

**Starke County Plan Commission
Regular Meeting and Public Hearings
September 13, 2021**

- ❖ Call to Order-Vice President Jackson called the meeting to order
- ❖ **Pledge of Allegiance**
- ❖ **Roll Call:** Bill Crase, president & surveyor (absent); Todd Jackson, vice president and citizen member; Bryan Cavender, Commissioner; Howard Bailey, councilman (absent); Phil Woolery, extension educator (absent); Mark Allen, trustee; Todd Lawrence (absent), Denise Cultice, and Karl Swihart, citizen members; Martin Bedrock, commission counsel; Wallace (Boz) Williams, building commissioner; Robby Blodgett, code enforcement officer (absent); and Pamla J. Starkey, administrator. There were (5) visitors present.
- ❖ **Approval of the minutes** of the August 9, 2021 meeting: Member Cultice made a motion to approve minutes as written, seconded by Commissioner Cavender. Motion carried (5-0)
- ❖ **Code Enforcement Officer Report**
 - Admin. Starkey gave the report that Code Enforcement Officer Blodgett gave to her to pass out to the board members
 - Bart Egolf, 10702 W San Pierre Rd, San Pierre IN 46374 (Case #178). Bart Egolf has removed all that needed to be removed except for the shipping container that the previous building commissioner said that he could keep as long as it was contained behind a fence, Blodgett's question is, can he keep the shipping container?
 - After discussion Admin Starkey was asked to see how many acres Mr. Egolf has and let the board know next month.
 - Shannon Trusty, Lincoln St., Monterey IN (Case #170) Abate was sent on June 22, 2020, Sheriff served on September 3, 2020, a cease and desist was sent on October 13, 2020 as well as a certified letter from Attorney Bedrock on May 1, 2021 and several emails and agreements, but camper is still there. Enforcement Officer Blodgett wants to know what the next step is.
 - After discussion, Attorney Bedrock stated that he will send another letter.
 - Gary Litzkow, 2300 Toto Rd. Knox IN 46534 (Case #132) Abate was sent on November 20, 2020, abate was not met so on January 19, 2021 Gary came in and paid the \$350.00 fine and requested additional time for cleanup. As of March 30, 2021 there had not been any changes so a reminder notice was sent with no response, so on June 15, 2021 another notice was sent with no response. On June 29, 2021 she sent a final reminder with no response, On August 24, 2021 she sent a cease and desist letter and sheriff served the letter, still waiting for a response. Enforcement Officer Blodgett wants to know what the next step will be.
 - Building Commissioner Williams stated that the health department is involved as well now.
 - After discussion, Attorney Bedrock stated that he will look into what needs to be done and let her know what to do next.
- ❖ **Public hearing to consider rezoning request by Edward P. & Mary Beth Rentka, from the R2 zone to the Ag zone for all uses permitted in the agricultural zone, on the property described as follows: Pt S ½ NW S23 T32 R2, California Township, Starke County, Indiana, containing 14.003 Acres, more or less, Parcel number 75-10-23-100-008.000-002, located at 6535 S 450 E Knox, IN 46534**
 - Attorney Bedrock read the public hearing notice

- Vice Pres. Jackson opened the public hearing
 - Chris Shelman was present on behalf of the Rentka's and Developer of Starke Solar to request the zoning change and stated that the Kolish property north and south of this property has already been rezoned from R2 to agriculture he went on to say the intent would be to continue to farm it or use it for part of the solar project. He also stated that all of the project would be south of US 35
 - Commissioner Cavender confirmed with Mr. Shelman that the property is on the west side of US 35
 - Mr. Shelman said yes and the property north and south of that property was already rezoned for the project so it would be just to fill in that gap
 - Commissioner Cavender said he doesn't see any problems as long as it is on the west side of 35
 - Vice Pres Jackson asked if there is any comments from the public, with no comments he then closed the public hearing
 - Vice Pres Jackson asked if the board had any comments, with no comments from the board he asked for a motion
 - Member Cultice made a motion to approve the rezoning from R2 to Ag, seconded by Commissioner Cavender. Motion carried (5-0)
- ❖ **Public hearing to consider rezoning request by Todd L. & Sarah L. Redlin, from LB zone to the ag zone for all uses permitted in the agricultural zone, on the property described as follows:**
- **SW SE S23 T32 R2, California Township, Starke County, Indiana, containing 40 acres more or less, Parcel number 75-10-23-400-019.000-002, located at 450 S Knox, IN 46534;**
 - **Pt E ½ S23 T32 R2, California Township, Starke County, Indiana, containing 39.35 acres, more or less, except for any portions lying North of US 35, Parcel number 75-10-23-500-012.100-002 located at US 35, Knox IN 46534;**
 - **Pt E ½ SE S23 T32 R2, California Township, Starke County Indiana, containing 1.95 acres, more or less, Parcel number 75-10-23-400-013.200-002, located at 4968 E CR 210, Knox, IN 46534; and**
 - **Pt SE SE S23 T32 R2, California Township, Starke County, Indiana, containing 28.43 acres, more or less, Parcel number 75-10-23-400-021.300-002, located at SR 10, Knox, IN 46534**
- Vice Pres Jackson read the public hearing notice, then opened the public hearing
- Chris Shelman was present on behalf of Redlin's and Developer of Starke Solar to request the zoning change from LB to Agriculture and this zoning request would exclude all properties north and east of US 35 leaving the buffer between 35 and the lake. South of 35, all the land currently is in row crop production and is adjacent to the future and existing project and noted that the ordinance provides extensive buffering and landscaping along 35 as well as other roads that would need to be complied with prior to construction and is an extension to an existing project. He also pointed out that the only business in route south of 35 is the drive in and it is in the ag zone. Chris Shelman also stated that everyone along the lake was notified

- Vice President Jackson asked if there are any other comments regarding the rezoning, with no other comments Vice Pres. Jackson closed the public hearing
- Vice Pres. Jackson asked for a motion for all 4 parcels
- Commissioner Cavender made a motion to approve all 4 rezoning from LB to AG for all uses permitted, seconded by Member Swihart. Motion carried (5-0)

❖ **Old Business and Violations**

- Tina Rudd & Andrew Knapp 6385 E SR 10 Knox
 - Attorney Bedrock stated that we had a public hearing in April and read the minutes of that meeting but couldn't see that the board took any action other than granting them another extension of 4 months and so much time has passed so we will need to hold another public hearing and not give any extensions.
 - Vice Pres. Jackson asked if the board was okay with having another public hearing and board agreed that we should.
 - Vice Pres. Jackson asked Admin. Starkey to get everything ready for another public hearing

❖ **New Business and Violations**

- Replat of Part "A" and the Mathew Swanson parcel in Nancy Pitcher Ayers Subdivision
 - Mark Lewallen with Territorial Engineering was present to explain that they are wanting to replat Part A and what has been referred to as the Mathew Swanson parcel, it was essentially 3 parcels but was combined for tax purposes but actually has 3 legal descriptions she is now wanting to reconfigure the property now to give a piece to her son.
 - Admin. Starkey explained that Bob Alois was here in June but we did not have a quorum so we couldn't have a meeting, but he questioned the board members that were here along with Attorney Bedrock and was told that he would be able to do what his client was wanting to do without a public hearing
 - Mr. Lewallen passed out copies of what they are wanting to do to try to clean the mess up. He explained that it is one tax unit but there are 3 parcels and is wanting to split them back off and reconfigure the lots with defining an easement as it currently doesn't show where the easement is and cleaning up the descriptions.
 - Attorney Bedrock asked if they are subdividing, Mr. Lewallen replied that they are moving the lot lines which is a replat not subdividing, he also stated that they can create a legal descriptions but they are trying to simplify it with making it into lots
 - Attorney Bedrock stated that they are creating new lots
 - Mr. Lewallen stated that they are not creating new lots they are moving lot lines
 - After Mr. Lewallen explained again what they are wanting to do and if they can't do it this way they will need some direction as to how to do it.
 - Vice Pres Jackson stated that if they take his proposed line and subdivide that parcel with the easement to it and re deed that as its own property for the time being and then combine the deeds on this, and this parcel would make the portion that you would want then asked if that is what they are wanting to do
 - Mr. Lewallen replied that yes that can certainly be done by just description, it would just be in the best interest to do it by the lots because things could possibly get left off of the descriptions.
 - Attorney Bedrock stated that he doesn't think that we have ever had a replat before us but he doesn't think they can do it that way, that it would need to be in legal descriptions and a deed with meets and bounds.

- After more discussion, Vice Pres. Jackson asked them to decide whether they want to have a public hearing for a subdivision or go by the survey with legal descriptions, but they need to let Admin Starkey know by Friday what they want to do.
- ❖ **Public Comment**-No Public Comment
- ❖ **Other Business from the Board**
 - Building Commissioner Williams stated that the contractor for Mammoth Solar asked if the electric wires and utility connections for CSES have to be installed underground because they want to run it like a harness. After discussion the board, it was decided that if the ordinance says it has to be underground then that is what they need to do.
 - Admin Starkey let the board know that there is a meeting with them on Wednesday at 10:00 if the any of the members would like to attend.
 - Attorney Bedrock asked Commissioner Cavender if he could ask Attorney Lucas about the replat of the subdivision that was discussed
- ❖ **End of the month reports**
- ❖ **Next Scheduled Meeting**- will be Monday, October 11, 2021 at 5:30 p.m.
- ❖ **Adjournment**-With no further business, Member Cultice made a motion to adjourn the meeting seconded by Trustee Allen. Motion carried (5-0)

This meeting was recorded and will be on file in the Starke County Plan Commission Office.

Unless stated otherwise all Plan Commission meetings will be held on the second Monday of every month at 5:30 p.m. with the Board of Zoning Appeal meeting on the same night the latter of 6:30 p.m. or the conclusion of the Plan Commission meeting.

Pamla J. Starkey
Administrator