

DRAFT NOT YET APPROVED

Starke County Planning Commission  
Regular Meeting & Public Hearing  
September 15, 2010

Attendance: Butch Ritchie, president & citizen member; Jack Hudgens, vice president & citizen member; Judy Benninghoff, executive secretary & councilwoman; Daniel Bridegroom, commissioner; Dennis Estok, surveyor; Byron Walters, trustee; Alan Kurtz; extension educator; Richard Singleton & Donald White, citizen members; Steven A. Dodge, commission counsel; Bruce W. Williams, administrator/building commissioner; and Pamla J. Starkey, recording secretary. There were (3) three visitors present.

1. Approval of the minutes of the August 18, 2010 regular meeting and public hearing: Mrs. Benninghoff made a motion to approve the minutes as written, seconded by Mr. Walters. Motion carried (9-0)
2. Public hearing to consider an Order to declare a dwelling and/or the present structure unfit for human habitation and a public nuisance. The property owner being Doritta G. Delany located at 11460 E. 900 S., Culver, IN. 46511 in section 36 of North Bend Township. Mr. Williams passed out pictures of the property. Mrs. Benninghoff made a motion to open the public hearing, seconded by Mr. Singleton. Motion carried (9-0). Mr. Armstead stated that he thinks the house should be torn down. With no other comments Mr. Bridegroom made a motion to close the public hearing, seconded by Mrs. Benninghoff. Motion carried (9-0) After board discussion Mr. Estok made a motion to proceed with the normal course of action, seconded by Mr. Walters. Motion carried. (9-0)
3. New Business
  - a) Monthly Reports: Mr. Ritchie went over the reports with the board.
  - b) Signed Complaint Forms: All board members agree that we should have a signed complaint form. After discussion by the board, Mr. Hudgens made a motion to send the complaint violation letter form to the Tech Committee to develop a procedure and bring it back to the planning commission next month, seconded by Mr. Walters. Motion carried (9-0)
  - c) Inspections: Currently we have a form for the homeowner to sign to get their electric or gas turned on but we were told that we shouldn't do that because of the liability and for the other inspections we have them take pictures and we write down that they called for an inspection so they do not get fined. Mr. Hudgens suggested that Bruce contact Mr. Frances Rooney, the building inspector from Michigan City to get the form that they use and Mr. Bridegroom will contact the insurance company to see what the liability would be if a form was used for the contractor or the home owner to sign off of and give this information to Mr. Dodge. After discussion Mrs. Benninghoff made a motion to table until next meeting seconded by Mr. Singleton. Motion carried. (9-0)
4. Tech Committee Report

Mr. Ritchie read his minutes from the meeting. First they discussed the personnel problem, then they discussed the wind towers. Mr. Bridegroom had copies from multiple counties but he forgot to bring them to their meeting so they tabled that until the next meeting. They then discussed the CAFO ordinance. Mr. Ritchie explained that they would create a guideline by getting information that the Board of Zoning Appeals has used in the past and get information from the other counties and after the applicant meets the guidelines they would then go before the Board of Zoning Appeal. Mr. White & Mr. Hudgens stated that they are trying to get away

from the applicants going to the BZA. After a long discussion Mr. Dodge suggested that Mr. Hudgens & Mr. White make up a list of guidelines. Everything else was tabled that was on their agenda such as the fee schedule and the appeals board. Mr. Williams let the board know that we have been approved by the state.

5. Old Business

a) Unsafe building for Timothy Yokovich in San Pierre: Roof has not been weather proofed like he was asked, the building is secured otherwise. After discussion Mr. Singleton made a motion to write a letter stating he is in violation of the order given to him on June 17, 2009. He needs to replace the roof within (30) thirty days or will be made to tear the structure completely down, seconded by Mr. Walters. Motion carried (9-0)

6. Violations

a) Ianos Zgherea, 7665 E. 625 S. Knox, Section 20 in North Bend Township: Two letters were sent regarding applying for a permit with no response. Mr. Hudgens made a motion for Mr. Dodge to write a letter with authority to sue, seconded by Mrs. Benninghoff. Motion carried (9-0).

b) Darell Keiper, 7651 Kickapoo Lane Walkerton, Section 11 in Oregon Township: We finally received a letter from Bank of America which Mr. Williams read to the board. Mr. Hudgens made a motion to get a hold of someone in the preservation office that is in charge of the matter and get a time line of when the matter can be taken care of, seconded by Mr. Walters. Motion carried (9-0)

c) Marcin Wybranec, 4685 S. 300 E. Knox: Letter was sent like board requested with no response: Mr & Mrs Wybranec were present. They had gone through the Board of Zoning Appeal to put a pole barn on their property without primary dwelling on less then (10) ten acres and were denied. They then came in and applied for a permit for a dwelling and pole barn in 2003 and built the pole barn and have renewed the permit for the dwelling every year since, but have not started construction on the dwelling. Mrs. Benninghoff made a motion that Mr. Wybranec will have to sign a document stating that he will tear the pole barn down if construction on the dwelling has not been started by July 2011. They will have (6) six months to get the shell up which includes foundation, framing, siding, windows and roof, and (18) eighteen months to completely finish dwelling, seconded by Mr. Singleton. Motion carried (9-0). Mr. Dodge will draw up the document for them to sign.

Mr. Ritchie stated that he was asked by one of the commissioners to request to the board to have Mr. Williams do quarterly tours at Koontz Lake to do inspections of the properties there. Board members stated that he can't do that because everyone would want a quarterly tour and we need to continue with complaint forms when the tech committee develops the procedure. Mrs. Benninghoff made a motion to not have Bruce do any quarterly tours and respond on the basis of the complaint signed or the severity or the urgency of the complaint, seconded by Mr. Walters. Motion carried (9-0)

Mr. Armstead questioned how a county commissioner can vote on a dog kennel ordinance when she raises dogs herself. Mr. Bridegroom stated that she wasn't the only one who turned it down. Mr. Ritchie stated that it has not been dismissed it was put on the back burner for now, but it is still on the tech committees list. Mr. Ritchie asked Mr. Williams to get the dog kennel ordinance that was submitted to the commissioners and the minutes of the commissioners meeting when it was denied and have them ready for the tech committee meeting.

With no further business Mrs. Benninghoff made a motion to adjourn the meeting, seconded by Mr. Singleton. Motion carried (9-0). Meeting was adjourned at 8:15 p.m.

This meeting was taped and will be on file in the Starke County Planning Commission Office. The next scheduled meeting will be held on Wednesday, October 20, 2010 at 6:30 p.m. A tech committee meeting was not set at this time.

Pamla J. Starkey  
recording secretary