

**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, October 7, 2020 at the Decatur County Courthouse. The meeting was called to order by Jay Hatton. Present at the meeting was Jay Hatton, Janey Livingston and Joyce Brindley. Absent was Paul Stone and Gary Fischer. Also attending the meeting was Melissa Scholl, BZA Attorney, Debbie Martin – Administrative Assistant and Rick Nobbe – Decatur County Commissioner.

Jay Hatton called the meeting to order 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:** The July 8<sup>th</sup> & August 5<sup>th</sup> 2020 minutes were approved as mailed.

**\* BZA Petition 2020-18 – Ronnie Spencer** is requesting a “**Variance**” in an A-1 zoning classification from the required side setback of 30’ to a side setback of 10’ to build a building. This request falls under Decatur County Ordinance #945. The property is currently owned by Christeen Spencer and is located at 7332 S CR 320 W, Greensburg in **Sand Creek Township**.

**Ronnie Spencer:** the property itself is 176’ wide, on the other side of the driveway is an electric line and a well head with waterlines across the driveway, building on the other side is not possible. The terrain of the rest of the ground leaves us with this area being the only flat ground that we have to build on. We know exactly where the survey lines are. I spoke to my neighbor Andy Tran has said that it is ok to build there. **Jay;** what size building? **Ronnie;** a 30’ x 40’.  
**Jay;** what is the side height of the building? **Ronnie;** 12’. **Janey;** is there a structure on this map where the star is? **Ronnie;** I don’t know why the star is there. **Debbie;** the star denotes the 911 address. **Jay;** so what we are talking about is the white building is a current building that you are using? **Ronnie;** it is a residence. **Jay;** the orange piece on this map, what is that? **Ronnie;** there is a container there. My issue is to clean the property up, remove these out buildings from the property as they are old and in disrepair. **Jay;** can this not go on the opposite side of the orange container vessel? On the opposite side. **Ronnie;** that is where the water lines and the power lines are. **Jay;** are they buried power lines? **Ronnie;** not yet, that would be the only way we could ever get around it. There is a set pole for the power probably 25’ out from the building in the middle on the left-hand side and 20’ forward of it. There is also a 4’ grade. The problem is that I am landlocked on elevation and I don’t have any other choice. A couple of individuals have come out and look at it to give me an idea of where I can put a building, they told me to request a variance. **Janey;** is this building just for storage, will it have any plumbing or living quarters? **Ronnie;** no, there will probably be some lights in it and I will have an electrician do that. **Joyce;** these little buildings on the left side of the map, those are the ones you will take out? **Ronnie;** yes. **Joyce;** there is no way you can put this building in that spot? **Ronnie;** if you give me clearance from the road, yes. I have to stay 70’ off the road. **Joyce;** how far is this building that you are going to build from the road? **Ronnie;** 70’. **Jay;** you are saying that everything to the left of the gravel is non-buildable or the slope is preventing the building from there. How steep is the slope? **Ronnie;** probably 3’. **Jay;** are you sure this is the location you want? **Ronnie;** yes, I talked to Kenny about it too. He said his job is to make sure it is done right. This issue of water runoff has come up too, just to let you know that that will all

be trenched in and the building will have gutters. **Jay;** so the water off of the shed won't impose anything or go toward your neighbors' pond? **Ronnie;** correct. Jay; 30' is put in there for a reason, it is to be able to maintain and for you not to trespass on the neighbors, we try to ask that for every foot of wall height, in a tight situation like this, if your sidewall is 12' up we want it 12' over. **Ronnie;** I can do that. My thought was to ask for 10' and to do more to make sure that I am not imposing on anyone's land, I will still have to put a ladder up. **Jay;** and you may want to drive a truck down through there. 8' is inadequate, it's impossible. **Joyce;** I would be happy with 12'. **Ronnie;** let's do 12'. I would ask if that would be acceptable to you and would be a compromise.

Joyce Brindley made a motion to vote on BZA 2020-18 with the change from 10' side setback to a 12' side setback; Janey Livingston seconded the motion with all 3 board members present voting yes. **Ronnie;** I will actually do 13', that way it is never questioned. **Jay;** your petition is passed at 12', if you can do more that would be great. Stay in touch with the office.

**\* BZA Petition 2020-19 - The Town of St Paul / Mike Miller is requesting a "Special Exception" as provided in Decatur County Zoning Ordinance Section No 1025 to build a Fire Station. The property is currently owned by The Town of St Paul and is located at 216 N County Line Rd, St Paul in Adams Township.**

**Mike Miller:** I am helping the St. Paul Volunteer Fire Department procure funds to build a new fire station and get them out of downtown. We have had this property for about a year and have completed some clearing on it. We would like to have it rezoned. Janey; as a resident of St. Paul I would like to say that what the fire department has done for the town with just the clearing has been a great benefit to everyone that lives there. And secondly the current fire station is in our town and is in a place where other very viable businesses are that have a lot of traffic and we have difficulty keeping people from parking in an area that blocks our fire trucks and they can't get out. It is a very positive thing to get it out of downtown. Jay; so what size is the fire station going to be? Mike; 124' x 66' pole style building. Jay; bigger, taller and wider for growth? Mike; yes, we will have 5 overhead doors, there is a dead end street on the back corner that we will eventually tie into. We have room to grow on the back. Jay; what kind of volunteer numbers do you have? Mike; around 25 members. Joyce; will you have an upper level? Mike; the only thing upstairs would be storage, we would have some offices in there. Jay; and again, I have been by there, and noticed the lot, will you have any problems with meeting the setbacks? Mike; I don't believe so, we are planning on the front of the building being 100' back from the county line and will leave us 30' on each side. Jay; I think the Town of St. Paul is well deserving of this fire station and proud to see that they are going to do something. Joyce; I'm very proud of it, that is my hometown. Jay; what type of funding, I know Adams was in line for some funding at one time, have you secured the funding? Mike; we have about half of it. We have another meeting here in a week and hopefully will pick up the rest of it.

Audience: Adrian Scripture; I am a resident of St. Paul and this is a huge improvement for our community, I am in total favor of it. What they have done, just clearing the property has been amazing for the community. The town is in 100% support of this thing, we would ask that you consider this a favorable zoning. Joyce; I would just like to say thank you for doing this for my hometown. We have worked real hard to get Westport where we are at and I'm just glad to see it.

Joyce Brindley made a motion to vote on BZA 2020-19: Janey Livingston seconded the motion with all 3 members present voting yes. Jay; Mike we are proud to be up here to help the Town of St. Paul move forward. Good luck and we are supporting you. Mike; thank you.

With no other business to be brought before the board the meeting was adjourned at 6:53 p.m.

Decatur County Board of Zoning Appeal

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Secretary, Gary Fischer

Decatur County Area Plan Commission

ATTEST:

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Paul Stone, President      Decatur County Board of Zoning Appeals