

BOARD OF ZONING APPEALS  
OF THE CITY OF DECATUR/MINUTES

March 15, 2022

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A meeting of the Board of Zoning Appeals of the City of Decatur, Indiana was called to order by Dave Schnitz on Tuesday, March 15, 2022 at 4:33 PM at City Hall, 172 N 2<sup>nd</sup> St, Decatur, IN 46733.

Present at the meeting were: Dave Schnitz, Kevin McIntire, and Dave Haggard. Also, in attendance were: Anne Razo, City Attorney; Curt Witte, Superintendent of Building/Zoning; Brad Roe, Assistant Building/Zoning Superintendent; and Erin Heyerly, Office Administrator.

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

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

Upon motion by Haggard, seconded by McIntire, the Affidavit of Notice to Adjoining Property Owners for the first applicant before the board was made a matter of record. Motion carried, 3-0.

The first applicant before the board was Power Home Solar on behalf of GA Fleming Real Estate requesting a special exception of use in an I-2 zoned area at 2232 Patterson St, Decatur, IN 46733. GA Fleming, LLC sent a letter to the board giving the applicant permission to represent their property for the request of a special exception of use.

Drew Walker, 2117 Yost St, Salisbury, NC 28144, a representative from Power Home Solar came before the board and explained that they were a company that installed solar panel systems on residential homes. He stated that they would like to use the property at 2232 Patterson St, Decatur, IN 46733 to house the materials needed to complete jobs in the immediate area.

Razo asked if they were going to use the building primarily as a warehouse. Walker confirmed yes they would be.

Schnitz opened for further questions or comments from the board and the audience.

Special Exception was granted without conditions.

Upon motion by McIntire, seconded by Haggard, the Affidavit of Notice to Adjoining Property Owners for the second applicant before the board was made a matter of record. Motion carried, 3-0.

The second applicant in front of the board was Jerry Geimer, of Geimer Property, LLC, 11718 Prairie Trace, Hoagland, IN 46745 requesting a special exception of use in an I-2 zoned area at 1064 S 11<sup>th</sup> St, Decatur, IN 46733. Geimer explained that he wanted to put up an L-shaped building that would consist of 34 storage units and an office space with a bathroom.

Schnitz asked Witte if there were any codes or ordinances stating that a fence would be required around this building. Witte stated that there are not any, however he did want to make the recommendation to the board that setbacks of 25' to the property line or 55' to the center of the street

in the front yard and 10' setbacks in the side and backyards be followed as in most other zoning districts. Geimer stated that would not be a problem at all with what he had planned.

McIntire asked what the structure would look like. Geimer told the board that they would be grey and blue and L-shaped.

Schnitz opened for further comments or questions.

There being no further questions or comments Schnitz read the findings of facts.

Special exception was granted with the setback conditions that Witte proposed to the board of 25' to the property line or 55' to the center of the street in the front and 10' on the back and side yards.

Old Business – Nothing, at this time.

New Business – Keith Gerber of Hoosier Pattern is requesting a special exception of use in an I-2 zoned area. He is wishing to put sand silos at the location at 906 N 10<sup>th</sup> St (mailing address for their office) / 901 Washington St (location per GIS).

Witte also requested that the board think about the possibility of allowing the zoning department the authority to allow sheds or buildings under 500 SF to be built on a lot with or without a primary structure or in a commercial or industrial area without going in front of the BZA for a special exception of use or a variance. He explained that the state does not require a design release if they are just using the building for cold storage which is often times the case. Usually these buildings are on runners and not even on a permanent foundation. These buildings do require a location permit so inspections will take place. He asked that the board consider it and then address it at the next meeting.

There being no further business to come before the board, upon motion by McIntire, and seconded by Haggard, the meeting was adjourned at 4:54 PM. Motion carried 3-0.

Respectfully Submitted

Erin Heyerly, Recording Secretary