

Decatur County Area Plan Commission
Minutes April 5, 2017
1st Floor Meeting Room of Decatur County Courthouse

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Albert Armand at 7:04 p.m. on Wednesday, April 5, 2017. There were 8 voting Board members present at the meeting in addition to Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant, Melissa Scholl – BZA & APC Attorney, and Kenny Buening – Decatur County Building Commissioner.

A copy of the meeting agenda and the attendance registrar is attached to these minutes and incorporated by reference. By consensus, the APC Board approved the minutes for the meeting on February 1, 2017 as written and mailed.

Election of 2017 Officers

The APC Attorney, Melissa Scholl conducted the election of officers.

President: Paul Stone nominated Jay Hatton. With no other nominations from the floor the nominations were closed and all in attendance voted yay.

Vice-President: Bill Dieckman nominated Albert Armand. With no other nominations from the floor the nominations were closed and all in attendance voted yay.

Secretary: Albert Armand nominated Andy Scholle. With no other nominations from the floor the nominations were closed and all in attendance voted yay.

Appointment of Board to BZA

Albert Armand nominated Andy Scholle to serve on the BZA Board for 2017, with no other nominations from the floor the nominations were closed, Andy will serve for the 2017 year.

*** APC Petition 2017-4 – Leising Excavating, Inc.** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification to continue to operate and grow a Mulch & Excavating Company with Propane Sales.

Tom Leising stated that he needed to rezone from an A-1 to an I-1 zoning classification so that we can continue to do the same operation that we have been doing for the past nine years, we have added the propane sales. We were then informed that we needed to get rezoned for that. We did have a residence on the property but have gutted the home and use it for storage.

The septic system has been approved for this, the local BOH goes by what the state says and they sent us an email saying that everything was sufficient since the residence was removed.

You are meeting the current setbacks, when we go to the I-1 zoning the setbacks will change. The existing buildings would be grandfathered in. There is I-1 zoning all around him. The proposed Comprehensive Plan shows this area as potential I-1 and/or Commercial zoning.

Audience concerns consisted of zoning from A-1 to I-1, original plan for mulch but has now turned into concrete as well, drainage runoff as well as contaminating the underground aquifer.

Jay stated that he, Albert Armand and Dave Neuman made a trip out there a few years ago when there was a complaint. Tom dug up some concrete for us to a certain depth and we all thought that it was ok.

After much discussion it was decided to table this petition until the May 3, 2017 meeting.

***APC Petition 2017-5 – Garry & Barbara Schwering** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling.

Gary Schwering stated that he plans to build a home on his property close to the pond. When he received the “conditional use” for the pond several years ago he stated at that time that he intended to build a home some day. After some discussion Albert Armand made a motion to vote on APC Petition 2017-6; Bill Dieckman seconded and all board members present voting yes.

***APC Petition 2017-6 – Rossburg Cemetery / Mark Thackery** petitioning to “rezone” from an A-1 zoning classification to an A-2 zoning classification to expand the cemetery.

Mark Thackery explained to the board that the time has come to extend the current cemetery. We own the property and just need the rezoning to start developing sections at a time. We will extend the current driveways back as we go. It was stated that there are no tile lines on the property. After discussion Albert Armand made a motion to vote on APC Petition 2017-6; Bill Dieckman seconded with all board members present voting yes.

***APC Petition 2017-7 – Matthew & Tracy Springmeyer** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling.

Matt Springmeyer stated that he wanted to build a home and place it next to the pond. The driveway will go along the west side of the property along the fence. It will be adequate enough for emergency personnel to get back to the home. Albert answered the question of the setback from the pond to the home, if it is your own home, you do not have to have a setback. The only setback would be from an adjoining property owner’s home. After discussion Albert Armand made a motion to vote on APC Petition 2017-7; Paul Stone seconded with all board members present voting yes.

*** APC Petition 2017-8 – Capital Telecom Holdings LLC** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification for construction of a Wireless Telecommunications Tower.

Russell Brown gave a presentation to the board about the tower going up, similar to the presentation given last October when they put up another tower. He also stated that coverage and capacity issues necessitate the new towers. The need for high speed internet coverage is an economic development issue.

Concerns from the audience included screening around the tower itself, keeping their construction equipment off of adjoining properties, the removal process if the tower is no longer needed and the concern over so many towers going up in the country and filling our view of our countryside with the towers. After detailed explanations for those concerns Albert Armand made a motion to vote on APC 2017-8; Tom Hunter seconded with all board members present voting yes.

***APC Petition 2017-9 – Justin & Tara Kirchhoff** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling.

Justin Kirchhoff expressed he and his wife’s desire to build a home to raise their family. They will put in a 50’ driveway all the way back to the home and will have a well as there is no rural water in that area. With some discussion Albert Armand made a motion to vote on APC 2017-9; Ryan Kennelly seconded with all members present voting yes.

***APC Petition 2017-10 – Gene Cooney** petitioning to “rezone” from A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling.

Gene Cooney stated that he would like to build a home on the property. I have my septic sites marked off and we will be drilling a well. The drainage is good in the area where we want to put the house. A concern from the audience was that the 8.8 acres and the rest of the properties were single family dwellings. We like the density the way it is. We are concerned about it opening a can of worms to a lot of development in the area. The board stated that the minimum lot sizes are 1.5 to 2.99 for a single family dwelling. With no other discussion Albert Armand made a motion to vote on ZPC Petition 2017-10; Andy Scholle seconded with all board members present voting yes.

*** Decatur County Comprehensive Plan**

Cynthia Bowen & Adam Peaper gave a presentation on the draft copy of the comprehensive plan. The plan is a recommendation and can be enforced by writing into the APC ordinances.

After much discussion and comments from each board member it was decided that each board member can submit a written comment about what you want addressed, Cynthia will then get those changes made and re-send the draft copy for review prior to the May 3, 2017 APC meeting.

The Decatur County Comprehensive Plan was tabled until the May 3, 2017 meeting.

With no other business to come before the board the meeting was adjourned at 9:54 p.m.

Respectfully submitted by Debbie Martin, Administrative Assistant.

ATTEST

Secretary, Andy Scholle

Decatur County Area Plan Commission

President, Jay Hatton

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