

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, August 14, 2018

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 Director/Zoning Administrator Chris Gaumer.

ROLL CALL:

Members Present: Tim Griffin, Sandra Harrison and Elysia Rodgers

Members Absent:

Staff Present: Director/Zoning Administrator Chris Gaumer, Assistant Director Dawn Mason & Secretary Caeli Hixson

Community Representatives Present: None

Public in Attendance: Jerry Teders, Joe Gabet, Tim Evans, Jessica Evans, Cody Smith, Carole Kruckebey and Kevin Kruckebey

APPROVAL OF MINUTES:

Motion was made by Tim Griffin and seconded by Elysia Rodgers to approve the July 10, 2018 minutes.

OLD BUSINESS:

None

NEW BUSINESS:

A public hearing was conducted pursuant to proper legal notice.

Petition #18-20 - Cody & Sampaguita Smith requesting to Replat lot 2 of Hullinger's Acres Subdivision to change the building area location as originally platted. The property is located on County Road 68 just east of County Road 35 in Auburn, Indiana and is zoned A2, Agricultural. Dawn Mason read the report. She said that the original building area was on the South portion of the lot and they now would like to build towards the North end of the lot.

Mr. Gaumer asked if there were any further questions.

There were none.

Mr. Gaumer closed the public 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 6/20/18
2. Legal notice published in The Star on 7/26/18 and affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff. YES
4. Letter from the County Board of Health, dated 7/1/18
5. Letter from the County Highway Department, dated 6/26/18
6. Report from the DeKalb County Soil & Water Conservation District 6/20/18
7. Letter from the County Surveyor or Drainage Board, dated 6/25/18
8. Airport Board report, if applicable AC 7
9. Plat prepared by Foresight Consulting, LLC

10. The real estate being developed is in Zoning District A2 which permits the requested development.

FINDINGS OF FACT - UDO REQUIREMENTS:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?

Yes, the minor subdivision is currently being used for residential purposes, which is compatible to the existing and adjacent land use.

2. Does the Minor Subdivision conform to the following UDO standards:

- a) Minimum width, depth & areal of lot(s)
- b) Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required. Adequate access off: **CR 68**
- c) The extension of water, sewer & other municipal services, if applicable or required. Or private septic system and water: **private**.
- 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.

Yes, all applicable standards conform to the UDO requirements.

CONDITIONS OF APPROVAL:

STANDARD CONDITIONS TO BE RECORDED ON OR WITH THE PLAT:

- a. This lot shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.
- b. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
- c. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
- d. The appropriate agricultural covenants shall be on the plat.
- e. The appropriate drainage covenants shall be on the plat.
- f. The appropriate airport zone covenants shall be on the plat.

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 any floodplain management ordinance.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant if needed for compliance with Airport Board requirements.
6. 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. And further, where applicable, file written evidence of compliance with Federal or

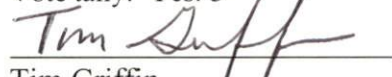
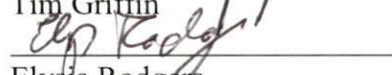
State agencies where identified in the findings or conditions. The Zoning Administrator to determine when conditions have been met.

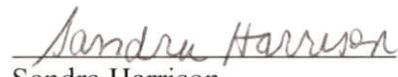
IT IS, THEREFORE, THE DECISION OF THE PLAT COMMITTEE TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION, HULLINGER'S ACRES LOT 2 REPLAT, PETITION #18-20, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 14TH DAY OF AUGUST, 2018.

Sandra Harrison made motion to approve petition #18-20, seconded by Elysia Rodgers.

Vote tally: Yes: 3

No:


Tim Griffin

Elysia Rodgers


Sandra Harrison

Petition #18-21 - Christian York and Kelly Oswalt requesting a 1 lot subdivision. The property is located on County Road 68 just east of County Road 427 in Auburn, Indiana and is zoned A2, Agricultural.

Dawn Mason read the report.

Mr. Gaumer asked if there were any questions for staff.

There were none.

Mr. Gaumer closed the public 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 6/22/18
2. Legal notice published in The Star on 7/26/18 and affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff. YES
4. Letter from the County Board of Health, dated 7/3/18
5. Letter from the County Highway Department, dated 6/26/18
6. Report from the DeKalb County Soil & Water Conservation District 6/25/18
7. Letter from the County Surveyor or Drainage Board, dated 7/6/18
8. Airport Board report, if applicable AC 6
9. Plat prepared by Foresight Consulting, LLC
10. The real estate being developed is in Zoning District A2 which permits the requested development.

FINDINGS OF FACT - UDO REQUIREMENTS:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?

Yes, the minor subdivision is currently being used for residential purposes, which is compatible to the existing and adjacent land use.

2. Does the Minor Subdivision conform to the following UDO standards:

- a) Minimum width, depth & areal of lot(s)
- b) Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required. Adequate access off: **CR 68**
- c) The extension of water, sewer & other municipal services, if applicable or required. Or private septic system and water: **private**

- 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.

Yes, all applicable standards conform to the UDO requirements.

CONDITIONS OF APPROVAL:

STANDARD CONDITIONS TO BE RECORDED ON OR WITH THE PLAT:

- a. This lot shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.
- b. There shall be compliance with the laws and regulations of any Federal, State, or local agency.
- c. No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
- d. The appropriate agricultural covenants shall be on the plat.
- e. The appropriate drainage covenants shall be on the plat.
- f. The appropriate airport zone covenants shall be on the plat.

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 any floodplain management ordinance.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant if needed for compliance with Airport Board requirements.
6. 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. And further, where 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 PLAT COMMITTEE TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION, YORK PLACE, PETITION #18-21, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 14TH DAY OF AUGUST, 2018.

Tim Griffin made motion to approve petition #18-21, seconded by Elysia Rodgers.

Vote tally: Yes:3

No:


Tim Griffin


Elysia Rodgers


Sandra Harrison

Petition #18-22 - Timothy and Jessica Evans requesting a 1 lot subdivision. The property is located on State Road 1 just north of County Road 24 in Butler, Indiana and is zoned A1, Conservation Agricultural.

Dawn Mason read the report.

Mr. Gaumer asked if there were any questions for staff or from the audience.

There were none.

Mr. Gaumer closed the public 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 6/26/18
2. Legal notice published in The Star on 7/26/18 and affidavit given to staff.
3. Certificate of mailing notices sent and receipts given to staff. YES
4. Letter from the County Board of Health, dated 7/3/18
5. Letter from the County Highway Department, dated 6/28/18
6. Report from the DeKalb County Soil & Water Conservation District 6/26/18
7. Letter from the County Surveyor or Drainage Board, dated 7/10/18
8. Airport Board report, if applicable N/A
9. Plat prepared by Tri-County Land Surveying
10. The real estate being developed is in Zoning District A1 which permits the requested development.

FINDINGS OF FACT - UDO REQUIREMENTS:

1. Does the proposed Minor Subdivision adequately conform to the Comprehensive Plan?

Yes, the minor subdivision is currently being used for residential purposes, which is compatible to the existing and adjacent land use.

2. Does the Minor Subdivision conform to the following UDO standards:

- a) Minimum width, depth & areal of lot(s)
- b) Public way widths, grades, curves & the coordination of public ways with current and planned public ways, if applicable or required. Adequate access off: **State Rd 1**
- c) The extension of water, sewer & other municipal services, if applicable or required. Or private septic system and water: **private**
- 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.

Yes, all applicable standards conform to the UDO requirements.

CONDITIONS OF APPROVAL:

STANDARD CONDITIONS TO BE RECORDED ON OR WITH THE PLAT:

- a) This lot shall be included in any subdivision arising from any further development of the land involved. However, there is no intention that any terms, conditions or restrictions on a future plat would have any retroactive applicability to this division of land.
- b) There shall be compliance with the laws and regulations of any Federal, State, or local agency.

- c) No offsite drainage, existing surface water or existing tiled water drainage, crossing over said real estate shall be obstructed by any development on this site. The Plan Commission may enforce these conditions by injunctive relief with attorney fees.
- d) The appropriate agricultural covenants shall be on the plat.
- e) The appropriate drainage covenants shall be on the plat.
- f) The appropriate airport zone covenants shall be on the plat.

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 any floodplain management ordinance.
4. Comply with any wetland laws and regulations where applicable.
5. Provide covenant if needed for compliance with Airport Board requirements.
6. 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. And further, where 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 PLAT COMMITTEE TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION, EVANS ACRES, PETITION #18-22, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 14TH DAY OF AUGUST, 2018.

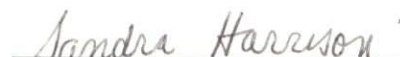
Elysia Rodgers made motion to approve petition #18-22, seconded by Tim Griffin.

Vote tally: Yes: 3


No:



Tim Griffin



Sandra Harrison




Elysia Rodgers

There being no further business to come before the Plat Committee, the meeting was adjourned at 8:41 a.m.



Plat Committee Member



Plat Committee Member