

**Decatur County Board of Zoning Appeals Minutes**  
**Decatur County Courthouse**  
**150 Courthouse Square**  
**Meeting Room**

The regular scheduled meeting of the Decatur County Board of Zoning Appeals was convened at 6:30 p.m. on Wednesday, April 3, 2019, at the Decatur County Courthouse. The meeting was called to order by Paul Stone. All board members were present. Also attending the meeting was Melissa Scholl – BZA Attorney, Krista Duvall – Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

President Paul Stone called the meeting to order and read the following; *to comply with Title VI of the Civil Rights Act 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.*

The minutes of the December 5, 2018 regularly scheduled BZA monthly meeting were approved as mailed.

**\* Election of Officers for 2019**

Attorney Melissa Scholl opened the floor for nominations of the following:

President: Jay Hatton nominated Paul Stone; Joyce Brindley seconded

Vice-President: Joyce Brindley nominated Jay Hatton; Janey Livingston seconded

Secretary: Gary Fischer nominated Joyce Brindley; Janey Livingston seconded

With no other nominations from the floor a vote was taken for each office and all members present voted unanimously in favor of the nominations. The elections of officers was then closed.

**\* BZA Petition 2019-1 – David Schwartz** is requesting a “**Variance**” to the required side setback of 30’ to 10’ for construction of a detached garage. This request falls under Decatur County Ordinance #945(5) The property is owned by the petitioner and is located at 4261 E CR 400 N, Greensburg, in **Fugit Township**.

**Krista Duvall** shared with the board the new voting sheet. This will be included in your monthly packet for each petition, these are the things that you need to take into consideration when you are looking at each request. If and when a vote is called for, you will mark you vote, I will collect and read them out loud and the secretary will mark on the voting sheet. **Joyce**; is these to keep it secret? **Krista**; not to keep it secret, just more objective. **Jay**; we are doing this with the APC as well, it will be more of a paper trail to it than a verbal vote.

David Schwartz stated that he wants to build a detached garage. The location is related to the driveway, I want to be able to come straight in from the driveway. **Paul**; the structure next to it (referencing the map) is still there? **David**; it is but I will remove it. **Janey**; so you will be removing the white building? **David**; yes. **Jay**; could you identify what we are talking about?

**David**; answered by referencing the overhead map. **Janey**; what are the dimensions of what you want to build? **David**; 40' x 60' is what I am looking at with 12' eaves. **Paul**; the eave will run north and south? **David**; yes. **Jay**; so you won't have any side doors? **David**; no. **Janey**; so is this just farm land? **David**; yes, the dark part is my pasture, I have 2 horses. **Jay**; do the horses have stalls somewhere else now? **David**; yes in the other building. **Jay**; what is the width of your lot? **David**; I'm not really sure. **Janey**; will there be any plumbing in this building? **David**; no. **Jay**; so will you put water in there for the horses? **David**; probably not, I'll bring it down along another building. **Joyce**; so you want to come straight in driveway into the barn? **David**; yes. **Jay**; does the fence run all the length of the property? **David**; yes. **Jay**; on the side that is 10' there is a fence as well? **David**; yes, from the barn down. **Jay**; how tall is your building? **David**; 12' to the eave. **Gary**; what kind of trucks will you be moving in and out? **David**; I have a pickup truck and a horse trailer. I also have a flatbed trailer. **Jay**; so you will have to back in every time? **David**; yes. **Jay**; is that a 1.5 acre lot? **David**; yes. **Joyce**; what is the distance of the house from the barn? **David**; 50'. **Joyce**; if you did put the barn over at the 30' setback, you still don't think that you can get in there? **David**; it is doable maybe but will be a real challenge. **Jay**; it may look or feel like we are drilling you too much, but in the past we have experience that for all property owners there needs to be adequate space on your side to maintain your building, 10' gets it to be really tight. **David**; I was hoping to keep the building at 15' but if I have to move it over, I was making sure that I cleared. **Joyce**; we appreciate you taking it in as much as you can. **David**; that is my goal, I'll take the other building down when I get this one done. **Jay**; so you will be so tight to that building during the construction that it will be work room only. **David**; yes, until I get rid of it. **Jay**; is the black line (referenced overhead map) a fence? **David**; no, the fence is over towards me a couple of feet, I kept it off the property line so I can mow all the way around it. **Paul**; in likely proposed ordinance updates, moving forward accessory buildings such as this will likely not need a setback variance as long as it is at least the height of the structure away from the property line. Could your construction occur and you achieve your 40' desired width, could you be the height of the structure away from the property line? **David**; like the 12'? **Paul**; yes. **David**; yes. **Paul**; at that point of 12' you can back your trailer in there and store it, and you can set a ladder up safely to work on your building. I understand you asking for 10' and then maybe needing to move it when they are setting posts. If this ordinance that will be proposed passes then situations like this won't occur. At least if the building were to fall it would contain itself on your property. That is just a thought and I don't know if it is something that can be changed or updated but it would provide comfort to me at least. **Jay**; so 12' is ok with you? **David**; yes, I should have room to work with that.

Joyce Brindley made a motion to vote on BZA 2019-1; Janey Livingston seconded the motion. Krista read the votes with all members present voting yes. **Paul**; you are good to go, Krista and Debbie will get you started with your building permit. Thanks for being here and follow the rules and procedures.

With no other business to be brought before the board the meeting was adjourned at 7:25 p.m.

Decatur County Board of Zoning Appeal

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Secretary, Joyce Brindley

Decatur County Area Plan Commission

ATTEST:

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Paul Stone, President     Decatur County Board of Zoning Appeals