

**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, September 7, 2016, at the Decatur County Courthouse. The meeting for the Decatur County Board of Zoning Appeals was called to order by Albert Armand. Roger Krzyzanowski was absent leaving 4 board members present. Also attending the meeting was Krista Duvall--Decatur County Area Plan Director, Kenny Buening – Decatur County Building Commissioner, 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 August 3, 2016 minutes as mailed. Melissa Scholl, Attorney for BZA and APC Boards swore in the audience.

**\*BZA Petition 2016-23 – William Pardue** is requesting a **“Variance”** from provisions in the Decatur County Zoning Ordinance Number **945 (5)** to the rear setback from 30 feet to 16 feet in an A-1 zoning classification to subdivide 4.0 acres out of 15.94 acres and use the existing fence as the rear parcel line. The property is owned by the petitioner and is located at **4232 N CR 420 W, Greensburg, IN, Adams Township.**

Mr. Pardue was not in attendance, the petition was postponed until the October 5, 2016 meeting.

**\*BZA Petition 2016-24 – Tina Watt** is requesting a **“Permanent Special Exception”** from provisions in the Decatur County Zoning Ordinance Number **925 (8)** to place living quarters in an existing accessory building and to use it as a private detached guest house with a kitchen. The property is owned by **Franklin & Julia Cherry** and is located at **7359 W CR 650 N, St. Paul, IN, Adams Township.**

Tina Watt explained to the board that she is purchasing a property and desires to take the out building to convert into a one bedroom with a kitchenette for her sister who has leukemia. The lot is 29.7 acres and this building is closest to the home. I have already had the preliminary approval from Alan Crosby at the Board of Health to upgrade the septic and everything has been submitted to the planning commission.

**Board;** Identified on the overhead map the exact location of the building. What is the current use of this building? **Tina;** It is a storage barn. **Board;** Do you have an approximate size? **Tina;** 25’4” x 37’ 4”. **Board;** is it a pole building? **Tina;** No, it is a wooden constructed barn type building. **Board;** with a foundation? **Tina;** yes. **Board;** What about having this building inspected by our building inspector for occupancy safety as far as GFI outlets and so on. **Tina;** that will be done during the permit process.

**Board;** I'm very glad that you have gone ahead to the Decatur County Health Department and you have your surveys and things done. **Cody Wagner;** Section 925 (8) lists bed and breakfast, small tourist facilities or small private detached guest house. If this is approved under the detached guest house is this something that automatically approves the other items listed in this section in the future or will this be the only use? **Board;** This will be entered into the records as to what it was used for, so no. **Audience;** Mr. Wagner stated that when he talked with a few of the neighbors I don't think we have come across any concerns with what is proposed. The one question that came up is at the point that comes along that this is no longer needed for the stated purpose we are curious if this is something that could be rented out or sold separately from the property. The future owners may have other ideas for it, I didn't know if that is something that can be prevented. **Board;** I don't believe that it would be hard to sell it off. There was then a question on the septic and it was clarified that it would be two separate septic systems. **Krista;** typically a guest house is not rented or sold. **Board;** does our ordinance prevent that from happening? **Missy;** You as a board would have to make that stipulation. **Board;** we can do it through a condition on this petition, as far as the base petition, no it is not prohibited. **Cody Wagner;** I think everyone is comfortable with what she is doing, we are just more worried that 15 years down the line could this become a multiple family property or is for some unfortunate reason you had to sell it that someone would look at it as a rental property to help pay for a mortgage. Thank you. **Board;** Good points. So Tina, you are ok with us putting in those conditions in this motion that we will make that this is for stated purpose only and once that is no longer needed that this will not be an ongoing exception. Tina; It will be used for my family purpose, not for a rental purposes. I am fine with the stipulations.

Steven Dudley made a motion to vote on BZA Petition 2016-24 with the stipulations that the "Permanent Special Exception" includes a guest house, not to be used for a rental house or bed and breakfast. Will be for family only; Jay Hatton seconded the motion. All 4 members present voted yes, petition is approved.

**\*BZA Petition 2016-25 – Don Mauer** is requesting a "**Conditional Use**" from provisions in the Decatur County Zoning Ordinance Number **935** to operate a farm machinery accessory parts repair business in an A-1 zoning classification. The property is owned by the **Don & Cindy Mauer, Todd Mauer and Jeff Mauer** and is located at **3850 N State Road 3, Greensburg, IN, Adams Township.**

Don Mauer was requesting a "conditional use" to operation the farm machinery accessory parts repair business.

**Board;** tell us about what kind of business you have. **Don;** We take planter meters and we run them across the test stand to see if they are good or need to be repaired. **Board;** you calibrate the seed meters for planters and then make any additional repairs that may be needed. You sell the parts and provide the labor. Is there anything else going on in there other than planter meters and accessory parts for corn planters? **Don;** No. I keep my farm machinery in there. **Board;** Employees other than family? **Don;** One. **Board;** adequate parking for your customers? Most of it would be just dropping off the meters and then picking up later, is that right? **Don;** Yes. **Board;** Will there be a lot of planters sitting around there? **Don;** typically they just bring in the meter, we have had a couple, one where we helped set it up on a planter that he had recently purchased. **Board;** Is this a 5 year? **Krista;** You typically do for a 5 year period. **Board;** so that is up to us to put the number of years? **Krista;** Yes. **Board;** so is a 5 year

period satisfactory for you and then in 5 years we will talk about it again if everything is going good.  
**Don;** that's fine.

With no other comments from the board or the audience Jay Hatton made a motion to vote on BZA Petition 2016-25 requesting a 5 year "conditional use"; Joyce Brindley seconded the motion. All 4 members present voted yes. Petition was granted.

With no other business to discuss the meeting was adjourned at 6:45 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