

ORDINANCE NO. 2004-05

AN ORDINANCE TO REQUIRE AND TO ESTABLISH  
STANDARDS FOR PLATTING OF SUBDIVISIONS OF  
REAL ESTATE IN DUBOIS COUNTY, INDIANA

SECTION 13. FAMILY FARM EXCEPTION. Notwithstanding the provisions of the prior Sections set forth in this Ordinance, in the case of a farm where the owner wishes to convey a parcel of land, either with or without consideration, to a member or members of his family for the purpose of locating a residence to be occupied by the family member, said owner may be authorized by the County Commissioners to convey said parcel as an exception from the plat provisions of this Ordinance. Any exception thus authorized is required to be entered in writing in the minutes of the County Commissioners and the reasoning on which the exception was authorized shall be set forth.

Any exception thus granted shall comply with the following provisions:

(A) For the purpose of this Section, a "farm" means an area containing forty (40) acres or more, used for agricultural purposes (as defined) by the resident owner.

(B) No more than two (2) parcels shall be conveyed as an exception from any one (1) farm.

(C) For the purpose of this section, "a member of the family" means only mother, father, son, or daughter.

(D) The original occupant of the residence to be located shall be the family member to whom the parcel was conveyed.

(E) In a case where the new parcel is located other than on an existing public right-of-way, access to the parcel shall be provided by a private way. This private access shall not be considered by the County Commissioners for a public thoroughfare or for use to serve more than three (3) farm residences until such time that the access shall be improved in accordance with the applicable County's improvement requirements for a county road.

(F) The new parcel, while not subject to the platting provisions of this Ordinance, shall be subject to all non-plat provisions of this Ordinance.

# FAMILY FARM SUBDIVISION EXEMPTION

The undersigned does hereby propose to transfer a \_\_\_\_\_ acre tract of real estate located in \_\_\_\_\_ Township, Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, to \_\_\_\_\_ who is the \_\_\_\_\_ of the undersigned, for purpose of construction thereon of a residence for said grantee(s). The undersigned requests that the proposed transfer be exempt from the Dubois County Subdivision Standards Ordinance (#2004-05) as amended, pursuant to Section 13 thereof, relating to family farm residences. The undersigned certifies: (a) that the undersigned is engaged in a farming operation on the larger tract (being not less than 40 acres) from which the proposed transferred tract is to be taken; (b) that not more than one (1) parcel has been previously conveyed by the undersigned from said farm using the above described exception; and (c) that the initial occupant of the residence to be constructed on the proposed transferred tract shall be the person(s) listed above. The undersigned acknowledges receipt of a copy of Section 13 from said Ordinance and certifies that they are in full compliance with the provisions of said Section 13.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

## BOARD OF COUNTY COMMISSIONERS ACTION

At a public meeting held on \_\_\_\_\_, 200\_\_\_\_\_, the foregoing request was:

\_\_\_\_\_ Approved

\_\_\_\_\_ Denied for the following reason

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\_\_\_\_\_  
\_\_\_\_\_

**Board of Commissioners  
Dubois County, Indiana**

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