

MINUTES
DEKALB COUNTY PLAT COMMITTEE
Tuesday, February 4, 2025 @ 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, Sandra Harrison, Suzanne Davis, and Jerry Yoder

Members Absent: Jason Carnahan

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

Staff Absent: None

Public in Attendance: Angie Wallace, Joe Gabet, Joshua Lash, Karla Harris, Curtis Wittwer, Norman Kinsey, and Marvin Graber.

PRAYER:

Jerry Yoder led prayer.

APPROVAL OF MINUTES:

Sandra Harrison moved to approve the minutes from January 7, 2025; seconded by Suzanne Davis. None Opposed. Motion carried.

OLD BUSINESS:

None

NEW BUSINESS:

Petition #25-04 – Curtis Wittwer requesting a 1 Lot Subdivision known as Wittwer Woods. The proposed 1 lot subdivision will be a total of 16 acres. The subdivision will be used for a single-family residence. The property is located on the north side of County Road 68, approximately one-quarter mile west of the intersection of County Road 68 and State Road 101, Spencerville, Indiana and is zoned A2, Agricultural.

Elysia Rodgers read the proposed petition.

Chris Gaumer read the staff report.

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

Mr. Yoder stated that he had concerns about the shared driveway access that will go back to the property. He questioned what the intensions will be. He asked if this driveway would be stable enough for heavy truck traffic.

Mr. Gaumer stated that the Highway Department did approve of this driveway location. The driveway to the east that goes back to the pond will have a recorded ingress/egress easement on the Plat.

Mrs. Rogers opened the public portion of the hearing up to any comments for or against this petition.

Norman Kinsey approached the podium to address his concerns regarding the drainage along his drive. He stated that he lives directly west of Mr. Wittwer's property. He addressed his concerns with the heavy truck traffic that will be using Mr. Wittwer's driveway. He stated that he had repaired his culvert to address the water that flows across his drive. He stated that a pond was constructed to catch the water. He addressed that he wasn't against Mr. Wittwer being there, he just wanted his drainage concerns to be heard.

Mrs. Rodgers asked if there were any further comments or questions from the public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer stated that the tile is not regulated and is a private drain. The drainage concerns would need to be addressed by the neighbors of the properties nearby. He moved onto 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 **December 16, 2024**
2. Legal notice published in The Star on **January 24, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **January 9, 2025**
5. Letter from County Highway dated **January 22, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 8, 2025**
7. Letter from the Drainage Board, dated **January 16, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **ForeSight Consulting**
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 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 68 with dedication of right of way. Driveway locations have been reviewed and approved by the DeKalb County Highway Dept. No driveway permit is needed as they will utilize the existing driveway.
 - 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 Board covenants and airport zone covenants shall be on the plat, if required.

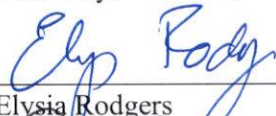
Conditions that will not be recorded but must be met:

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.

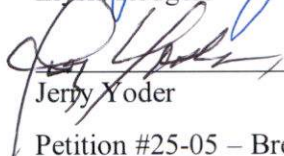
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #25-04, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4th DAY OF FEBRUARY 2025.

Motion made by Suzanne Davis, Seconded by Jerry Yoder.

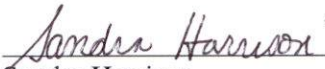
Vote tally: Yes: 4 No: 0



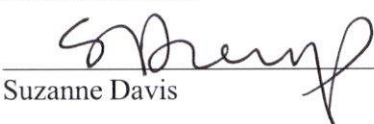
 Elysia Rodgers



 Jerry Yoder



 Sandra Harrison



 Suzanne Davis

Petition #25-05 – Brent & Tammy McDonald requesting a 1 Lot Subdivision known as Our Place. The proposed 1 lot subdivision will be a total of 4.26 acres. The subdivision will be used for a single-family residence. The property is located on the south side of County Road 20, approximately four-tenths mile west of the intersection of County Road 20 and County Road 23, Waterloo, Indiana and is zoned A2, Agricultural.

Mrs. Rodgers read the proposed petition.

Mr. Gaumer read the staff report.

Mrs. Rodgers asked if there were any questions or comments from the board or public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over 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 **January 8, 2025**
2. Legal notice published in The Star on **January 24, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **January 9, 2025**
5. Letter from County Highway dated **January 16, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 13, 2025**

7. Letter from the Drainage Board, dated **January 16, 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 A2 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 20 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.

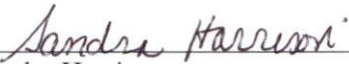
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS MINOR SUBDIVISION PETITION #25-05, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4th DAY OF FEBRUARY 2025.

Motion made by Sandra Harrison, Seconded by Suzanne Davis.

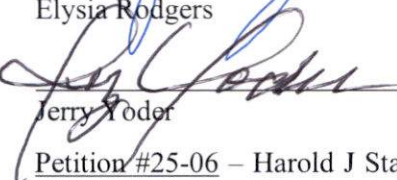
Vote tally: Yes: 4 No: 0



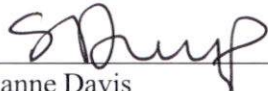
Elysia Rodgers



Sandra Harrison



Jerry Yoder



Suzanne Davis

Petition #25-06 – Harold J Stafford, as Trustee under a Trust Agreement dated 5/7/2020 known as the Harold J Stafford Revocable Living Trust requesting a 1 Lot Subdivision known as Ward 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 34, approximately one-quarter mile west of the intersection of County Road 34 and County Road 47, Waterloo, Indiana and is zoned A1, Conservation Agricultural.

Mrs. Rodgers read the proposed petition.

Mr. Gaumer read the staff report.

Mrs. Rodgers asked if there were any questions or comments from the board or public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over 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 **January 8, 2025**
2. Legal notice published in The Star on **January 24, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **January 14, 2025**
5. Letter from County Highway dated **January 13, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 13, 2025**
7. Letter from the Drainage Board, dated **January 16, 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 A1 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 34 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.

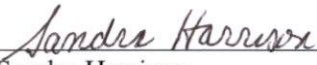
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS CONSERVATION AGRICULTURAL SUBDIVISION PETITION #25-06, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4th DAY OF FEBRUARY 2025.

Motion made by Jerry Yoder, Seconded by Sandra Harrison.

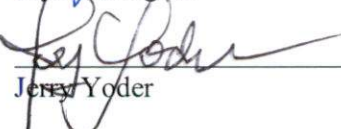
Vote tally: Yes: 4 No: 0



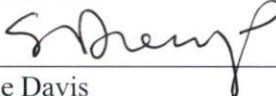
Elysis Rodgers



Sandra Harrison



Jerry Yoder



Suzanne Davis

Petition #25-07 – Reberg Family Limited Partnership requesting a RePlat of Our Lady of Hope subdivision. The proposed RePlat will be expanding Lot 1 from 3.68 acres to 31 acres. No new buildable lots are being created. The RePlat will be used for a single-family residence. The property is located at the northeast corner of County Road 41 & County Road 50, Auburn, Indiana and is zoned A2, Agricultural.

Mrs. Rodgers read the proposed petition.

Mr. Gaumer read the staff report.

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

Mr. Yoder asked what they were planning to do with this property. Is he planning to build a residence.

Mr. Gaumer stated that he planned to put a barn on the property. The site plan didn't meet the property line setbacks. This is why he had to go through a RePlat. There won't be a residence on the property, but it will be ready for when he would want to.

Mr. Yoder asked if Marvin Graber could come up and address what the barn will be used for.

Marvin Graber approached the podium. He stated that he wants to build an agricultural building with some box stalls. He wants a place to put straw, sawdust, and somewhere he can start his baby calves.

Mrs. Rodgers asked if there were any further comments or questions from the public. Hearing none. She closed the public portion of the hearing.

Mr. Gaumer went over 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 **January 9, 2025**
2. Legal notice published in The Star on **January 24, 2025** and Affidavit received.
3. Certificate of mailing notices sent and receipts given to staff.
4. Letter from the County Board of Health, dated **January 27, 2025**
5. Letter from County Highway dated **January 10, 2025**
6. Report from the DeKalb County Soil & Water Conservation District, dated **January 13, 2025**
7. Letter from the Drainage Board, dated **January 16, 2025**
8. Airport Board report, if applicable: **not applicable.**
9. Plat prepared by **Midwest 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 (RePlat) 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 (RePlat) 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 41 & County Road 50 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 Board 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.

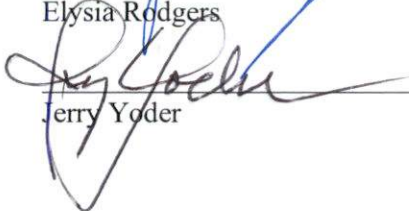
IT IS, THEREFORE, THE DECISION OF THE PLAN COMMISSION TO ADOPT SAID FINDINGS AND THAT THIS REPLAT PETITION #25-07, IS HEREBY GRANTED PRIMARY AND SECONDARY PLAT APPROVAL ON THIS 4th DAY OF FEBRUARY 2025.

Motion made by Sandra Harrison, Seconded by Jerry Yoder.

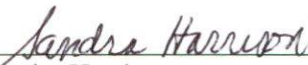
Vote tally: Yes: 4 No: 0



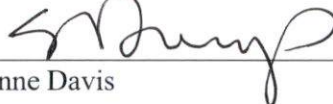
Elysia Rodgers



Jerry Yoder



Sandra Harrison



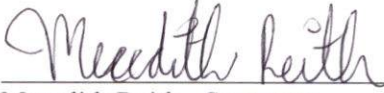
Suzanne Davis

ADJOURNMENT:

There being no further business to come before the Plat Committee, the meeting was adjourned at 9:08 a.m.



Elysia Rodgers



Meredith Reith - Secretary