

Decatur County Area Plan Commission
September Minutes 2020
1st Floor Meeting Room of Decatur County Courthouse

The regular scheduled meeting for the Decatur County Area Plan Commission was called to order by Paul Stone at 7:02 p.m. on Wednesday, September 2, 2020. There were 6 board members present with Sheila Kirchhoff, Jay Schoettmer and Jeff Hermes absent. Also attending was Melissa Scholl – Area Plan Commission Attorney, Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant, Andy Scholle – County Surveyor, Rick Nobbe – Decatur County Commissioner and Kevin Fleetwood – Greensburg City Council.

Paul Stone 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 July 8, 2020 and the August 5, 2020: both approved as mailed.

* **APC Petition 2020-7 – Dustin Barkdull** is requesting to subdivide approximately 1.99 acres out of 6.99 acres and rezone approximately 1.99 acres from an A-1 zoning classification to an A-2 zoning classification to build a single-family detached dwelling. This request falls under Decatur County Ordinance Section Number 915 & 920(7). The property is owned by Delwin Barkdull and is located at 8807 S CR 225 E, Greensburg in **Marion Township**.

Dustin Barkdull: I am looking to purchase the 1.99 acres of the back half of the property for a single-family detached dwelling. I will purchase from my father and build a home. **Paul;** so the rest of that lot will remain his? **Dustin;** correct. **Paul;** will the driveway be a part of your tract? **Dustin;** yes, I will be asking for an easement of the driveway. **Paul;** it would be an easement? **Dustin;** correct. **Paul;** is that a hay field? **Dustin;** no, we mow it, it is not used for farming whatsoever. **Brad;** will you have rural water? **Dustin;** yes. **Paul;** your easement would be fine, should that be owned by someone other than you, the driveway maintenance should be defined in that so that it doesn't turn into a headache for anyone, I would recommend that.

Audience: Tamera Schuck; my husband Robert and I own the adjacent property. Del was possibly talking about putting in the pond, the dam is currently on what would be Dustin's property... that is going to be your dad's...(inaudible). Would we have to rezone things if they wanted to put the pond back in or how would that work? **Krista;** the BZA Board would have to hear that. **Brad;** that pond was just drained, not too long ago. I don't know how that would actually work, if they were to just put the dam back. **Krista;** I'm saying that they would have to come before the Board of Zoning Appeals and ask to put the pond back because it is gone now. **Paul;** is the dam still constructed or is it open? **Brad;** it's there, they just dug a part of it out. **Paul;** it sounds as if, the pond would have to come before the BZA Board.

Brad Schutte made a motion to vote on APC 2020-8; Todd Mauer seconded the motion with all 6 members present voting yes. **Paul;** your petition passes, thanks for coming in, please understand that this is the rezone process. As you are probably aware that the building permit and things like that will be an ongoing thing, so keep in touch with the gals in the office and they will walk you through your steps as you move along. Congratulations.

* **APC Petition 2020-15 – Jason Geis** is requesting to subdivide approximately 3.0 acres out of 142.5 acres and rezone approximately 2.99 acres out of approximately 3.0 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 Phillip & Cynthia Geis and is located approximately 950' North of the intersection of E CR 50 N & N CR 1000 E, Greensburg in **Salt Creek Township**.

Jason Geis: I'm hoping to purchase 3 acres from my parents and build a single-family home. **Paul;** who owns the parcel to the north, who is the property owner there? **Jason;** inaudible. **Paul;** looks like you have talked to the highway department and you have good line of site. Where that parcel is, is it on much of a slope? **Jason;** the house would be on top of the hill and it slopes down basically in every direction. **Paul;** rural water on the county line right there? **Jason;** Napoleon.

Todd Mauer made a motion to vote on 2020-15; Tom Cherry seconded the motion with all 6 members present voting yes. **Paul;** you are in good shape, thanks for coming in, stay in touch with the gals in the office through your permitting process and things like that, congratulations and good luck.

* **APC Petition 2020-16 – Claire Smith** is requesting to subdivide approximately 2.00 acres out of 7.94 acres and rezone approximately 2.00 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 Robert & Mary Ann Smith and is located at 6312 W CR 550 N, St. Paul in **Adams Township**.

Claire Smith: I am wanting to buy 2 acres off of my parents and build a home. I will go up to the road on the west property line. **Paul;** so that property will be owned by you as opposed to an easement, correct? **Claire;** yes. **Paul;** approximately how far is it between where you are proposing to build and the existing home? **Claire;** I'm not sure how far. **Paul;** it is a wise idea to own your driveway. That prevents any shared drive concerns at some point if someone were to sell or properties change hands.

Eric Whitaker made a motion to vote on 2020-16; Brad Schutte seconded the motion with all 6 members present voting yes. **Paul;** congratulations, your petition passes, this is one of the first steps so keep in touch with the gals through your permitting and inspections. Thanks for being here.

* **APC Petition 2020-17 – Kevin Wallpe of Wallpe Heating & Cooling** is requesting to rezone approximately 1.30 acres from an R-2 zoning classification to a B-2 zoning classification for construction of a shop. This request falls under Decatur County Ordinance Section Number 1125. The property is owned by Wallpe Heating & Cooling and is located at 8422 E State Road 46, Greensburg in **Salt Creek Township**.

Kevin Wallpe: I am looking to build a new shop on the property mentioned. The building will sit back off the road, from Hwy. 46. I will put it tight to the back on the east side. The house that is there will get torn down. **Paul;** was that house vacant? **Kevin;** the gentleman passed away. **Paul;** and the existing drive is the one that you would use, is that correct? There is a drive that comes off of 850, is that parcels drive or does it connect to the parcels you own? **Kevin;** it connects, we each own half of that, he owns his half at his property line and I own mine. The property line (referencing the overhead map) from the east is not correct. It actually moves over and further down. His actual property line is in the middle of the driveway. **Paul;** the driveway is split on two different parcels. **Kevin;** yes. I actually own all of the 46 frontages. **Paul;** is your intention to continue to use that driveway? **Kevin;** we might, I don't know. I'm sure that is part of his concern. **Paul;** that is what I was curious about if there was any discussion

about traffic in front of his house. **Kevin;** I have talked to him, Robert, our guys will come in, load up and head out by 7:30, they can use the 46 exit. The only thing that might pull up there is a semi, we get one occasionally, most of our deliveries are on box trucks. **Krista;** I talked to the gentleman who lives in the trailer, he is only concerned about the driveway, the portion that comes off of 850, that is the only part that he uses and wanted to be sure that if Kevin's trucks tear that up, that he gets a lot of help maintaining that. **Paul;** that would be, I think if I were in your shoes, to prevent any disturbances, people getting off the drive.... **Kevin;** I was going to widen it. **Paul;** that would allow him to have his 12'. Driveways seem to cause a high percentage of concern between adjoining property owners. It is a shared drive, those problems stem often times from that. **Paul;** approximately how big of a structure are you planning to put? **Kevin;** 80' x 120' or 125', depends on if I go wood or steel structure. **Paul;** about how big is that northern parcel? **Kevin;** I have it mapped out here, I don't know. **Paul;** I'm just curious how much it will hug the neighbor..... **Kevin;** I was going to put it over tight to the wooded area, 10' off of my property line. The only reason for that is so I can get back there and make a parking lot.... **Paul;** is it a 10' setback? **Kevin;** I think it is 20' from the rear and 10' from the side. I may not be as close at 10'. **Paul;** I would ask you to consider something along the sidewall height, being able to service the building from more area.

Tom Cherry made a motion to vote on 2020-17; Eric Whitaker seconded the motion with all 6 members present voting yes. Paul; congratulations, keep in touch with the office about permits and things. Thanks for following the process.

* **APC Petition 2020-18 – Corey Ross** is requesting to subdivide less than 1.00 acre out of 5.502 acres and rezone said, up to 1.00 acres, from an A-1 zoning classification to an R-2 zoning classification for construction of a single-family detached dwelling. This request falls under Decatur County Ordinance Section Number 1020. The property is owned by Russell & Linda Wilson and is located just East of 402 W Washington Street, Westport in **Sand Creek Township**.

Corey Ross: I am looking to rezone 1 acre to put a single-family detached dwelling. It is located in the Westport Corporation Limits and I have approval to hook to the Westport Sewages. **Paul;** looks like an existing driveway.... **Corey;** that is pretty much used for a camper, there used to be a mobile home sitting there. **Paul;** this lot has never been built on? **Corey;** it used to be a Christmas Tree farm.

Audience: **Becky Biddinger;** I live across the street, my only concern is that along the road when it rains the water stands. I don't want that water to be drained onto my property. Basically I have had problems before when the county came through and we had to put our own piping in to drain. Otherwise it would have left us a big gully. I just wanted to make sure that that does not drain to me because it just sits there. **Paul;** so water will stand on this side of the road (referencing the overhead map) and sheet drain across to you? **Becky;** yes. I just don't want it to come back on me. Even though the county did that years ago we have had problems with drainage. The other thing is, I'm not picky but as far as the mail box, I would like to have it put on their side and not mine. **Corey;** we will actually move the driveway over so it will be on the opposite side of your driveway, 15' to the right. A culvert will be put in as well. **Paul;** the mailbox location, as far as the side of the road it is on is determined by the Post Office, not us, we don't have a bearing on that. **Becky;** it just makes it harder to mow. It will be nice to have a new neighbor. **Paul;** I assume that the water drains west? **Corey;** yes, actually what I think it does, it drains to the west because that used to be an old railroad track. The creek is on the bottom side of that hill, down from the meat locks. **Paul;** I think that it is the responsibility of the property owner to make sure that water does not sheet drain onto the road, either from a driveway or a yard. **Brad;** when you put your drive in, if you move it you want to make sure that you have fall back off of the road and that will prevent that with a proper sized culvert. **Corey;** I think the problem is too is that ditch is shallow, not much of a ditch right in front of that, there is on both ends but not right there. That is another thing about moving the driveway

so we can increase the size of the culvert so hopefully it will take care of that problem, because I don't want that problem either.

Todd Mauer made a motion to vote on 2020-18; Tom Cherry seconded the motion with all 6 members present voting yes. **Paul;** thanks for coming in and following the process, stay in touch with the gals about permitting and inspections. They will walk you through what needs to happen.

With no other business before the board the meeting was adjourned at 7:36 p.m.

ATTEST

Secretary, Todd Mauer

Decatur County Area Plan Commission

President, Paul Stone

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