

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, January 6, 2016, at the Decatur County Courthouse. The meeting for the Decatur County Board of Zoning Appeals was called to order by Albert Armand. Darlene Tobias was absent giving us 4 members present. Also present was Krista Duvall--Decatur County Area Plan Director, Kenny Buening – Decatur County Building Commissioner, Debbie Martin – Administrative Assistant and Melissa S. Scholl, attorney for the APC & BZA Boards.

A copy of the meeting agenda and registrar of attendance is attached to these minutes and incorporated by reference. By consensus, the Board has approved the minutes of December 2, 2015 BZA meeting as written and presented.

Before hearing the following petitions, Attorney Melissa S. Scholl conducted the swearing in of all public commenters and representatives of each petition.

BZA Petition 2015-9, petitioner Leroy Kemp, Jr. and his wife, were not present for this meeting. This petition was also tabled at the July 1, 2015, August 5, 2015, September 2, 2015, October 7, 2015, the November 4, 2015, December 2, 2015 and the January 6, 2016 meetings. They are requesting a “Conditional Use” in an A-1 zoning classification to own and operate a dog grooming business inside an existing building. This would be for a period of 5 years and at that time, Mr. Kemp, Jr. would have to come back before the Board to re-apply for this same request. This falls under the Decatur County Zoning Ordinance Section Number 935 (2 a & b). The property is owned by the petitioner and is located at 2824 W. Co. Rd. 600 N., Greensburg, In. 47240 in Adams Township. The whole property is approximately 2 acres. The Kemps’ are working with State of Indiana for a commercial septic system. His engineer has not completed the drawings for the size the State of Indiana has required. After the drawings are completed, the design for the septic system must be ok’s by the State of Indiana. A letter will then be sent to Alan Crosby stating the plans have been ok’d and Alan can issue a septic permit. The BZA Board can vote on the petition then and Leroy can proceed with the proposed business. He will be scheduled for the January meeting.

Mr. Kemp was unable to attend the meeting and the petition will be tabled until the February meeting.

***BZA Petition 2015-19—Jackson Nursery** represented by Carl Jackson is requesting a “Conditional Use” to allow an electronically changeable message board sign in an A-1 zoning classification. This petition was tabled at the December 2, 2015 meeting. This request would fall under Decatur County Zoning Ordinance Section Number 2050. The property is owned by the petitioners and is located at 7183 E. Co. Rd. 400 N., Greensburg, In. 47240 in Fugit Township.

Brad with Cain Signs addressed the board on behalf of Mr. Jackson. Brad explained the changes that were made to meet the county sign ordinance Section 2080 (2A).

After discussion Steven Dudley made a motion to vote on BZA Petition 2015-19 as presented with the new dimensions; Jay Hatton seconded the motion. A vote was taken with all members present voting yes.

***BZA Petition 2016-1 – Gerard & Dorothy Fry** represented by Gerard Fry. They are requesting a **“Variance”** from provisions of the Decatur County Zoning Ordinance Section Number 945 (5) to the required setback of **30 feet to 7 feet**. The property is located at E Co. Rd. 650 S, Greensburg, IN 47240 in Marion Township.

The board asked Mr. Fry what this building be used for. Mr. Fry stated that it will be used for storage.

With no other questions or comments from the board or the public, Jay Hatton made a motion to vote on BZA Petition 2016-1; Roger Krzyzanowski seconded the motion. A vote was taken with all members present voting yes.

***BZA Petition 2016-2 – Joseph Harmeyer** is requesting a **“Variance”** from provisions of the Decatur County Zoning Ordinance Section Number 945 (5) to the required side setback of **30 feet to 5 feet**. The property is located at 4668 S CR 950 W, Greensburg, IN 47240 in Clay township.

Mr. Harmeyer addressed the board stating the reason for his variance request.

Board questions and concerns;

- What do you have a 20’ easement for? For drainage on the adjoining property owners land.
- We are advising that you move the building. You cannot maintain your building properly. Mr. Harmeyer asked if 10’ was enough. Missy Scholl stated that the board is concerned with future property owners. Joe asked what will work.
- Mr. Harmeyer asked what will work and it was suggested that he increase his side setback to 20’? A member of the public asked if someone could come out and look at the property. Robert Pumphrey, an adjoining property owner stated that he supports what they are doing.
- It was then decided that a 15’ side set back from the property line would be sufficient.

After discussion Roger Krzyzanowski made a motion to vote on BZA Petition 2016-2 stating the setback of 15’ instead of the original 5’ of side set back requested; Steven Dudley seconded the motion. A vote was taken with all members present voting yes.

Officers will be elected at the February 3, 2016 meeting.

With no other business, the meeting was adjourned at 7:02 p.m.

Respectfully submitted by Debbie Martin, Administrative Assistant.

Decatur County Board of Zoning Appeal

Secretary, Jay Hatton
Decatur County Area Plan Commission

ATTEST:

President, Albert Armand
Decatur County Board of Zoning Appeals