

**Decatur County Area Plan Commission**  
**June Minutes 2022**

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Brad Schutte at 7:00 p.m. on Wednesday, June 1, 2022. There were 8 board member present. Also attending the meeting was Melissa Scholl, APC Attorney, Krista Duvall – Area Plan Director, Debbie Martin – Administrative Assistant and Jerome Buening – Decatur County Commissioner.

Brad Schutte 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.*

\* Approval of minutes of the May 4, 2022 were approved as mailed with a motion from Tom Cherry and a second Paul Stone.

\* **Robin Carmer 2022-7 – Brad;** this was tabled from the previous meeting. This was sent back to us from the Commissioners and we have Jerome Buening here with us tonight. Can you come up and explain to us your thoughts. This was tabled per your (Commissioners) request and wanted some revision to be done, it wasn't real clear as to what they wanted. We have had more discussion on what the proper avenues would be, this will have to go back to the Commissioners for anything to be done. **Jerome;** the Commissioners thoughts were, we are looking at 3 plus acres along 46, it is primarily residential along that area and the Comprehensive Plan doesn't speak to either one in that area. I don't want to speak for the other guys, I was uncomfortable with doing a blanket rezone of the 3 plus acres. I thought that, being a little unaware of the rules and regulations concerning this, that if that was ever going to expand, that somebody, Area Plan, or whoever would have an opportunity to put a new set of eyes on that so that the entire area wouldn't be blanketed into the zoning that would allow for business and commercial, whatever is allowed, a wide range of things that are allowable in that classification. That was the thought process behind the Commissioners sending it back. I think maybe there were 2 dissenting votes, I don't know how many there were for it. I think we just wanted to express a little concern about that and just have another opinion on that. If it did come back then we would move forward from there. The idea that that entire parcel would be rezoned in perpetuity, we were just uncomfortable with that. I don't know if I am leaving any thoughts out or not but you guys had some questions. **Melissa;** if I might kind of update everyone as to where things are, Justin Gifford, the attorney is here and we have had communication over the last couple of days. What my understanding is they are going to request tonight to table the rezone, any further discussion on the rezone and there is a memorandum of understanding and that some possible further discussions on maybe pursuing more of a permanent special exception on the property with conditions that will meet the needs of the property owner as well as the concerns with the Commissioners and this board. Justin is here and he can confirm what they want to do, that might clear up for everybody where this is going and kind of the next step. **Jerome;** I would first like to say that we did not have an issue with the business that is there, we just were concerned with what else could come and how much more traffic might be involved in the area. **Brad;** essentially, Melissa, just to get the technicalities here, does this need to go back to the Commissioners and be denied? We still have an approved petition from the Area Plan

Commission. **Melissa;** right, and it has come back to us because the Commissioners did not sign off on it, with it being requested to be tabled tonight then we can just let it be tabled and then there can be a formal request to withdraw that petition from the petitioner. There would be a new petition filed for the permanent special exception and that's what would move forward on the property. **Brad;** and to be clear, that would be with the Board of Zoning Appeals. **Melissa;** that is correct. **Justin Gifford;** I am the attorney for Robin and Tim. As Melissa spelled out, we share a lot of the same concerns that the Commission does, the Commissioners do. After a lot of consultation both with the Commissioners, Chad Smith, Melissa and the attorney for one of the potential remonstrators, we are all in agreement that a B zone is not the proper vehicle for this. I understand your concerns about the long term, you don't want a Wal Mart going in there, it wouldn't fit on 3 acres but nonetheless, the traffic concern is actually understandable and you don't want somebody coming in to purchase the property that shared the same affection and care for their community that Robin does. What we are proposing is we are going to request to table the rezone application for now. We have been in correspondence and will continue to negotiate as far as what reasonable restrictions are to address the community's concern under the special exception. Our position is that the special exception is the right vehicle to do this with. It also retains the power of the BZA to, years down the road if there is some other use that wants to be done with it, you guys get another crack at it to say "no, we don't want this here, this is a prorated use for this property, we want to prevent that", so we are formally requesting to table this for a month, I'm hopeful that we are able to sort everything out under a special exception between now and then. If not, you will see another table. Regardless, once we have everything hashed out on the conditional use permanent special exception, we would anticipate that we would be withdrawing the rezone request if that (inaudible) place. **Brad;** that is what I needed to hear. **Jerome;** I might say that we are kind of aware of what is going on with the memorandum of understanding, though it is not completed yet, it is not a final document, but I really think we are going down a really good path here and I think it is going to be a good situation for everybody involved.

\* **APC Petition 2022-14 – Nick Tuttle** is requesting to subdivide approx. 8 acres out of 20.97 acres and rezone approx. 2.99 acres out of 8 acres from an A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling. This request falls under Decatur County Ordinance Section Number 920(7) & 915. The property is owned by Rebecca Lentz and is located at 10622 S CR 100 W, Greensburg in **Marion Township**.

**Nick Tuttle:** we are buying 8 acres off of my mother and step father, they recently bought the property and gave us the opportunity to buy the field to build kind of a dream house for us. We are from Columbus, I grew up here and moved to Columbus when I got married, I'm a paramedic/fireman for the City of Columbus. We just want to move out into the country, we like being out in the Westport area, we are building a barn dominium, approximately 3800 square feet with a garage. **Brad;** where is the driveway entrance going to be? **Nick;** we are trying to take it off of the gravel road, 1050 W. The house will sit further back towards the south. **Tom C.;** what do you have for water down there? **Nick;** we are going to have a well drilled by Mr. Remmler. **Tom C.;** is that decent water area Brad? **Brad;** yes. **Nick;** my mother's house has a 76 foot well and it's doing just fine. **Brad;** there is plenty of water, that's not the issue. **Ryan;** I have built a lot in Hamburg and there is no water, I don't know what the relevance is.

Sheila Kirchoff made a motion to vote on APC 2022-14; Tom C. seconded the motion with all members present voting yes. **Brad**; welcome to Marion Township.

**\* APC Petition 2022-15 - Steve Ruble of Strand Associates for Decatur County Highway Department** is requesting to rezone approx. 42.140 acres from an A-1 zoning classification to a B-3 zoning classification for construction of a new Decatur County Highway Garage. This request falls under Decatur County Ordinance Section Number 1145. The property is owned by the Decatur County Board of Commissioners and is located West and Northwest of 980 S CR 200 W, Greensburg in **Washington Township**.

**Steve Ruble, Strand Associates:** We are asking to rezone these 42 +/- acres. The Commissioners acquired this property to relocate the county highway garage at this location. It is between the airport and the fairgrounds. It is a good location for this type of facility, we have been working with the APC for some time that we will get to talk about next month at the BZA meeting. It is currently zoned A-1, we are requesting to zone this to a B-3 which we think is the most appropriate zoning for this type of use. The property can be served by city water and sewer. The Commissioners are undertaking a project to extend a water main to the site. We also have an actual gas utility available to us and REMC will serve the electric. There is also telecommunication service to the site as well. **Ryan**; is the entire 42 acres being used for the county garage? **Steve**; right now we are planning on using approximately +/- the south 20 acres for the highway garage site. Because the commissioners own the 42+ acres and we think that future uses will be more suited to a B3 type zoning, we thought it was a good idea to approach about rezoning the entire property so that we won't have to come back. Again, it is our belief that B-3 type zoning at this particular location is the highest and best use for this piece of property. **Paul**; the remaining 20 acres, until some construction project does happen, what is the intended use, will it be open grass, available for the fair week for parking? **Steve**; I think that will be available during fair time, I think there is interest from the Power of the Past to be able to use that property like they have in the past. It will continue to be used for those type of things until something comes up that may be a higher use for that property. **Ryan**; is the county garage going to be to the south? **Steve**; yes. **Brad**; yes, and that is something that we don't have a picture of Steve, it is going to essentially be as far south as you can go. **Steve**; basically the south half of that property will be county highway garage. **Ryan**; which makes the use of the property to share with the fairgrounds closer. **Steve**; yes. **Brad**; basically it is over the hill. **Jay**; what is the access going to be? **Steve**; 200 W will be the access, the county plans to improve that roadway to their standards. **Brad**; it is actually an open road back to that point now. **Mark Mohr**; part of that road is a private road out by Beggs. We have talked to them and they are going to turn that over to us as we improve it and bring it up to county standards. The width will be so that dump trucks can pass each other and so forth with a cul-de-sac at the end with two spurs coming off at the end, one for their house and another one for the barn. **Brad**; and that is what the exception is for, you guys traded... **Steve**; yes, that is trade right of way for that .913 acres. **Todd**; it would be great except for the week of the fair, and power of the past. **Mark**; that will be a time when we will have our people staged outside of those realms. **Paul**; will the entire 40 acres be fenced, is that the plan? **Steve**; the 20 acres will be fenced, we will be at the BZA next month for variances and security. For the site, obviously there are things on the county highway garage site that need to be secured. We will provide security fencing around basically that whole property. The only part that will not be fenced off is the public access to the front of

the building. **Tom H.;** will this be similar to Bartholomew County? **Steve;** unintentionally but yes it will. The office will be at the front part and then a series of bays, three maintenance bays, a wash bay and then two bays for shop work area for the main building. On the property will be a cold storage building where they will store a lot of material, there will be a materials storage building for salt, sand and stone. There will also be a fuel canopy out there. **Tom C.;** so you will hook the sewer down there Mark with the city sewer? **Steve;** yes, there is an existing sewer man hole on the fairground's property just east of 200 W, this will be served by a grinder station, a short for main to get it up to that gravity sewer up on the fairgrounds. **Sheila;** what is the anticipated building date? **Steve;** we are looking toward the end of construction season 2023.

Public: **Bill Fenley;** is there any other place around the airport where they can build the new hangars? The new airport. Is there any other... it looks like prime property to me for hangars. **Brad;** I have no idea. **Bill;** if that is the case will the county sell that if someone wants to build hangars? **Steve;** there is a process that the Commissioners would have to go through to sell that if they so desire. It is not as easy as a private transaction. **Bill;** how long have they owned it? **Steve;** less than a year, maybe. **Bill;** did they buy that from the airport? **Steve;** I don't recall. **Mark;** I think the airport design is already got new hangars.

Todd Mauer made a motion to vote on APC 2022-15; Paul Stone seconded the motion with 7 members present voting yes and 1 member voting no.

With no other business before the board Ryan Kennelly made a motion to adjourn; Tom Cherry seconded the motion, the meeting adjourned at 7:29 p.m.

ATTEST

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Secretary, Todd Mauer  
Decatur County Area Plan Commission

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President, Brad Schutte  
Decatur County Area Plan Commission