

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, February 5, 2025, at the Decatur County Courthouse. The meeting was called to order by Rick Hoeing. 4 Board Members were present with Scott Smith absent. Also attending the meeting was Melissa Scholl – BZA Attorney (remote) and Debbie Martin – Administrative Assistant.

Rick Hoeing opened the meeting 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.*

*** Election of 2025 Officers: Debbie Martin** opened the floor for nominations for the following positions:

President: Paul Stone nominated Rick Hoeing; Joyce Brindley seconded.

Vice-President: Joyce Brindley nominated Scott Smith; Janey Livingston seconded.

Secretary: Joyce Brindley nominated Janey Livingston; Rick Hoeing seconded.

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

*** Approval of September 4, 2024 Minutes: Joyce Brindley** made a motion to approve as mailed; Janey Livingston seconded the motion with all members present signified by saying aye.

*** Approval of December 4, 2024 Minutes: Joyce Brindley** made a motion to approve as mailed; Janey Livingston seconded the motion with all members present signified by saying aye.

*** BZA 2025-1 – 600 Land Inc.** is requesting a “**Variance**” to the required 100-foot setback from the road to a 75-foot setback. The request falls under Decatur County Ordinance Section 1244. The property is currently owned by the petitioner and is located at 2090 E County Road 280 E, Greensburg.

Kurt Pueblo; The actual project manager is WAGA Energy and we have a representative here to discuss the technical aspect of it. **Maura**, Project Manager; reviewed the plot plan layout and another sheet that shows where this will be in relation to the landfill. On an additional handout, shows where each component will be located. We are requesting the variance due to there being a detention basin that is currently on the landfill and so we want to push it further south to avoid grading in the area of the basin. It is fairly flat where we want to put it now and we want to steer clear of doing anything to that existing detention basin on the landfill. There are a few pictures here of what you would see now. We wouldn't change anything with this new setback of 75 feet. The next page shows some initial views of the site, its fairly flat. The additional photos show views from different areas and you can see that the view from County Road 200 S has an embankment that would help with the aesthetics. Currently, our site in New York, they have done a hypothetical noise assessment, at about 1000 feet it is 40 decibels and at the 75 feet it is just under 50 decibels. **Paul;** can you quantify 50 decibels? **Maura;** normal traffic is about 50-70 decibels. We have 2 compressors on site, so the majority of the noise is from the thermal oxidizer and flare, but the compressors are in those containers so it really helps with the noise. **Joyce;** does this run 24/7?

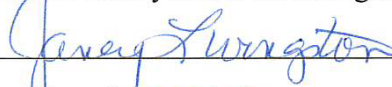
Maura; yes. **Paul;** and the closest residence is? **Kurt;** if you look at the plans, there is a house just to the west of that shed (on the plan sheet). **Janey;** so how many feet is that? **Kurt;** 250-300 feet. That dimension doesn't really change because the setback is on the same road. **Rick;** and to know that this project has previously been approved as a conditional use, we are really just looking at a variance for the setback. Does it alter the vegetative buffer that is there now, on what the original plan was? There is no intent to clear what is there? **Kurt;** no. There was discussion on the landscaping which was part the previous Conditional Use petition at a past meeting and not the variance. **Paul;** I think that as we move this closer to the road that we offer some potential visual barrier and maybe some argument for some ways you know, if there are some there would you estimate that there are 10 or 50 trees? **Kurt;** there is quite a few. **Rick;** so this prior approval, and Missy, correct me if I'm wrong, this was a 5-year Conditional approval, is that correct. **Missy;** if it was a conditional use it was 5 years. **Rick;** if there is no public concern at that point and these evergreens continue on from there, if there is concern that gives needs for the board to come back and ask for additional vegetative buffers, correct? **Debbie;** if after 5 years when it is time to renew, we will send letters to you and the adjoining property owners, if in the 30-day notice period they don't reply to the letters, we will administratively, through the office, renew that for another 5 years. The only cost to you would be the fees for the certified mailings. That process would happen every 5 years. If there is a complaint then the public has an opportunity to come to the board and voice their concerns. **Rick;** the Conditional Use has a time frame of 5 years. That gives the public an opportunity to express any concerns after the project is complete. **Kurt;** thank you for explaining that. **Janey;** it looks like on the ariel view that it makes more sense to give you the 75 foot to keep from disrupting the detention basin.

Joyce Brindley made a motion to vote on BZA 2025-1; **Janey Livingston** seconded the motion with all members present voting yes.

*** BZA Petition 2024-8 – Geenex Solar / Cobia Solar: Continued to the March 5, 2025 Meeting**

Paul Stone made a motion to adjourn the meeting at 6:48 p.m. with a second from Janey Livingston, meeting adjourned.

Decatur County Board of Zoning Appeal


Secretary, Joyce Brindley



ATTEST:


Rick Hoeing, President, Decatur County Board of Zoning Appeals