

**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, November 2, 2016, at the Decatur County Courthouse. The meeting for the Decatur County Board of Zoning Appeals was called to order by Jay Hatton. Albert Armand was absent leaving 4 board members present. Also attending the meeting was Krista Duvall--Decatur County Area Plan Director, Debbie Martin – Administrative Assistant and Melissa Scholl, Attorney for BZA and APC Boards.

A copy of the meeting agenda and registrar of attendance is attached to these minutes and incorporated by reference. With no additions or corrections the board unanimously approved the October 5, 2016 minutes as mailed. Melissa Scholl, Attorney for BZA and APC Boards swore in the audience.

***BZA Petition 2016-27 – Larry Heger** is requesting a **“Variance”** from provisions in the Decatur County Zoning Ordinance Number **945 (5)** to the required setback from 30 feet to 14 feet to subdivide the property. The property is owned by Kurt Haurert Living Trust and is located at **4920 N CR NE80 Greensburg, IN, Fugit Township.**

Larry stated that he would like to subdivide the home and yard, approx. 1.9 acres. This would separate the farm and home. The detached garage and the tool shed does not have enough space to stay in compliance with the required side setback.

Board; Does the barn that is staying with the agricultural field have electric and water? Larry; No.
Board; The entrance to the tool shed is on what side? Larry; the south. Board; the utilities of the house and garage as well as the septic are where? Larry; all utilities and septic are in the back yard. Board; the drainage from the building goes where? Larry; the tool shed drainage is all down gutters and then shoots out on the ground. Underground drainage off the house feeds into a tile. The drainage can go south if they want to change it, they can go east and direct it south. Board; Can you make it an even 15’ off the detached garage. Larry; that would be ok.

Roger Krzyzanowski made a motion to vote on BZA 2016-27 with the 15’ off of the detached garage; Joyce Brindley seconded the motion. A vote was taken with all 4 members present voting yes.

***BZA Petition 2016-28 – Capital Telecom Holdings, LLC by Clark, Quinn, Moses, Scott, Grahn LLP** is requesting:

- A **“Permanent Special Exception”** as provided in the Decatur County Zoning Ordinance Number **925(9)** to place a Wireless Communication Facility in an A-2 zoning classification.

- A **“Variance”** from the provisions of the Decatur County Zoning Ordinance Section Number, specifically: **1510 (C)** to development standards to provide 4 co-locates instead of 6 co-locators.
- A **“Variance”** from the provisions of the Decatur County Zoning Ordinance Number **945(5)** to the required side setback of 260’ to approximately 25’.

The property is owned by Larry & Sandra Bredewater and is located NW of 5655 S CR 550 E, Greensburg in Marion Township.

Russell Brown stated that Capital Telecom is the applicant and that they are installing a custom Verizon co-locate facility and they will be the tenant. The location was chosen to decrease disruption to the ground and use the trees to the west to shield the equipment, and to hug the property line with the easement. Tower design is a self-supported structure with no guy wires. There will be an emergency generator that is propane fed.

Board; Tell me about the lighting again, with farming practices we do not want the lighting to be a hindrance to the crops growing. **Russell;** It will be a lattice tower, will require to be lit but the lighting is mid tower and the top of the tower for aviation, to notify planes. **Board;** no ground light? **Russell;** no. **Board;** I see the amount of tower saturation, can you guarantee me that in the future there will not be another tower in this location? **Russell;** I cannot guarantee that, a lot of that depends on usage. One of the towers on that map is not there, it is a prospective future location. **Board;** If you put 4 providers on the tower does it increase the service? **Russell;** no, each carrier has their own spectrum that they operate on. Some of the towers are Verizon owned, some would be other companies. **Board;** just for my knowledge, are all of these full and being used by other companies? **Russell;** I don’t know the answer to that. **Board;** So you say you are reactive, but then yet you have proposed this one so you are being proactive? **Russell;** that is reactive, the area has the need. **Board;** Will the day come that the towers won’t be needed, that we will be transmitting by satellite and not the towers? **Russell;** I can tell you that I have satellite in my car and I get better coverage from my cell phone than I get from the satellite. **Board;** if the contract was ever terminated or should the tower ever come down, what is the depth of reclamation process? **Russell;** I think it is 3’ below grade. **Board;** we typically ask that you do 5 feet below grade.

Roger Krzyzanowski made a motion to vote on BZA Petition 2016-28 with the stipulation that they do the reclamation of 5 foot below grade; Steven Dudley seconded the motion. All 4 members present voted yes.

With no other business to discuss the meeting was adjourned at 6:55 p.m.

Respectfully submitted by Debbie Martin, Administrative Assistant.

Decatur County Board of Zoning Appeal

Secretary, Roger Krzyzanowski
Decatur County Area Plan Commission

ATTEST:

President, Albert Armand
Decatur County Board of Zoning Appeals