

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 4th. 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 ~~except~~^{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 19th DAY OF FEBRUARY 2025.

Motion made by: Sandra Harrison

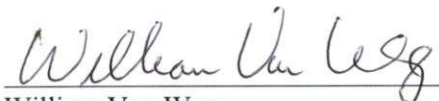
Seconded by: Suzanne Davis

Vote tally: Yes: 7


No: 1 (William Hartman)



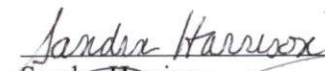
Jason Carnahan



William Van Wye



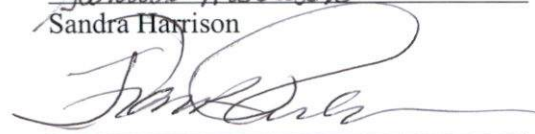
William Hartman



Sandra Harrison




Suzanne Davis



Frank Pulver



Angie Holt



Jerry Yoder

Note: Mailing Notices were not sent per Rules of Procedure. See May 21st 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 6th: Jam Center in Garrett & April 3rd: 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.

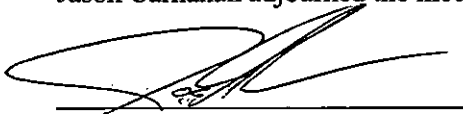
Mr. Pulver informed the board that there was no meeting for the City of Garrett.

COMMENTS/QUESTIONS FROM THE PUBLIC IN ATTENDANCE:

None

ADJOURNMENT:

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



President – Jason Carnahan

Secretary – Meredith Reith