

BOARD OF ZONING APPEALS
OF THE CITY OF DECATUR/MINUTES

August 3, 2021

A meeting of the Board of Zoning Appeals of the City of Decatur, Indiana was called to order by Steve Hakes on Tuesday, August 3, 2021 at 4:30 PM at City Hall, 172 N 2nd St, Decatur, IN 46733.

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

Upon motion by Schnitz, seconded by Haggard, 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 Haggard, seconded by Schnitz, the Affidavits of Notice to Adjoining Property Owners were made a matter of record. Motion carried, 3-0.

The first application before the board was George Baldus of The Baldus Company at 440 E Brackenridge St, Ft Wayne, IN 46802 on behalf of Druley Realty, LLC (known as Belmont Beverage) requesting a variance for a roof sign at 510 N 13th St, Decatur, IN 46733. George explained that they are wanting to add a sign above the door, on the roof, on the south side of the building. He explained that the way the building was made constructed everything about the door on this building is roof. There is not very much wall space on this building and it would not be effective to put it beside the door.

Hakes opened for comments or questions. There were none.

Hakes read findings of facts.

Variance was granted with no restrictions.

The second applicant before the board was Andrew Schultz front 231 N 6th St, Decatur, IN 46733 requesting a variance to build an accessory structure prior to a primary at 227 N 6th St, Decatur, IN 46733. Also, at this same location, he is requesting a variance of side yard setbacks from 10' to 7'6" on the north and south sides. Schultz stated that they are wanting to put a pole building up on this lot for personal storage and to keep their vehicles in. He explained that they need the side yard variance because the lot is so narrow. He said that they were planning to put up a 30 x 40 building if the variances were granted.

Schnitz asked if they were planning to build a primary structure at anytime in the future on that lot. Schultz confirmed they were not as their home is just north of this property. Witte also stated that the lot would not be large enough to put a primary structure on and stay within the guidelines of 35% lot coverage.

Schnitz asked if there would be any fire code issues, and Witte stated fire code says that structures cannot be any closer than 5' to the property line and if he is 7'6" away from the property line in any direction he would fall within the guidelines of the code.

Hakes opened for further questions or comments. There were none.

Hakes read the findings of facts for the variance of building an accessory structure prior to a secondary.

Variance was granted without restrictions.

Hakes read the findings of facts for the variance of side yard setbacks from 10' to 7'6".

Variance was granted without restrictions.

The last application before the board was John Lengerich on behalf of Tyler and Hilary Hirschy requesting a special exception of use at 316 N 8th St, Decatur, IN 46733. He stated that he will be renting from Tyler and Hilary and would like to operate a shop to perform routine vehicle maintenance. He stated that the building currently offers two bays with a lift in one of them, there is a lobby and restroom for waiting customers. There will be eight parking spots in front and six behind the building.

Hakes requested that notice to property owners be made a matter of record for this application. Motion made by Schnitz, seconded by Haggard. Motion carried, 3-0.

Hakes opened for questions or comments.

Witte asked about plan for used oil. Lengerich confirmed that there will be storage containers inside that will be picked up and disposed of by an outside company. Witte informed him that he would need to notify the fire department of this and that it would be placed on an annual inspection rotation. He said that he understood and would be fine with all of that.

Hakes opened for further questions or comments. There were none.

Hakes read findings of facts.

Special exception for use was granted with no restrictions.

Hakes asked for a motion to make the notice to property owner's for the Schultz application a matter of record as it was forgotten earlier in the meeting. Motion made by Haggard, seconded by Schnitz. Motion carried, 3-0.

Old Business – Nothing, at this time.

New Business – Nothing at this time.

There being no further business to come before the board, upon motion by Haggard, and seconded by Schnitz, the meeting was adjourned at 5:00 PM. Motion carried 3-0.

Respectfully Submitted

Erin Heyerly, Recording Secretary