

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 6:32 p.m. on Wednesday, September 4, 2019, at the Decatur County Courthouse. The meeting was called to order by Paul Stone. There were 4 board members were present with Joyce Brindley absent. Also attending the meeting was Melissa Scholl – BZA Attorney, Krista Duvall – Decatur County Area Plan Director, Debbie Martin – Administrative Assistant and Rick Nobbe, Decatur County Commissioner.

President Paul Stone 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.*

With no additions or corrections the minutes of the August 7, 2019 regularly scheduled BZA monthly meeting were approved as mailed.

* **BZA Petition 2019-7 – Gregory Walterman** is requesting a “**Conditional Use**” to “**continue**” to operate an auto body shop in a detached structure on his property. This request falls under Decatur County Ordinance #935(2)(a). The property is owned by the petitioner and is located at 8470 W CR 50 N Greensburg, in **Clay Township**.

Greg Walterman stated that everything is going good. **Paul**; so operating an auto body shop as it was the first time that the request was made? **Greg**; yes. **Jay**; I drive by that piece of property where he is and it is always clean and neat and I’m always impressed with how you can run an auto body shop and not see stuff scattered out, I think you are doing a great job, driveway is clean and neat and your vehicles look nice in the driveway, there is never an abundance of vehicles there. You look like you are abiding to everything you told us too, I’m very proud of you. **Greg**; thank you. **Janey**; I’m proud of him for a different reason, I happen to do business with Mr. Walterman, besides being very tiding, he is one of the most honest young men I have come across in a very long time. Not only are you a nice proprietor of your land, you are a good business person. **Greg**; thank you. **Paul**; we appreciate you coming before us and doing this the right way, this is the epitome of the way we like it to work so your neighbors stay happy.

With no other comments from the board or audience Janey Livingston made a motion to vote on BZA 2019-7: Jay Hatton seconded the motion with all members present voting yes.

* **BZA Petition 2019-8 – David Hileman** is requesting a “**Variance**” to the required rear setback of 30’ to 15’ for construction of a detached garage. This request falls under the Decatur County Ordinance #1060. The property is owned by the petitioner and is located at 205 S Elizabeth Street, Westport, in **Sand Creek Township**.

David Hileman stated that the homes were built in the 70’s and he does not have enough storage room, I have a one car garage. We have 2 vehicles and need room to store our stuff, then we would like to convert the garage that we have attached into a dining room and living quarters. We are compliant on all sides but the rear and that is why I am asking for the variance. As you

can see on the overhead map, it is actually going to be 18' but we are asking for 15'. **Janey**; will it be attached to the house? **David**; no, there is a covered patio that comes off of the back of the garage. **Janey**; so you would be putting your drive.... **David**; yes, on the north side of the garage the driveway will come around off of the original driveway and curve around, there is 22' between the edge of my garage and the adjacent property line. **Jay**; stone driveway? **David**; it will be stone to begin with, it will be paved eventually. **Gary**; is the distance from the side OK? **Krista**; yes. **Janey**; so you will still be able access it, are those two out buildings also? **David**; yes, but the large one for sure will have to go. **Janey**; and the tree, I see. **David**; the trees are no longer there. **Paul**; approximate sidewall height of the garage, 10' or so? **David**; 9', the garage will be 32' x 24' and the pitch of the roof will be 4/12 so the garage will be no higher than the house is. **Jay**; how close will the driveway be to the property line? **David**; if I make it 12', between my garage now and the property is 22' I will have 10' between my driveway and the property line. **Jay**; so you are still intending on mowing and maintaining? **David**; yes. **Jay**; I just was concerned how close you would hug the property line. **Paul**; should your neighbor decide to build a fence at some point that it doesn't push you off of your drive. **David**; that is not a problem. **Paul**; do you intend on connecting the roof or structures? **David**; maybe, we have talked to some people who said your insurance will go sky high if you do that, we like the breezeway right not. **Jay**; you don't have to have permission from the Town Council of Westport, they defer all of that to us. **Paul**; the 30' setback had intentions towards homes but there you will probably see some revision at some point that we alter how this goes, in cases like this it is probably a little bit of a long distance for town type lots so I understand your situation.

With no other comments or questions from the board or audience Jay Hatton made a motion to vote on BZA 2019-8; Janey Livingston seconded the motion with all members present voting yes.

With no other business to be brought before the board the meeting was adjourned at 7:09 p.m.

Decatur County Board of Zoning Appeal

Secretary, Joyce Brindley

Decatur County Area Plan Commission

ATTEST:

Paul Stone, President Decatur County Board of Zoning Appeals