

**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.

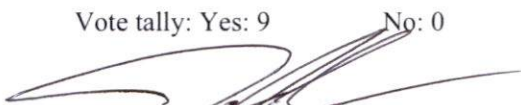
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #25-12, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 1<sup>ST</sup> DAY OF APRIL 2025.

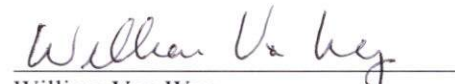
Motion made by: Suzanne Davis

Seconded by: Sandra Harrison


Vote tally: Yes: 9

No: 0

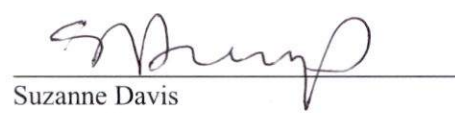
  
Jason Carnahan

  
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 1<sup>ST</sup> DAY OF APRIL 2025.

Motion made by: Jerry Yoder

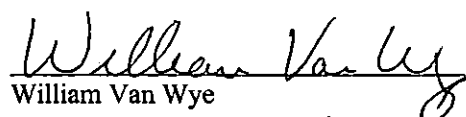
Seconded by: Sandra Harrison

Vote tally: Yes: 9

No: 0

  
Jason Carnahan

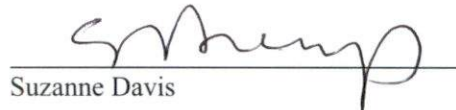
  
William Hartman

  
William Van Wye

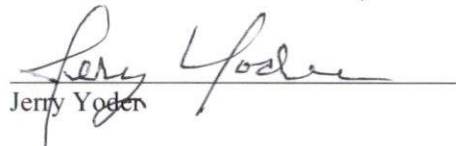
  
Sandra Harrison

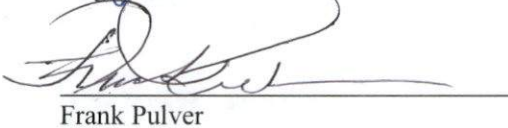


  
Tyler Lanning

  
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 3<sup>rd</sup>. The location will be on the 2<sup>nd</sup> 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 LIANSONS:**

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.

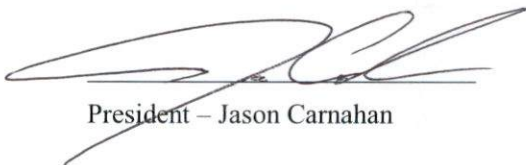
Mrs. Holt informed the board that there was no meeting for the City of Waterloo.

**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