

DEKALB COUNTY DEPARTMENT OF DEVELOPMENT SERVICES

PLANNING • BUILDING • GIS

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AGENDA

DeKalb County Board of Zoning Appeals

Commissioners Court – 2nd Floor DeKalb County Court House

Monday, October 13, 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: September 8, 2025
4. Old Business: None
5. New Business:

Petition #25-10 – Robert J. Shuherk Jr. & Mary L. Shuherk; Trustees of the Shuherk Trust dated 1/20/2016 requesting a Development Standards Variance to allow for a reduction to the setback for a recreational pond. The property is located on the west side of County Road 17, approximately two-tenths of a mile north of the intersection of County Road 17 and US Highway 6, Corunna, 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: November 10, 2025

If you cannot attend, please contact Meredith Reith

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, September 8, 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, Rory Walker, Wayne Funk and Jason Carnahan.

Members absent: None

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

Public in Attendance: Joshua Heffelfmger, Brian & Amy Capp, and Mark Heffelfinger.

APPROVAL OF MINUTES:

Motion was made by Jason Carnahan and Seconded by Wayne Funk to approve the Minutes of August 11, 2025 as submitted. None opposed. Motion carried.

OLD BUSINESS: None

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.

Chris Gaumer read the proposed petition and staff report stating why the proposed Special Exception is needed. The petitioner is requesting to allow for a professional canine boarding & kennel business inside his existing pole barn. He stated that he didn't see any issue on this and is recommending approval. Josh is here to answer any questions that the board may have.

Andrew Provines asked how long the dogs will be outside and whether there will be some kind of run for them.

Joshua Heffelfmger approached the podium stating there would be two outdoor runs. The plan is not to make this an indoor/outdoor run to have full access outside. The kennels will allow them to be inside with raised floors and catch pans with plumbing. He has planned for the hours of operations time to let the dogs in the outdoor runs. They would be out for about 20 minutes in the morning and afternoon and otherwise they are inside the barn. He added that there will be inner locks between each kennel set so that if a dog gets away, they can't get out.

Frank Pulver asked what the proposed capacity is.

Mr. Heffelfinger stated that twelve would be the max that the building could physically hold. He stated that he will be buying six kennels to start. If this works out, maybe in five years we might try to get to that twelve, but that's not soon.

Mr. Provines asked if for part of this we would need to specific a max on here. He addressed that he wouldn't want him to have to come back for four extras.

Mr. Gaumer stated that we could put this as a condition if you wanted it to be twelve max.

Mr. Heffelfinger stated that this wouldn't happen anytime soon with him and his wife having a full-time job. This would basically come down to the fact that we were hying to board and have had five dogs at our house. We were trying to leave and get a boarding facility and there's few around us. I have a small dog training business now and being a canine handler. We thought that this could be a good time to fill a need if there's one and not have this as a primary job.

Andrew Kruse asked if this would be treated as a home business.

Mr. Gaumer stated no, with it being in the UDO for special exceptions for kennels in the A2 zoning districts.

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

Brian Capp approached the podium questioning that with you giving Josh a permit to run this kennel. When he moves in five to ten years will the license be left with the property?

Mr. Gaumer stated that they would need to come back if the owner changed. If he would leave the kennels and building the use itself would have to come back to be reviewed.

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 **July 28, 2025**
2. Legal notice published in The Star on **August 29, 2025** 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, 2025**
6. Letter from the Soil & Water Conservation District, dated **July 31, 2025**
7. Letter from the County Surveyor or Drainage Board, dated **July 30, 2025**
8. Letter from the DeKalb County Airport Authority, **not applicable**.

FINDINGS OF FACT:

1. Is the proposed use consistent with the purpose of the Zoning District and Comprehensive Plan? Yes (☒) 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:

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 professional canine boarding & kennel business is allowed.
4. Zoning Administrator to determine when any conditions have been met.

IT IS, THEREFORE, THE DECISION OF THE BOARD OF ZONING APPEALS THAT THIS SPECIAL EXCEPTION, PETITION #25-09 IS HEREBY APPROVED WITH CONDITIONS ON THIS 5TH DAY OF SEPTEMBER 2025.

Motion made by Andrew Provines, Seconded by Jason Carnahan.

Vote tally: Yes: 5

No: 0

Frank Pulver

Jason Carnahan

Rory Walker

Wayne Funk

Andrew Provines

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 6:13 p.m.

Frank Pulver, Chairperson

Meredith Reith, Secretary

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: 25-10
Date Application Filed: 9/9/25
Fee Paid: \$8998

**Application for DEVELOPMENT STANDARDS VARIANCE
(Section 9.09)**

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: Robert J. Shuherk Jr. & Mary L. Shuherk, Trustees of the Shuherk Trust dated 1/20/2016
Address: 2360 County Road 17
Corunna, IN 46730
Telephone Number: (260) 402-7062 E-Mail: shuhfam09@hotmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Robert J. Shuherk Jr. & Mary L. Shuherk, Trustees of the Shuherk Trust dated 1/20/2016
Address: 2360 County Road 17
Corunna, IN 46730
Telephone Number: (260) 402-7062 E-Mail: shuhfam09@hotmail.com

REPRESENTATIVE INFORMATION (if different from applicant information)

Representative: Joseph R. Herendeen, PS, Sauer Land Surveying, Inc.
Address: 7203 Engle Road
Fort Wayne, IN 46804
Telephone Number: (260) 469-3300 E-Mail: joe@sauersurveying.com

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

Zoning Classification of Property: DeKalb County A2

Overlay District of Property (if applicable): N/A

Address or common description of property:
County Road 17, 1/8 mile North of U.S. Highway 6

Legal description of property affected (or provide property deed):

Part of the West Half of the Southwest Quarter of Section 35, Township 35 North, Range 12 East, containing 2.028 acres

What Development Standard are you seeking a variance for (setback, height, parking, etc.) and how to what extent (acreage, square footage, distance, number of lots, etc) BE SPECIFIC:

Seeking a variance of the distance for a property line from the bank of an existing pond

from the standard 40 feet down to 2 feet to be able to keep an existing structure on the planned

plat of South Cottage Plot 3

**Standards of Zoning Ordinance requesting Variance from Developmental Standards from
(Zoning Section Number and/or Specific Section from Article 5):**

5.43 C

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

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

This request involves a small 2 acre parcel that will be private and have no affect of the community.

- B. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved?

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

The only parcel this will affect will be the one being proposed.

- C. Will the strict application of the terms of the Unified Development Ordinance result in practical difficulties in the use of the property involved in the petition?

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

If we have to stay 40 feet from the existing pond, the line would ultimately end up in the middle of an existing accessory structure which is intended to be part of this conveyance.

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)

Joseph R. Herendeen, PS, as agent

This Staff Report has been 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:	Robert J. Shuherk Jr. & Mary L. Shuherk; Trustees of the Shuherk Trust dated 1/20/2016
SUBJECT SITE:	west side of County Road 17, approximately two-tenths a mile north of the intersection of County Road 17 and US Highway 6, Corunna
REQUEST:	Development Standards Variance
PURPOSE:	To allow for a reduction to the setback for a recreational pond
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:

5.42 RP-01: Recreational Pond; General This Recreational Pond Standards section applies to all zoning districts.

C. Setbacks: The top of bank for all recreational ponds shall be at least 40 feet from all property lines.

- The petitioner is proposing to subdivide from the parent parcel for a new buildable lot. There is an existing pond adjacent to the proposed lot line. The lot is proposed to be approximately 2 feet from the proposed property line. Thus, requesting a setback variance for 38 feet.
- The purpose of this is that there is an existing building that the property owners wish this new lot to have the building on.

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 **September 9, 2025**
2. Legal notice published in The Star on **October 2, 2025** 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 **October 6, 2025**
5. Letter from the County Highway Department, dated **September 16, 2025**
6. Letter from the Soil & Water Conservation District, dated **September 16, 2025**
7. Letter from the County Surveyor or Drainage Board, dated **September 16, 2025**
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. Will the approval of the variance be injurious to the public health, safety, morals and general welfare of the community? Yes () * No (X)
The proposal is not injurious to the public. The reduced setback between the proposed lot and existing pond should not cause issues between neighboring properties. Also, see letters from the DeKalb County Board of Health, Soil/Water Conservation District & County Surveyor.
2. Will the use and value of the area adjacent to the property be affected in a substantially adverse manner? Yes () * No (X)
The proposal will not be injurious to the surrounding community.
3. Will the strict application in terms of the unified Development Ordinance result in practical difficulties in the use of the property? Yes (X) No () *
The property owners wish to have the existing building on the property.

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 from Development Standards Variance to assure compliance with all terms and conditions and/or impose additional conditions deemed necessary for health and safety.
2. A Development Standards Variance to allow the reduction to the setback for a pond to be 2' from the property line is approved.
3. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
4. No offsite drainage crossing said real estate should be obstructed by any development on this site.
5. 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, 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.

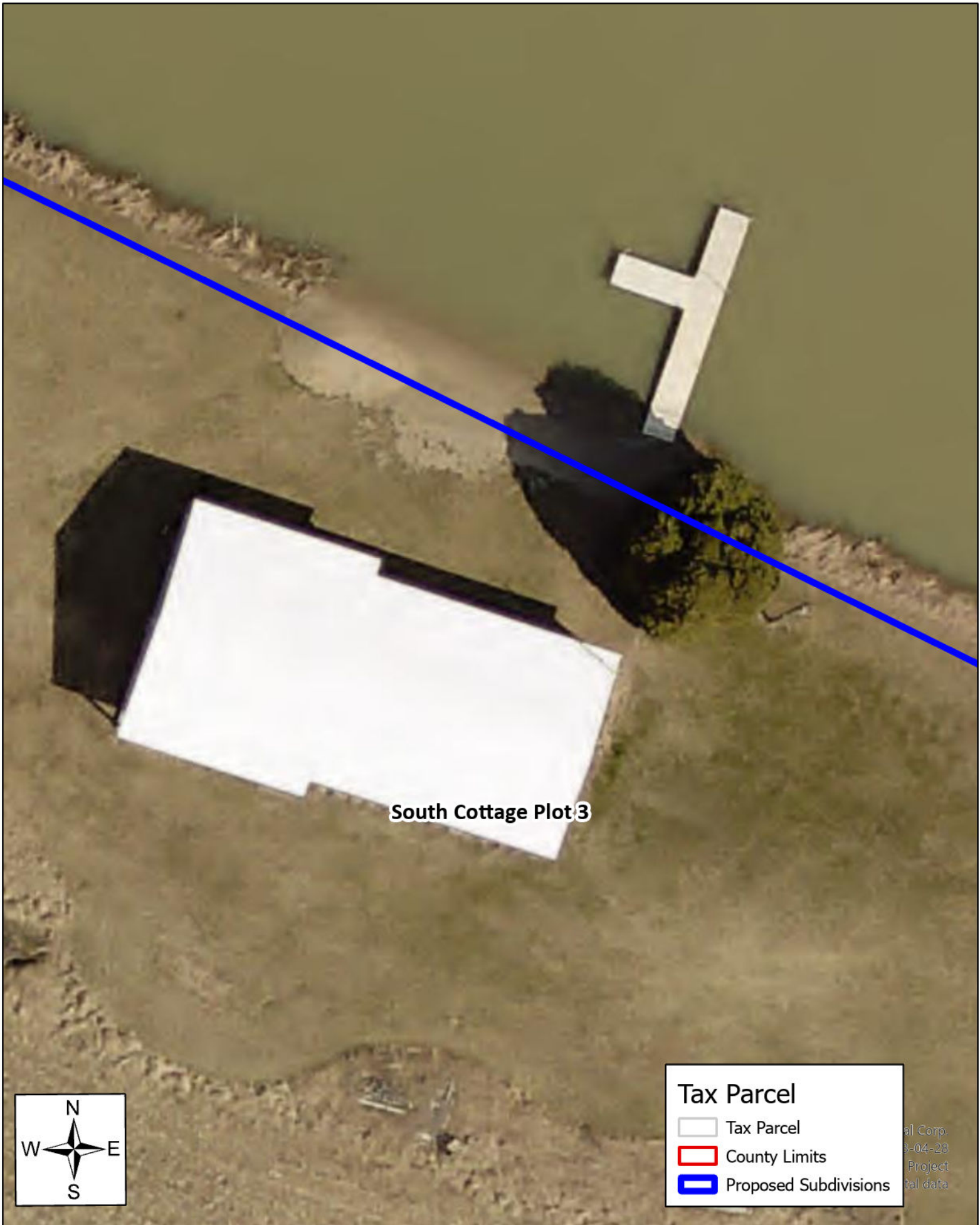
Commitments of Approval:

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



Survey Division Lot




-  Lots
-  Tax Parcel
-  County Limits
-  Proposed Subdivisions



South Cottage Plot 3



Tax Parcel

-  Tax Parcel
-  County Limits
-  Proposed Subdivisions