

Decatur County Area Plan Commission
February Minutes 2019
1st Floor Meeting Room of Decatur County Courthouse

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Jay Hatton at 7:03 p.m. on Wednesday, February 6, 2019. There were 7 board members present with Jeff Hermes, Ryan Kennelly and Kevin Fleetwood absent. Also attending was Melissa Scholl – APC Attorney, Krista Duvall – Decatur County Area Plan Director and Debbie Martin – Administrative Assistant.

Jay Hatton 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.*

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 November 7, 2018 as written and mailed.

*** Election of Officers**

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

President: Todd Mauer nominated Jay Hatton; Paul Stone seconded

Vice-President: Andy Scholle nominated Paul Stone; Jay Hatton seconded

Secretary: Jay Hatton nominated Andy Scholle; Todd Mauer 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.

*** Appointment to Board Zoning of Appeals Board**

Bill Dieckman nominated Paul Stone to be the APC representation on the BZA board; Todd Mauer seconded the motion, all members present voted in favor of the nomination.

*** APC Petition 2019-1 – L & P LLC – Steve Pavey** is petitioning to “**Rezone**” **0.383** acres from an

R-2 zoning classification to a B-2 zoning classification to install a construction type trailer with electric for food purchasing customers to sit down and eat. This request falls under the Decatur County Ordinance **Section #1125**. The property is owned by the petitioner and is located just south of 508 W Main Street, Westport in **Sand Creek Township**.

Steve Pavey stated that he has a convenience store in Westport and he purchased an adjoining property with a home. The home was torn down and I wish to place a construction type trailer there for my food purchasing customers to be able to have a place to sit and eat.

Jay; have you put these types of trailers anywhere else? **Steve;** yes, I have one in Milroy. **Jay;** what would be the hours that this would be open? **Steve;** the store hours are 5 a.m. to 9 p.m. so with electric out there they can use it anytime. **Jay;** so it would be locked at 9 p.m.? **Steve;** we do not lock the one at Milroy, we just close the door and windows. It hasn't been a problem. **Jay;** where would you set the trailer? Close to the parking lot or what proximity would it be? **Steve;** it will be probably at the end of the sidewalk on the side of the store, away from the dumpster. **Jay;** so we are rezoning that particular piece from an R-2 to a B-2 zoning. **Steve;** we appeared at the Westport meeting and they signed off on it. **Jay;** I was going to reference that and we also have some photos of the trailer that is at the Milroy location. I've been in the one at Milroy, I think it serves a purpose up there for sure and I know the guys really enjoy it. **Steve;** **Paul;** will the lot be stone for parking? **Steve;** most of it right now is just grassy area, we mowed it through the summer. When we set the trailer we will pour a cement pad, depending on how close it is to the building we will either have stone or a sidewalk. **Jay;** a trailer remains sort of a portable unit, will you just block it up? **Steve;** to pass code it will have to be anchored down. **Jay;** just for everyone's information, we are using the site evaluation sheet and we are using that for voting. I'll cover that when all of our questions have been asked. **Paul;** it seems that it would provide some level of parking for your customers, it would be a nice place where they can park out of the way from your gas customers. **Steve;** that may be in question because we have a rather small lot, if we get a lot of usage out of it, we may have to put some gravel on the Main Street side for parking. On the other side we have plenty of space. **Jay;** has there been a request to have such a thing, what is causing you to put this trailer in? **Steve;** more and more you see convenient stores serving hot food which is a pretty important part of the operation and we need a place for them to sit and eat and this will be more economical than building onto the store. **Jay;** there will be no restrooms, correct? **Steve;** correct. There will be heat, air and lights. **Jay;** is there smoking in the trailer? **Steve;** there is in Milroy. **Jay;** does that have to be approved, does the Westport VFD have to sign off on that. **Steve;** with the prohibition of smoking I don't know what that rule would be in the trailer out there. **Jay;** just because of the little facts I have on the Milroy store I see that it is successful. **Steve;** I don't know what the response will be but it's worth a try.

Jay explained the voting procedures from here on out. Krista stated that she would collect the sheets and read them out for the Secretary to record. All voting sheets will be kept in the petitioners folders.

Andy Scholle made a motion to vote on APC 2019-1; Bill Dieckman seconded the motion. Each board member voted and Krista collected the sheets and read off the votes to the secretary to record. All members present voted yes.

*** 2018 Year in Review**

Krista passed out the monthly tabulations that we generate to reference what activity is going on in the office such as building permits, BZA & APC petitions, and the number of acres being taken from ag production and so on. Jay stated that this is interesting to review, it is a check and balance of what we are actually doing up here for the community and what we are doing to the

community. I always find it interesting to look at it, we have had a history of not removing very many acres from A-1, and this particular year is an exception from the past but still not a dramatic number. Krista stated that the 14 acres that we moved to I-1 zoning. It was noted that the report did not reflect the Area Plan Office's request to change a few parcels from I zoning to A-1 zoning and that will be corrected. These were parcels of land that were no longer being used for those particular zoning classifications and it just made sense to change them back. It was just missed. **Jay**; go home and review this report, if there is something that you think that we need as a column of more data, please let Krista know or bring it to our attention at the next meeting and we will try to re-address this and make it as good of a report as possible.

Jay also requested a summary on the surveys that were sent out from our office and how it was going. Krista reported that they have been sent and we have gotten a few back but not many. Primarily they were new construction or remodels. We included the departments that these individuals would come in contact with when dealing with our office. We will look at what permits we have had at the end of the month and then send more out based on their building project. The goal was to make sure that we were providing the best service possible to the people of the county.

With no other business before the board the meeting was adjourned at 7:30 p.m.

ATTEST

Secretary, Andy Scholle

Decatur County Area Plan Commission

President, Jay Hatton

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