

**Decatur County Area Plan Commission**  
**November Minutes 2019**  
**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 Jay Hatton at 7:07 p.m. on Wednesday, November 6, 2019. There were 6 board members present with Tom Hunter, Jeff Hermes and Bill Dieckman absent. Also attending was Melissa Scholl – APC Attorney, Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant, Kevin Fleetwood, Greensburg City Counsel and Rick Nobbe, Decatur County Commissioner.

Jay Hatton 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.*

\* The minutes of the October 2, 2019 regularly scheduled APC monthly meeting were approved as mailed.

\* **APC Petition 2019-08 – Mark Fixmer with BEX Farms - TABLED**

\***APC Petition 2019-18 – Redelman Heritage Inc. / Emilie Redelman - TABLED**

\***APC Petition 2019-21 - Lester Gurley** is requesting to subdivide approx. 2 acres out of 80 acres and rezone approx. 2.00 acres from an A-1 zoning classification to an A-2 zoning classification to sell as a buildable parcel. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by the petitioner and is located just East of 4853 S CR 850 W, Greensburg, in **Clay Township**.

It's just a little parcel of land, it is better for someone else other than myself, there is little to no farm ground being lost there, there is a little bit of woods and a waterway. It will just make a nice building lot for someone else.

**Jay;** so it's right across from another parcel? **Lester;** yes, across from Larry Martin. **Jay;** part of it is being farmed now? **Lester;** yes but I want to give that up so they have a good flat building site. The septic has been tested and sites laid out. **Jay;** water source? **Lester;** everything around there is wells, no rural water in the area. It's something that is more valuable to someone to build a home. **Jay;** do you have plans to subdivide the rest of the property? **Lester;** no, but there is up toward the east end on the other parcel a 4 acre area that I may get rid of later on. (Referencing the overhead map they discussed where the 4 acre triangle is). **Jay;** what is the soil type on that farm? **Lester;** I don't know. **Paul;** is there an 8 or 10 inch culvert that goes underneath the road at that low point is at and does any water pond there in a hard rain? **Lester;** yes, no ponding. **Paul;** is there plenty of elevation, fall for them if they put a basement in, they can add it on to the culvert without crossing your property? **Lester;** it will be right at it, that line is about 10' from the culvert. **Paul;** looks like the driveway is on, visibility must be ok there. **Lester;** yes, it's higher on the hill than the driveway across the road. **Todd;** it doesn't

look like it is square with the parcel, is there a reason for that? **Krista;** we just drew it in. **Lester;** it will be square. **Krista;** it will be when the professional gets done with it.

Paul Stone made a motion to vote on APC 2019-21; Ryan Kennelly seconded the motion. With one member abstaining the remaining 5 members present voted yes.

**\*APC Petition 2019-22 - Curt & Abigail Harry** are requesting to rezone up to 2.99 acres out of 17.929 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 915 & 920(7). The property is owned by the petitioners and is located at 1475 E CR 600 N, Greensburg in **Clinton Township**.

Curt stated that he and his wife Abigail wish to rezone to build a home, (referencing the overhead map) pointed out where the septic sites are to be located.

**Paul;** is there an existing drive there? **Curt;** yes. **Jay;** what is your water source? **Curt;** according to the fracture maps yes, we will drill a well. **Paul;** was there a homestead there at one point? **Curt;** there was a home, not sure if it was on that section or not. **Jay;** is the pond in good shape? **Curt;** yes. **Paul;** will the north part of the property remain tillable? **Curt;** yes. **Jay;** looks like a great place to put a house, I like the whole concept of the idea.

Ryan Kennelly made a motion to vote on APC 2019-22; Paul Stone seconded the motion with all 6 members voting yes.

**\*APC Petition 2019-23 – Sand Creek Homes / Steve Snyder** is requesting to rezone two (2) 1.50-acre parcels from an A-1 zoning classification to an A-2 zoning classification for construction of a single family detached dwelling on each parcel. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by Danny & Jayne Gault and is located just North of 1785 N High School Road, Westport, in **Sand Creek Township**

Andy Scholle abstained from hearing and voting on this petition. Steve Snyder stated that they wish to rezone 2 lots to build homes. **Jay;** they are currently tillable? **Steve;** they are, when we bought the house to the south, Danny Gault farms on both sides of that and he approached us with this idea so he can connect his farms. Stated that the back was better farm ground than the front so he asked about swap him 4.5 acres of the good farm ground in the back for the 4 acres up front. **Jay;** so he will be able to go all the way back and go around those two parcels. **Steve;** he said its better ground and he can connect. The front part is hilly and close to the road, would be good for building lots. **Jay;** (referencing the overhead map) so he is going to get this right here? **Steve;** yes, he owns the big farm to the south and he wants to connect it to his main farm. Danny planned on being here tonight but he is in the field trying to beat the rain. **Jay;** I think rural water goes down that road ..... **Steve;** it does and we plan to hook to rural water. **Paul;** do you plan on building these homes or selling as buildable lots? **Steve;** I plan to build, we are currently remodeling the home to the south. **Jay;** so you have already made the swap in ground or is it pending this motion? **Steve;** pending. **Jay;** what is the reason for 2 houses going up immediately is just giving you something to build on those or.... **Steve;** are you asking why I want to build? **Jay;** yes. **Steve;** I buy houses and properties and we flip them and at times build new ones. There is a pretty good band right there, we have buyers interested in the one to the

south when we get it finished. There is not a lot of ground to build on down around Westport. **Paul;** how far is this from the edge of town of Westport? **Steve;** ¼ mile maybe. Danny's farm runs all the way to the town limits. **Jay;** a lot of school busses up and down that road. **Steve;** there is, actually most of them come off of 950 to the north. **Paul;** which way do those lots drain? **Steve;** they drain to the west and south, that was part of the problem of why Danny wanted to connect, it really drains to the south but he can kick it out westward a little bit. He has been completely blocked in the past to get through it. **Paul;** so will these two lots drain onto the existing house lot on the corner or do they go out into the field? **Steve;** they go out into the field behind him. The lot to the north rises up a bit from the existing house. We have talked to Danny about that already, he is going to run tile back up into the back of those lots just to help it tile in all together. **Ryan;** so the remainder of the road frontage will be the farmers, is that correct? **Steve;** yes, it doesn't take all of the frontage. The farther northern line are almost identical. We actually had over 5 acres when we started but we gave up some of it because it makes it work better for Danny in the back. **Ryan;** so will everything to the west remain Danny's? **Steve;** yes. **Jay;** I can see why you are doing it, it is going to really help the farm ground part of it, he was farming yours anyway, right? **Steve;** he had not been but we let him this year while we were working on this. **Jay;** typically don't like to give up farm ground but I see the trade that is happening here. Making it better for the farmer, that strip is better for continuity. **Steve;** if for some reason this wouldn't happen we would not continue to let him farm, it would be a yard.

Paul Stone made a motion to vote on APC 2019-23: Todd Mauer seconded the motion. With 1 abstaining the remaining votes were 4 yes and 1 no. **Jay;** motion passes. **Krista;** no, we only have 4 yes votes. **Jay;** sorry, I was incorrect, we have 3 members present and Andy Scholle abstained and Kevin Fleetwood doesn't vote. **Steve;** so what can we do? If this doesn't happen by the end of the year then it is not going to work for us. **Jay;** you can appeal to the Commissioners. **Krista;** I will take this to the Commissioners. **Roy Saylor;** can I ask why you voted no? Is there a downside we are missing? **Jay;** I just didn't like the idea of filling up that road with a strip of homes up that corridor, I felt like a lot of bus traffic, I just didn't like the idea of filling up that road with homes. I like the idea of the connecting the farm ground. **Roy;** a lot of people looking for rural properties, they are really hard to come by. **Jay;** we don't turn down very many pieces of property when people come here, it was just the way I felt about the petition. Nothing against you personally. Get in touch with Krista and she will send it to the Commissioners and see what their motion is.

With no other business before the board the meeting was adjourned at 7:15 p.m.

ATTEST

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Secretary, Andy Scholle

Decatur County Area Plan Commission

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President, Jay Hatton

Decatur County Area Plan Commission