

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

AGENDA

DeKalb County Plan Commission

Plan Commission

Commissioners Court – 2nd Floor DeKalb County Court House

Tuesday, May 6, 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: April 1, 2025
5. Consideration of Claims: April 2025

Payroll (March & April)	\$38,379.78
Facebook Advertising	\$99.00
HWC Consultant Fees	\$8,101.90
Kruse & Kruse 1 st Quarter Legal Fees	\$2,690.33
Lassus	\$263.29
Mileage – Jhace Sleeper	\$35.50
Verizon	\$117.21
WestWood Car Wash	\$18.00
TOTAL:	\$49,705.01
6. Old Business: None
7. 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

Petition #25-14 – Sara L. & Richard D. Conrow requesting a 1 Lot Subdivision known as LG Ranch. The proposed 1 lot subdivision will be a total of 62.189 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 8, approximately one quarter mile east of the intersection of County Road 8 & State Road 327, Corunna, Indiana and is zoned A2, Agricultural.

Petition #25-15 – Win Cazemier and Marjan Cazemier Jager requesting a Replat of Storer's Addition, Lot 3. The purpose of the replat will be reducing the lot size of Lot 3. The remainder of the Lot 3 will be non-buildable. The property is located at 6671 County Road 63, Spencerville, Indiana and is zoned A2, Agricultural.
8. DeKalb 2040 – Comprehensive Plan Update
9. Reports from Officers, Committees, Staff or Town/City Liaisons
10. Comments from Public in Attendance

11. Adjournment

Next Meeting: June 18, 2025

If you cannot attend, please contact Meredith Reith:

mreith@co.dekalb.in.us or (260) 925-1923

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

****Cellphones, tablets, laptops, & weapons are prohibited****

MINUTES
DEKALB COUNTY PLAN COMMISSION
Tuesday April 1, 2025

The Regular Meeting of the DeKalb County Plan Commission was called to order at 8:30 a.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, Tyler Lanning, Suzanne Davis, Angie Holt, Sandra Harrison, Jerry Yoder, Frank Pulver, and Elysia Rodgers.

Members Absent: None

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

Community Representatives Present: Mike Makarewich

Public in Attendance: Roxanne Becker, Greg McClure, Lynn & Lisa Reinhart and Jared Malcolm.

PLEDGE OF ALLEGIANCE:

Jason Carnahan led The Pledge of Allegiance.

PRAYER:

Jerry Yoder led in prayer.

APPROVAL OF MINUTES:

Motioned by Angie Holt to approve the February 19, 2025 meeting minutes. Seconded by Sandra Harrison. Tyler Lanning abstained due to absence. None opposed. Motion carried.

CONSIDERATION OF CLAIMS:

Jason Carnahan inquired about any comments, questions, or motions to approve February & March 2025 claims (February Payroll), totaling \$58,390.48

William Van Wye motioned to approve claims seconded by Suzanne Davis. None opposed. Motion carried.

OLD BUSINESS: None

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.

Jason Carnahan read the proposed petition.

Chris Gaumer read the staff report. He addressed that typically this will go through the Plat Committee. He read the staff report addressing the standards. He will answer any questions that the board may have. Angie Wallace was unable to attend since being on spring break.

Mr. Carnahan asked if there were any questions or comments from the board. Hearing None. He opened the public portion of the hearing up to any comments for or against this petition. Hearing None. He closed the public portion of the hearing. He asked Andrew Kruse to move onto the Findings.

Andrew Kruse went through 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 **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.

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 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.

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 #25-12, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 1ST DAY OF APRIL 2025.

Motion made by: Suzanne Davis

Seconded by: Sandra Harrison

Vote tally: Yes: 9

No: 0

Jason Carnahan

William Van Wye

William Hartman

Sandra Harrison

Tyler Lanning

Suzanne Davis

Angie Holt

Jerry Yoder

Frank Pulver

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

Mr. Gaumer stated where the proposed rezone would be located. The applicant wishes to have the property in one zoning district when the property goes to auction. He addressed that the existing zoning is R1 and OP, and the applicant wishes to zone the property to A2. He read through the staff report stating that there's no Development Plan's proposed or required with a rezone. This is just to look at a rezoning of approximately 100 acres, not addressing what will be developed in the future. He went through the future land use map regarding residential. He stated that zoning doesn't necessarily have to be compatible with the future land use map, it's just a guide for development. He stated that the riverbank is not owned by Reinhart's and would remain in the Open Space & Parks District. He explained the differences between the zoning districts and permitted uses. He stated that the development of this property will

decrease going from R1 to A2. He added that he will take any questions that the board may have, or Lynn Reinhart is here to answer any questions.

Mr. Carnahan asked if this parcel was considered agricultural before 2009.

Mr. Gaumer stated that he can look it up now.

Mr. Carnahan asked if there was any more discussion or questions from the board.

Sandra Harrison questioned if the zoning was changed when Mr. Reinhart was checking into having the Dollar General go at this location.

Mr. Gaumer stated that it was south of Spencerville by the bridge, this is another parcel.

William Hartman stated that the one previously is down at the curve on the south end of Spencerville not this property.

Mr. Lanning asked if there was any sort of consideration that the property was going to be auctioned coming up in the western portion.

Mr. Carnahan stated that this is not in the purview of the petition.

Mr. Lanning stated in consideration of the zoning regulations. He added with the small to medium residential lots being sold potentially in nine tracts.

Mr. Kruse stated that it sounds like it would have less ability to develop it under A2 than the current zone, except for the open space aside. He added that the open space would be more restrictive than A2, but the residential side is more open for development theoretically.

Suzanne Davis stated that this section already has the trail extended at this end.

Mr. Gaumer stated that the zoning back in 1964 – 2009 appears that it was rural suburban. There wasn't really an agricultural district back in 1964. There wasn't any district related to agricultural, and the Rural Suburban was the least intense district.

Mr. Carnahan addressed that it was A2 or whatever back then for what our version is now. He asked if there was any further discussion from the board. Hearing none. He asked Lynn Reinhart to approach the podium to explain his reasoning for the rezone.

Lynn Reinhart approached the podium stating that he wanted to thank the board for their consideration in addressing the county. He stated that it's straightforward regarding what Mr. Gaumer addressed in the staff report. He addressed that if many of you drove by the property you would expect that it was already zoned agricultural. He added that most of the residents in that area would be surprised to learn that the properties on both the east and west sides of State Road 1 south of St. Joe are currently zoned R1. He stated that the request to rezone it to agricultural would allow for mixed use of agricultural and residential as is outlined in the County's UDO. He explained what the proposed zoning district would allow for. He wanted to clarify that on the record the property was located on the northeast corner of State Road 1 & County Road 64. He stated that he just wants to clarify that when Mrs. Harrison mentioned the rezoning of another property in the past this was an entirely different property. He asked if there were any questions for him.

Mr. Carnahan opened up the public portion of the hearing up to any comments for or against this petition.

Roxanne Becker approached the podium stating that she is here today representing her parents' farm on the east side of State Road 1 that is bordered by Reinhart's property. She stated that she does object to having it rezoned. She addressed that if you look at the property from the 1830's when the property was first settled the homes were built far away from this property. The reason behind this is because the property is in a flood area and has been in a floodplain for almost two hundred years that we know of. She addressed what happens when the area floods. She stated that from what she can see about the property

and what the federal government states, building on a flood plain is highly not recommended. She questioned why a property being farmland since the early eighteen hundreds is suddenly been used to put small farms on it. She addressed how people are moving to the country and are going to complain about the smell if used for mini farms. She stated that before the zoning change was brought forward the auction had already listed it as mini farms. She addressed that she looked at multiply sources online and it's listed as residential. She stated that anyone wanting to buy that land needs to know it's in a floodplain. She addressed that she is here representing her parents' farm and the property where she was raised. She objects to this moving forward. She thanked everyone for listening to her concerns.

Mr. Gaumer stated that for the record there were two emails received from Roxanne Becker regarding her response to the proposed rezone. A copy of the correspondence received will be included in the packet.

Mr. Kruse verified that the two-page email will be entered into the record today.

Mr. Gaumer stated yes.

Ms. Becker stated that she did contact the Natural Resource Commission, and they forwarded her information onto the DNR.

Mr. Gaumer stated that we do have flood regulations in the ordinance that the Plan Commission can enforce. He stated that it's going back to agriculture and you're taking it from a highly developed use to a less intense use. You couldn't do a conventional subdivision in an A2 zoning district. The maximum number of lots that could be built off this is four.

Mr. Carnahan asked how many it would be in residential.

Mr. Gaumer stated a convention subdivision would be as many as you can fit and still meet the requirements of lot size.

Ms. Becker stated that sewer does currently run through her parents' property. She stated that they were told that they couldn't tie into the sewer.

Mr. Gaumer stated that any new development would have to be tied into the sewer.

Mr. Kruse stated that when you look at the maps there is a floodplain. He asked so there would probably be an area near the floodplain that wouldn't be buildable.

Mr. Gaumer stated that if it's not buildable they would just have to meet the floodplain standards. The first floor would need to be above the base floor elevation to flood proof the basement.

Ms. Becker stated that she did bring a copy of the FEMA map if needed.

Mr. Hartman stated that he can have this pass-through Drainage Board as far as that floodplain.

Mr. Gaumer stated that any buildable lots will have to go to the Drainage Board when a plat is submitted. He addressed that if any lots are part of the floodplain there's a floodplain covenant to address it.

Mr. Carnahan asked if there was anyone further from the public that wishes to speak for or against this petition. Hearing None. He closed the public portion of the hearing. He asked Mr. Kruse to move onto Findings of Fact.

Mr. Kruse went through 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 **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.

Comments from Board: Angie Holt addressed that she wanted to discuss Open Space. She added that Mr. Gaumer did answer most of the questions she was looking for. She was looking at the Open Space on either side and wondered who owns the property or waterway. Who has the authority over this Open Space and what was the envision for this. She asked if the trail continues south of CR 64.

Mr. Gaumer stated that the trail does end at County Road 64. He stated that for ownership there's no information available not knowing who owns the trail.

Mrs. Holt addressed that she wasn't familiar with that specific area. She asked if there was a public trail adjacent to it.

Mr. Kruse stated that it's paved for at least a portion of it. It starts out at the baseball field park at St. Joe and runs back along the river.

Mrs. Holt questioned whether this would restrict public access to the trail for what is currently there.

Mr. Gaumer stated that technically no. He addressed that there was no easement currently over the trail to allow for access. He asked Mr. Carnahan to reopen the public hearing for Mr. Reinhart to address this question.

Mr. Carnahan reopened the public portion of the hearing. He asked Mr. Reinhart to approach the podium and answer this question.

Mr. Reinhart stated that there is a legal recorded easement with the St. Joe Parks. He stated that this was created before he owned the property. Once an easement is granted it is there in perpetuity. The easement that was granted to the original owners he assumed that anyone buying the property would also assume that easement.

Mr. Kruse asked if the trail itself was on Mr. Reinhart's property.

Mr. Reinhart stated that portions of the trail sit on his property. He assumed that the trail was located on his property, and this will be determined once an actual survey is done where the legal boundaries sit. He added that he agrees that the water would be owned by the DNR or State of Indiana so it can't be privately owned.

William Van Wye asked how wide an easement there was.

Mr. Reinhart stated that it was 40 or 50 feet from the top of the riverbank.

Frank Pulver asked if there were designated wetlands along there.

Mrs. Holt stated that it's not a designated wetlands but it's a recognized floodplain.

Mr. Van Wye asked Mr. Reinhart if he could farm right up to the easement most of the time or is it usually wet.

Mr. Reinhart stated that he does farm right up to the easement. The trail's grass is mowed, and he usually farms right up to that grass. He addressed that since he's farmed the property he never questioned where the easement starts or stops, and it's been something that works for everybody. He added that the trails closer to the river have trees planted adjacent to the field.

Mr. Van Wye verified so there isn't a place where the field can't be farmed.

Mr. Reinhart stated that this is correct. He added that sure there will be times throughout the year when the field does flood. No one is going to deny that and any advertising that was done has pointed it out. He stated the areas where the floodplain is located.

Mrs. Holt wanted to make sure that with us restricting that open space we weren't restricting what the community has become accustomed to.

Mr. Gaumer stated that the easement will protect the area. He addressed that if anything would be surveyed to be buildable it would be on the Plat as an easement.

Mr. Carnahan asked if there were any further questions for Mr. Reinhart. Hearing None. He closed the public portion of the hearing.

Mr. Kruse proceeded through the Findings.

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.

IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION THAT THIS ZONE MAP AMENDMENT, PETITION #25-13 REINHART REZONE, HEREBY CERTIFYING A FAVORABLE RECOMMENDATION TO THE COUNTY COMMISSIONERS ON THIS 1ST DAY OF APRIL 2025.

Motion made by: Jerry Yoder

Seconded by: Sandra Harrison

Vote tally: Yes: 9

No: 0

Jason Carnahan

William Van Wye

William Hartman

Sandra Harrison

Tyler Lanning

Suzanne Davis

Angie Holt

Jerry Yoder

Frank Pulver

DeKalb 2040 – Comprehensive Plan Update:

Mr. Gaumer informed everyone that there is a second round of Focus Groups and Public Workshops this Thursday April 3rd. The location will be on the 2nd Floor of Butler City Hall. The Focus Group Topics: Philanthropic Groups, Youth, Quality of Life/Place, Land Use. The Public Workshop will take place from 5 to 7 that day. He stated that hopefully in May or June there will be some more discussion topics. He addressed that he would like to take what information we have and go do a presentation to various other groups to get ideas.

Mr. Kruse asked if there was any theme or trend that he'd seen.

Mr. Gaumer stated that he hadn't seen anything yet.

Mr. Van Wye asked if he was pleased with the turnout in Garrett

Mr. Gaumer stated yes, for the focus group topics there were 15- 20 people or more for each topic. He stated that during the public workshop people were coming in to see what was going on when walking by.

REPORTS FROM OFFICERS, COMMITTEES, STAFF OR TOWN/CITY LIAISONS:

Mrs. Harrison informed the board that the City of Butler had their meeting in March. They discussed more information regarding the Comp Plan and approved a Rezone. She stated that the City of Hamilton is hoping to have a meeting in April.

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

Mr. Pulver informed the board that there was no meeting for the City of Garrett is a month. Last month there was a company from Butler moving to the Garrett Industrial area. He stated that it was pretty much approved at that point.

Mr. Van Wye informed the board that there was no meeting for the City of Ashley.

Mrs. Holt informed the board that there was no meeting for the City of Waterloo.

COMMENTS/QUESTIONS FROM THE PUBLIC IN ATTENDANCE:

None

ADJOURNMENT:

Jason Carnahan adjourned the meeting at 9:26 a.m.

President – Jason Carnahan

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: 25-08
Date Application Filed: 1/6/2025
Fee Paid: PA CC

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: JOE DEPRISCO
Address: 10493 COPPER COVE DRIVE
FORT WAYNE IN 46835
Telephone Number: 260-417-3000 E-Mail: JGDCATIFW.COM

OWNER INFORMATION (if different from applicant information)

Owner's Name: PHYLLIS LEWIS
Address: 105 HEADLANDS WAY, SIX MILE SC 29682
Telephone Number: 813-600-7855 E-Mail: SEANLEWISTAMPA@GMAIL.COM

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
Telephone Number: _____ E-Mail: _____

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

Existing Zoning Classification of Property: R1

Proposed Zoning Classification of Property: A2

Address or Legal description of property:
COUNTY ROAD 68, GARRETT IN 46738
01-09-34-100-001

Percentage of Property Owners Included: 100%

Statement or reason for the request for a Zone Map Amendment:
ACCOMMODATE TYPICAL FUTURE A2 USAGE

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

Applicant's Signature: [Signature] 1/6/25
(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:

APPLICANT: Joe DePrisco
PROPERTY OWNER: Phyllis Lewis
SUBJECT SITE: southeast corner of County Road 327 and County Road 68, Garrett
REQUEST: Zone Map Amendment
EXISTING ZONING: R1, Low Density Residential
PROPOSED ZONING: A2, Agricultural
SURROUNDING LAND USES AND ZONING: North: Single Family Residential – Holiday Lakes Subdivision (R2)
South: Single Family Residential (R1)
East: Single-Family Residential (A2)
West: Single Family Residential (R2)

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 14.35 acres from R1, Low Density Residential to A2, Agricultural. The property is located 3 miles south of Garrett, at the southeast corner of County Road 327 and County Road 68, Garrett, Indiana. See Location Map.

The purpose of the rezone is so the purchaser of the property, the applicant Joe DePrisco, to be able to build a new single-family home and raise farm animals on the property. In the R1 zoning district, the raising of farm animals is not permitted.

The Plan Commission should note that this is the first step to have the property buildable. Once the rezone is approved, the application will need Plat Committee approval for a Minor Subdivision. The application for the Minor Subdivision is currently being routed through Technical Review.

LOCATION MAP:

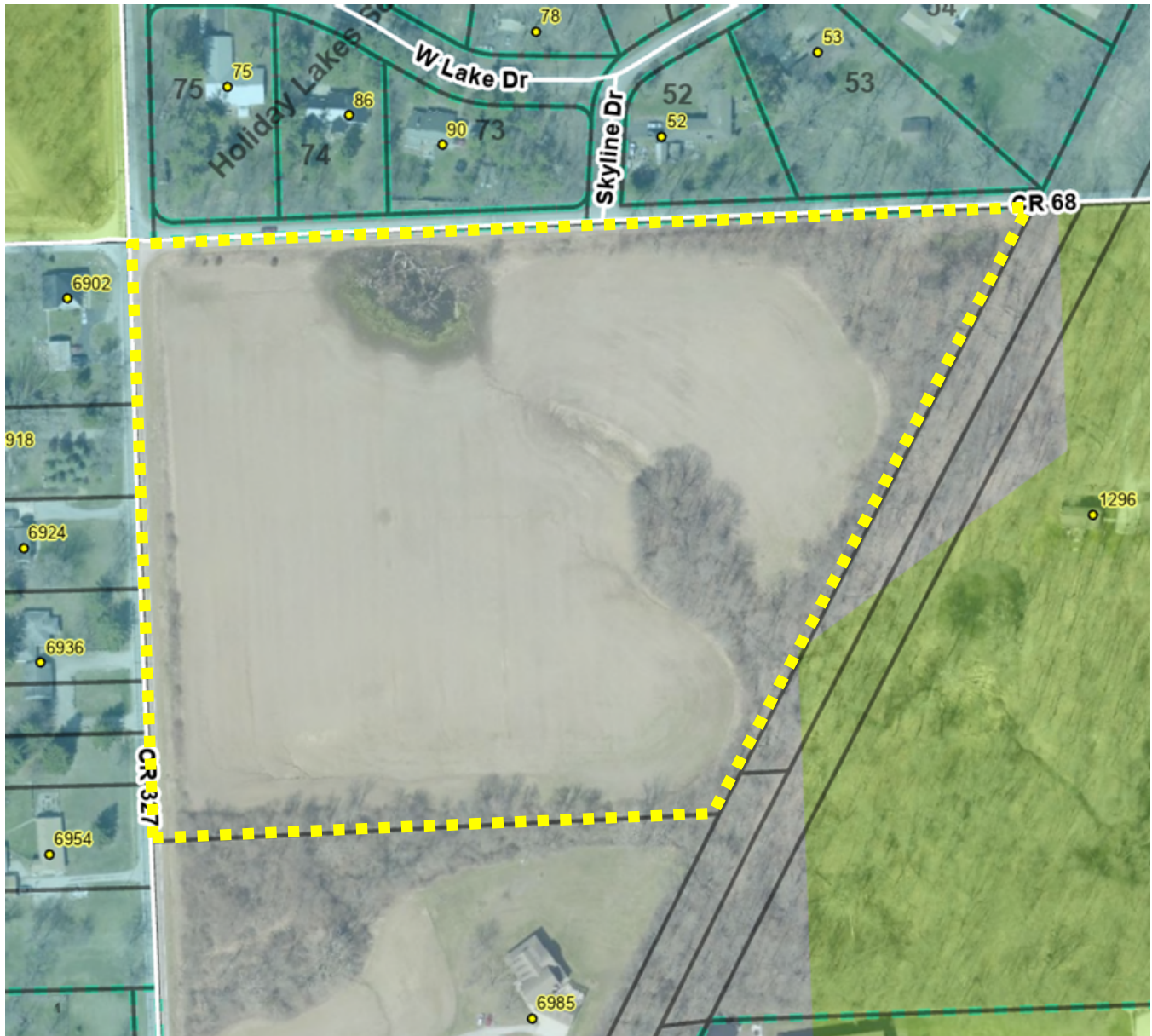


Yellow Outline: Subject Area



Yellow Outline: Subject Area

EXISTING ZONING MAP:



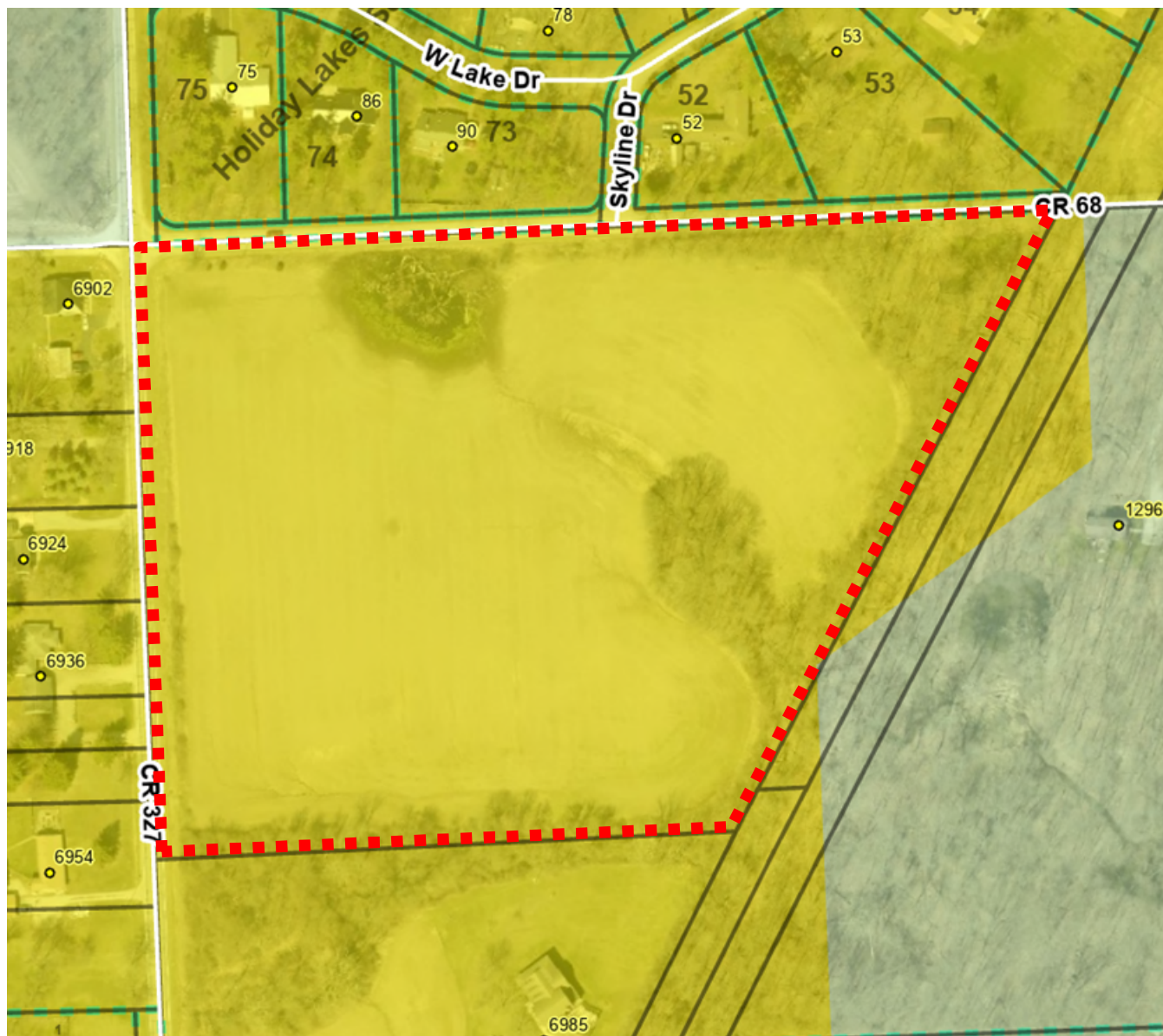
Light Blue: R1, Low Density Residential (existing zoning)

Dark Blue: R2, Medium Density Residential

Green: A2, Agricultural (proposed zoning)

Yellow Outline: Subject Area

FUTURE LAND USE MAP:



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

PROPOSED ZONING MAP:



Light Blue: R1, Low Density Residential (existing zoning)

Dark Blue: R2, Medium Density Residential

Green: A2, Agricultural (proposed zoning)

Yellow Outline: Subject Area

Differences between the R1, Low Density Residential (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

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 **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.

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.

Rec'd 3-17-25

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: 25-14
Date Application Filed: 3/20/2025
Fee Paid: CK 701
317-25

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: Sara + Richard Connors
Mailing Address: 2687 CR 56
Auburn, IN 46706
Telephone Number: 260-909-0344 E-Mail: lgatt65@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: _____
Address: _____
Telephone Number: _____ E-Mail: _____

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: On The Mark Land Surveying
Address: 2305-B Centralyard Ct
Fort Wayne, IN 46818
Telephone Number: 260-388-2052 E-Mail: smark@OTMLandSurveying.com

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

Name of Proposed Subdivision: LG Ranch Subdivision

Number of Parcels & Total Area (square feet or acreage):

1 parcel - 62.189 acres

Address or Parcel ID # of property:

03-01-09-300-004

Legal description of property affected:

E 1/2 SW 1/4 Ex 16 acres

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

Single Family Residential

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

Applicant's Signature: [Signature]
(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: Sara L. & Richard D. Conrow

SUBJECT SITE: north side of County Road 8, approximately one quarter mile east of the intersection of County Road 8 & State Road 327, Corunna

REQUEST: 1 Lot Minor Subdivision – LG Ranch

EXISTING ZONING: A2: Agricultural

SURROUNDING LAND USES AND ZONING: North: Single Family Residential (A2)
South: Single Family Residential/Farm Ground (A2)
East: Single Family Residential/Farm Ground (A2)
West: Farm Ground (A2)

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 03-01-09-300-005 is considered the parent parcel. This is the 2nd buildable split from parent parcel -005. 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: 56.876 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 1 Width: 1304.29 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: 787.61 feet
- This division of land fronts the following roads:
 - County Road 8 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 **March 20, 2025**
2. Legal notice published in The Star on **April 25, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 9, 2025**
5. Letter from County Highway dated **April 1, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 1, 2025**
7. Letter from the Drainage Board, dated **April 17, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **On The Mark Land Surveying**
10. The real estate to be developed is in Zoning District A2 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 8 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:

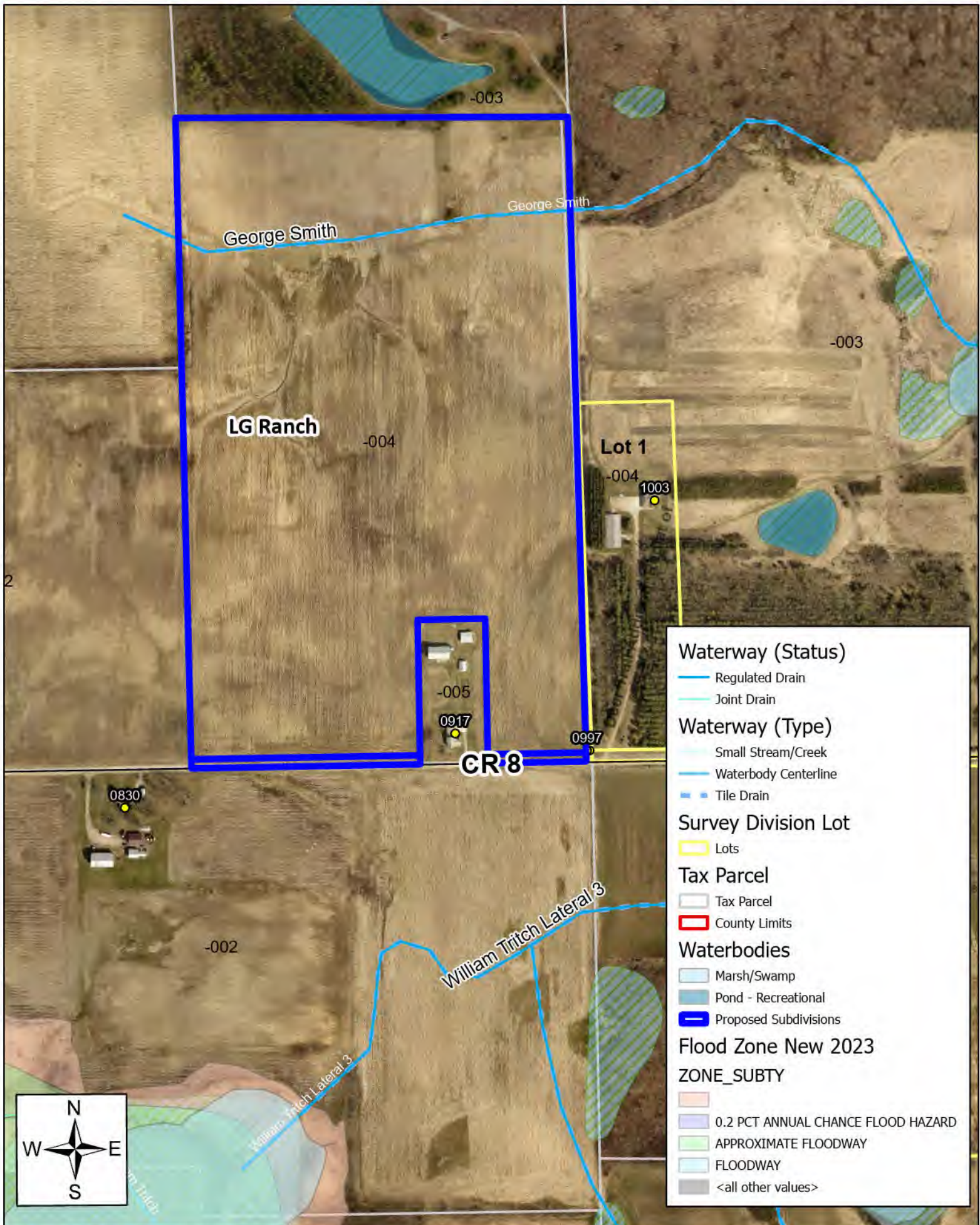
Staff is recommending approval to allow the Minor Subdivision and recommends the following conditions:

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.



Waterway (Status)

- Regulated Drain
- Joint Drain

Waterway (Type)

- Small Stream/Creek
- Waterbody Centerline
- Tile Drain

Survey Division Lot

- Lots

Tax Parcel

- Tax Parcel
- County Limits

Waterbodies

- Marsh/Swamp
- Pond - Recreational
- Proposed Subdivisions

Flood Zone New 2023

ZONE_SUBTY

-
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- APPROXIMATE FLOODWAY
- FLOODWAY
- <all other values>



SURVEYOR

ON THE MARK LAND SURVEYING, LLC
2305 CENTRALYARD COURT, SUITE B
FORT WAYNE, INDIANA 46818
T: 260-338-2052
E: info@otmlandsurveying.com

LG RANCH, LOT 1

A SUBDIVISION IN THE SOUTHWEST QUARTER OF
SECTION 3, TOWNSHIP 35 NORTH, RANGE 12 EAST
FAIRFIELD TOWNSHIP, DEKALB COUNTY, INDIANA

FLOODPLAIN CERTIFICATE

THIS PROPERTY IS WITHIN ZONE "X" (AREAS
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE
FLOODPLAIN) AS DEFINED BY THE FIRM (FLOOD
INSURANCE RATE MAP) FOR DEKALB COUNTY, INDIANA,
COMMUNITY NO.180044, PANELS 18033C0025E &
18033C0110E, DATED SEPTEMBER 29, 2006.

MONUMENT LEGEND

"A" ~ 5/8" REBAR FOUND (-0.3') - C.M.
"B" ~ HARRISON MONUMENT FOUND (FLUSH) - C.M.
"C" ~ HARRISON MONUMENT FOUND (-0.2') - C.M.
"D" ~ 5/8" REBAR FOUND (-0.1') - C.M.
"E" ~ 5/8" REBAR W/ "R.A. SEXTON" ID. CAP FOUND 0.33'W. OF
ACTUAL (+0.3')
"F" ~ 5/8" REBAR W/ "MARK LS21900003" ID. CAP SET (FLUSH)
"G" ~ STONE FOUND - C.M.
"H" ~ 1/2" REBAR W/ BROKEN CAP FOUND (-0.1') - C.M.
"I" ~ 5/8" REBAR W/ ILLEGIBLE CAP FOUND (-0.2')
"J" ~ 5/8" REBAR FOUND (-0.1') - C.M.
"K" ~ 5/8" REBAR FOUND 0.30'S. & 0.32'E. OF ACTUAL (-0.1')
"L" ~ 5/8" REBAR FOUND (-0.1')
"M" ~ 1/2" REBAR FOUND (-0.1') - C.M.
"N" ~ 1/2" REBAR FOUND (-0.1') - C.M.
"O" ~ 5/8" REBAR FOUND (-0.1')
"P" ~ 5/8" REBAR FOUND (-0.1') - C.M.
"Q" ~ 5/8" REBAR FOUND 0.53'E. OF ACTUAL (-0.1')
"R" ~ 1/2" REBAR FOUND (-0.1')
"S" ~ 1/2" REBAR FOUND 0.19'S. & 0.44'E. OF ACTUAL (FLUSH)
"T" ~ HARRISON MONUMENT FOUND (-0.2') - C.M.

REAL ESTATE DESCRIPTION

PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 35 NORTH, RANGE 12 EAST, DEKALB COUNTY, INDIANA, BASED ON AN ORIGINAL
SURVEY BY NOLAN R. MARK, INDIANA PROFESSIONAL SURVEYOR LICENSE NUMBER LS21900003 OF ON THE MARK LAND SURVEYING, LLC, SURVEY
NO. 24.0176, DATED JANUARY 13, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER AS MONUMENTED BY A HARRISON MONUMENT FOUND FLUSH; THENCE
NORTH 89 DEGREES 26 MINUTES 18 SECONDS EAST (INDIANA GEOSPATIAL COORDINATE SYSTEM - DEKALB COUNTY BEARING AND BASIS OF
BEARINGS TO FOLLOW) 1333.19 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO A 5/8 INCH REBAR FOUND 0.1 FEET BELOW
GRADE AT THE SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 201405988 IN THE OFFICE OF THE RECORDER OF
DEKALB COUNTY, INDIANA, AND ALSO BEING THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT:

THENCE NORTH 00 DEGREES 59 MINUTES 50 SECONDS WEST 2162.92 FEET ALONG THE EAST LINE OF SAID TRACT OF LAND TO A 5/8 INCH
REBAR WITH "MARK LS21900003" IDENTIFICATION CAP SET FLUSH AT THE SOUTH LINE OF A TRACT OF LAND DESCRIBED IN DEED RECORD 194
PAGE 15; THENCE SOUTH 89 DEGREES 45 MINUTES 04 SECONDS EAST 1303.93 FEET ALONG SAID SOUTH LINE TO A 1/2 INCH REBAR WITH
BROKEN IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE AT THE WEST LINE OF SAID TRACT; THENCE SOUTH 01 DEGREE 14 MINUTES 06
SECONDS EAST 2144.56 FEET ALONG SAID WEST LINE TO A 5/8 INCH REBAR FOUND 0.1 FEET BELOW GRADE AT THE SOUTH LINE OF SAID
SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 26 MINUTES 18 SECONDS WEST 327.00 FEET ALONG SAID SOUTH LINE TO A 5/8 INCH
REBAR FOUND 0.1 FEET BELOW GRADE AT THE EAST LINE OF AN EXISTING 2.48 ACRE TRACT OF LINE DESCRIBED IN INSTRUMENT 200904084;
THENCE NORTH 00 DEGREES 37 MINUTES 46 SECONDS WEST 480.86 FEET ALONG SAID EAST LINE TO A 1/2 INCH REBAR FOUND 0.1 FEET
BELOW GRADE AT THE NORTH LINE OF SAID 2.48 ACRE TRACT; THENCE SOUTH 89 DEGREES 26 MINUTES 18 SECONDS WEST 225.00 FEET ALONG
SAID NORTH LINE TO A 1/2 INCH REBAR FOUND 0.1 FEET BELOW GRADE AT THE WEST LINE OF SAID 2.48 ACRE TRACT; THENCE SOUTH 00
DEGREES 37 MINUTES 46 SECONDS EAST 480.86 FEET ALONG SAID WEST LINE TO A 5/8 INCH REBAR FOUND 0.1 FEET BELOW GRADE AT THE
SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 89 DEGREES 26 MINUTES 18 SECONDS WEST 760.56 FEET ALONG SAID SOUTH LINE
TO THE POINT OF BEGINNING, CONTAINING 62.189 ACRES, MORE OR LESS. SUBJECT TO THE RIGHT-OF-WAY OF COUNTY ROAD 8 AND
EASEMENTS OF RECORD.

LOT 1 AREA

GROSS AREA:	62.189 ACRES
LEGAL DRAIN:	4.564
R/W DEDICATION:	0.749 ACRES
NET AREA:	56.876 ACRES

ZONING

ZONING DISTRICT:
CONSERVATION
AGRICULTURE (A-2)

PRIMARY SETBACKS:
FRONT: 50'
SIDE: 30'
REAR: 30'

ACCESSORY STRUCTURE:
SIDE: 10'
REAR: 10'

OWNER/DEVELOPER

RICHARD D. & SARA L. CONROW
COUNTY ROAD 8
CORUNNA, INDIANA 46747

DAVID L. HURLEY
INST.#201201724

VICINITY MAP



(NOT TO SCALE)

LEGEND

M. ~ MEASURED
C. ~ CALCULATED
D. ~ DEED
P. ~ PLAT
R. ~ RECORD
C.M. ~ CONTROLLING MONUMENT
O.M. ~ ORIGINAL MONUMENT
N.H. ~ NO HISTORY

N



SCALE 1" = 150'
0 75 150 300

BASIS OF BEARINGS:
InGCS DeKALB COUNTY

1

SHEET
OF 2 SHEETS

SURVEYOR’S REPORT

PURPOSE OF SURVEY:
THE PURPOSE OF THIS SURVEY WAS TO RETRACE THE EXISTING TRACT OF LAND DESCRIBED IN INSTRUMENT NUMBER 200904083 IN THE OFFICE OF THE RECORDER OF DEKALB COUNTY, INDIANA. THE PROPERTY ADDRESS BEING COUNTY ROAD 8, CORUNNA, IN 46730.

IN ACCORDANCE WITH TITLE 865, ARTICLE 1, RULE 12, SECTION 1 THROUGH 30 OF THE INDIANA ADMINISTRATIVE CODE, THE BELOW THEORY OF LOCATION WAS BASED UP THE FOLLOWING OPINIONS AND OBSERVATIONS A RESULT OF UNCERTAINTIES IN LINES AND CORNERS BECAUSE OF THE FOLLOWING:

BASIS OF BEARINGS:
THE BASIS OF BEARINGS FOR THIS SURVEY ARE BASED ON THE MEASURED BEARING AND DISTANCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 9. THE RECORD BEARING FOR THIS LINE PER THE SUBJECT DEED IS EAST. THE MEASURED BEARING OF THIS LINE IN INDIANA GEOSPATIAL COORDINATE SYSTEM – DEKALB COUNTY IS NORTH 89 DEGREES 26 MINUTES 18 SECONDS EAST.

DISCREPANCIES IN MEASUREMENTS:
MONUMENTS WERE FOUND WITHIN THE RELATIVE POSITIONAL ACCURACY FOR THE USE OF THE PROPERTY. MONUMENT’S LOCATIONS THAT WERE NOT ARE SHOWN IN RELATION TO THE THEORETICAL CORNER. THERE IS MORE WEIGHT THROWN IN TO FOUND MONUMENTS THAN THE RECORD DEED DISTANCES. THE MEASURED AND CALCULATED DISTANCES ARE SHOWN IN RELATION TO EACH.

A) AVAILABILITY AND CONDITION OF REFERENCE MONUMENTS
THE MONUMENTS FOUND ARE SHOWN ON THE SURVEY AND LISTED ON THE SURVEY UNDER MONUMENT LEGEND.

- CONTROLLING MONUMENTS INCLUDE:
- MONUMENT “A” – 5/8” REBAR FOUND 0.3 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE LOCATION OF THE ACCEPTED COUNTY SURVEYOR’S OFFICE SECTION CORNER
 - MONUMENT “B” – HARRISON MONUMENT FOUND FLUSH – THIS MONUMENT IS AN ACCEPTED COUNTY SURVEYOR’S OFFICE SECTION CORNER
 - MONUMENT “C” – HARRISON MONUMENT FOUND 0.2 FEET BELOW GRADE – THIS MONUMENT IS AN ACCEPTED COUNTY SURVEYOR’S OFFICE SECTION CORNER
 - MONUMENT “D” – 5/8” REBAR FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE LOCATION OF THE ACCEPTED COUNTY SURVEYOR’S OFFICE SECTION CORNER
 - MONUMENT “H” – 1/2” REBAR WITH BROKEN IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
 - MONUMENT “M” – 1/2” REBAR WITH BROKEN IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
 - MONUMENT “N” – 1/2” REBAR WITH BROKEN IDENTIFICATION CAP FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER
 - MONUMENT “O” – 5/8” REBAR FOUND 0.1 FEET BELOW GRADE – THIS MONUMENT WAS FOUND IN THE RELATIVE POSITION OF THE ACCEPTED PROPERTY CORNER

B) OCCUPATION OR POSSESSION LINES
THERE WERE NO UNCERTAINTIES BASED ON VISUAL INSPECTION OF OCCUPATION OR POSSESSION LINES. THERE IS A FENCE THAT IS LOCATED APPROXIMATELY 10.0–17.0± FEET EAST OF THE WEST LINE OF THE SUBJECT PARCEL.

- C) CLARITY OR AMBIGUITY OF DESCRIPTIONS
THERE WERE NO AMBIGUITIES FOUND WITHIN THE DESCRIPTIONS USED FOR THE SURVEY. DOCUMENTS USED INCLUDE:
- INSTRUMENT NUMBER 200904083 (WARRANTY DEED) – SUBJECT PARCEL
 - INSTRUMENT NUMBER 201405988 (WARRANTY DEED) – WEST ADJOINER
 - INSTRUMENT NUMBER 9610969/DEED BOOK 216 PAGE 247 (WARRANTY DEED) – WEST ADJOINER
 - DEED BOOK 194 PAGE 15 (WARRANTY DEED) – NORTH/EAST ADJOINER
 - INSTRUMENT NUMBER 200904084 (WARRANTY DEED) – SOUTH ADJOINER
 - RECORDED REPLAT OF DEER TRAIL ADDITION AS RECORDED IN INSTRUMENT NUMBER 20900737
 - RECORDED SURVEY BY SEXTON AND ASSOCIATES SURVEYING AND LAND PLANNING CONSULTANTS – SURVEY NUMBER 35–12–09–009 DATED JUNE 05, 2009 AND RECORDED AS INSTRUMENT NUMBER 200904082

D) RELATIVE POSITIONAL ACCURACY OF THE MEASUREMENTS
BASED ON THE USE OF THE PROPERTY (URBAN – COMMERCIAL PROPERTY, INDUSTRIAL PROPERTY, CONDOMINIUMS, TOWNHOUSES, APARTMENTS, MULTIUNIT DEVELOPMENTS--SUBURBAN – SINGLE FAMILY RESIDENTIAL SUBDIVISION LOTS--RURAL SURVEY – REAL ESTATE LYING IN RURAL AREAS) THE ACCEPTABLE RELATIVE POSITIONAL ACCURACY IS SUBURBAN SURVEY 0.13 FEET (40 MILLIMETERS) PLUS 100 PARTS PER MILLION.

THEORY OF LOCATION:
ALL MONUMENTS WERE FOUND IN THE LOCATION AS DESCRIBED IN THE DEED THAT MATCHES THE RECORD SURVEY BY RANDY SEXTON AS DATED ON JUNE 5, 2009. RANDY DID NOT SET A MONUMENT AT LOCATION “F” PER HIS SURVEY AND WAS SET AT THE TIME OF THIS SURVEY.

THIS SURVEY IS VALID ONLY WITH ORIGINAL SIGNATURE AND SEAL, FULL PAYMENT OF INVOICE, AND COMPLETE WITH ALL PAGES OF SURVEY. THE INFORMATION SHOWN ON THE SURVEY DOCUMENTS IS INTENDED FOR THIS TRANSACTION ONLY AS DATED ON SAID SURVEY DOCUMENTS. ANY REUSE WITHOUT WRITTEN VERIFICATION AND ADAPTATION BY THE LAND SURVEYOR FOR THE SPECIFIC PURPOSE INTENDED WILL BE AT THE USERS’ SOLE RISK AND WITHOUT LIABILITY OR LEGAL EXPOSURE TO THE LAND SURVEYOR.

SINCE THE LAST DATE OF FIELD WORK OF THIS SURVEY, CONDITIONS BEYOND THE KNOWLEDGE OR CONTROL OF ON THE MARK LAND SURVEYING, LLC. MAY HAVE ALTERED THE VALIDITY AND CIRCUMSTANCES SHOWN OR NOTED HEREON.

THE COMMITMENT FOR TITLE INSURANCE WAS NOT PROVIDED AT THE TIME OF THIS REPORT, NOR DID THE SURVEYOR PERFORM A TITLE SEARCH. AN ABSTRACT OR TITLE SEARCH MAY REVEAL ADDITIONAL INFORMATION AFFECTING THE PROPERTY.

AFFIRMATION STATEMENT

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

[Signature]

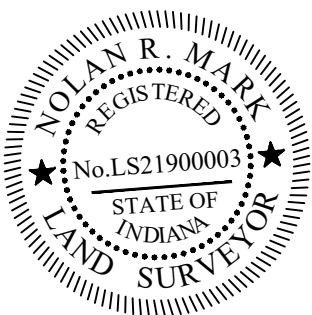
SURVEYOR’S CERTIFICATE

IN WITNESS WHEREOF, I hereunto place my hand and seal this 12th day of March, 2025.

[Signature]

Nolan R. Mark, P.S. No.LS21900003

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 865 IAC 1–12–1 thru 30.



AGRICULTURAL COVENANT

THE OWNER(S) OF THE LOT(S) WITHIN THIS SUBDIVISION AGREE TO RECOGNIZE THE EXISTING AGRICULTURAL LAND USAGE SURROUNDING THIS SUBDIVISION AND FURTHER AGREE TO NOT OBJECT TO THE SURROUNDING AGRICULTURAL LAND USE OR CHANGES THEREIN AS PERMITTED BY LAW, I.E, IC 34–1–52–4.

FURTHER DEVELOPMENT STANDARDS

- FURTHER DEVELOPMENT: THIS LOT SHALL BE INCLUDED IN A SUBDIVISION ARISING FROM ANY FURTHER DEVELOPMENT OF THE LAND INVOLVED. HOWEVER, THERE IS NO INTENTION THAT ANY TERMS, CONDITIONS OR RESTRICTIONS ON ANY FUTURE PLAT WOULD HAVE ANY RETROACTIVE APPLICABILITY TO THIS DIVISION OF LAND.
- THERE SHALL BE COMPLIANCE WITH THE LAWS AND REGULATIONS OF ANY FEDERAL, STATE, OR LOCAL AGENCY.
- 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.

PLAN COMMISSION CERTIFICATE OF APPROVAL

APPROVED BY THE DEKALB COUNTY PLAN COMMISSION
THIS _____ DAY OF _____, 2025.

ELYSIA ROGERS, CHAIRPERSON

CHRISTOPHER GAUMER, ZONING ADMINISTRATOR

OWNER DEDICATION

I, THE UNDERSIGNED, RICHARD D. & SARA L. CONROW, OWNERS OF THE REAL ESTATE PLATTED AND DESCRIBED HEREIN CERTIFY THAT I HAVE LAID OFF, PLATTED AND SUBDIVDED, AND DO HEREBY LAY OFF, PLAT AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT HEREIN.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS LG RANCH, LOT 1, AN ADDITION IN FAIRFIELD TOWNSHIP, DEKALB COUNTY, INDIANA.

THE UNDERSIGNED HEREBY IRRECOVERABLY OFFERS FOR DEDICATION TO DEKALB COUNTY ALL THE STREETS, LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES SHOWN ON THE SUBDIVISION PLAT.

RICHARD D. CONROW _____ SARA L. CONROW _____
DATE:

NOTARY

STATE OF INDIANA)
COUNTY OF) SS:

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2025.

RICHARD D. CONROW _____ SARA L. CONROW _____

WITNESS MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2025.

NOTARY PUBLIC (SEAL)

MY COMMISSION EXPIRES: _____

DRAINAGE BOARD COVENANTS

- NO PRIVATE OR MUTUAL DRAIN OF ANY TYPE SHALL BE CONNECTED FROM WITHIN ANY LOT WITHIN THIS SUBDIVISION TO THE GEORGE SMITH DRAIN NO. 102–00–0 WITHOUT FIRST SUBMITTING WRITTEN REQUEST, ALONG WITH PLANS AND SPECIFICATIONS FOR SAID CONNECTION, AND OBTAINING THE WRITTEN APPROVAL OF THE DEKALB COUNTY SURVEYOR FOR SAID DRAIN CONNECTION.
- NO PERMANENT STRUCTURE OF ANY TYPE SHALL BE PLACED WITHIN THE RIGHT–OF–WAY OF THE GEORGE SMITH DRAIN NO. 102–00–0 WITHOUT FIRST ENTERING INTO A CONSENT FOR VARIANCE FOR PERMANENT STRUCTURE WITHIN THE RIGHT–OF–WAY OF A REGULATED DRAIN, BY AND BETWEEN THE OWNER OF THE LAND UPON WHICH THE PERMANENT STRUCTURE IS TO BE LOCATED AND THE DEKALB COUNTY DRAINAGE BOARD.
- NO PRIVATE CROSSING, CONTROL DAM OR OTHER PERMANENT STRUCTURE SHALL BE PLACED ON, OVER, OR THROUGH THE GEORGE SMITH DRAIN NO. 102–00–0 WITHOUT FIRST SUBMITTING A WRITTEN REQUEST, ALONG WITH PLANS AND SPECIFICATIONS FOR SAID PERMANENT STRUCTURE, AND OBTAINING THE WRITTEN APPROVAL OF THE DEKALB COUNTY SURVEYOR FOR SAID PERMANENT STRUCTURE.

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: 25-15
Date Application Filed: 4/11/2025
Fee Paid: pdcc

Application for REPLAT (Section 9.24)

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: Miller Land Surveying, Inc. Brett R. Miller
Address: 221 Tower Drive, Monroe, IN 46772

Telephone Number: 260 692 6166 E-Mail: brett@mlswebsite.us

OWNER INFORMATION (if different from applicant information)

Owner's Name: Wim Casemier and Marian Casemier Jager
Address: 6671 County Road 63, Spencerville, IN 46788

Telephone Number: 260 657 4003 (Attorney, Mitch Thompson) E-Mail: mit_h@thompsonthompsonlaw.com

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative:
Address:

Telephone Number: _____ E-Mail: _____

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

Number of Parcels & Total Area (square feet or acreage):
1 parcel & 13.551 Acres

Name of Subdivision and Address or Parcel # of property:
Replat of Storer's Addition, Lot 3 - 6671 County Road 63, Spencerville, IN 46788

Legal description of property affected:

Part of Lot Number 3 in Storer's Addition Section 1 being a part of West half of the Northwest Quarter of Section 26, Township 33 North, Range 14 East

Reason for the Proposed Replat:

Current owners are selling 13.551 acres

The Replat should include (check all that apply):

- () All of the Platted Area () All recorded restrictive covenants
(X) Part of the Platted Area as shown in the attached documents () None of the restrictive covenants
(X) Those restrictive covenants specifically listed in the attached documents

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

Applicant's Signature: Brett R. Miller

(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: Win Cazemier & Marjan Cazemier Jager
SUBJECT SITE: 6671 County Road 63, Spencerville
REQUEST: RePlat of Storer's Addition, Lot 3
EXISTING ZONING: A2: Agricultural
SURROUNDING LAND USES AND ZONING: North: Single Family Residential (A2)
South: Single Family Residential (A2)
East: Single Family Residential (A2)
West: Single Family Residential (A2)

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 11-11-26-100-001 will be split and the size of Lot 3 will decrease. The remainder of the lot will become a metes & bounds parcel and non-buildable. No additional buildable lots are being 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 3 Area: 12.173 net acres
 - *Minimum Lot Width: 160 feet*
 - Proposed Lot 3 Width: 447.52 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: 447.51 feet
- This division of land fronts the following roads:
 - County Road 63 is considered County Collector Road with a projected total right-of-way width of 90 feet.
 - Right of Way has been dedicated per the original Storer's Addition subdivision. No additional right of way has been dedicated.

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 **April 1, 2025**
2. Legal notice published in The Star on **April 25, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **April 9, 2025**
5. Letter from County Highway dated **April 3, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **April 2, 2025**
7. Letter from the Drainage Board, dated **April 17, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Miller Land Surveying**
10. The real estate to be developed is in Zoning District A2 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 (RePlat) 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 (RePlat) 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 63 with dedication of right of way where required. The existing driveway will be utilized.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
Not applicable. The existing 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:

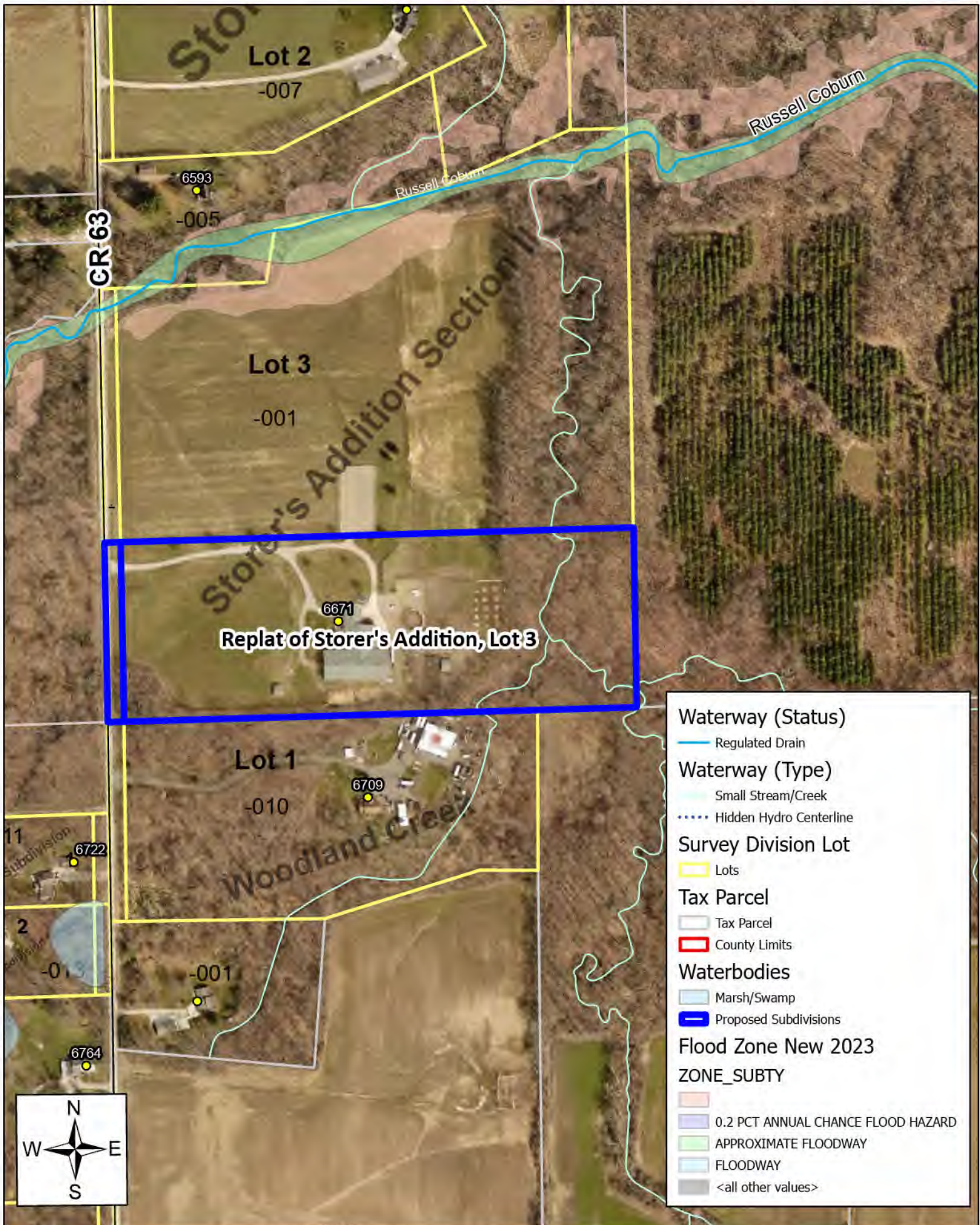
Standard Conditions to be recorded on or with the plat:

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.



Waterway (Status)

— Regulated Drain

Waterway (Type)

— Small Stream/Creek

..... Hidden Hydro Centerline

Survey Division Lot

— Lots

Tax Parcel

— Tax Parcel

— County Limits

Waterbodies

— Marsh/Swamp

— Proposed Subdivisions

Flood Zone New 2023

ZONE_SUBTY

-
- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- APPROXIMATE FLOODWAY
- FLOODWAY
- <all other values>

