

BOARD OF ZONING APPEALS
OF THE CITY OF DECATUR/MINUTES

December 7, 2021

A meeting of the Board of Zoning Appeals of the City of Decatur, Indiana was called to order by Steve Hakes on Tuesday, December 7, 2021 at 4:30 PM at City Hall, 172 N 2nd St, Decatur, IN 46733.

Present at the meeting were: Steve Hakes, Dave Schnitz, Dave Haggard, and Kevin McIntire. Also, in attendance were: Tim Baker, City Attorney; Dan Rickord, Mayor; Curt Witte, Superintendent of Building/Zoning; and Erin Heyerly, Office Administrator.

Upon motion by Schnitz, seconded by McIntire, the minutes of the previous meeting were approved as presented. Motion carried, 3-0.

Upon motion by Haggard, seconded by Schnitz, the Proof of Publication was approved as presented. Motion carried, 3-0.

Upon motion by Schnitz, seconded by McIntire, the Affidavit of Notice to Adjoining Property Owners for the 1st applicant was made a matter of record. Motion carried, 3-0.

The first application before the board was Michael Pate with Amarok on behalf of Champion Homes requesting a variance for fence height at 1418 S 13th St, Decatur, IN 46733. Pate explained that they were hired by Champion Homes to install a 10' electrical fence 4-8" inside the existing 6' tall chain-link fence on the property. He stated that this non-lethal fence would essentially be a security system for the property. If the pulse of the fence is cut or interrupted for a period of time it sends a message to the dispatcher at Amarok which in turn calls the list of emergency contacts, they have on file for Champion Homes. The contact can then remotely view their property on camera and see where the issue lies. If there is a true emergency, police, fire, and/or EMS will be called to the scene. Pate further explained this fence is not tied to the grid. It is operated off of batteries and solar panels.

Hakes opened for comments or questions.

Witte asked if they were adding fence behind the building as there was a location on the print that said "existing fence" where no fence was located. Pate was unsure. Witte explained that the permit for the electric fence would also cover the addition of chain-link fence if they planned to add more, but all inspections would still apply. Witte also stated that all emergency entities would need to be advised of this fence. Pate assured him this would not be an issue and there would also be a Knox box installed for the fence with an emergency shut off key.

Hakes opened for comments or questions.

There were none.

Hakes read the finding of facts.

Variance was granted without restrictions.

The second application before the board was Bilal Mahmood of Decatur Urgent Care on behalf of Midland LLC requesting a variance of use in a C-1 zoning district at 632 S 13th St, Decatur, IN 46733.

Hakes requested a motion to make the Affidavit of Notice to Adjoining Property Owners a matter of record. Motion made by McIntire and seconded by Haggard. Motion carried, 3-0.

Mahmood explained that he works for a group of doctors that have urgent care facilities which offer outpatient services for things such as cold, flus, small wounds, sutures, etc., and in their investigations found our area appeared to need a service such as theirs. They would like to use the former Pro Fed building to house such a facility.

Hakes opened for comments or questions.

Schnitz asked who would be in charge of overseeing the changes made to the building for this type of business to operate.

Witte confirmed that this would fall under his jurisdiction after all requests were made and approved by the State. He went on to tell the board that in talking with Mahmood he has been assured that they are planning to use the building as it is and they will not be making any changes other than to the signage on the property which will require a permit.

Hakes opened for comments or questions.

There were none.

Hakes read the finding of facts.

Variance was granted without restrictions.

Old Business – Nothing, at this time.

New Business – There will be a meeting on December 21st at 4:30 with Monon Retail Holdings, LLC on behalf of Bank of Geneva requesting a variance of use in a C-2 zoned area at 1118 S 13th St, Decatur. They are wanting to build a new Urgent Care facility at this location.

There being no further business to come before the board, upon motion by Schnitz, and seconded by McIntire, the meeting was adjourned at 4:58 PM. Motion carried 3-0.

Respectfully Submitted

Erin Heyerly, Recording Secretary