

**Decatur County Area Plan Commission Minutes**  
**July 6, 2016 at 7:00 P.M.**  
**1<sup>st</sup> 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 7:06 P.M. on Wednesday, July 6, 2016. Absent from this meeting was Jeff Hermes giving us 8 members present. Also present at the meeting were Krista Duvall--Decatur County Area Plan Director and Debbie Martin, Administrative Assistant.

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 May 4, 2016 as written and presented.

\* **APC Petition 2016-12 – Andrew & Stacey Bennett** are requesting to **“Subdivide” and “Rezone”** two 2.99 acre tracts for a total of 5.98 acres out of 83.6 acres from an A-1 zoning classification to an A-2 zoning classification for construction of one single family detached dwelling on each tract. The property is owned by the petitioners and is located at 641 E CR 1000 S, Westport in **Marion Township**.

Andrew Bennett addressed the board and stated that he wants to build two homes, one for himself and one for his son. Will keep the original house.

**Board;** What are you going to do with the original house? **Andrew;** we will rent it out, we are renting it now. Don't want to tear it down, it's too good of a house. **Board;** I notice that one of the lots is partially in Jennings County. **Krista;** we advertised a legal ad in Jennings County as well as sent certified letters to those property owners in Jennings County. **Board;** Does Jennings County have any particular requirements? **Krista;** no. **Board;** you just come in and ask for your permit to build a house. **Andy Scholle** stated that any time he has completed surveys in their county that they require 1.5 acre lots for a home and 150' of road frontage. **Board;** no rezoning? **Andy Scholle;** no, as long as you meet those two requirements you are good to go. **Board;** I notice there is a driveway south of you, is that on a different property? **Andrew;** Yes, that's another house. **Board;** You have two houses there, is it going to be one shared drive? **Andrew;** Yes but there will be a center and we will each have our own driveway. **Board;** will it be a 50' easement? **Andrew;** it will be like 50' on each side. **Board;** so it's going to be a 100' drive? **Andrew;** no, it's not but we will each have our own drive. The property line will be in the center of each drive. **Board;** so you will have one single driveway that comes off the county road? **Andrew;** yes, I didn't want to put two driveways. **Board;** two red coffee cans on top of post, is that about where the driveway will go? **Andrew;** yes. **Board;** it looks like part of these lots set back in the woods.

**Andrew;** yes and I have the pasture there in the front. **Board;** The two tracts will coincide with each other, the drawing shows a little space between them? **Krista;** It's just the way it is drawn. **Board;** Will the south dwelling actually be in Jennings County? **Audience;** we hope they get this completed so that the bus will come down the road to our driveway. As of now we drive them to the end of the road and pick them up there as well.

Jay Hatton made a motion to vote on APC Petition 2016-12, Bill Dieckman seconded the motion. All members present voted yes.

## Other Business: Area Plan Director Krista Duvall

- We have been working on an updated copy of the APC application that has had a few things added. We have been in conversations with the incorporated Towns (Westport, St. Paul and New Point) and they have requested that we work together and make them aware of petitions that come before this board that will affect their towns. This will only affect the APC Petitions that are within their incorporated limits.
- Requirements will be; 1. A letter from the town council giving their approval, disapproval, or any comments. 2. A letter from the local sewer and water companies. 3. A survey that would need to be completed within one year. Listed the survey ordinance. 4. Evidence of ownership. 5. Sewer/Sewage permit from the appropriate department. 6. Driveway permit from the appropriate department. **Board;** If they are in the incorporated area and sewer and water are available, is it mandated that they hook on? **Krista;** I don't know that. I think in Westport that it is. **Andy;** I thought it was, for instance if you are within so many feet of the end of the sanitary line, I thought that you would have to extend it, I was thinking like 200'-300'. **Board;** Wouldn't that be in each towns ordinance? **Krista;** It should be. **Andy;** I've never had anyone ask that but I remember reading it somewhere. **Krista;** The towns are concerned with people coming in the get a building permit and building a stick and we say sure go ahead, then they go to their towns to request tapping on to the sewer lines after the fact, the cost is out of reach, and in Westport's instance they have issues with capacity and they may not be able to accommodate everyone. They just want a head ups. We did tell them that the letter of recommendation doesn't mean that we will vote that way, it just means that they are aware that the project is coming, they are aware of people who want to build or rezone in their incorporated limits. **Board;** in some of these towns the zoning classifications include a variety of all of the zoning classifications. **Krista;** Please take a look at these, they are not published. It's just something that we have been working on. Any concerns or comments, please call us. **Board;** When do you want to adopt this or what is the process? Does this have to have pre board meetings to adopt. **Krista;** We will check on this. **Board;** we need to be sure that there is no ordinance. I think this is a good idea.
- Update on Rockies Express Pipeline; they will be preparing to tap into the line, they will shut down the line for one week and work 24 hours a day. There will be more noise and traffic than normal. REX has sent out letters to adjoining property owners to make them aware and will attempt to do the loudest work during the workday and not in the middle of the night. They want us to know so that if we get phone call that we are prepared to answer them. **Board;** I have a question on soybean growth along those areas with the extra lighting, we always get concerns over that. What will be our process; is that just something we hope is a short enough duration? **Krista;** they said that they would try to get the lighting turned inward and was hoping that this would be a short enough period of time that it wouldn't have much effect. **Board;** with it being just a week, we should be ok.

**P.O.P. (People over Pigs)--**They have nothing for this meeting.

With no other business, the meeting was adjourned at 7:22P.M.

Respectfully submitted by Debbie Martin, Administrative Assistant.

ATTEST

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Secretary Andy Scholle  
Decatur County Area Plan Commission

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President, Albert Armand  
Decatur County Area Plan Commission

