

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, July 5, 2018, at the Decatur County Courthouse. The meeting was called to order by Paul Stone. All 5 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.

The minutes of the June 6, 2018 regularly scheduled BZA monthly meeting were approved as mailed.

* **BZA Petition 2018-11 – Joshua Bailey / JMB Gunsmithing** is requesting a **“RENEWAL” of the “Conditional Use”** as provided in the Decatur County Zoning Ordinance # 935(2) to continue to sell and repair guns on their property. The property is owned by Sugarhill Properties LLC and is located at 1913 E CR 400 S, Greensburg in **Marion Township**.

Josh Bailey stated that his business is growing well and he is not having any problems.

Paul; not issues with any neighbors, no disputes? **Josh**; no. **Krista**; I have not heard anything. **Paul**; any plans to change, you are currently not shooting outside and no range? **Josh**; no, I go to the Conservation Club to test. **Roger**; are you selling guns now? **Josh**; yes, the licensing is all the same. **Jay**; it the period of renewal 5 years? **Krista**; yes. **Jay**; for the next 5 years you will maintain business just as you have been doing? **Josh**; yes. **Jay**; can you give a recap of what you are doing? **Josh**; it is not manufacturing, repair only. I do have to make some small parts on a lathe or mill machine. It is just repairs and customizations of legally owned firearms. **Jay**; can someone carry in something that needs to be worked on? **Josh**; yes, if it doesn't deject or fire. **Roger**; you don't have a showroom there for guns? **Josh**; I have a few on a carousel but some of that is things that people have forfeited on. **Jay**; and this is in your home or garage? **Josh**; it is in a detached building. **Jay**; do you have a frequency of inspections? **Josh**; I'm subject to ATF inspection at any time. I have had no problems with ATF, all my licensing is current and have had no complaints with ATF. **Jay**; do you do work on the Sheriff's Department or the City of Greensburg Police Departments weapons? **Josh**; it is up to the individual officer, some I have worked on and some go elsewhere.

With no other questions from the board or comments from the audience Jay Hatton made a motion to vote on BZA 2018-11; Joyce Brindley seconded the motion with all board members voting yes.

* **BZA Petition 2018-12 – Brian & Kathleen Wiggins** is requesting a **“Conditional Use”** as provided in the Decatur County Zoning Ordinance Section # **935(1)** to turn an existing structure into living quarters for aging parents. The property is owned by the petitioners and is located at 712 N Iron Mine Road, Westport in **Sand Creek Township**.

Brian stated that his parents sold their home and are not quite ready for long term care. I want to bring them closer to me so I can take care of them until they need additional help. I have a detached building that I use for my personal use and I plan to convert a portion of that building into a convenient one bedroom place for them that will have a handicap accessible bathroom.

Paul; do you have an expected time frame for this or is it something that will be unsure at this point? **Brian;** mom is in better health, dad will probably be in nursing care within the next year. Mom will probably go as well, I'm guessing a 3 year plan. **Paul;** my concern is that it doesn't turn into a rental property of some sort but I think that outside of that it is legitimate. This would have a 5 year stipulation and should you want to continue that you would come back in. **Joyce;** I know the family personally and I want to commend you that you are making sure that you have a place for them. The building is already there right? And you have already finished it off so you are just taking space for mom and dad to have a place of their own. **Brian;** for my parents to be close in case they need us but far enough away to have their own independence. **Jay;** what size of an area are you trying to finish off? **Brian;** 36' X 24' area, the entire building is 36' X 56'. **Joyce;** will you be keeping your own office in the other end of the building? **Brian;** yes. **Paul;** will the building be subject to inspections and is the water tie into a wastewater system or will it be a septic? **Brian;** I will put in a septic. **Jay;** there is no septic there now right? **Brian;** no, I was hoping to tap into my existing field but we went ahead and did a separate septic for this location. **Jay;** if we make a motion we would make it subject to his direct parents living there and when they are no longer there he would lose his conditional use or 5 years whichever happens first. Is there another set of parents that may use this? **Brian;** no. **Jay;** do you have a use for you after they are done with it? **Brian;** it won't get used as much now that the kids are gone. It will probably go back to a pool table and a place to recreate. I don't want anyone there. It will not be a rental after my parents are gone. **Paul;** occasionally in these situations with multiple facilities on the same property they turn into rentals and we want to be clear about that.

With no other comments from the board or audience Joyce Brindley made a motion to vote on BZA 2018-12 for a “Conditional Use” with the 5 year use for his only and cannot be rented out after the parents no longer need it and subject to it being the residence to the owners parents living there; Janey Livingston seconded the motion with all board members voting yes.

With no other business to be brought before the board the meeting was adjourned at 6:47 p.m.

Decatur County Board of Zoning Appeal

Secretary, Joyce Brindley

Decatur County Area Plan Commission

ATTEST:

Paul Stone

Decatur County Board of Zoning Appeals