

Starke County Plan Commission  
Regular Meeting, 2 Public Hearings and 1 Continued Public Hearing  
January 21, 2015

- I) Pledge of Allegiance
- II) Roll Call: Dennis Estok, president & surveyor; Roger Chaffins, vice president and citizen member; Kathy Norem, commissioner, Bryan Cavender, councilman; Byron Walters, trustee; Denise Thomas & Betty Dotlich, citizen members; Martin Bedrock, commission counsel; Terry R. Stephenson, administrator & building commissioner, and Pamla J. Starkey, clerk/secretary. There were (16) sixteen visitors present
- III) Approval of the minutes of the November 19, 2014 meeting:
  - ◆ Mr. Chaffins made a motion to approve the minutes as written, seconded by Mr. Cavender. Motion carried (7-0)
- IV) Appointments
  - ◆ President
    - Mrs. Norem made the motion to reappoint Mr. Estok as president, seconded by Mr. Chaffins. Motion carried (7-0)
  - ◆ Vice President
    - Mrs. Norem made the motion to reappoint Mr. Chaffins as vice president, seconded by Mr. Cavender. Motion carried (7-0)
  - ◆ Starke County Development Foundation Board
    - Mrs. Norem made the motion to reappoint Mr. Estok to the SCDFB, seconded by Mrs. Dotlich. Motion carried (7-0)
  - ◆ Plan Commission Counsel
    - Mrs. Norem made the motion to reappoint Mr. Bedrock as commission counsel, seconded by Mr. Chaffins. Motion carried (7-0)
  - ◆ Administrator/Building Commissioner
    - Mrs. Norem made the motion to reappoint Mr. Stephenson as administrator/building commissioner, seconded by Mr. Chaffins. Motion carried (7-0)
  - ◆ Clerk Secretary
    - Mr. Chaffins made the motion to reappoint Mrs. Starkey as clerk secretary, seconded by Mrs. Norem. Motion carried (7-0)
  - ◆ Plan Commission Representatives for the Board of Zoning Appeal
    - Mrs. Norem made the motion to appoint Mr. Chaffins to replace Mrs. Berger as the plan commission representative for the board of zoning appeal s, seconded by Mr. Cavender. Motion carried (7-0)
    - Mrs. Norem made the motion to appoint Mrs. Thomas to replace Mr. Rushing as the plan commission representative for the board of zoning appeals, seconded by Mrs. Dotlich. Motion carried (7-0)
  - ◆ Tech Committee
    - Mrs. Dotlich and Mr. Chaffins stated that they would be willing to be on the tech committee and Mrs. Thomas stated that she might be willing and will let the board know for sure at a later time. Board will discuss again at the next meeting.
  - ◆ County Representative for the City
    - Mr. Chaffins made the motion to reappoint Mrs. Dotlich to be the county representative for the city, seconded by Mrs. Thomas. Motion carried (7-0)

- V) Public Hearing to consider a property a Public Nuisance, located at 5655 N. 1100 E., Grovertown, IN. 46531, owned by Keith Gerrard.
- ◆ Mr. Stephenson explained what needed to be done to the property.
  - ◆ Mr. Estok opened the public hearing
  - ◆ Mr. Gerrard stated that there has been some progress but knows that he has been very lacks and explained what that he would like to either build onto an existing building or build a new one and put everything into that building and get rid of the two trailers. He also asked if he could remove the mobile home and replace it.
  - ◆ Mr. Estok suggested that Mr. Gerrard get together Mr. Stephenson and discuss what needs to be done and continue the public hearing.
    - Mr. Chaffins made the motion to continue the public hearing until next month, seconded by Mr. Norem. Motion carried (7-0)
- VI) Public Hearing to consider Unsafe Buildings located at 1480 W. 450 S., North Judson, property north of said property and 1500 W. 450 S. North Judson, IN. 46366. Owned by Geraldine Clemons.
- ◆ Mr. Stephenson stated the she was asked to repair or remove the structures and clean up the property. He also stated that they have done some clean up and have boarded up the buildings she has also listed the property for sale. He has been contacted by the potential buyer and told them that he wants an estimate of what it will take to bring the building up to code.
  - ◆ Mr. Estok explained that we can work with them and that this order will follow the property and recommends that a time frame be set as well.
  - ◆ Mr. Bedrock stated that the state will put a lien on the property as soon as an estate is open.
  - ◆ Ms. Clemons stated that an estate has not been open as of yet but are working on it and her attorney suggested that she list the property for sale and there is not any liens on the properties. She also stated that the real estate office called her this evening and there was an offer put in and the buyer would like to tear the one in front down and repair the house in the back.
  - ◆ Mr. Estok closed the public comment
  - ◆ Mr. Chaffins made a motion to give four months to get everything done and if not the \$5,000.00 civil penalty will NOT be waived but the administrative fee remains regardless, and the public hearing will be continued in 4 months, seconded by Mrs. Dotlich. Motion carried (7-0)
- VII) Continued Public Hearing to consider an amendment to a private road, Riviera Court, which is located in Cedar Pointe Park and Cottage Corner Pointe Subdivisions, Section 13 of California Township. Petitioner being Julie Workman.
- ◆ Attorney Mr. Wallsmith was present to speak on behalf of Ms. Workman and presented additional information to the board which included Petition to vacate easement for cul-de-sac and the south 10 foot easement for ingress and egress and utility easement for private road, petition for approval of conveyance of a non-exclusive easement for ingress, egress, utilities and private road, and grant of easement (all attached to original minutes)
  - ◆ Ms. Williamson is still against the vacation.
  - ◆ After both parties presented their case, Mr. Estok closed the public hearing
  - ◆ Mrs. Norem made the motion to grant the vacation of the easement as long as conditions in platted area haven't change to defeat purpose of plat, now there is a road that goes all of the way around, value of property isn't diminished, value of property is unknown, and public will benefit with more tax revenue and does not create a new lot, seconded by Mr. Chaffins. Motion fails with lack of majority of the board (4 yes 2 no and 1 abstain)

VIII) New business

- ◆ Mr. Estok requests that the surveyor does not have to sign the location permits as long as there is not a regulated drain or ditch involved and would like the board's motion to approve.
  - Mrs. Norem made the motion that the surveyor does not have to sign location permits as long as there is not a legal drain or ditch, seconded by Mr. Chaffins. Motion carried (7-0)
- ◆ Mr. Wallsmith came back and asked the board to reconsider their motion regarding Riviera Court vacation as it was pointed out to him that the petitioners will have to wait two years to reapply. Ms. Williamson objected to his request. After discussion by the board the request was denied.

IX) Violations

- ◆ Mr. Stephenson read to the board the violations and the results of the violations (copies are attached to the original minutes)
- ◆ Mr. Stephenson asked if the tech committee would work solely on the public nuisance ordinance, Mr. Estok agreed and would like that in a motion from the board.
  - Mrs. Norem made the motion that the tech committee work solely on a public nuisance ordinance, seconded by Mr. Chaffins. Motion carried (7-0)
- ◆ Mrs. Norem made the motion to set Dennis Guard's two properties for public hearing, seconded by Mr. Chaffins. Motion carried (7-0)

X) End of the year reports were given to the board and they will read them on their own

XI) Tech Committee did not meet. Mrs. Dotlich did let board know that she had a copy of a guide for new members from the Planners Web and will send it to the board members in PDF form and Pam will make hard copies if board members would like her to.

With no further business, Mrs. Norem made a motion to adjourn the meeting, seconded by Mrs. Dotlich. Motion carried (7-0)

The next scheduled meeting will be held on Wednesday, February 18, 2015 at 5:30 p.m.

Unless stated otherwise, all Plan Commission meetings will be held on the third Wednesday of every month at 5:30 p.m. with the Board of Zoning Appeal meeting on the same night at 7:00 p.m.

Pamla J. Starkey  
Clerk secretary