

Decatur County Area Plan Commission
June Minutes 2025

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Todd Mauer at 6:30 p.m. on Wednesday, June 4, 2025. There were 6 board members present with Ryan Kennelly and Brad Schutte absent. Also attending the meeting was Melissa Scholl – APC Attorney, Doug Westerfeld – Area Plan Director and Debbie Martin – Administrative Assistant.

Todd Mauer opened the meeting and read the following: *to comply with the Title VI of the Civil Rights Acts of 1964, Decatur County requests that participants in this meeting complete a voluntary, anonymous survey that is available on the table in the back of the room.*

Tom Hunter outlined the emergency exit and shelter procedures for attendees, including directions for fire and severe weather.

* **Minutes June 4, 2025:** **Sheila Kirchhoff** made a motion to approve as mailed; **Scott Smith** seconded with all members present signifying aye.

* **APC Petition 2025-14** – **Jeffrey A Moore**, is requesting to rezone 2 lots in Westport from a B-1 zoning classification to an R-2 zoning classification to build single family detached dwellings. This request falls under Decatur County Ordinance Section Number 1020. The property is owned by Jeffrey A. Moore and is located at 215 E Mulberry St & 109 N Poplar St, Westport in **Sand Creek Township**.

Jeffrey A. Moore explained that an existing white building would be demolished and duplexes constructed on the lots. Board members inquired about parking arrangements, which Mr. Moore confirmed would be provided at the front of each unit.

Paul Stone made a motion to vote on APC 2025-14; **Tom Cherry** seconded the motion with all members present voting yes. **Todd**; congrats, your petition passes. Keep in touch with the office as you go through the building process.

* **APC Petition 2025-15** – **Tyler Brown and Crystal Brown**, is requesting to rezone approx. 2.99 acres out of 16.1505 acres from an A-1 zoning classification to an A-2 zoning classification to build a single family detached dwelling. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by the petitioner and is located just East of 9610 W County Road 100 S, Greensburg in **Clay Township**.

Tyler Brown; we wish to build a home. It was confirmed that all of the documents and driveway and septic approvals were in place. There were no objections or significant questions.

Scott Smith made a motion to vote on APC 2025-15; **Sheila Kirchhoff** seconded the motion with all members present voting yes. **Todd**; congrats, your petition passes. Keep in touch with the office as you go through the building process.

* **APC Petition 2025-16** – **Tina Watt**, is requesting to rezone approx. 2.50 from an A-1 zoning classification to an A-2 zoning classification to build a single family detached dwelling. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by the petitioner and is located Just West of 7359 W County Road 650 N, St Paul in **Adams Township**.

Tina Watt; we are wanting to place a modular home on a foundation and take 2-2.5 acres from the current parcel. The discussion included detailed clarifications of property boundaries, survey discrepancies (notably a 446-foot measurement and misaligned blue and red lines on the Beacon site), and driveway design specifics (minimum 50 feet along the diagonal property line). It was noted that the county's mapping system (beacon) was incorrect, but a filed survey would resolve the boundary issues. Driveway paperwork was confirmed to be in order. With no other comments from the Board of adjoining property owners, **Tom Cherry** made a motion to vote on APC 2025-16; **Sheila Kirchoff** seconded the motion with all members present voting yes. **Todd**; congrats, stay in contact with the office as you proceed with this project.

* **APC Petition 2025-17** – **Brittany Warren**, is requesting to rezone approx. 2.99 acres out of 17.2 acres from an A-1 zoning classification to an A-2 zoning classification to build a single family detached dwelling. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by Maddy Timber LLC and is located Just South of 3575 N County Road 420 W, Greensburg in **Adams Township**.

Brittany Warren; we want to build a home. The discussion focused on concerns from adjoining property owners, Brian Lasure, Pam Bundren and Vanessa Stewart Corya regarding driveway maintenance, shared easement responsibilities, drainage and flooding issues, and the impact of construction traffic. They described past experiences with driveway upkeep, flooding, and the need for all users to contribute to maintenance.

There was clarification that the property is not landlocked and has a recorded easement, though maintenance obligations are not formally documented. **Melissa Scholl** confirmed that there is a recorded 15-foot access easement but does not know if there was any type of recorded maintenance agreement. If not, that is something that could be entertained. The parcel in question has access and that's really our main concern. **Andy Scholle** stated that they did the survey that included the easement and it was from multiple owners ago, it may have been done in the 1990's. Very few easements that he comes across have maintenance agreements with the neighbors. It is always a good thing to have, for an older easement like that you just don't see maintenance agreements. The applicant stated that purchase of the property is contingent on rezoning and expressed willingness to maintain the driveway and address concerns. Paul David Corya stated that the driveway was put in for farm equipment and that it does not flood. Others contended that it did flood. The board encouraged all parties to work together and recommended securing a written agreement for the use and maintenance of the driveway.

Sheila Kirchoff made a motion to vote on APC 2025-17; **Scott Smith** seconded the motion with all members present voting yes. **Todd**; your petition passes, my advice would be is to get with whoever

owns the other parcel and get some type of agreement written up. That is where your driveway will be going through, so I strongly recommend that. Stay in contact with Doug as you go through the building process.

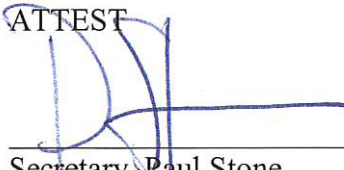
* **APC Petition 2025-18 – GD Partnership LLC**, is requesting to rezone approx. .45 acres from an R-2 zoning classification to a B-3 zoning classification to build a Gas Station. This request falls under Decatur County Ordinance Section Number 1145. The property is owned by GD Partnership LLC and is located at 8357 E State Road 46, Greensburg in **Salt Creek Township**.

Chris Steven; I am representing GD Partnership LLC, the members of GD Partnership LLC are here. The property, previously a car wash and oil change location, had always been zoned R2, and the request was to align zoning with its commercial use. Plans include renovating the existing building into a convenience store, installing underground fuel tanks with three pumps at the front, and placing the dumpster away from the residential property line. The board reviewed minutes from the New Point town meeting, which showed positive support, and noted discussions with the town marshal about improving line of sight for traffic safety. Neighbors, Gary & Kari Dean raised concerns about trash, increased noise, lighting, truck traffic, property devaluation, and safety for children. The applicant agreed to install a vinyl fence along the south border to mitigate these concerns and clarified that most lighting would be at the front, with no drive-through or rear customer access planned. The board discussed the lack of a deceleration lane on State Road 46 and the recent reduction in speed limits due to a new four-way stop. The petition passed with the condition that a vinyl fence be installed on the south border to block direct light and provide a barrier for neighbors. The board also discussed broader questions about zoning protections from Bill Finley, property rights, and liability for potential property value loss, but these issues remain to be fully clarified. **Melissa Scholl**; the neighbors can consult an attorney and file whatever they want. This board is not going to give legal advice.


Scott Smith made a motion to adjourn; **Paul Stone** seconded the motion and the meeting was adjourned at 7:35 p.m.

The video can be viewed at: <https://www.youtube.com/watch?v=6WTBtgTTA1E&t=9116s>

ATTEST



Secretary, Paul Stone
Decatur County Area Plan Commission



President, Todd Mauer
Decatur County Area Plan Commission

