

**Decatur County Area Plan Commission**  
**March Minutes 2025**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Todd Mauer at 7:00 p.m. on Wednesday, March 5, 2025. There were 7 board members present with Ryan Kennelly 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.*

\* **January 8, 2024 Minutes:** **Brad Schutte** made a motion to approve the minutes; **Paul Stone** seconded the motion with all member signifying aye.

\* **APC Petition 2025-3 – Toby Vannatta** is requesting to subdivide approx. 5.0 acres out of 72.40 acres and rezone approx. 2.99 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 North of 6869 S State Road 3, Greensburg in **Sand Creek Township**.

**Toby Vannatta:** stated that there used to be a dwelling in the location back in the 60's, just wish to build a 2-bedroom home. With all of the necessary documentation presented and no comments from the public **Sheila Kirchoff** made a motion to vote on APC 2025-3; **Scott Smith** seconded the motion and all members present voted yes. **Todd;** your petition carries, stay in touch with the office through the building process. This is the first step of many, congratulations and good luck.

\* **APC Petition 2025-4 – Roy Saylor** is requesting to rezone approx. 7.28 acres an A-1 zoning classification to a B-2 zoning classification for Storage Units. This request falls under Decatur County Ordinance Section Number 1125. The property is owned by the petitioner and is located just South of 808 N State Road 3, Westport in **Sand Creek Township**.

**Chris Tebbe Representing Mr. Saylor:** I believe all of the preliminary issues have been addressed. His plan is to put up storage units. There will be some engineering designs to work through. We know that we will have to move through the steps to get the permit. There may have been some questions about drainage, but Roy does plan to hire engineers to address where the exact storage units will be and be able to comply with any statutes or ordinances that need to be addressed. Some of the area zoning is Business and Industrial so this will fit in the area well. **Todd;** there was a letter of support from the Town of Westport as well. Todd then read a letter sent in from an adjoining property owner: On Friday, 28 February, members of the Westport Methodist Church walked the boundary of our property line on the south side of 808 N. State Road 3, Westport, IN. This property is to go before the planning commission for rezoning on 5 March 2025.

Our Church Board has no problem with the idea of rezoning. It is a small parcel with a small waterway running through the back section behind the church. There is housing and B2 property bordering it. However, we are concerned with the potential for stormwater runoff being hindered when building commences. Currently, there is fresh dirt piled behind the building on the property with no obvious silt

control. With spring rain, this can cause runoff into the water way. We are concerned with future building plans since the area, especially behind the church provides water runoff for our property and Kova as well. Kova has installed several storm water features to ensure runoff from their property goes into the small waterway. Our property on the south and east sides, slopes to the south and east, down to the water way behind the manufactured homes. Underground pipes have been installed for the downspouts on the buildings. We have no idea where these run to and we are therefore again concerned about the effects of construction on our runoff water. Our concern is that buildings proposed for the site will inhibit this flow of water without proper drainage being carefully considered during the planning and construction of the buildings. In addition, the back corner of our building is only 3 feet from the property line. Years ago, when there was a daycare at the church, a fence was installed to provide a playground. It is our understanding from Mr. Saylor that the line crosses the corner of the fence. No markers have been put up for the property lines; we do not know if this causes a problem for the rezoning or not. We have attached pictures to show Kova's landscape, fresh dirt piles and the turn around area of the Courtyard Community that will be the recipient of the runoff water. The drive through Courtyard is also the access to a private residence that adjoins the Saylor property. This is a very low area to receive much runoff. We appreciate your consideration in this manner, Westport Methodist Church, Westport. **Brad**; with our current Drainage Ordinance in place, they won't be able to receive a building permit until they complete a drainage study, the complete design that meets all of those requirements. It is pretty strenuous. It encompasses anything and everything. Cannot impede water coming off of another property as well as any hard surfaces, buildings, drives, etc. Drainage concerns were one of the reasons for the ordinance. This is simply the rezone, a long way to go before construction would begin. **Chris**; I think Roy is aware of that as well. **Paul**; looks like the zoning fits the area.

**Audience: Joseph Genco**: we live to the east of this and there is actually 2 little creeks that run down through there. The one that comes from Kova floods out our driveway. There are some low spots. There is another small creek that runs across the driveway. I have never seen it take on a lot of water. If they put this in, they will have people in and out all hours of the day, will fences be put up to keep people from wandering? **Paul**; there could be some discussions with close residential areas about access, is it 24-hour access, do we want to stipulate that it not be a 24-hour access. **Brad**; I don't know that we define it once it is a B2. As long as they are within the parameters.

Discussion on 24-hour access to the project and defining some parameters to the zoning, concerns of the neighbors, etc. With the neighbors' concerns with the security lighting, possibly coming on and off, headlights shining onto neighboring properties and after reviewing the map and discussing the water concerns it was decided to table this petition until additional information such as the plot plan, the drive and drainage plans. With a little bit of scope and design, then we can put stipulations on this like we have in the past with a little guidance. That way everyone gets their concerns addressed.

**Brad Schutte** made a motion to table this petition pending further information; **Sheila Kirchoff** seconded the motion.

\* **APC Petition 2025-5 – Roy Saylor** is requesting to rezone approx. 7.126 acres an A-1 zoning classification to a R-2 zoning classification for a Subdivision Plat. This request falls under Decatur County Ordinance Section Number 200-1. The property is owned by the petitioner and is located just West of 207 W Kentucky Avenue, Westport in **Sand Creek Township**.

**Chris Tebbe Representing Mr. Saylor:** There would be 6 lots that would be developed. Andy Scholle has been working on this with Roy. **Andy;** he owns these 7 acres, he has the blessing from the Town of Westport for the rezone. There have been some concerns from citizens, a lot of it is stormwater issues (reference the overhead map). So Roy decided to fix it. The lower parcel is on land contract from the current owner. The Tech Review meeting was held and recommended that both of these parcels be rezoned to R-2. FPB&H in North Vernon is working on the designs. **Missy;** what if he doesn't get approval for the bottom portion? Is this a situation where we need to hold it and make sure? If you put the front part in and we don't have that extra large detention/retention pond in the back, then I'm not sure what the front should be looking like. **Brad;** that is a holdup, you have to rezone it all due to the retention going on the south portion, I think it's in the right direction. **Andy;** it was thought to put it all on one petition, don't know if you can change this one. **Missy;** I wouldn't be opposed to the same petition, but the problem is we didn't advertise it properly for the extension. We will have to readvertise for sure, even if it is amended. I would say create a new number, Doug waives the fee on it, advertise the new legal and then put these two parcels together for the vote. That these have been merged together because it will now be one project. I think we would have covered the notice to everyone and not require two fees since we will put it into one project. It is the board's decision, that is just a recommendation. **Doug;** the key is that he has to get the Town of Westport approval first. **Paul;** it seems that if you tell him what we are willing to do with one project and one vote, we will send additional mailers to the neighbors at no fee, just the additional mailings. **Todd;** we would all feel more comfortable if this was put together and we knew where the retention pond would be. **Missy;** I don't know if they can make the next meeting, I don't know when Westport meets. We will have to see if he can make that or hold it for a month. That might give more time to the engineering firm to come up with the designs. There was discussion on the retention pond and what that would look like and how much it will hold based on the number of homes and other factors. **Missy;** If you were going to be going to the Westport Meeting on the 10<sup>th</sup> of this month, our deadline for advertising would be Thursday, March 12<sup>th</sup>. **Chris;** if he cannot be at the Westport meeting on Monday it can obviously be a later month too.

**Paul Stone** made a motion to table 2025-5; **Tom Cherry** seconded the motion with all members present signifying aye.

#### \* **APC Petition 2025-6 – Amend Survey Ordinance – First Reading**

**Andy Scholle;** The survey ordinance is basically what is required on a survey to be approved by the County. The current ordinance was approved back in 2008, so a lot of things have changed and some things are just not relevant, such as the flood zones, the maps from FEMA are scanned in and you can see if the property is in the flood zone or not. This has gone through Tech Review Committee. A lot of these things are just trying to clarify things. Trying to clean up some of the things on the survey that do

not need to be there. We broke it down better to only put what is required, some we just changed the wording. I have sent this to the City of Greensburg as well due to the fact that our Auditors' office reviews those. I added a section that was added by the State in 2018, different language for what needs to go in the caption for a legal description referencing the Indiana Code. **Brad**; will this help going forward? **Andy**; it should, usually the big companies from out of the county, do it the way they do surveys in their county, send it here and don't read our ordinances and then they have to make changes. This ordinance will be sent to them as well as whatever else they need for the project. Most everything in here is updates from situations that we have seen in the County, problems that have been raised that we are trying to correct. **Todd**; this is our first reading, there will be no vote this evening, we will have a second reading and once we adopt it, we will send it off to the Commissioners.

**\* APC Petition 2025-7 – Repeal Zoning Ordinance Article 9, Section 940-1 (b)(c). – First Reading**

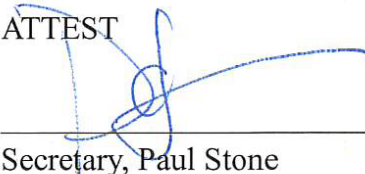
**Andy Scholle**; this section requires a septic site to be surveyed for new construction. 75% of the counties in the State only require one septic site. This will clean up the unnecessary time and expense of homeowners getting a survey to place their septic systems on a survey. This is something that should be in the Health Departments paperwork, they can also place the septic systems on the paperwork that they keep in their office files. **Todd**; once again this is our first reading, there will be a second reading next month and then pass it on to the Commissioners.

**Missy**; another follow-up, we had an email from someone stating that we should not be looking at this now because we are supposed to be doing a Comprehensive Plan (Comp Plan) revision and the ordinance revision should follow that. These really aren't the type of things that the Comp Plan doesn't weigh in on what this is and the survey ordinance would not really be one that would be reviewed after a Comp Plan revision. It still seems appropriate to address these, we all know how long the Comp Plan revision will take. These are things that definitely will be beneficial for the next couple of years while we work through the Comp Plan.

**Scott Smith** made a motion to adjourn; **Tom Cherry** Seconded the motion and the meeting was adjourned at 8:00 p.m.

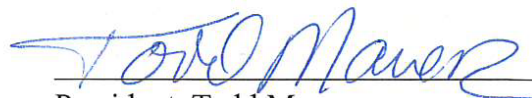
The video can be viewed at <https://youtu.be/qblA9O9h5II>

ATTEST



Secretary, Paul Stone

Decatur County Area Plan Commission



President, Todd Mauer

Decatur County Area Plan Commission