

What You Need To Build a Pond

1. **Property Record Card:** Obtained at the *Assessor's Office* at **NO CHARGE**.
2. **Copy of Deed:** Identifying the owner of the property; obtained from the *Recorder's Office*.
3. **Aerial Picture:** With the ponds proposed location drawn in.
4. **BZA Application:** Must be completed and signed by the property owner.
5. **Pond and Lake Requirement Form:** Must be completed and signed by the property owner.
6. **Drainage Map:** Water drainage information needs to be obtained from the Soil and Water Conservation Office. Contact Scott Sanders at 812-663-8674.
7. **Application Fee:** \$485.00 Cash or Check only
8. Bring all information to the Area Plan Office by the first Wednesday of the month. Your meeting will be the first Wednesday of the following month at 6:30pm. Conference Room #106.

Decatur County Board of Zoning Appeals

IN RE TO THE PETITION FOR SPECIAL EXCEPTION OR VARIANCE:

_____Property Record Card

_____Deed

_____Aerial View of Property with area shown

_____Map Showing Location of Property

_____A check for _____payable to Area Plan Office (**non-refundable**)

Date Filed:

Applicant:

Applicant's Address:

Phone Number:

Address of Property:

Township _____ **Parcel ID** _____

We, the undersigned owner of certain real estate located in Decatur County, Indiana, Hereby petition the Board of Zoning Appeals of Decatur County as follows:

1. Short description of property: **see attached legal description & exhibit**

2. Real Estate is presently zoned:

3. Petitioner requests:

a. " _____ " as provided in Decatur County Zoning Ordinance Section No.

b. A " _____ " from provisions of the Decatur County Zoning Ordinance Section Number, specifically;

*Give specific reference to the section of the ordinance for which variance is requested.

State Variance:

Decatur County Board of Zoning Appeals

4. Attach a general scale map of the real estate upon which action is requested. Include in the drawing the location of all existing buildings, other physical structures, fences, utility lines or easements, public or private roads, entrances or exits, drainage (both surface and subsurface) and any other significant land demarcations. Also, designate the position of each adjoining land owner.
5. If petitioner is represented by an attorney, please state his/her name and address:
6. Enclose a check for _____ made payable to:

Decatur County Area Plan Commission.

Application Number BZA 2014-

Signature of Applicant (s)

Name _____ Name _____

Address _____ Address _____

SECTION 2530 – Pond and Lake Requirements

The construction of ponds, lakes, or dams within Decatur County is permitted in the following Districts: A-1, A-2, R-1, R-2, R-3, R-4, B-1, B-2, and B-3 when approved by the Decatur County Board of Zoning Appeals as a Permanent Special Exception. When considering the approval of the application for the construction of a pond or dam, the Decatur County Board of Zoning Appeals shall implement the requirements set forth below as well as any additional requirements needed to preserve the surrounding land use for agricultural purposes and to protect adjoining property owners. Retention and detention ponds installed to comply with the stormwater requirements of this Ordinance, Decatur County Stormwater Drainage Control Ordinance, and the Decatur County Subdivision Ordinance are exempt from the specified requirements and shall not be considered a pond, lake or dam. The following requirements are not intended to supersede or contradict any State or Federal regulations pertaining to construction of a pond, lake, dam or watercourse. The more restrictive requirements shall be followed and the issuance of a permit from the Decatur County Planning and Zoning Department does not relieve the applicant of any State or Federal permits, which may be required.

1. No part of the pond or lake shall be constructed closer than 150 feet from any public right-of-way, or public/private easement. If the width of an easement containing a public roadway cannot be determined, 30 feet shall be added to the 150 foot setback, and shall be measured from the centerline of the roadway;
2. Ponds or lakes shall not be constructed closer than 30 feet from a property line, but at no time shall be closer than 150 feet to an existing residence on an adjoining parcel (said measurements to be measured from maximum fill line);
3. The pond or lake shall have a spillway constructed, which allows the overflow to follow the natural drainage course, and it shall be constructed so as to prevent soil erosion at the outflow of the dam;
4. Ponds or lakes, which have more than a one square mile area of drainage from upstream or contain more than 30 acres of water, shall be required to follow Site Plan Review as detailed in this ordinance. The plan must be prepared and stamped by a registered Indiana Engineer or Surveyor;
5. Ponds or lakes which have a depth greater than twenty (20) feet measured from crest of emergency spillway to flow line of original ground shall be required to follow Site Plan Review and have the plan prepared and stamped by a registered Indiana Engineer or Surveyor;
6. Any pond or lake constructed closer than 150 feet to a public or private roadway and the enclosure/water impounding area of the pond or lake is located below, or at the same grade, as the roadway, a guardrail shall be required to prevent vehicle entry from the road. A guardrail may not be necessary if vegetation exists between the pond or lake and the roadway, which would reasonably prevent vehicle entry from the road. If the pond or lake is located closer than 150 feet to the roadway, and is at a grade above the roadway, a guardrail may be required if vehicle entry from the roadway is possible. The Decatur County Engineer, or Highway Department, shall determine if a guardrail is required, and the guardrail shall be constructed according to the requirements and specifications of the

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The following questions must be answered for pond, lake, and dam...

1. No part of the pond or lake shall be constructed closer than 150 feet from any public right-of-way, or public/private easement. If the width of an easement containing a public roadway cannot be determined, 30 feet shall be added to the 150 foot setback, and shall be measured from the centerline of the roadway;

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Signature of Applicant(s)

Name _____ Date _____

Name _____ Date _____

Signature of Applicant (s)

Name _____ Name _____

Address _____ Address _____

Table 25.1 - Dimensional Standards

District	Area	Width	Front	Side	Rear	Height
A-1			70'*/80'***	30'	30'	30'
A-2	1.5 acres	150'	70'*/80'***	30'	30'	30'
B-1			30'70'	10'	20'	20'
B-2			30'70'	10'	20'	40'
B-3			30'70'	10'	20'	50'
I-1	50,000 sq. ft.	200'	70'	50'	50'	60'
I-2	217,800 sq. ft.	250'	250'	100'	100'	80'
R-1	12,000 sq. ft.	100'	40'	10'	35'	35'
R-2	7,500 sq. ft.	75'	30'	8'	30'	35'
R-3	6,000 sq. ft.	60'	30'	6'	20'	35'
R-4	As per ISDH	60'	30'	6'	20'	35'

* FROM CENTER LINE OF ROAD

** FROM THE STATE HIGHWAY RIGHT-OF-WAY

ALL OTHER FROM EDGE OF RIGHT-OF-WAY

Distance is from the center line of County Roads. (All other roads measure from the edge of the right-of-way)

**Decatur County Fee Schedule
Area Plan Commission**

Request before BZA Board

Dimensional variance	\$385.00
Conditional Use & Special Exception	\$485.00
Appeal	\$385.00

Request Before the APC Board

Technical Review Submitted	\$100.00 Flat Fee
Zoning Map Amendment up to 2.99 acres	\$585.00
Zoning Map Amendment 3.00 acres and up	\$585.00 + \$10.00 per acre
Preliminary Plat	\$150.00 + \$25.00 per lot +Hard Cost
Change in Concept Development Plan	\$300.00 + \$5.00 per lot + Hard Cost
Major Revision	50 % of Original Fee Paid
Variance Request	\$300.00 each
Improvement Plan	\$500.00 + \$5.00 per lot
Final Plat	\$250.00
Certified Survey or Recorded Survey	\$60.00
Major Revision	\$60.00
Administrative Re-plats	\$250.00
Certified Letter Fee	\$48.00
Legal Advertisement	\$50.00
Dec. Co. Zoning Ordinance(Complete)	\$250.00

Decatur County Construction & Development Standards Fees
Permit Filing and Review Fees

Subdivisions

1 ½ single lot	\$ 100.00
20 lots or less	\$ 500.00
21 lots & up to 60 lots	\$ 800.00
61 lots & up to 100 lots	\$1200.00
If field visit is needed	\$ 500.00

Commercial, Industrial and Hydraulics

Price base on complexity of the project's per hour rate will be charged

Decatur County Political Townships

