

Starke County Plan Commission  
Regular Meeting and Two (2) Public Hearings  
August 19, 2015

- I) Pledge of Allegiance
- II) Roll Call: Dennis Estok, president & surveyor; Roger Chaffins, vice president & citizen member; Kathy Norem, commissioner; Bryan Cavender, councilman; Phil Woolery, extension educator; Byron Walters, trustee; Betty Dotlich, Jeff Fosler, and Denise Thomas, citizen members; Mary Jane Bendt, city representative; Martin Bedrock, commission counsel; Terry R. Stephenson, administrator/building commissioner; and Pamela J. Starkey, clerk/secretary. There were (15) fifteen visitors present.
- III) Approval of the minutes of the July 15, 2015 meeting and public hearing:
  - ◆ Mr. Chaffins made a motion to approve minutes as written, seconded by Mr. Cavender. Motion carried (9-0)
- IV) Public Hearing to consider a Building Unsafe located at 2215 E. 200 S. Knox, IN. 46534. Owned by LaVonda Williams:
  - ◆ Mr. Estok opened the public hearing
  - ◆ Mr. Stephenson stated that the structure is down but needs cleaned up, the spring taxes aren't paid and there are a few liens on the property already.
  - ◆ Mrs. Starkey stated the notice came back with a new address for Ms. Williams and she resent the notice (2) two days ago.
  - ◆ A few neighbors were present and agree that the property needs cleaned up.
  - ◆ Mr. Estok stated that the notice was in the county paper.
  - ◆ Mr. Estok closed the public comment of the hearing
  - ◆ After discussion by the board, Mr. Chaffins made the motion to affirm the order that the building inspector has found the demolition of building needs to be finished, premises cleared of debris and property made safe, pay the administrative fee of (\$700.00) seven hundred dollars and impose the civil penalty of (\$5,000.00) five thousand dollars if not finished within (30) thirty days, seconded by Mrs. Norem.
    - Mrs. Dotlich asked if that includes the swimming pool
    - Mr. Estok replied yes
    - Motion carried (9-0)
- V) New Business
  - ◆ Jack Campagna regarding NIPSCO and REMC
    - No one was present
  - ◆ Edward Brauer Jr. regarding construction on property owned by Dennis & Sharon Peters at Bass Lake.
    - Mr. Brauer explained the lot in question. He stated that he is concerned that the dwelling is a foot too close to his lot line and should be made to move the dwelling.
    - He submitted a survey that was done in 1959 by Mr. Smrt.
    - He also stated that the setbacks on the drawing are not correct and also it has devalued his property and would like some relief.
    - Mr. Estok stated that Mr. Smrt did not do a stake survey and stated that all Mr. Peters would have to do is get a variance from the Board of Zoning Appeal and they would not make him move it and also asked why he didn't bring this matter to the attention of the building inspector before they started pouring the foundation and framing.

- Mr. Stephenson stated that he was told the fence was the property line and asked Mr. Brauer to get a stake survey as he was the one complaining.
  - Mr. Bedrock stated that he is the one that is disputing the property line so he should be the one to get the survey.
  - Mr. Stephenson stated that he meets his setbacks
  - Mr. Estok stated that they are not going to make him tear it down or move it and that Mr. Brauer should have complained before they had the dwelling framed and cannot give him relief.
  - Mr. Estok asked the board if they had any questions, no reply from the board.
  - Mr. Bedrock stated that Mr. Peters can apply for a variance to the Board of Zoning Appeal if needed.
  - Mr. Stephenson stated that if Mr. Brauer would have come to him when they started digging the hole instead of waiting until it was framed we would not be having this discussion.
  - ◆ Mr. Estok let the board know that the City of Knox Planning Commission would like to have another work session with the County Planning Commission to go over the two mile jurisdiction and comprehensive plans and will leave it up to Terry & Bruce to get that set up.
- VI) Public Hearing to consider the approval of the adoption of an Ordinance for the Regulation of Concentrated Animal Feeding Operations:
- ◆ Mr. Estok opened the public hearing
  - ◆ Mrs. Dotlich asked where the numbers came from.
  - ◆ Mr. Stephenson stated they are IDEM's
  - ◆ Mrs. Dotlich also stated that the city talked about wanting it two miles from the two mile jurisdiction.
  - ◆ Mr. Estok stated that it wouldn't be feasible to do that, Mrs. Norem agreed.
  - ◆ Mrs. Dotlich asked if the highway department does route permits
  - ◆ Mrs. Norem stated that she did talk to them about that and they do
  - ◆ Mr. Nagai asked questions regarding the route permit from the highway department and also thinks the setbacks of 750' radius & 300' from the road are too stringent.
  - ◆ Mr. Lawrence also asked questions regarding the route permit
  - ◆ Mr. Stephenson explained the setbacks
  - ◆ Mr. Nagai invited the board to visit his CAFO before a decision is made.
  - ◆ Mrs. Norem agreed that is a good idea and suggested that the board should visit the CAFO before making a decision.
  - ◆ After discussion by the board it was decided to meet before the next meeting at 4:30 p.m. Wednesday, September 16, 2015 to visit Mr. Nagai's CAFO.
  - ◆ Mr. Estok closed the public portion of the hearing
  - ◆ After discussion by the board Mrs. Norem made a motion to continue the public hearing next month, seconded by Mr. Woolery. Motion carried (9-0)
- VII) Old Business
- ◆ Starke County Public Nuisance & Unsafe Building Ordinance
    - Mr. Estok would like to see this completed before the end of the year but doesn't have time to work on it. Mrs. Norem agrees
    - Mrs. Norem stated that she and Mr. Stephenson will work on it
- VIII) Old & New Violations
- ◆ Mr. Stephenson went through the violations (list is attached with original minutes)
    - Knowles property is not any better

- Mrs. Dotlich stated that they need to assess the fines
- Knowles two other properties that he agreed to clean up are not any better either
  - After discussion by the board, Mr. Chaffins made a motion to set the other two properties for public hearings next month, seconded by Mrs. Dotlich. Motion carried (9-0)

IX) End of the month reports were read

With no further business, Mrs. Norem made a motion to adjourn the meeting seconded by Mr. Chaffins. Motion carried (9-0)

The next scheduled meeting will be held Wednesday, September 16, 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