

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, November 5, 2024 @ 8:30 AM

The Regular Meeting of the DeKalb County Plat Committee was called to order at 8:30 a.m. in the DeKalb County Commissioner's Court by Elysia Rodgers.

ROLL CALL:

Members Present: Elysia Rodgers, Sandra Harrison, Jason Carnahan, Suzanne Davis, and Jerry Yoder

Members Absent: None

Staff Present: Director/Zoning Administrator Chris Gaumer and Secretary Meredith Reith

Staff Absent: None

Public in Attendance: Angie Wallace, Tina Allmandinger, Adam Allmandinger, Chad Hoff, Robert Ross, Marilyn Ross, Nathan Perkins, and Taylor Ruoff.

PRAYER:

Jerry Yoder led prayer.

APPROVAL OF MINUTES:

Sandra Harrison moved to approve the minutes from October 1, 2024; seconded by Jason Carnahan
None opposed. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

Petition #24-40 – Adam & Tina Allmandinger requesting a 1 Lot Subdivision known as Allmandinger Estates. The proposed 1 lot subdivision will be a total of 2.491 acres. The subdivision will be used for a single-family residence. The property is located at the southeast corner of County Road 53 & County Road 36A, Butler, Indiana and is zoned A2, Agricultural.

Chris Gaumer read the staff report stating the location of the proposed 1 Lot Subdivision.

Elysia Rodgers asked if there were any questions or comments from the board or public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over the proposed Findings of Fact.

JURISDICTIONAL FINDINGS:

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **October 2, 2024**
2. Legal notice published in The Star on **October 25, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **October 22, 2024**
5. Letter from County Highway dated **October 24, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **October 10, 2024**
7. Letter from the Drainage Board, dated **October 17, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Anderson Surveying, Inc.**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the subdivision will be used for residential use which is compatible with the existing and adjacent land uses.
2. Does the Minor Subdivision conform to the following UDO standards:
 - a. Minimum width, depth & area of lot(s).
Yes. See Plat & Staff Report.
 - b. Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required.
Adequate access off County Road 36A with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept. And the driveway permit has been issued.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. Private septic system will be utilized.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic buildings, homes, businesses, and utilities, if applicable or required.
None required.

Standard Conditions to be recorded on or with the plat:

1. This lot shall be included in any subdivision arising from any further development from the land involved. However, there is no intention that any terms, conditions, or restrictions on a future plat will have any retroactive applicability to this division of land.
2. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
3. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on the site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
4. The appropriate agricultural covenants, drainage covenants and airport zone covenants shall be on the plat, if required.

Conditions that will not be recorded but must be met:

1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not be recorded until the applicant files written evidence of compliance with any conditions of the DeKalb County Board of Health, DeKalb County Highway Dept., DeKalb County Drainage Board or DeKalb County Surveyor, DeKalb County Airport, DeKalb County Soil & Water Conservation District, or other agency as applicable. File written evidence of compliance with Federal or State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

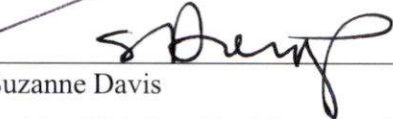
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #24-40, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 5th DAY OF NOVEMBER 2024.

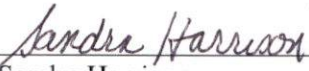
Motion made by Sandra Harrison, Seconded by Suzanne Davis

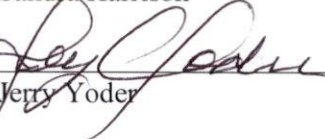
Vote tally: Yes: 5 No: 0


Elysia Rodgers


Jason Carnahan


Suzanne Davis


Sandra Harrison


Jerry Yoder

Petition #24-41 – Chad C & Brenda C Hoff requesting a partial Plat Vacation of Lane Estates, Lot 5. The purpose of vacating Lot 5 is to be able to create a new Minor Subdivision in the future. The property is located at 6770 County Road 32, Butler, Indiana.

Mr. Gaumer read the staff report. He addressed that this vacation is only for Lot 5. The next plat will be for Lot 6.

Mrs. Rodgers asked if there were any questions or comments from the board. She opened the public portion of hearing up to any comments. Robert Ross approached the podium stating his concerns regarding this Subdivision. He questioned how many subdivisions this would include.

Mrs. Rodgers stated that this process is defined as a Minor Subdivision. This process will only allow for the parcel to be divided into two lots allowing only one home on each.

Mr. Ross asked if there would be another hearing when this proposed subdivision came forward. He questioned where the driveways would be located.

Mr. Gaumer stated that the neighboring landowners will be notified again once the subdivision is proposed.

Nathan Perkins approached the podium addressing his concerns. He stated that he had moved into his property this year. He addressed his concerns regarding the restrictions that would be changed when this property is vacated. He stated how his property values would be impacted.

Mr. Gaumer stated that this will vacate the current covenants and restrictions. He stated that Mr. Hoff will be coming back and proposing a two-lot subdivision. The new restrictions will be added to the Plat.

Chad Hoff approached the podium stating that he wanted to clarify what he is proposing. He stated that the lots will be redone so that he can have two equal lots with approximately five acres on each. He added that any driveways will be located on County Road 32.

Mrs. Rodgers asked if there were any further comments from the board. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over the proposed Findings of Fact.

JURISDICTIONAL FINDINGS:

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **October 7, 2024**
2. Legal notice published in The Star on **October 25, 2024** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **October 22, 2024**
5. Letter from County Highway dated **October 8, 2024**

6. Report from the DeKalb County Soil & Water Conservation District, dated **October 10, 2024**
7. Letter from the County Surveyor, dated **October 7, 2024**
8. Airport Board report, if applicable: **not applicable**


FINDINGS OF FACT:

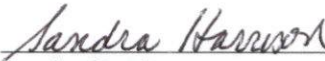
1. Have conditions in the platted area been changed so as to defeat the original purpose of the plat?
Yes, the property owner wishes to add this parcel to additional land and create a new subdivision in the future. To be able to do so, this must be vacated. Proposing a two-lot subdivision in the future.
2. Is it in the public's interest to vacate all or part of the plat?
Yes, the vacation will allow for this parcel to be used for a new subdivision in the future.
3. Will the value of the land in the plat not owned by the Petitioner be diminished by the vacation?
No, the vacation of this lot will not negatively impact neighboring properties.


IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS PLAT VACATION PETITION #24-41, IS HEREBY GRANTED APPROVAL ON THIS 5TH DAY OF NOVEMBER 2024.

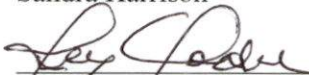
Motion made by Suzanne Davis, Seconded by Sandra Harrison.

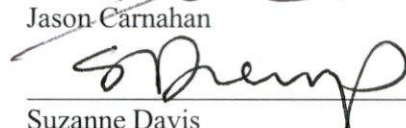
Vote tally: Yes: 5 No: 0


Elysia Rodgers


Sandra Harrison


Jason Carnahan


Jerry Yoder


Suzanne Davis

Petition #24-42 – Chad C & Brenda C Hoff requesting a partial Plat Vacation of Lane Estates Section II, Lot 6. The purpose of vacating Lot 6 is to be able to create a new Minor Subdivision in the future. The property is located at 6754 County Road 32, Butler, Indiana.

Mr. Gaumer read the staff report and explained why the vacation is needed.

Mrs. Rodgers asked if there were any further questions or comments from the board or public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over the proposed Findings of Fact.

Jerry Yoder asked why the agricultural covenants were not read.

Mr. Gaumer stated that this is only to vacate these Lots. The Minor Subdivision will require covenants when a new subdivision is proposed.

JURISDICTIONAL FINDINGS:

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **October 7, 2024**
2. Legal notice published in The Star on **October 25, 2024** and Affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **October 22, 2024**

5. Letter from County Highway dated **October 8, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **October 10, 2024**
7. Letter from the County Surveyor, dated **October 7, 2024**
8. Airport Board report, if applicable: **not applicable**

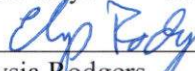
FINDINGS OF FACT:

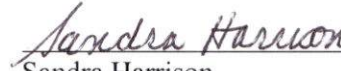
1. Have conditions in the platted area been changed so as to defeat the original purpose of the plat?
Yes, the property owner wishes to add this parcel to additional land and create a new subdivision in the future. To be able to do so, this must be vacated.
2. Is it in the public's interest to vacate all or part of the plat?
Yes, the vacation will allow for this parcel to be used for a new subdivision in the future.
3. Will the value of the land in the plat not owned by the Petitioner be diminished by the vacation?
No, the vacation of this lot will not negatively impact neighboring properties.

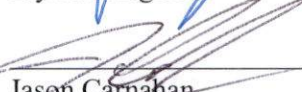
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS PLAT VACATION PETITION #24-42, IS HEREBY GRANTED APPROVAL ON THIS 5TH DAY OF NOVEMBER 2024.

Motion made by Jerry Yoder, Seconded by Sandra Harrison.

Vote tally: Yes: 5 No: 0


Elysia Rodgers


Sandra Harrison


Jason Carnahan


Jerry Yoder


Suzanne Davis

ADJOURNMENT:

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:55 a.m.


Elysia Rodgers


Meredith Reith - Secretary