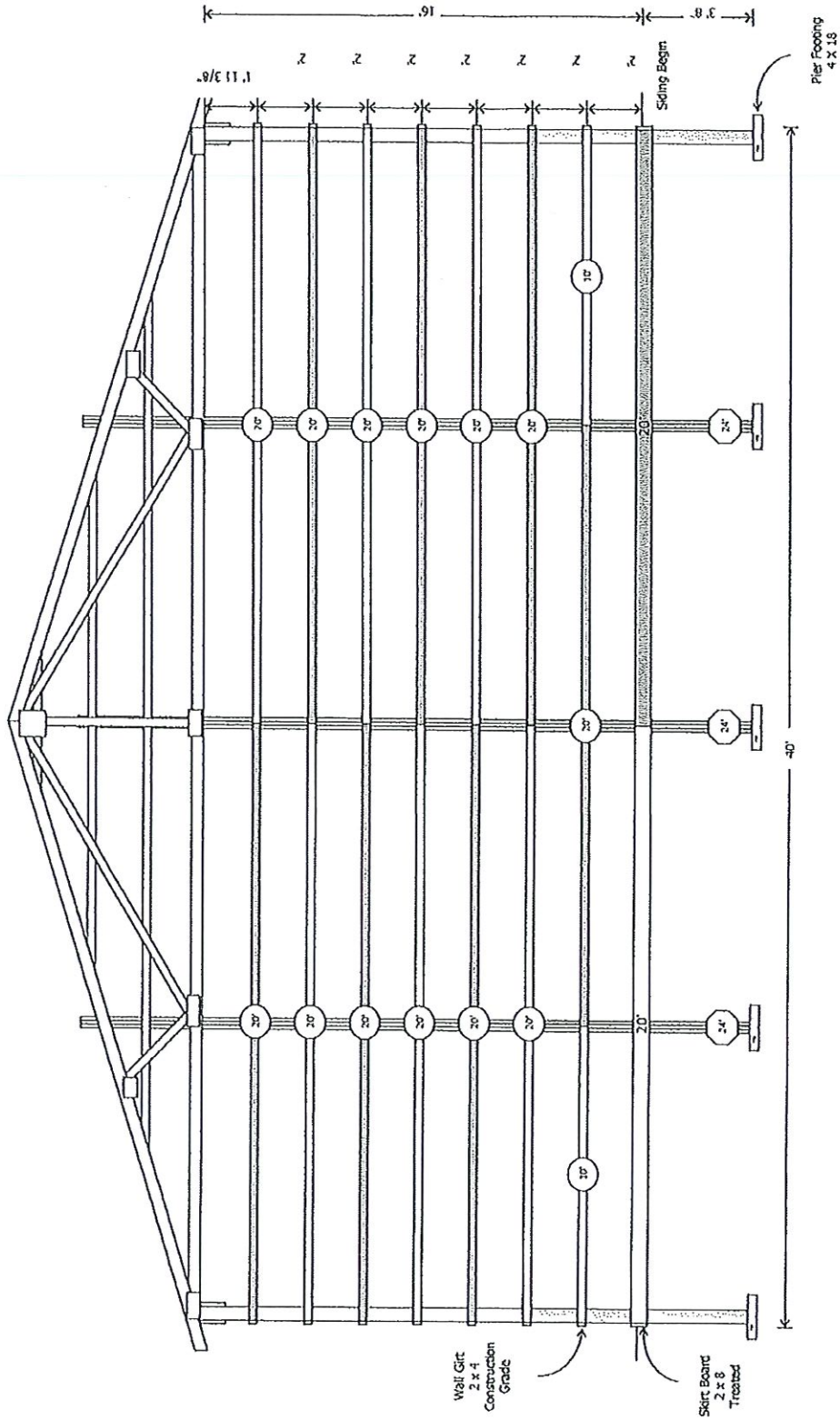
Eave 1



Gable 1

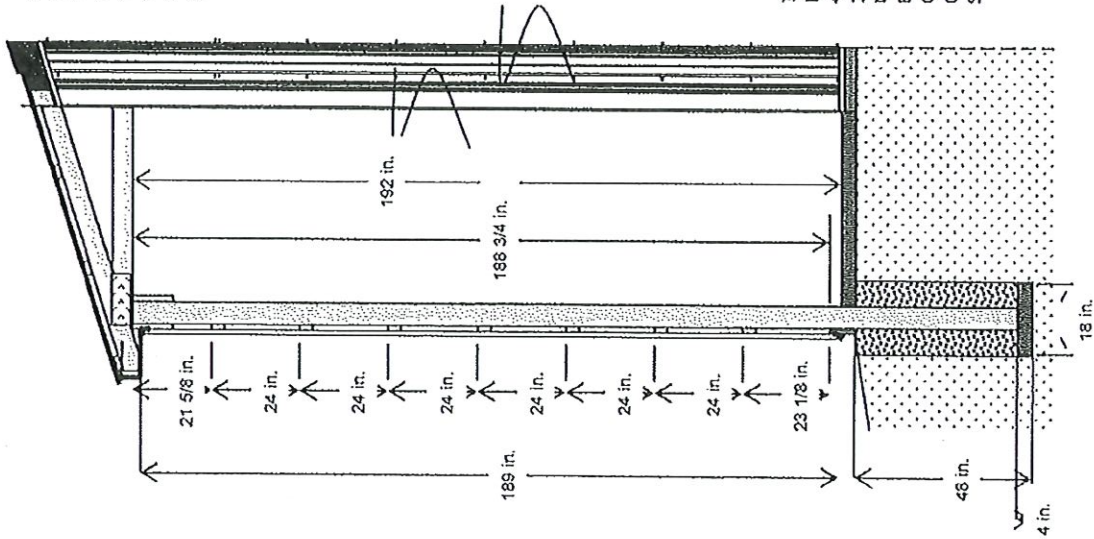
NORTH SIDE-GABLE SIDE 2 WALL GIRTS VIEW

YOUR LOGO



GABLE1 CROSS SECTION

4/12 PITCH TRUSS SYSTEM WITH A STANDARD HEEL
 (HEEL HEIGHT: 0-5-12 OR 5 3/4 IN.)
 TRUSS SPACING: 48 IN. O.C.
 TRUSS LOADING INFORMATION:
 TCU/TODL/BCLL/BCDL 47-7-0-10
 TOTAL TRUSS LOADING = 64 P.S.F.
 BRACE PER TRUSS MANUFACTURERS
 RECOMMENDATIONS



INTERIOR FINISHED FLOOR HT. WILL BE 3 1/4 in.
 BELOW THE TOP OF THE SKIRT BOARD
 4 IN. CONCRETE FLOOR W/STRUCTURAL STRENGTH -
 3500 P.S.I.
 UNDISTURBED SOIL OR COMPACTED SAND FILL
 BACKFILL 18 IN. HOLE WITH SAND/GRAVEL FILL &
 COMPACT
 CONCRETE PIER FOOTING: MINIMUM OF 2500 P.S.I.
 STRENGTH MIX

ROOF LAYER 1: MATTE BLACK CLASSIC D-RIB STEEL
 PANEL

PURLINS: 2 X 4 CONSTRUCTION GRADE FASTENED
 LAYING FLAT
 SUB FACIA: 2 X 6 CONSTRUCTION GRADE
 FACIA COVERING/UNDEREAVE: MATTE BLACK SOFFIT
 FACIA COMBO 12 IN X 10 FT 4 IN

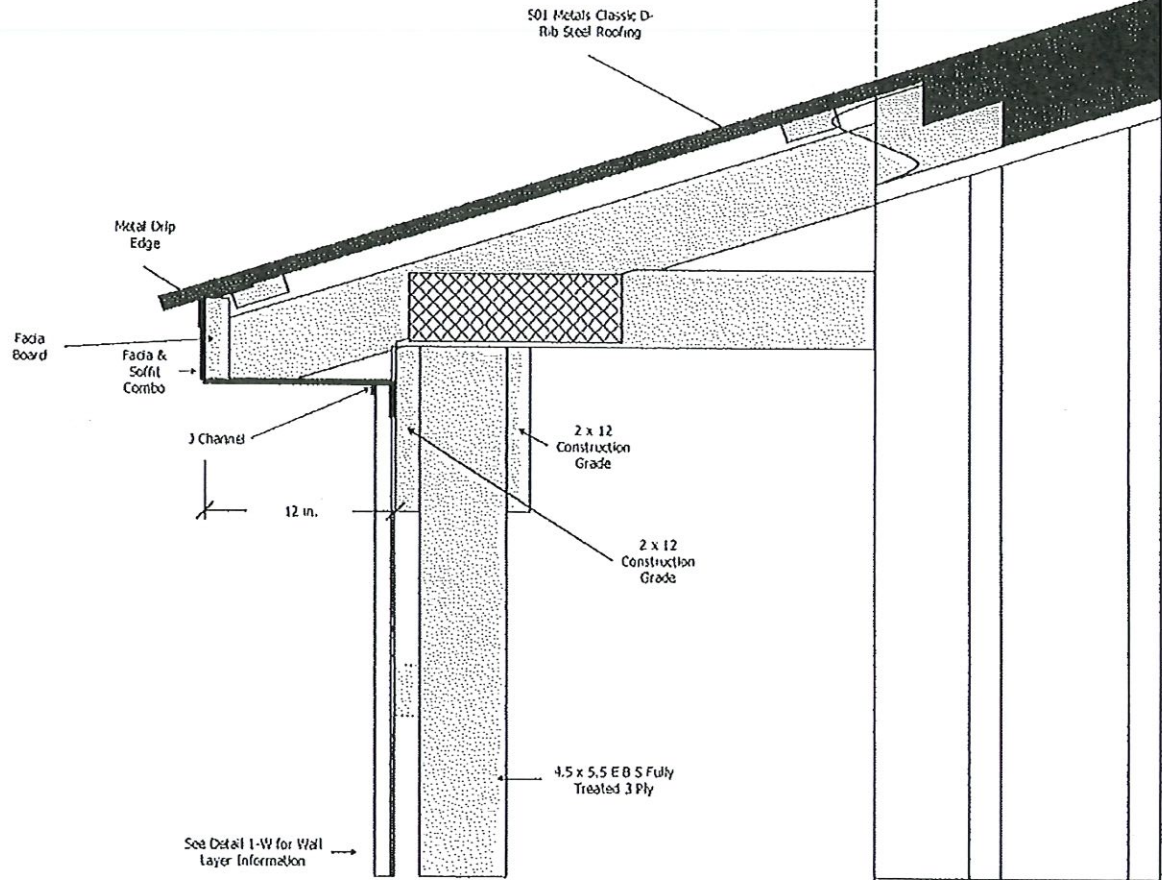
CORNER POSTS: E B S FULLY TREATED 3 PLY 4.5 X 3.5
 INTERMEDIATE POSTS: E B S FULLY TREATED 3 PLY
 4.5 X 5.5 SPACING 8 FT O.C.
 EXTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
 INTERIOR CARRIER: CONSTRUCTION GRADE 2 X 12
 EXTERIOR WALL GIRTS: CONSTRUCTION GRADE 2 X 4
 WALL LAYER 1: TYVEK HOUSE WRAP
 WALL LAYER 2: BRILLIANT WHITE CLASSIC D-RIB
 STEEL PANEL

EXTERIOR SKIRT BOARD: TREATED 2 X 8

SIDING BEGINS 2 5/8 IN. BELOW THE TOP OF SKIRT
 BOARD

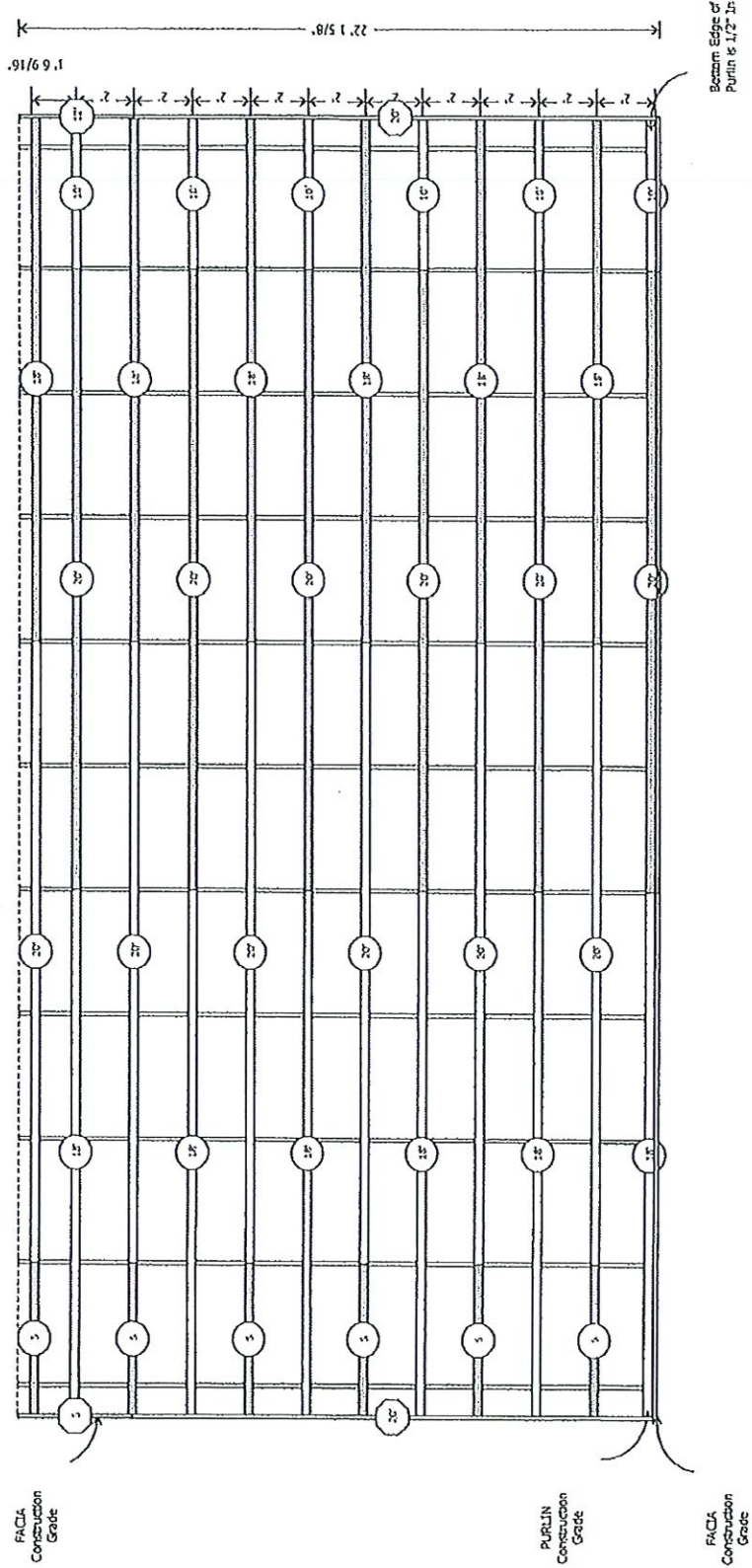
EARTH GRADE BEGINS 7 IN. BELOW THE TOP OF
 SKIRT BOARD

Overhang Detail



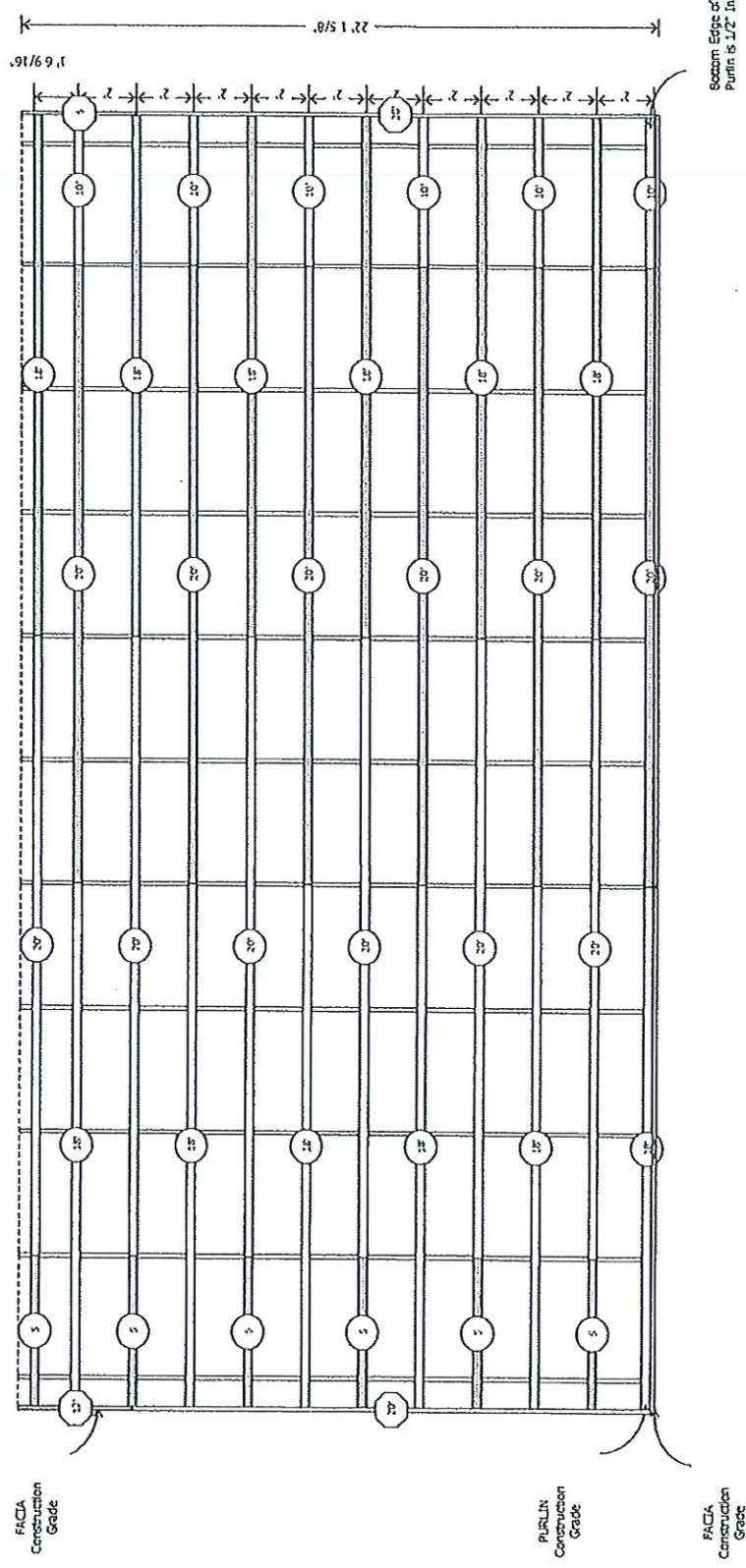
EAST SIDE-EAVE SIDE 2 TRUSS AND PURLIN LAYOUT

YOUR LOGO



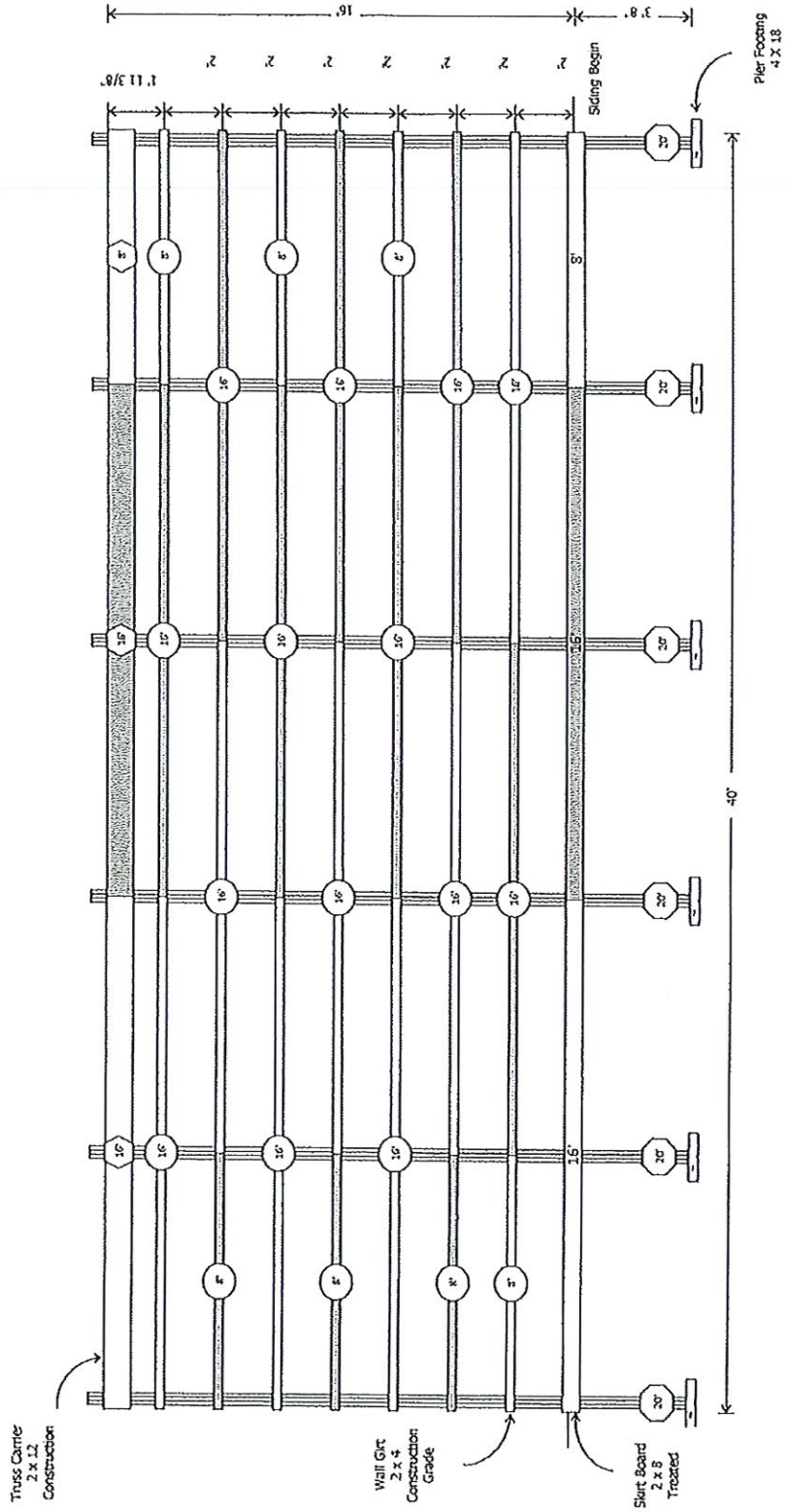
WEST SIDE-EAVE SIDE 1 TRUSS AND PURLIN LAYOUT

YOUR LOGO



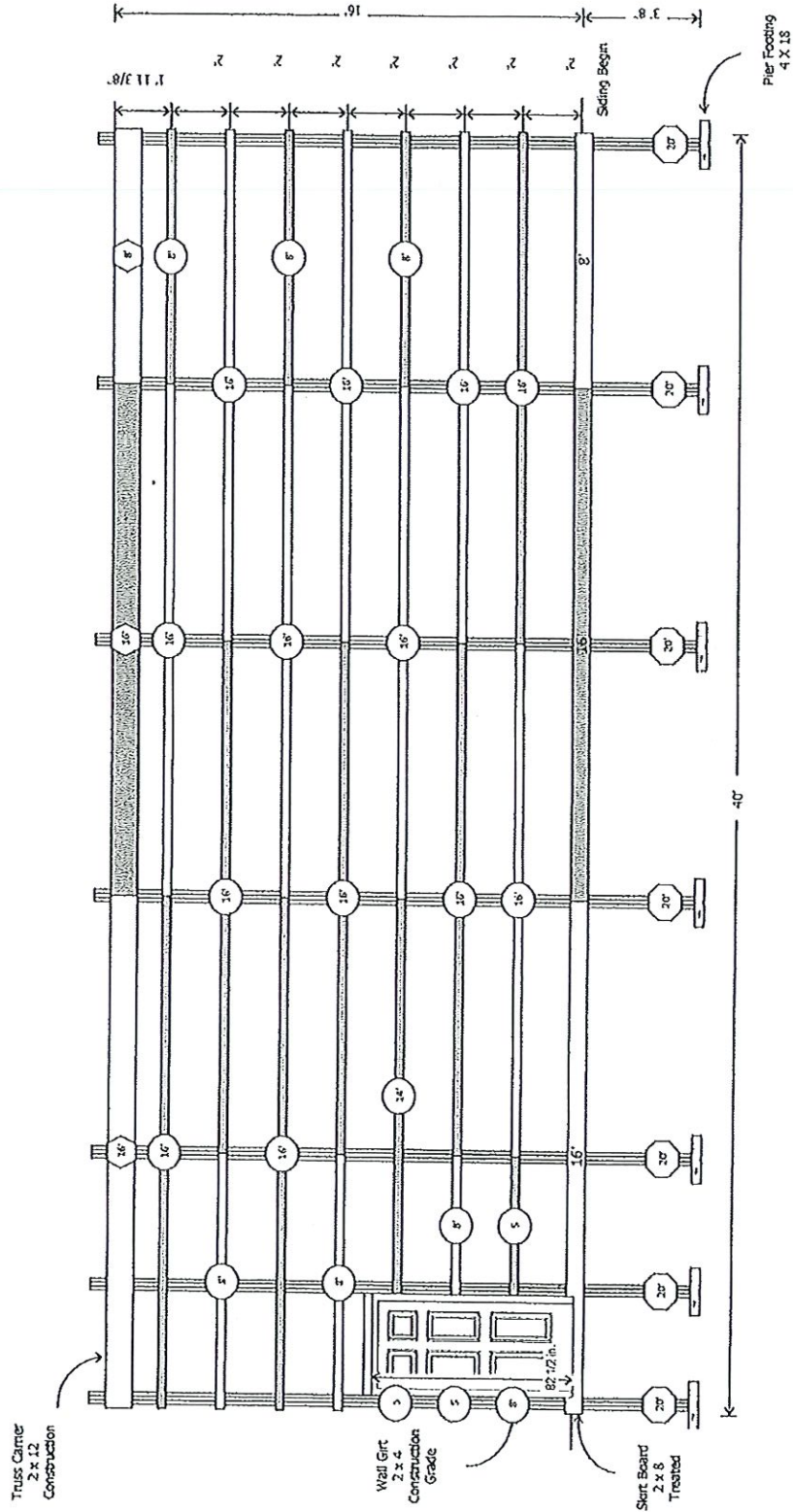
WEST SIDE-EAVE SIDE 1 WALL GIRT VIEW

YOUR LOGO



EAST SIDE-EAVE SIDE 2 WALL GIRT VIEW

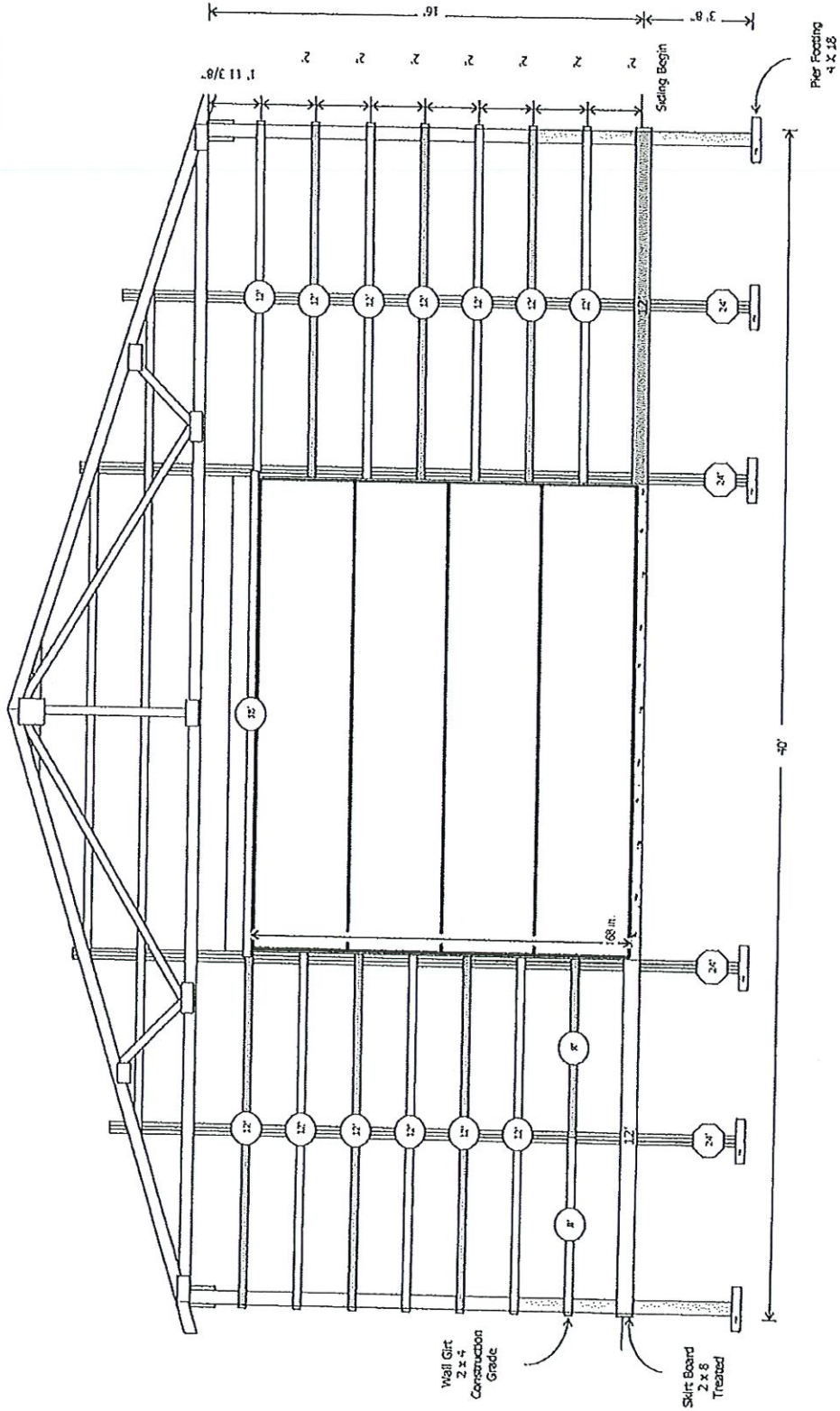
YOUR LOGO



YOUR LOGO

SOUTH SIDE-GABLE SIDE 1 WALL GIRT VIEW

Construction
Maestro
Columbus, Ohio
New York, Chicago & CA



"Five Star Construction
Estimate Number: 131
9/14/2023"

MARILYN ANN ABEL 3445 W VACATION WAY ALBION, IN 46701	MORGAN & NORMAN & MARTY BOYLE 1970 N 350 W ALBION, IN 46701	CHRISTOPHER L DAVIS 11518 INLAND COVE FORT WAYNE, IN 46845	ALBION, IN 46701 SCOTT A & DEBRA L HOLMES HETCHLER 1723 N FRESH AIR AVE ALBION, IN 46701
THOMAS D & SHIRL L ADKINS 1950 N 350 W ALBION, IN 46701	EDWIN & MARILYN BURGESS 1606 N SHISHLER RD ALBION, IN 46701	SAMANTHA L DEWELLS 3113 W VACATION WAY ALBION, IN 46701	JEFFREY L & RONDA HUFF 1738 MOUNTAIN LAKE RD ALBION, IN 46701
JEREMY & RACHEL AGLER 3325 W QUIET RD ALBION, IN 46701	DAVID M & TAMARA S CAMPBELL 800 E SENECA ST ALBION, IN 46701	JUDITH L & BETH R HANCOCK DITTO 2005 GENIVEIVE LN AUSTIN, TX 78741	GARY L HUFFMAN 508 NOELWOOD DR GOSHEN, IN 46526
JODY L & VALERIE F AISTROP 3314 W VACATION WAY ALBION, IN 46701	CHEYENNE L CARPENTER 1641 N FRESH AIR AVE ALBION, IN 46701	JOSLYN ELLIOTT 823 E GUMP RD FORT WAYNE, IN 46845	JOSHUA I JACKEMEYER 1030 HARTZELL RD NEW HAVEN, IN 46774
BENNY L & SHERRY D ARCHER 3243 W VACATION WAY ALBION, IN 46701	CHRISTOPHER & LACY COBURN 1621 N FRESH AIR AVE ALBION, IN 46701	DOUGLAS E & JULIE A TRUST FEIGHTNER 3383 W VACATION WAY ALBION, IN 46701	BAZIL C JACKSON 1630 N MOUNTAIN LAKE RD ALBION, IN 46701
JOHN P & MARILYN L BARCUS 1700 N MOUNTAIN LAKE RD ALBION, IN 46701	MARY M CONRAD 3110 W WILDLIFE WAY ALBION, IN 46701	BRENT & REBECCA FIRESTONE 3389 W QUIET RD ALBION, IN 46701	STEVEN & JANET ASHCROFT JAGGER 1656 N MOUNTAIN LAKE RD ALBION, IN 46701
DARIA S BESS 1678 FRESH AIR AVE ALBION, IN 46701	LARRY D & KATHRYN J COOK 3384 W QUIET RD ALBION, IN 46701	EARL JOHN & AUDREY L FLEMING 836 E 4TH ST MISHAWAKA, IN 46544	NATHANIEL R & JENIFER L JONES 1510 N FRESH AIR AVE ALBION, IN 46701
DAVID B & VICKTORIA N BLACKMON 1616 N MOUNTAIN LAKE RD ALBION, IN 46701	JOEL C & CATHERINE B COPAS 1580 N MOUNTAIN LAKE RD ALBION, IN 46701	LORI A FOSTER 3379 W QUIET RD ALBION, IN 46701	STEVEN B & SANDRA A KEISTER 1833 N MOUNTAIN LAKE RD ALBION, IN 46701
MARVIN E & VICKI L BLACKSHIRE 1530 N MOUNTAIN LAKE RD ALBION, IN 46701	JEREMIAH A CRIQUI 3285 W QUIET RD ALBION, IN 46701	DAKOTA D FREEMAN 1665 N MOUNTAIN LAKE RD ALBION, IN 46701	ANGELA R KING 3386 W VACATION WAY ALBION, IN 46701
KENNETH & ANGELA BONTRAGER 3240 W VACATION WAY ALBION, IN 46701	MICHAEL J & SUSAN K CURTIS 1567 N FRESH AIR AVE ALBION, IN 46701	HENRY HAGERMAN 3349 W QUIET RD ALBION, IN 46701	DONALD & ROSEMARY TRUST KONGER 10003 MILLER RD CHURUBUSCO, IN 46723
	CORY & CARISSA DAVIDSEN 3160 W VACATION WAY ALBION, IN 46701	DONNA M HAWK 3300 W QUIET RD ALBION, IN 46701	
		TONY & TRICA D HAWK 1544 N MOUNTAIN LAKE RD	

MICHAEL L & VICKIE A LAMONS 20 LANE 240 B BIG OTTER LK FREMONT, IN 46737	ALBION, IN 46701 JANET R MENDENHALL 3171 W WILDLIFE WAY ALBION, IN 46701	691 PENNOCK CIRCLE CROWN POINT, IN 46307 DANIEL A RINEHART 3360 W QUIET RD ALBION, IN 46701	DARRELL A & NIKKI J TAYNOR 1676 OLD STAUNTON RD TROY, OH 45373
STEPHANIE D LANDEZ 3378 W QUIET RD ALBION, IN 46701	CHRISTOPHER L MEYER 1636 N FRESH AIR AVE ALBION, IN 46701	DIANE ROSTOCHAK 1516 N MOUNTAIN LK RD ALBION, IN 46701	JORDAN PHILIP & ASHLEY N BUCKLER THORNTON 1921 N MOUNTAIN LAKE RD ALBION, IN 46701
STEVEN R & BERNADETTE A LAWSON 1808 N MOUNTAIN LK RD ALBION, IN 46701	ROGER G & CAROLE S MILKOS 5 DEEP RIVER DR HOBART, IN 46342	GLORIA JOAN & MARCUS BURDETTE ROUTSONG 3301 W 200 N ALBION, IN 46701	DARRIN W & JENNIFER L TIPSORD 3433 W 200 N ALBION, IN 46701
TIMOTHY R & JEANA F LEAMON 3420 W QUIET RD ALBION, IN 46701	VICTORIA D NOE 3344 W VACATION WAY ALBION, IN 46701	TOBIAS R RUTHERFORD 5203 E STATE BLVD FORT WAYNE, IN 46815	THOMAS TRUELOVE 3070 WILDLIFE WAY ALBION, IN 46701
G SCOTT LEE 3366 W VACATION WAY ALBION, IN 46701	KIM PEARSON 3624 N 500 W LIGONIER, IN 46767	NANCY ANN SCHWARTZ 3372 W QUIET RD ALBION, IN 46701	BRENT & MARGORIE VEATCH 4212 WALKERS RIDGE FORT WAYNE, IN 46818
JOHN F & MARGARET R LOMAX 1800 N HARBOUR HOUSE RD ALBION, IN 46701	ALLEN E & IMOGENE PETERSEN 1540 N FRESH AIR AVE ALBION, IN 46701	KIMBERLY LYNN SHEETZ 1500 VIRGINIA LN AUBURN, IN 46706	LORI A & JAMES R WAIKEL 3330 W QUIET RD ALBION, IN 46701
ANGELA M LORTIE 3409 W QUIET RD ALBION, IN 46701	JONATHAN D & NICHOL K PRICE 3313 W WILDLIFE WAY ALBION, IN 46701	JACOB L SHISLER 3003 W 200 N ALBION, IN 46701	DENNIS & CINDY E WALDRON 3117 WILDLIFE WAY ALBION, IN 46701
PIERCE D & TAYLOR J MACKAY 3253 W QUIET RD ALBION, IN 46701	ELIZABETH A RASNAKE 1501 N FRESH AIR AVE ALBION, IN 46701	TYLER K SMITH 3188 W VACATION WAY ALBION, IN 46701	CHARLOTTE I WALDRON 1555 FRESH AIR AVE ALBION, IN 46701
DOUGLAS M MCCOMB 0534 S 500 E AVILLA, IN 46710	COLLEEN R REYES 1693 N MOUNTAIN LAKE RD ALBION, IN 46701	JONQUIL SNYDER 3170 W WILDLIFE WAY ALBION, IN 46701	PERRY L & DEBRA D WEEKS 2929 W 525 N ALBION, IN 46701
NICHOLAS & MICHELLE MEADE 1786 N MOUNTAIN LK RD ALBION, IN 46701	RAMIRO & JULIA L SANDERS REYES 3389 W 200 N ALBION, IN 46701	MICHAEL & GEORGIA STAHLHUT 5770 E US 33 CHURUBUSCO, IN 46723	STEVEN D WELCHES 500 S LEE GARRETT, IN 46738
GABRIEL MEDINA 3200 W WILDLIFE WAY	JAMES S & NANCY J RICE 3259 W VACATION WAY ALBION, IN 46701	STATEGIC INVESTORS LLC 40 LANE 140 LITTLE OTTER LAKE FREMONT, IN 46737	CATHY RENEE WOLF
	MICHAEL & MICHELLE RIFFLE		

3411 W 200 N
ALBION, IN 46701

BETH ANN YUOSKO
1631 N FRESH AIR AVE
ALBION, IN 46701

KENNETH & TERESA
ZINNEL
1644 N SHIISLER RD
ALBION, IN 46701