

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, April 2, 2024 @ 8:30 AM

The Regular Meeting of the DeKalb County Plat Committee was called to order at 8:30 a.m. in the DeKalb County Commissioner's Court by Elysia Rodgers.

ROLL CALL:

Members Present: Elysia Rodgers, Sandy Harrison, Suzanne Davis, Jason Carnahan, and Jerry Yoder

Members Absent:

Staff Present: Director/Zoning Administrator Chris Gaumer and Secretary Meredith Reith

Staff Absent: None

Public in Attendance: Kathy Pearson, Brian Wiedemann, Chad Delagrange, Nate Delagrange, Bret & Dinah Miller, Joe Herendeen, Malachi Schwartz, and Jayden Schwartz

PRAYER:

Jerry Yoder led prayer.

APPROVAL OF MINUTES:

Jason Carnahan moved to approve the minutes from March 5, 2024; seconded by Sandy Harrison. None opposed. Motion carried.

OLD BUSINESS:

None.

NEW BUSINESS:

Petition #24-05 – Jack Hill and property owners Jeremy & Angela Hill requesting a 1 Lot Minor Subdivision known as Ivy Lane. The proposed 1 lot subdivision will be a total of 2.138 acres. The subdivision will be used for a single-family residence. The property is located on the south side of County Road 20, approximately one-half mile east of the intersection of County Road 20 and County Road 23, Waterloo, Indiana and is zoned A2, Agricultural.

Chris Gaumer read the staff report stating where the property will be located.

Elysia Rodgers asked if there were any questions or comments from the board or the public. Seeing none she closed the public portion of the hearing.

Mr. Gaumer went over the proposed findings.

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 5, 2024**
2. Legal notice published in The Star on **March 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 18, 2024**
5. Letter from County Highway dated **March 6, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 6, 2024**
7. Letter from the Drainage Board, dated **March 15, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor 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 20 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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.

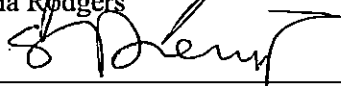
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #24-05, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2ND DAY OF APRIL 2024.

Motion made by Suzanne Davis, Seconded by Sandy Harrison.


Vote tally: Yes: 5 No: 0



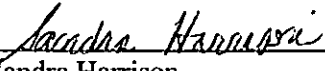
Elysia Rodgers



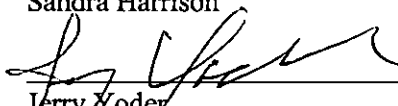
Suzanne Davis



Jason Carnahan



Sandra Harrison



Jerry Zoder

Petition #24-06– Zachary & Emily Nevil requesting a 1 Lot Conservation Agriculture Subdivision known as Nevil Acres. The proposed 1 lot subdivision will be a total of 9.887 acres. The subdivision will be used for a single-family residence. The property is located on the east side of County Road 57, approximately one-quarter mile south of the intersection of County Road 57 and County Road 12, Waterloo, Indiana and is zoned A1, Conservation Agricultural.

Mr. Gaumer read the staff report and stated the change of the road to CR 57 not CR 20.

Mrs. Rodgers asked if there was any discussion from the board or public. Seeing none she closed the public portion of the hearing.

Mr. Gaumer read the proposed 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 **March 5, 2024**
2. Legal notice published in The Star on **March 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 18, 2024**
5. Letter from County Highway dated **March 6, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 6, 2024**
7. Letter from the Drainage Board, dated **March 21, 2024**
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 A1 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Conservation Agriculture Subdivision adequately conform to the Comprehensive Plan?
Yes, the conservation agriculture subdivision will be used for residential use, which is compatible with the existing and adjacent land uses.
2. Does the Conservation Agriculture 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 57 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.

- c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.
- d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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.

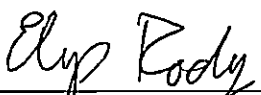
Conditions that will not be recorded but must be met:

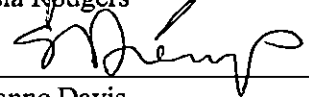
1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not 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 CONSERVATION AGRICULTURE SUBDIVISION PETITION #24-06, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2ND DAY OF APRIL 2024.

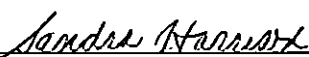
Motion made by Jerry Yoder, Seconded by Sandy Harrison.

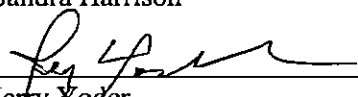
Vote tally: Yes: 5 No: 0



Elysia Rodgers


Suzanne Davis



Sandra Harrison


Jerry Yoder



Jason Carnahan

Petition #24-07– Bret D. & Dinah Miller requesting a 1 Lot Minor Subdivision known as Mill Hill. The proposed 1 lot subdivision will be a total of 2.04 acres. The subdivision will be used for a single-family residence. The property is located at the southeast corner of County Road 56 & County Road 27, Auburn, Indiana and is zoned A2, Agricultural.

Mr. Gaumer read the staff report.

Mrs. Rodgers asked if there was any discussion from the board or comment from the public. Seeing none she closed the public portion of the hearing.

Chris went over proposed 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 **March 5, 2024**
2. Legal notice published in The Star on **March 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 18, 2024**
5. Letter from County Highway dated **March 6, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 8, 2024**
7. Letter from the Drainage Board, dated **March 15, 2024**
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 A2 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor 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 56 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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.

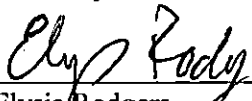
Conditions that will not be recorded but must be met:

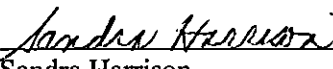
1. Comply with the Staff Report.
2. Comply with any applicable Environmental Standards as required in Article 5, 5.11; EN-01, in the Unified Development Ordinance.
3. Comply with the Flood Hazard Area for DeKalb County Ordinance and any wetland laws and regulations, if required.
4. The plat shall not 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 #24-07, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2ND DAY OF APRIL 2024.

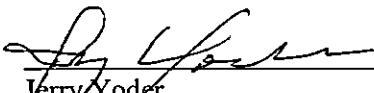
Motion made by Suzanne Davis, Seconded by Jason Carnahan.

Vote tally: Yes: 5 No: 0


Elysia Rodgers


Sandra Harrison


Suzanne Davis


Jerry Yoder


Jason Carnahan

Petition #24-08 – Bret D. & Dinah Miller requesting a RePlat of Healy's Hill Addition. The proposed replat will be shifting the west and south property lines of Lot 1. No new buildable lots are being created. The property will continue to be used as a single-family residence. The property is located at 2858 County Road 56, Auburn, Indiana and is zoned A1, Conservation Agricultural.

Mr. Gaumer read the staff report.

Mrs. Rodgers asked if there was any discussion from the board or comments from the public.

Bret Miller approached the podium to state that the property is in Auburn not Waterloo.

Mrs. Rodgers, seeing no further discussion closed the public portion of the hearing.

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 5, 2024**
2. Legal notice published in The Star on **March 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 18, 2024**
5. Letter from County Highway dated **March 6, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 8, 2024**
7. Letter from the Drainage Board, dated **March 15, 2024**
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 A2, which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor subdivision/replat will be used for residential use, which is compatible to 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 56. The right of way has been dedicated per the original Healy's Hill Addition. No additional right of way is required. The existing driveway for Lot 1 will be utilized.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The existing Private Septic System is being utilized. The Health Department does recommend that a soil evaluation for Lot 1 be performed to ensure adequate area and soil conditions are available on the property for the installation of a replacement residential onsite sewage system if and when determined necessary.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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 Board covenants and airport zone covenants shall be on the plat, if required.

5. That the three Drainage Board covenants shall be placed on the plat before the plat can be recorded.

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 REPLAT PETITION #24-08, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2ND DAY OF APRIL 2024.

Motion made by Jerry Yoder, Seconded by Sandy Harrison.

Vote tally: Yes: 5 No: 0



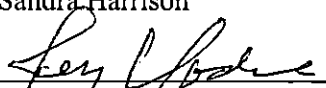
Elysia Rodgers



Sandra Harrison



Suzanne Davis



Jerry Yoder



Jason Carnahan

Petition #24-09– Jayden M. Schwartz & Malachi Z. Schwartz requesting a 1 Lot Minor Subdivision known as J&M Properties. The proposed 1 lot subdivision will be a total of .23.910 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 52, approximately one-quarter mile west of the intersection of County Road 52 and State Road 101, Butler, Indiana and is zoned A2, Agricultural.

Mr. Gaumer read the staff report.

Mrs. Rodgers asked if there were any questions from the board or comments from the public.

Mr. Yoder pointed out that the Surveyor will need to revise the location map on the Plat.

Mr. Gaumer read the findings of fact.

JURISDICTIONAL FINDINGS:

The Petitioner has complied with the rules and regulations of the Plan Commission in filing appropriate forms and reports.

1. Application completed and filed on **March 7, 2024**
2. Legal notice published in The Star on **March 22, 2024** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **March 18, 2024**
5. Letter from County Highway dated **March 11, 2024**
6. Report from the DeKalb County Soil & Water Conservation District, dated **March 8, 2024**
7. Letter from the Drainage Board, dated **March 15, 2024**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Sauer Land Surveying**
10. The real estate to be developed is in Zoning District A2 which permits the requested development.

FINDINGS OF FACT:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?
Yes, the minor 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 52 with dedication of right of way. The driveway has been staked and approved by the DeKalb County Highway Dept.
 - c. The extension of water, sewer & other municipal services, if applicable or required.
None Required. The property owner(s) or buyer(s) will need to apply for and receive a permit for a residential onsite sewage system from the DeKalb County Board of Health.
 - d. The allocation of areas to be used as public ways, parks, and schools, public and semipublic building, 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.
5. Revise Location Map on Plat.

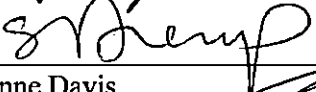
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #24-09, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 2ND DAY OF APRIL 2024.

Motion made by Sandy Harrison, Seconded by Suzanne Davis.

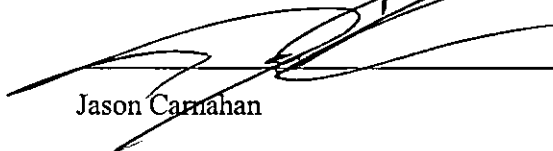
Vote tally: Yes: 5 No: 0



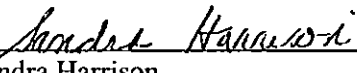
Elysia Rodgers



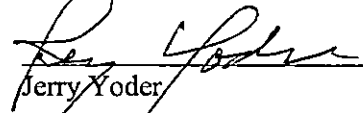
Suzanne Davis



Jason Carnahan




Sandra Harrison



Jerry Yoder

ADJOURNMENT:

There being no further business to come before the Plat Committee, the meeting was adjourned at 9:10 a.m.



Elysia Rodgers



Meredith Reith - Secretary