

# DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

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## AGENDA

### DeKalb County Board of Zoning Appeals

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

Monday, September 8, 2025

6:00 PM

A livestream of the meeting can be found here: <https://tinyurl.com/YouTubeDCPC>

1. Call to order
2. Roll call
3. Approval of Minutes: August 11, 2025
4. Old Business: None
5. New Business:

Petition #25-09 – Joshua Heffelfinger requesting a Special Exception to allow for professional canine boarding. The property is located at 5776 County Road 36A, Butler, Indiana and is zoned A2, Agricultural.

6. Reports of Planning Staff, Officers, and/or Committees
7. Comments from Public in Attendance
8. Adjournment

Next Meeting: October 13, 2025

**If you cannot attend, please contact Meredith Reith**

**[mreith@co.dekalb.in.us](mailto:mreith@co.dekalb.in.us) | (260) 925-1923**

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

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

**MINUTES**  
**DEKALB COUNTY BOARD OF ZONING APPEALS**  
**Monday, August 11, 2025**

A Meeting of the DeKalb County Board of Zoning Appeals was called to order at 6:00 p.m. in the Commissioner's Court of the DeKalb County Courthouse by Chairperson, Frank Pulver.

**ROLL CALL:**

Members present: Frank Pulver, Andrew Provines, and Jason Carnahan.

Members absent: Rory Walker and Wayne Funk.

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

Public in Attendance: Ben Coburn and Lynn Reinhart.

**APPROVAL OF MINUTES:**

Motion was made by Andrew Provines and Seconded by Jason Carnahan to approve the Minutes of May 12, 2025 as submitted. None opposed. Motion carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

Petition #25-08 – Gospel Fair, LLC, Benjamin Coburn, requesting a Use Variance to allow for an outdoor agrotourism & family farm entertainment. The property is located on the west side of County Road 71, approximately one-tenth of a mile south of the intersection of County Road 71 & County Road 62, Saint Joe, Indiana and is zoned A2, Agricultural.

Chris Gaumer read the proposed petition and staff report stating why the proposed Use Variance is needed. The petitioner has proposed an outdoor agritourism and family farm entertainment site. Ben Coburn has provided a letter addressing what he's proposed to construct on the property. The site plan provided shows the layout of the property. He explained that lighting will be within the site max of 12 feet, signage of 12 sq. ft., hours of operation: Friday, Saturday, and Sunday – 10 AM – 8 PM; Saturday will offer a message service at 9 AM. There will be parking access from CR 71 with 342 spaces and overflow parking located behind his home with access from CR 62. This will provide 10 -12 seasonal employees. He addressed that they were approved by the Drainage Board to reroute the Henry Geddis Lateral 2 Drain. There were no other issues that came up during. The Highway Department did have concerns about it being a gravel road and they wouldn't have the ability to request anything more. He stated that if there's any more questions Mr. Coburn is here to answer them.

Andrew Provines asked if there were any more business like this in the county that has this exception.

Mr. Gaumer stated that there isn't anything that he's aware of.

Frank Pulver asked Ben Coburn to approach the podium. He asked how many acres the property is.

Ben Coburn approached the podium he stated that the lot is 20 acres, and we won't be utilizing the entire parcel.

Mr. Provines asked if there would be any concerts on the stage.

Mr. Coburn stated that he has no plans for any concerts. The goal is to have a gospel message on Saturday mornings.

Mr. Provines asked how access would be reached for the overflow parking.

Mr. Coburn stated that the overflow will be behind his house and would be reached from CR 62. There's currently no driveway access to the property.

Mr. Pulver asked on the sewage pump & haul tank whether you are going to have permanent restroom facilities.

Mr. Coburn stated that there will be permanent restrooms in place. He added that he has already worked this out with the haul company. They designed the system originally for two tanks and can add additional tanks as we grow if needed.

Mr. Gaumer added that he was approved by the Health Department. He stated that Cathy confirmed with him that the holding tanks are approved. He asked if the parking lot was going to be paved at the beginning.

Mr. Coburn stated that the parking lot will be gravel. Any overflow parking that will be needed will be grass for the time being.

Mr. Provines asked if we foresee lots of growth.

Mr. Coburn stated that he would hope so. He stated that he has talked to the neighbors next door if they would be interested in selling. He's willing to if needed.

Mr. Provines asked if there should be any restrictions on coming back if any expansions occur.

Mr. Gaumer stated that if they expand onto another parcel he will need to come back. The proposed use variance will only apply to the discussed parcel.

Mr. Pulver asked if there were any further questions from the board. He opened the public portion of the hearing up to any comments for or against this petition.

Lynn Reinhart approached the podium stating that this is a great opportunity for family entertainment in the area. He asked if septic service would be needed this way. He questioned that if the property was rezoned commercial with the use being somewhat commercial, would a sanitary sewer service be needed.

Mr. Gaumer stated that this was part of the Health Department's approval and Mr. Coburn was approved to have holding tanks constructed.

Mr. Pulver asked if there were further comments from the public. Hearing None. The public portion of the hearing was closed.

Mr. Kruse went through the Findings of Fact for this petition with the board.

#### **JURISDICTIONAL FINDINGS:**

The petitioner has complied with the rules and regulations of the Board of Zoning Appeals in filing appropriate forms and reports.

1. Application completed and filed on **May 9, 2025**
2. Legal notice published in The Star on **July 31, 2025** with the publisher's affidavit and receipt received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter of no objection from the County Health Department, dated **May 22, 2025**
5. Letter of no objection from the County Highway Department, dated **May 13, 2025**
6. Letter of no objection from the County Surveyor, dated **July 3, 2025**
7. Letter of no objection from the Soil & Water Conservation District, dated **May 13, 2025**
8. Letter from the DeKalb County Airport Authority, if applicable is **not applicable**.

#### **FINDINGS OF FACT:**

1. Will the approval be injurious to the public health, safety, morals, and general welfare of the community? Yes ( )\* No ( X )  
*The approval of the use, as proposed, should not be injurious to the community.*

2. Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? Yes ( )\* No ( X )  
*The property values adjacent to the property should not be affected negatively.*
3. Does the need arise from some condition peculiar to the property involved? Yes ( X ) No ( )\*  
*The Use Variance is needed for reasonable use of the property. There are a few agritourism sites in DeKalb County. The proposed use is not permitted.*
4. Will the strict application of the Unified Development Ordinance result in an unnecessary hardship if applied to the property for which the variance is sought? Yes ( X ) No ( )\*  
*The Use Variance is needed for reasonable use of the property. There are a few agritourism sites in DeKalb County. The proposed use is not permitted.*
5. Will the approval interfere substantially with policies of the Comprehensive Plan?  
Yes ( )\* No ( X )  
*The proposed use should not interfere with the Comprehensive Plan provided the petitioner meets the conditions and regulations set forth with this approval.*

**PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

1. The Board retains continuing jurisdiction of this Use Variance to assure compliance with all terms and conditions and/or impose additional conditions deemed necessary for health and safety.
2. Use Variance is approved for an agricultural based family attraction, as described during the meeting.
3. No offsite drainage, existing surface water or existing tiled water drainage crossing over said real estate should be obstructed by any development on this site. The Board of Zoning Appeals may enforce these conditions by injunctive relief with attorney fees.
4. No Certificate of Occupancy or Certificate of Completion shall be issued 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 that were identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.
5. Property owners or visitors may not object to the farming operations surrounding the property. Furthermore, they may not object to the potential dust from CR 71.
6. IDEM's Construction Stormwater General Permit will be required for development and a Stormwater Pollution Prevention Plan will need submitted to the Soil & Water Conservation District before development of the property.
7. Reconstruction of the Henry Geddis Lateral 2 Drain No. 157-02-0 shall be completed prior to the property being open to the public.
8. Should the use no longer be operational, the land must be returned to its pre-development conditions.

IT IS, THEREFORE, THE DECISION OF THE BOARD OF ZONING APPEALS THAT THIS USE VARIANCE FROM DEVELOPMENTAL STANDARDS, PETITION #25-08 IS HEREBY APPROVED WITH CONDITIONS ON THIS 11<sup>TH</sup> DAY OF AUGUST 2025.

Motion made by Jason Carnahan, Seconded by Andrew Provines.

Vote tally: Yes: 3

No: 0

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Frank Pulver

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Andrew Provines

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Jason Carnahan

**REPORTS OF PLANNING STAFF, OFFICERS, OR COMMITTEES**

None

**COMMENTS FROM PUBLIC IN ATTENDANCE**

None

**ADJOURNMENT**

There being no further business to come before the board, the meeting was adjourned at 6:36 p.m.

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Frank Pulver, Chairperson

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Meredith Reith, Secretary

DeKalb County Department of Development Services  
Planning, Building & GIS  
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Auburn, IN 46706  
Ph: 260-925-1923  
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FOR OFFICE USE ONLY:

File Number: 25-09

Date Application Filed: 7/28/2025

Fee Paid: 729.25  
cash CW

### Application for SPECIAL EXCEPTION (Section 9.20)

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: Joshua Heffelfinger  
Address: 5776 County Road 36A Butler IN 46721  
Telephone Number: 260-909-0835 E-Mail: joshheffelfinger198@gmail.com

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

Owner's Name: Same as above  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

Representative: Same as above  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

Zoning Classification of Property: A2 - Agricultural

Overlay District of Property (if applicable): n/a

Address or common description of property:  
5776 County Road 36A Butler IN 46721

Legal description of property affected (or provide property deed):  
Forever Young Section 1 lot 3 a Subdivision to DeKalb County

Describe the Use that you are requesting a Special Exception for:  
Professional Canine boarding inside pole barn  
Max 8 animals

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

**A. Lighting (if any):** No additional

1. Style: \_\_\_\_\_
2. Height: \_\_\_\_\_
3. Location: \_\_\_\_\_

**B. Signage (if any):**

1. Dimensions: 4'x4'
2. Materials: Wood and Vinyl
3. Placement: East side of driveway
4. Lighting: \_\_\_\_\_

**C. Hours of Operation (if any):**

Open 2 hours a day without appointment, 6am-7am, 6pm-7pm

**D. Parking/Access (if any):**

Residence drive

**Parking Classification (office use only)** \_\_\_\_\_

**E. Landscaping/Buffer yards (if any):**

Residence Yard

**Bufferyard Classification (office use only)** \_\_\_\_\_

**F. Number of Employees (if any):** \_\_\_\_\_

The Applicant must answer the following questions and establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA. Please answer each question and give reasons for your answer.

**A. Is the proposed use consistent with the purpose of the zoning district and Comprehensive Plan?**

Yes (X) No ( ) Why? Explain below:

Zoned as residential

**B. Will the approval of this Special Exception request be injurious to the public health, safety, morals, and the general welfare of the community?**

Yes ( ) No (X) Why? Explain below:

Business will have no negative impact to the public

**C. Is the proposed use in harmony with all adjacent land uses?**

Yes (X) No ( ) Why? Explain below:

3 adjacent properties are zoned as agriculture. The 4<sup>th</sup> side is a residence but the house on that property is roughly 475 feet from where the dogs will be kept.

D. Does the proposed use alter the character of the district?

Yes ( ) No (X) Why? Explain below:

Most of the area is agriculture and ~~most~~ Many have livestock and animals already. Dogs will be kept inside majority of the time so noise should not be a problem.

E. Does the proposed use substantially impact the property value in an adverse manner?

Yes ( ) No (X) Why? Explain below:

Very little construction/Alteration to property.

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct. I also give permission for the Zoning Administrator to enter onto the petitioned property for inspections and take photos for the public hearing.

Applicant's Signature: 

(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 Board of Zoning Appeals 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:**

**PETITIONER:** Joshua Heffelfinger  
**SUBJECT SITE:** 5776 County Road 36A, Butler  
**REQUEST:** Special Exception  
**PURPOSE:** To allow for professional canine boarding - kennel  
**EXISTING ZONING:** A2, Agricultural  
**SURROUNDING LAND USES AND ZONING:** North: Single Family Residential (A1)  
South: Farm Ground (A2)  
East: Farm Ground (A2)  
West: Farm Ground (A2)

**ANALYSIS:**

In the A2, Agricultural Zoning District, a kennel is permitted by Special Exception approval from the Board of Zoning Appeals. The kennel will be housed in the existing accessory structure. No other development standards are required to be met. The applicant is proposing the following:

- Signage: 4'x4' (16 sq. ft)
- Hours of Operation: Open without appt. 6 AM – 7 AM & 6 PM – 7PM
- Access & Parking: Existing driveway & existing parking area

**JURISDICTIONAL FINDINGS:**

*The petitioner has complied with the rules and regulations of the Board of Zoning Appeals in filing appropriate forms and reports.*

1. Application completed and filed on **July 28, 2025**
2. Legal notice published in The Star on **August 29, 2024** and affidavit given to staff and receipt received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health/Indiana Department of Health, dated **August 28, 2025 & August 22, 2025**
5. Letter from the County Highway Department, dated **July 31, 2024**
6. Letter from the Soil & Water Conservation District, dated **July 31, 2024**
7. Letter from the County Surveyor or Drainage Board, dated **July 30, 2024**
8. Letter from the DeKalb County Airport Authority, **not applicable**.

**PROPOSED FINDINGS OF FACT:**

*These Findings of Fact proposed by staff are based off the knowledge and understanding of the proposed project. If any one of **your** answers is followed by an asterisk, under State Law (IC 36-7-4-918.5) and Section 9.09 G(3) of the DeKalb County Unified Development Ordinance you must deny the request.*

1. Is the proposed use consistent with the purpose of the Zoning District and Comprehensive Plan?  
Yes ( X )    No (   )\*

*The proposal is consistent with the zoning district and Comprehensive Plan. A kennel is permitted by Special Exception approval by the Board of Zoning Appeals. Also, see DeKalb County Board of Health letter, Highway Dept. letter, Soil/Water Conservation District & County Surveyor letter.*

2. Will the approval of this Special Exception request be injurious to the public health, safety, morals and the general welfare of the community? Yes ( ☐ ) \* No ( ☒ )  
*The proposal will not be injurious to the surrounding community.*
3. Is the proposed use in harmony with all adjacent land uses? Yes ( ☒ ) No ( ☐ ) \*  
*The proposal is harmonious with the surrounding community. The property is residential in use and adjacent parcels are residential and agricultural..*
4. Does the proposed use alter the character of the district? Yes ( ☐ ) \* No ( ☒ )  
*The proposal is residential in nature which is consistent with the surrounding community.*
5. Does the proposed use substantially impact the property value in an adverse manner?  
Yes ( ☐ ) \* No ( ☒ )  
*The proposal will not impact property values negatively.*

**PLANNING STAFF RECOMMENDATIONS/COMMENTS:**

**Conditions of Approval:**

Staff is recommending approval for dependent parent housing and recommends the following conditions:

1. The Board retains continuing jurisdiction of this Special Exception to assure compliance with all terms and conditions and/or impose additional conditions deemed necessary for health and safety.
2. No offsite drainage crossing over said real estate should be obstructed by any development on this site.
3. The Special Exception to allow for a professional canine boarding & kennel.
4. Zoning Administrator to determine when any conditions have been met.

**Commitments of Approval:**

Staff is recommending approval. If the Board assigns commitments, they shall be given, signed and recorded with the DeKalb County Recorder's Office by the petitioner.



Forever Young

CR 57

CR 36A

5776



Pictometry I

IN Dekalb 2023 Cert

