

# DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

## PLANNING • BUILDING • GIS

301 S. Union St., Auburn IN 46706

Planning: 260.925.1923 • Building: 260.925.3021 • GIS: 260.927.2356 • Fax: 260.927.4791

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### AGENDA

#### DeKalb County Plan Commission

Commissioners Court – 2<sup>nd</sup> Floor DeKalb County Court House

**Tuesday, April 1, 2025**

**8:30 AM**

To view the livestream, click here: <https://tinyurl.com/YouTubeDCPC>

1. Roll call
2. Pledge of Allegiance
3. Prayer
4. Approval of Minutes: February 19, 2025
5. Consideration of Claims: February & March 2025

Payroll (February)	\$26,265.04
APA Membership Dues	\$358.00
APA Event Registration	\$200.00
CDW – G – InDesign Renewal	\$480.00
Facebook Advertising	\$35.99
HWC Consultant Fees	\$29,041.88
IABO Membership Dues – Jeff Martin	\$65.00
Lassus	\$548.98
Mileage – Jhace Sleeper	\$65.50
Newspaper Subscription	\$312.00
Shepherds	\$433.67
USPS – Postal Machine Refill	\$300.00
Verizon	\$234.42
WestWood Car Wash	\$50.00
<b>TOTAL:</b>	<b>\$58,390.48</b>
6. Old Business: None
7. New Business:

Petition #25-12 – Gregory A. & Deborah L. McClure requesting a 1 Lot Subdivision known as Townsend Acres. The proposed 1 lot subdivision will be a total of 2.5 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 38, approximately one quarter mile west of the intersection of County Road 38 & County Road 39, Auburn, Indiana and is zoned R1, Low Density Residential.
8. Petition #25-13 – Lynn A. & Lisa R. Reinhart requesting a Zone Map Amendment of approximately 100 acres from R1, Low Density Residential and OP, Open Space & Parks to A2, Agricultural. The property is located at the northeast corner of State Road 1 & County Road 64, St. Joe, Indiana
9. DeKalb 2040 – Comprehensive Plan Update
  - Upcoming Focus Group & Public Workshop

- April 3: Community Center: 2<sup>nd</sup> Floor Butler City Hall
  - Focus Group Topics: Philanthropic Groups, Youth, Quality of Life/Place, Land Use (9 AM – 4 PM)
  - Public Workshop (5-7 PM)
- 10. Reports from Officers, Committees, Staff or Town/City Liaisons
- 11. Comments from Public in Attendance
- 12. Adjournment

Next Meeting: May 21, 2025

**If you cannot attend, please contact Meredith Reith**  
**[mreith@co.dekalb.in.us](mailto:mreith@co.dekalb.in.us) | (260) 925-1923**

**\*PLEASE ENTER THROUGH THE NORTH DOOR OF  
COURTHOUSE LOCATED ON SEVENTH STREET.**

**\*\*No cellphones, tablets, laptops, or weapons are permitted.**

**Scan the QR code or visit [www.dekalb2040.com](http://www.dekalb2040.com) to learn about:**



**MINUTES**  
**DEKALB COUNTY PLAN COMMISSION**  
**Wednesday February 19, 2025**

The Regular Meeting of the DeKalb County Plan Commission was called to order at 7:00 p.m. in the DeKalb County Commissioner's Courtroom by Plan Commission President, Jason Carnahan

**ROLL CALL:**

Members Present: Jason Carnahan, William Van Wye, William Hartman, Suzanne Davis, Angie Holt, Sandra Harrison, Jerry Yoder, Frank Pulver, and Elysia Rodgers.

Members Absent: Tyler Lanning

Staff Present: Plan Commission Attorney Andrew Kruse, Director/Zoning Administrator Chris Gaumer, and Secretary Meredith Reith

Community Representatives Present: Mike Makarewich

Public in Attendance: Joe DePrisco, Lynn Reinhart, Jared Malcolm, and Kellen Dooley.

**PLEDGE OF ALLEGIANCE:**

Jason Carnahan led The Pledge of Allegiance.

**PRAYER:**

Jerry Yoder led in prayer.

**APPROVAL OF MINUTES:**

Motioned by Sandra Harrison to approve January 15, 2025 meeting minutes. Seconded by William Hartman. None opposed. Motion carried.

**CONSIDERATION OF CLAIMS:**

Jason Carnahan inquired about any comments, questions, or motions to approve January 2025 claims, totaling \$27,504.06.

William Van Wye motioned to approve claims seconded by Sandra Harrison. None opposed. Motion carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Petition #25-08 – Joe DePrisco requesting a Zone Map Amendment of approximately 14.35 acres from R1, Low Density Residential to A2, Agricultural. The property is located at the southeast corner of County Road 327 and County Road 68, Garrett, Indiana

Chris Gaumer stated where the proposed rezone will be located. The existing zoning is R1, and the applicant wishes to zone the property to A2. The purpose of this rezone is so that the purchaser of the property, the applicant Joe DePrisco can build a new single-family residence and raise farm animals on the property. In the R1 zoning district the raising of farm animals is not permitted. He addressed that this is the first step to have this property buildable. The property was split off from the property to the south, which was the parent parcel. Once the rezone is approved, the applicant will need Plat Committee approval for a Minor Subdivision. The Minor Subdivision is currently being routed through technical review and will be heard at the next meeting on March 4<sup>th</sup>. He stated the permitted uses that are allowed in R1 and A2. He added that the applicant is here Joe DePrisco if you have any questions for him.

Jason Carnahan asked if there was any discussion amongst the board before he asked Mr. DePrisco to come up.

William Van Wye asked if this was just right outside of Garrett.

Mr. Gaumer stated that it was just south of Garrett about three miles, next to Holiday Lakes.

William Hartman stated that Holiday Lakes is just directly across the road to the north. He asked that from his understanding that Confined Feeding Operations would be allowed. He stated that we have a lot of controversy about these operations in the county now. There's lots of residents located within this area. He would hate to see someone come in there and put up a chicken barn or any other confined feeding operation with that many residents.

Mr. Carnahan asked that since these properties are all R1 none of these Plats would say anything about Ag neighbors.

Mr. Gaumer stated that he would have to look and check since the Plats are so old. He wasn't sure if they would have agricultural covenants. He added that he looked at the Plat and didn't see anything there. He stated that he would have to look at the restrictions and covenants. He assumed that with the ag covenant being a state law he believed that it would still hold truth. He stated that he did not really know that Mr. DePrisco's intentions are, but he did not believe that he would put up any Confined Feeding Operations. He asked Mr. DePrisco to come up to the mic. He added that you do need to look at all the uses as far as what is permitted and what's not in that specific zoning district.

Joe DePrisco approached the podium and stated that his intended use for the property is strictly for a residence. He stated that the farm animal came up along the way. He was told that this was something that A2 allows. He stated that he would like to use this as a residence and continue to have the property farmed. He said that he would like to have the flexibility with A2. He assured the board that there's no plans for any volume of animals to be there. He added that his granddaughter wanted to have a horse. This will be about as far as the plan goes for animals. No Confined Feeding Operations proposed, just wanting A2 so that it can continue to be used for agricultural. We will have a single-family residence on the property and a storage area for some cars and a motor home.

Mr. Hartman stated that his problem would be if it changed hands, and you decide to sell the property and someone else buys it. With this there could be the opportunity of someone buying this property for a confined feeding operation. We can't really control what will be there in the future. He wished that we could grant this and exempt animal operations out of permitted uses.

Mr. Gaumer stated that you're not really allowed to do that. You can put restrictions on a rezone that would require a certain use that went on the property have additional buffer, structure, or drainage requirements. You can't exclude a use out of a zone.

Andrew Kruse stated that you would be amending your UDO to exclude such changes.

Mr. Carnahan asked what the reason was for doing it this way vs a use variance through the BZA. To allow him to have a horse. He was just curious as to why we went this route.

Mr. Gaumer stated that we could. We didn't go this route; the applicant applies for the rezone. He doesn't foresee it being a R1 zoning district with these having standards of small to medium lots. I don't know what you consider a small to medium size lot, being 14 acres. He stated that someone probably believed that someone would come in and purchase this property and do a similar Holiday Lakes style or larger lot. He didn't really foresee it happening for the lifetime of the property. It depends on what Joe will want with the property or what his kids decide in the future. There are lots of factors as to what this would develop into.

Mr. Van Wye asked if there were wetlands located on the property.

Mr. DePrisco stated that there's a small pocket that holds water close to County Road 68.

Mr. Van Wye stated that it wouldn't really take away from them building a residence. It could make a difference if someone wants to put in an animal operation. You start moving back from the setbacks and

wetlands and this might cause someone to not go through with it. He asked with us working on the new Comprehensive Plan why aren't the setbacks addressed for these Confined Feeding Operations.

Mr. Gaumer stated that the Comprehensive Plan won't change the UDO for this. It would have to come from the Plan Commission anytime for standards to be put in place.

Mr. Gaumer stated that you can bring this up to the Plan Commission as redlines to the UDO at any time.

Mr. Van Wye stated that he would like to investigate this. He added that this would take care of this problem if you had a 600 sq ft setback and 20 acres is required to have an operation.

Mr. Gaumer stated that we tried to do this back in 2016 and 2017.

Mr. Van Wye addressed that DeKalb and Steuben County have had their eyes opened a little bit with these Confined Feeding Operations.

Mr. Carnahan asked if there were any further questions for Mr. DePrisco.

Jerry Yoder stated that this rezone is different from what we normally do. Usually, they want to turn our agricultural ground into building lots or industrial uses.

Mr. Carnahan asked if there were any further comments or questions from the board. He opened the public portion of the hearing up to any comments for or against. Hearing none. He closed the public portion of the hearing. He asked if there were any further questions amongst the board.

Mr. Carnahan asked that we move onto the Findings of Fact.

Mr. Kruse read the 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 **January 6, 2025**
2. Legal notice published in The Star on **February 7, 2025** and Publishers Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Non-Objection letter from the County Board of Health, dated **January 9, 2025**
5. Non-Objection letter from the County Highway Department, dated **January 8, 2025**
6. Non-Objection letter from the DeKalb County Soil & Water Conservation District, dated **January 8, 2025**
7. Non-Objection letter from the County Surveyor, dated **January 8, 2025**
8. Letter from the DeKalb County Airport Authority is not applicable.

#### **UDO & STATUTORY MATTERS TO CONSIDER:**

1. Is the change in zoning paying reasonable regard to the Comprehensive Plan?  
*The subject area has a Future Land Use (FLU) designation of Mixed Agricultural/Rural Residential. The proposed zoning district is not necessarily compatible with this FLU designation, but the designation does not limit the Zoning Districts that can be located within it.*
2. Is the change in zoning paying reasonable regard to the current conditions and the character of current structures and uses in each district?  
*The existing development surrounding the property is agricultural and residential in use. This change in zoning will be consistent with the surrounding properties and the current conditions and character of current structures and land uses in the area.*
3. Is the change in zoning paying reasonable regard to the most desirable use for which the land in each district is adapted?  
*The proposed zoning district is desirable for this property and the area.*

4. Is the change in zoning paying reasonable regard to the conservation of property values throughout the jurisdiction?  
*The property values of the area should not be disturbed negatively.*
5. Is the change in zoning paying reasonable regard to responsible development and growth?  
*In changing the zoning of the property to A2, Agricultural, the Plan Commission will be promoting the desired use of the land while promoting responsible development and growth.*

*Comments from Board: Mrs. Holt asked so she assumed that since it wasn't mentioned. The neighbors were notified, and we did not receive anything for or against. Mr. Gaumer stated that this was correct. Andrew Kruse added that when go through the Findings on number 3 it lists if certificates were sent and received.*

*Andrew Kruse added that with your vote this is based upon that you agree to the proposed findings listed by the Zoning Administrator. They answered yes.*

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION THAT THIS ZONE MAP AMENDMENT, PETITION #25-08 DEPRISCO REZONE, HEREBY CERTIFYING A FAVORABLE RECOMMENDATION TO THE COUNTY COMMISSIONERS ON THIS 19<sup>th</sup> DAY OF FEBRUARY 2025.

Motion made by: Sandra Harrison                      Seconded by: Suzanne Davis  
Vote tally: Yes: 7                      No: 1 (William Hartman)

\_\_\_\_\_  
Jason Carnahan

\_\_\_\_\_  
William Van Wye

\_\_\_\_\_  
William Hartman

\_\_\_\_\_  
Sandra Harrison

\_\_\_\_\_  
Suzanne Davis

\_\_\_\_\_  
Frank Pulver

\_\_\_\_\_  
Angie Holt

\_\_\_\_\_  
Jerry Yoder

**Note:** Maling Notices were not sent per Rules of Procedure. See May 21<sup>st</sup> meeting minutes for official section on this petition.

**DeKalb 2040 – Comprehensive Plan Update:**

Mr. Gaumer informed everyone that he provided a preference sheet for everyone to fill out tonight. This is to rate your preference as to which focus group you would like to attend. He addressed that he would like to have the Plan Commission involved in these focus group topics. He stated that on the agenda it lists the upcoming focus groups & public workshops. On March 6<sup>th</sup>: Jam Center in Garrett & April 3<sup>rd</sup>: Community Center on the second floor of Butler City Hall. The Public Workshop's are open to anyone wishing to attend. These are more open house style discussing any ideas that can help to guide the steering committee in the rewrite of the Comprehensive Plan. He stated the focus group topics that will be discussed at each meeting. He added that if you haven't signed up for email updates you can go to

dekalb2040.com and get signed up. He added that the Facebook page is getting more followers. He stated that he will probably ask Council to appropriate funds to boost his Facebook page. He stated that also at your table is the yearly citizens' planner 1 and 2. If there's interest in doing this again, we can do this in the basement of the white room of the annex building. This will address the requirements and regulations that you can make as Plan Commission members. Mrs. Davis asked if this would be open to other plan commission members from other towns and cities. Mr. Gaumer stated that it will be yes. He stated that he can send it out to everyone.

**REPORTS FROM OFFICERS, COMMITTEES, STAFF OR TOWN/CITY LIANSONS:**

Mrs. Davis informed the board that there was no meeting for the City of Auburn.

Mrs. Holt informed the board that the City of Waterloo had their meeting on Monday. They reviewed the four proposals for the Comprehensive Plan rewrite. They chose HWC Engineering. There's a lot of opportunities for the OCRA knowledge which is going to help Waterloo significantly. They plan to submit for the Grants shortly. With this being the second time around we have learned a lot.

Mrs. Harrison informed the board that the City of Butler had their meeting in January to organize their Planning Commission. They are also in the process of working on their Comprehensive Plan. The City of Hamilton had a meeting. They had a petition for a replat on the Steuben County side.

Mr. Pulver informed the board that there was no meeting for the City of Garrett.

**COMMENTS/QUESTIONS FROM THE PUBLIC IN ATTENDANCE:**

None

**ADJOURNMENT:**

Jason Carnahan adjourned the meeting at 7:36 p.m.

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President – Jason Carnahan

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Secretary – Meredith Reith

DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-12  
Date Application Filed: 2/20/2025  
Fee Paid: Act# 1474

**Application for SUBDIVISION**  
**Conservation Agricultural (A1 only) ☐ Minor ☒**  
**Conventional ☐ Conservation ☐ Traditional ☐**  
**Strip ☐ Commercial District ☐ Industrial Park ☐**  
**(Section 9.22)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Angela Wallace  
Mailing Address: 1710 N. Main Street Suite D  
Auburn, IN 46706  
Telephone Number: 260-417-3643 E-Mail: angie@surveycls.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: Gregory A. & Deborah L. McClure  
Address: 3887 County Road 38  
Auburn, IN 46706  
Telephone Number: 260-927-4156 E-Mail: grmcclure98@gmail.com

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**Legal Ad Payment & Public Hearing Notifications: Applicant ☒ Owner ☐ Representative ☐**

**Name of Proposed Subdivision:** Townsend Acres

**Number of Parcels & Total Area (square feet or acreage):**  
1 Parcel & 2.50 Acres, 2.23 Net Acres

**Address or Parcel ID # of property:**  
Southeast corner of Parcel #05-06-15-400-010

**Legal description of property affected:**  
60 acres in Part of the Southeast Quarter of Section 15, T34N, R13E

**Proposed Use of Subdivision (i.e.: Single or Multi-Family Residential, Commercial or Industrial)**  
Single Family

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Angela D Wallace Professional Surveyor 02/10/2025  
(If signed by representative for applicant, state capacity)



*This Staff Report is prepared by the DeKalb County Planning Department to provide information to the Plan Commission to assist them in making a decision on this Application. It may also be useful to members of the public interested in this Application.*

**SUMMARY FACTS:**

**APPLICANT:** Gregory A. & Deborah L. McClure

**SUBJECT SITE:** north side of County Road 38, approximately one quarter mile west of the intersection of County Road 38 & County Road 39, Auburn

**REQUEST:** 1 Lot Minor Subdivision – Townsend Acres

**EXISTING ZONING:** R1: Low Density Residential

**SURROUNDING LAND USES AND ZONING:** North: Single Family Residential (R1)  
South: Single Family Residential/Farm Ground (R1)  
East: Woods/Single Family Residential (R1)  
West: Single Family Residential/Farm Ground (R1)

**ANALYSIS:**

**Definition of Subdivision:** *The division or partial division of a parent tract (as defined) or any parcel of land into at least two or more smaller lots, parcels, sites, units, plats, or interests or the combination of two or more smaller lots into one lot for the purpose of offer, sale, lease, transfer of ownership, or development. It also includes replat or vacation of plat. Divisions of parent tracts which meet the standards of an exempt division (9.22 D) shall not be counted in determining whether or not a further division qualifies as an exempt subdivision. No division shall create the original, parent parcel to be a nonconforming lot.*

**UDO 1.19 Establishing Buildable Lots** - *No structure shall be permitted on a lot unless the lot:*

- A. Resulted from a legal subdivision of land approved by the Plan Commission, or*
- B. Was legally established prior to January 1, 2009, but is not the result of a split of a platted lot not approved by the Plan Commission.*
- C. Is otherwise allowed by recorded covenants and/or restrictions of a platted subdivision which was approved by the Plan Commission.*

**Minor Subdivision Standards:**

**UDO 6.08 Maximum of 4 total lots** *(including residual parent tract of land) may be generated from any single parent tract.*

- Parcel 05-06-15-400-010 is considered the parent parcel. This is the 2<sup>nd</sup> buildable split from parent parcel -010. Two additional buildable splits may be created.
- The Petitioner is meeting the standards of the UDO as follows:
  - *Minimum Lot Area: 2 net acres (not including any dedicated right-of-way or recorded easements)*
    - Proposed Lot 1 Area: 2.23 net acres
  - *Minimum Lot Width: 160 feet*
    - Proposed Lot 1 Width: 392 feet
  - *Minimum Lot Frontage: 120 feet or 40 feet if the lot or lots are designed to conserve land used for agricultural crop production*
    - Proposed Lot 1 Frontage: 392 feet
- This division of land fronts the following roads:
  - County Road 38 is considered County Local Road with a projected total right-of-way width of 60 feet.
    - Proposed right-of-way dedication: 30 feet

## **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 **February 20, 2025**
2. Legal notice published in The Star on **March 21, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **February 26, 2025**
5. Letter from County Highway dated **February 24, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **February 21, 2025**
7. Letter from the Drainage Board, dated **March 6, 2025**
8. Airport Board report, if applicable: **not applicable**.
9. Plat prepared by **Compass Land Surveying**
10. The real estate to be developed is in Zoning District R1 which permits the requested development.

## **PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by the Zoning Administrator are based off the knowledge and understanding of the proposed project.*

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 38 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept.*
  - 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.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

### **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.









DeKalb County Department of Development Services  
Planning, Building & GIS  
301 S. Union St.  
Auburn, IN 46706  
Ph: 260-925-1923  
Fax: 260-927-4791

FOR OFFICE USE ONLY:  
File Number: 25-13  
Date Application Filed: 2/13/2025  
Fee Paid: Pl. CR # 4921

**Application for Amendment to Zone Map (Rezone)**  
**(Section 9.06)**

This application must be completed and filed with the DeKalb County Department of Development Services in accordance with the meeting schedule.

**APPLICANT INFORMATION**

Applicant's Name: Lynn A. and Lisa R. Reinhart  
Address: 4224 CR 71  
Butler, IN 46721  
Telephone Number: (260) 908-0572 E-Mail: lejmejmom@yahoo.com

**OWNER INFORMATION (if different from applicant information)**

Owner's Name: same  
Address: same  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**REPRESENTATIVE INFORMATION (if different from applicant information)**

Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Legal Ad Payment & Public Hearing Notifications: Applicant \_\_\_\_\_ Owner X Representative \_\_\_\_\_

Existing Zoning Classification of Property: R1 Low Density + OP Open Space  
Proposed Zoning Classification of Property: A2 Agricultural District

Address or Legal description of property: part of the SW 1/4 of Section 22 Twp 33 N Rnge 14 E, Spencer Twp.  
parcel ID # 11-11-22-300-003

Percentage of Property Owners Included: 100%

**Statement or reason for the request for a Zone Map Amendment:**

The current land use is agricultural. Expected land use in the future is most likely to remain agricultural. Somewhat unsure why and when it was classified as residential since it has always been used for agriculture.  
By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: Lynn Reinhart  
(If signed by representative for applicant, state capacity)

*This staff report is prepared by the DeKalb County Department of Development Services to provide information to the Plan Commission to assist them in making a decision on this application. It may also be useful to members of the public interested in this application.*

**SUMMARY FACTS:**

<b>APPLICANT:</b>	Lynn A. & Lisa R. Reinhart
<b>SUBJECT SITE:</b>	northeast corner of State Road 1 & County Road 64, St. Joe
<b>REQUEST:</b>	Zone Map Amendment
<b>EXISTING ZONING:</b>	R1, Low Density Residential OP, Open Space & Parks
<b>PROPOSED ZONING:</b>	A2, Agricultural
<b>SURROUNDING LAND</b>	North: St. Joe/Spencerville Regional Sewer District/Single Family Residential (R1, OP, A2)
<b>USES AND ZONING:</b>	South: Farm Ground/Single Family Residential (A2) East: Farm Ground/Single-Family Residential (A2) West: Farm Ground (R1)

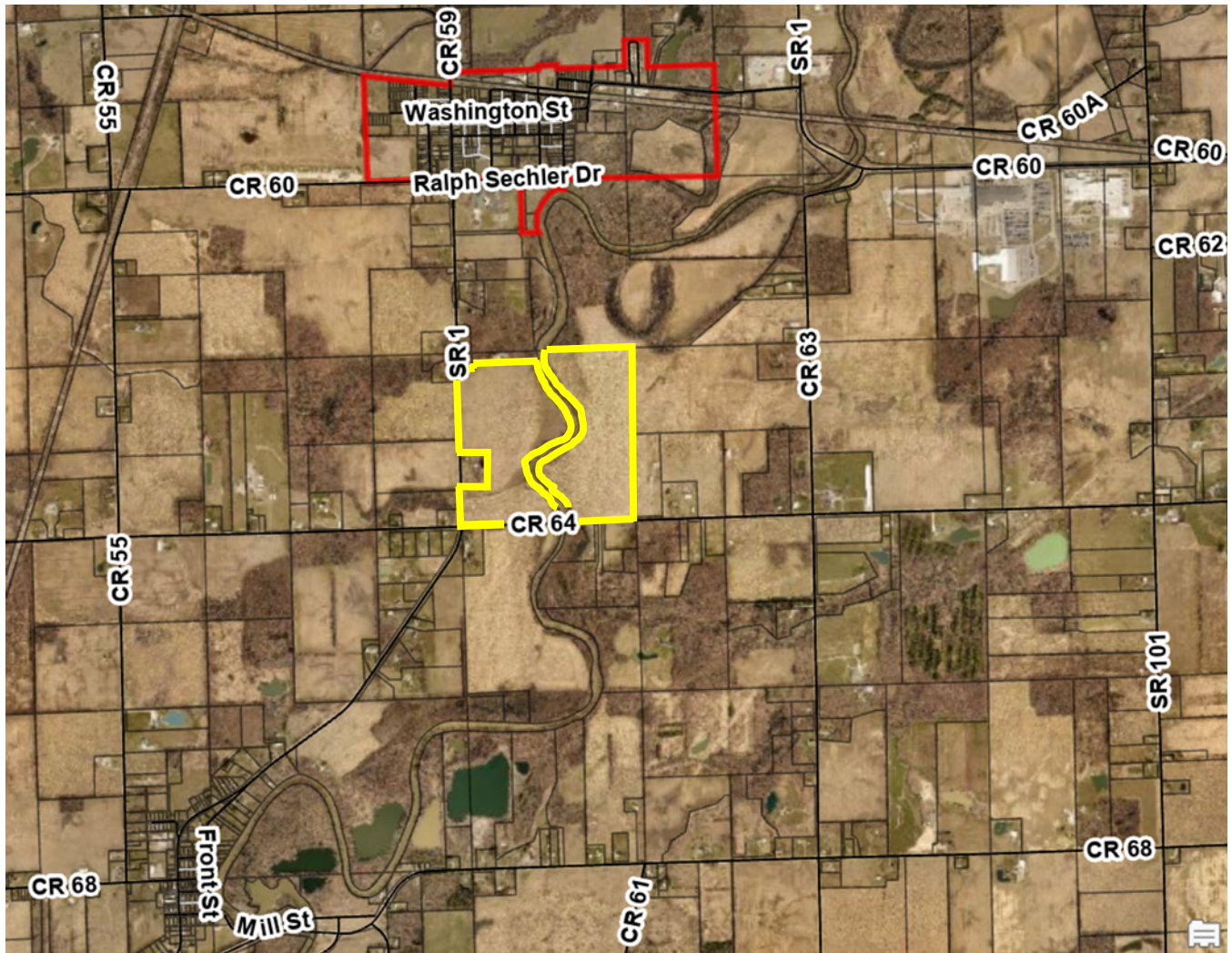
**ANALYSIS:**

The information provided in this staff report has been included for the purpose of reviewing the proposed zone map amendment (rezoning). Since the rezoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review and/or Development Plan process to address development regulations, if required.

The request is to rezone approximately 100 acres from R1, Low Density Residential & OP. Open Space and Parks to A2, Agricultural. The property is located at the northeast corner of State Road 1 & County Road 64, St. Joe. See Location Map.

The purpose of the rezone proposed by the owner is for the property to have one zoning district when the property goes to auction.

**LOCATION MAP:**



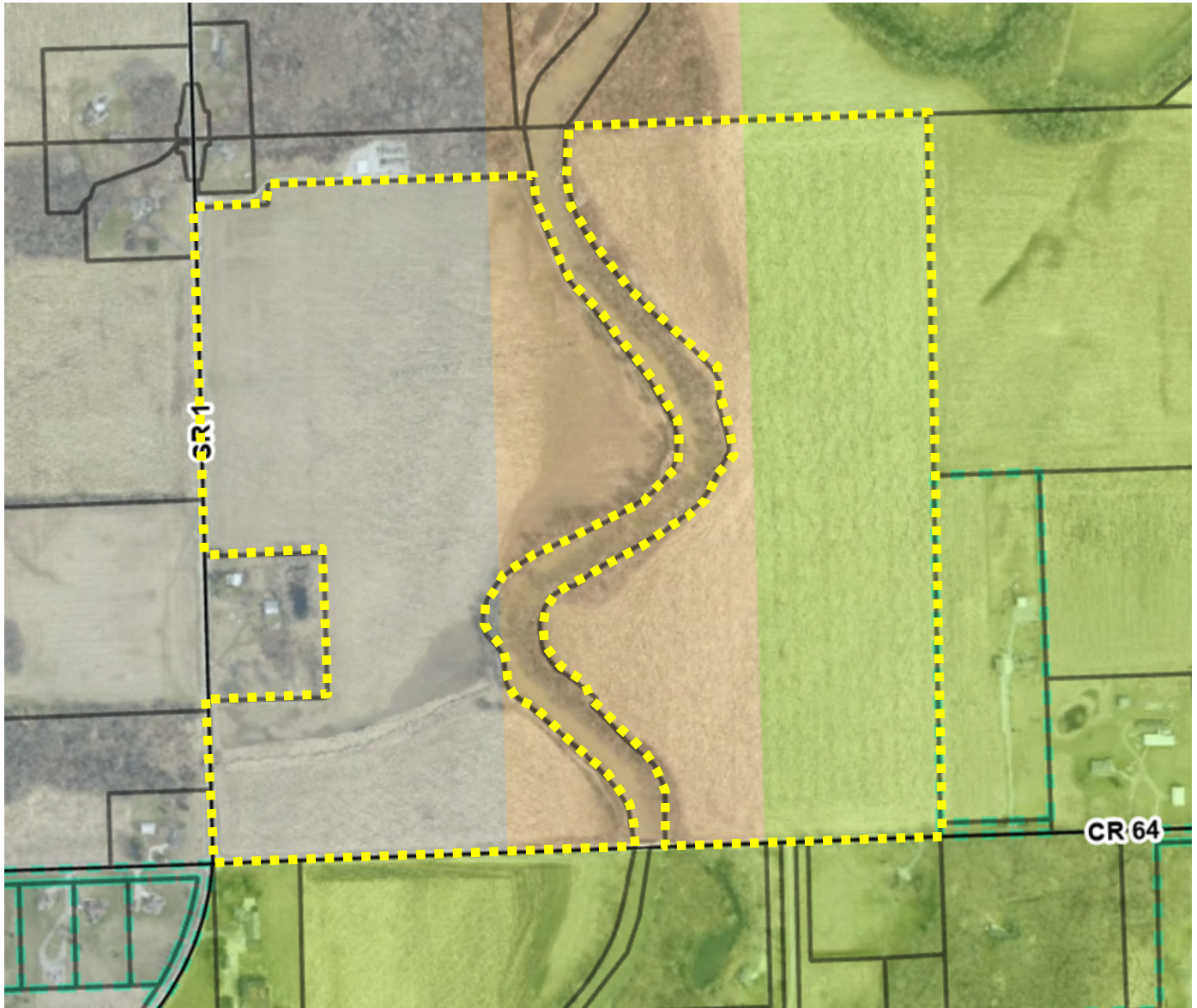
Yellow Outline: Subject Area  
Red Outline: Town of St. Joe





Yellow Outline: Subject Area

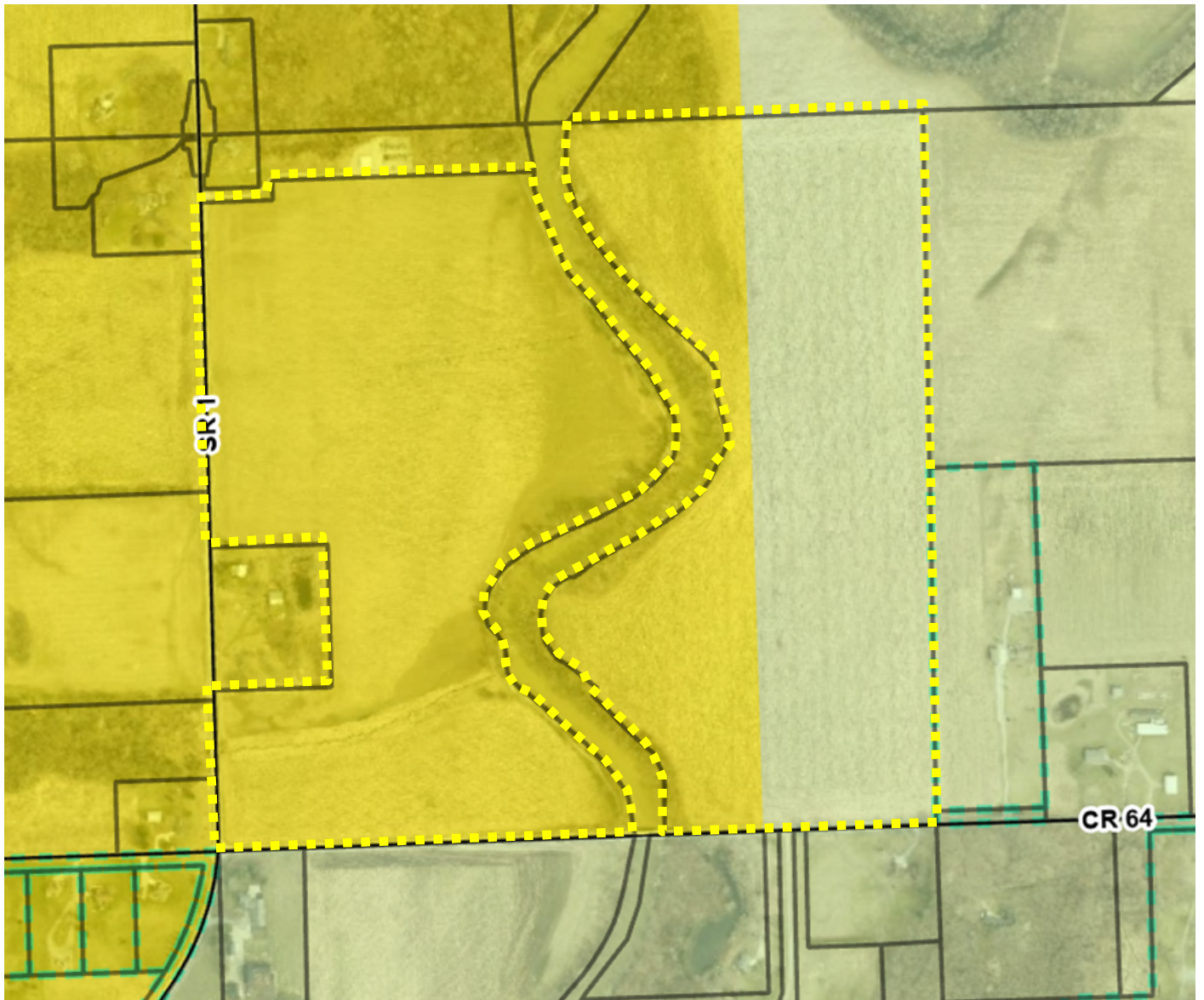
**EXISTING ZONING MAP:**



Light Blue: R1, Low Density Residential (existing zoning)  
Orange: OP, Open Space & Parks (existing zoning)  
Green: A2, Agricultural (proposed zoning)  
Yellow Outline: Subject Area

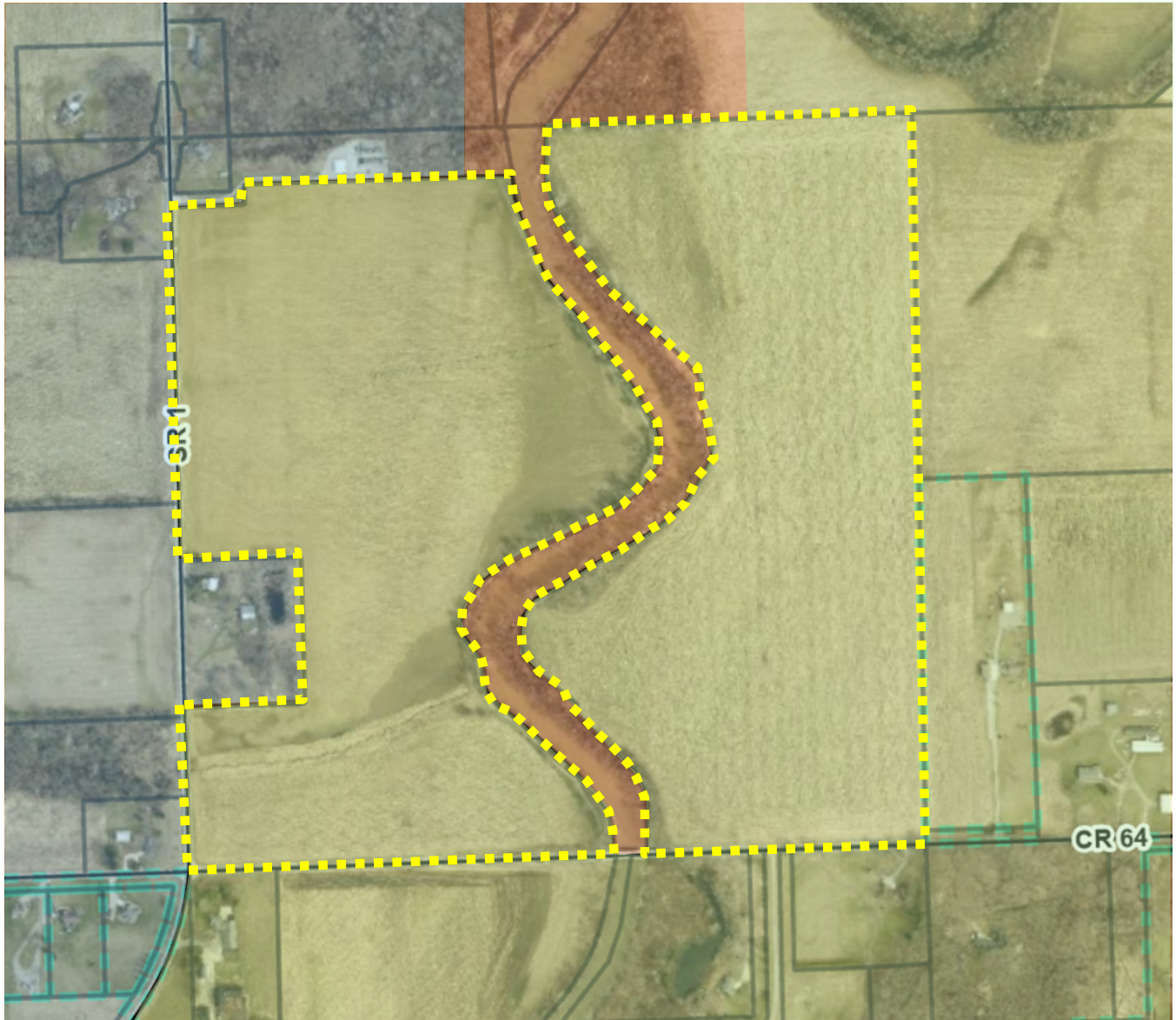


**FUTURE LAND USE MAP:**



Light Green: Mixed Agricultural/Rural Residential  
Yellow: Residential Use  
Yellow Outline: Subject Area

**PROPOSED ZONING MAP:**



Light Blue: R1, Low Density Residential (existing zoning)  
Orange: OP, Open Space & Parks (existing zoning)  
Green: A2, Agricultural (proposed zoning)  
Yellow Outline: Subject Area

**Differences between the R1, Low Density Residential (Existing), OP, Open Space & Parks (Existing), and the A2, Agricultural (Proposed) Zoning Districts:**

- **R1: Low Density Residential:** This district is established for single-family detached homes with small to medium sized lots.

**Permitted uses within the R1 zoning district include the following (page 2-06 of the UDO).**

Accessory Permitted Uses

- Home Based Business

Agricultural Permitted Uses

- Agricultural Crop Production

Institutional Permitted Uses

- Park, public
- Pool, public

Residential Permitted Uses

- Bed & Breakfast
- Child Care, Home
- Dwelling, manufactured Home
- Dwelling, multiple-family (2 or 3 units)
- Dwelling, Single Family
- Fair Housing Facility (Small)
- Short-Term Rental, owner occupied
- Short-Term Rental, non-owner occupied
- Storage Buildings, Private, Non-residential

- **OP: Open Space and Parks:** This district is established for open space, parks and recreational areas.

**Permitted uses within the R1 zoning district include the following (page 2-02 of the UDO).**

Agricultural Permitted Uses

- Agricultural Crop Production

Commercial Permitted Uses

- Driving Range
- Golf Course
- Skate Park
- Sports Field
- Swimming Pool

Institutional Permitted Uses

- Community Center
- Park, public
- Parking Lot, public
- Pool, public

- **A2: Agricultural:** This district is established for agricultural areas and buildings associated with agricultural production; also allows for some small infusion of non-agricultural single-family detached homes in areas where impact on agriculture and rural character is minimal. (page 1-5 of UDO)

**Permitted uses within the A2 zoning district include the following (page 2-06 of the UDO).**

Accessory Permitted Uses

- Home Based Business

Agricultural Permitted Uses

- Agricultural Crop Production
- Confined Feeding Operation – Up To Two (2) Times Indiana Department of Environmental Management (IDEM) Numbers
- Orchard
- Raising of Farm Animals
- Storage Buildings: Agricultural
- Storage of Agricultural Product
- Tree Farm

Industrial Permitted Use

- Telecommunication Facility

Institutional Permitted Uses

- Police, Fire or Rescue Station

Residential Permitted Uses

- Child Care, Home
- Dwelling, manufactured Home
- Dwelling, Single Family
- Fair Housing Facility (Small)
- Farmstead
- Storage Buildings, Private, Non-residential

## **Unified Development Ordinance Requirements**

When considering a zone map amendment, the DeKalb County Plan Commission and the County Commissioners are obligated — under Section 9.06 G(3) of the DeKalb County Unified Development Ordinance — to pay reasonable regard to the following:

- a. The Comprehensive Plan;
- b. Current conditions and the character of current structures and uses in each district;
- c. The most desirable use for which the land in each district is adapted;
- d. The conservation of property values throughout the jurisdiction; and
- e. Responsible development and growth

## **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 **February 13, 2025**
2. Legal notice published in The Star on **March 21, 2025** and Publishers Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Non-Objection letter from the County Board of Health, dated **February 26, 2025**
5. Non-Objection letter from the County Highway Department, dated **February 24, 2025**
6. Non-Objection letter from the DeKalb County Soil & Water Conservation District, dated **February 21, 2025**
7. Non-Objection letter from the County Surveyor, dated **February 24, 2025**
8. Letter from the DeKalb County Airport Authority is not applicable.

## **UDO & STATUTORY MATTERS TO CONSIDER:**

1. Is the change in zoning paying reasonable regard to the Comprehensive Plan?  
*The subject area has a Future Land Use (FLU) designation of Residential & Mixed Agricultural/Rural Residential. The proposed zoning district is mostly compatible with this FLU designation, but the designation does not limit the Zoning Districts that can be located within it.*
2. Is the change in zoning paying reasonable regard to the current conditions and the character of current structures and uses in each district?  
*The existing development surrounding the property is agricultural and residential in use. This change in zoning will be consistent with the surrounding properties and the current conditions and character of current structures and land uses in the area.*
3. Is the change in zoning paying reasonable regard to the most desirable use for which the land in each district is adapted?  
*The proposed zoning district is desirable for this property and the area.*
4. Is the change in zoning paying reasonable regard to the conservation of property values throughout the jurisdiction?  
*The property values of the area should not be disturbed negatively.*
5. Is the change in zoning paying reasonable regard to responsible development and growth?  
*In changing the zoning of the property to A2, Agricultural, the Plan Commission will be promoting the desired use of the land while promoting responsible development and growth.*

## **PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

Staff is recommending a favorable recommendation to the County Commissioners for the requested Zone Map Amendment. Should there be any conditions or commitments made by the Plan Commission and adopted by the County Commissioners, they shall be written and recorded in the Office of the DeKalb County Recorder.

## Christopher Gaumer

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**From:** nakota1043@mchsi.com  
**Sent:** Thursday, March 20, 2025 11:32 AM  
**To:** PlanCommission  
**Subject:** Re: Lynn Reinhart property on State Rd 1

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My dad received a notice in the mail this morning. It is in regards to Lynn Reinhart wanting the property on State Rd 1 Saint Joe Indiana to be rezoned. The property is already listed with an auction company and it is advertised as mini farms/ residential. Claiming that there is public sewer service. It is my strong belief that this land should not be rezoned.

The following explains a great deal.

The farm land around mom and dad's farm is going to auction. And it saddens me. The land has been farm land since the early 1800s. The Saint Joe River runs right behind the property. The land has flooded multiple times over the years. It is in a flood plain.

My parents purchased their farm in 1977 from Lester and Rose Anthony. In the deed records for their property are records dating back to 1835. Over the years, the property changed hands but one thing never changed. The Saint Joe River running and the land flooding.

My parents farm is still raising livestock. The Amish family on the next corner have livestock. Melvin Steury also has property in the area and raises livestock. Across the river on CR 64 are multiple farms raising livestock.

The land was meant for agricultural.

Yet the current owner has had the auction company list the property in tracts promoting them as potential home sites or " mini farms."

Would he sell off the farm where he currently resides as building sites? Or the property that his family lives on?

Farm land is important. It's what feeds this country. And farm land is disappearing every day. It is being sold out for housing developments. Being sold to people who move to the country and then complain about the smells. Who complain about the reality of living in the country.

I think of the beauty of the morning sky looking back over the field. I think of the deer and other wild life that have called this area home.

I think about the early settlers who first built on this land. They realized that homes were to be built on higher ground. That the raging water of a spring time flood cause damage. The water provides nutrients to the soil. But it can also destroy.

The land is assessed in the county at \$2280 per acre for agricultural. Residential land is assessed at approximately \$21,000 per acre.

All anyone needs to do is look at the flood plain maps. Local, FEMA, they reflect flood plain. But still I see the potential in this land. That potential should never be housing. It should always remain farmland.

I pray for a miracle. The dream for my dad has always been to add to the farm. It's a dream that I wish I could grant. But unless a miracle occurs, there's just not a possibility. Land purchases take a large financial investment. Especially for land at auction.

Small town Indiana. Farm land. Things that matter.

I have written to FarmAid , to Rep. Smaltz, to the local papers, all to raise awareness and seek assistance. I have spoken with other farmers. People may ask why? Because it matters.

I stand up to be the voice. Because it matters.

Roxanne Becker

Daughter of Ronald Gale Ross and the late Dorothy Margaret Ross of Saint Joe Indiana



## Christopher Gaumer

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**From:** nakota1043@mchsi.com  
**Sent:** Monday, March 24, 2025 9:00 PM  
**To:** Christopher Gaumer  
**Subject:** Small Town Farm land: flood plain  
**Attachments:** Screenshot\_20250323-092446.png; Screenshot\_20250322-110816.png

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I have written to numerous departments and individuals regarding the property owned by Lynn and Lisa Reinhart on State Rd 1 Saint Joe Indiana.

Your name was given to me by Christie Stanifer with the DNR.

The farm land around mom and dad's farm is going to auction. And it saddens me. The land has been farm land since the early 1800s. The Saint Joe River runs right behind the property. The land has flooded multiple times over the years. It is in a flood plain.

Yet the current owner has had the auction company list the property in tracts promoting them as home sites or "mini farms." Yet according to Indiana Code, "The DNR, Division of Water does regulate construction within floodways pursuant to IC 14-28-1 and homes are prohibited in the floodway."

Would he sell off the farm where he currently resides as building sites? Or the property that his family lives on?

Farm land is important. It's what feeds this country. And farm land is disappearing every day. It is being sold out for housing developments. Being sold to people who move to the country and then complain about the smells. Who complain about the reality of living in the country.

I think of the beauty of the morning sky looking back over the field. I think of the deer and other wild life that have called this area home.

I think about the early settlers who first built on this land. They realized that homes were to be built on higher ground. That the raging water of a spring time flood cause damage. The water provides nutrients to the soil. But it can also destroy.

The land is assessed in the county at \$2280 per acre for agricultural. Residential land is assessed at approximately \$21,000 per acre.

All anyone needs to do is look at the flood plain maps. Local, FEMA, they reflect flood plain. But still I see the potential in this land. That potential should never be housing. It should always remain farmland.

I pray for a miracle. The dream for my dad has always been to add to the farm. It's a dream that I wish I could grant. But unless a miracle occurs, there's just not a possibility. Land purchases take a large financial investment. Especially for land at auction.

Small town Indiana. Farm land. Things that matter.

Roxanne Becker

Daughter of Ronald Gale Ross and the late Dorothy Margaret Ross of Saint Joe Indiana