

Starke County Planning Commission  
Regular Meeting and Three Public Hearings  
September 17, 2014

- I) Pledge of Allegiance
- II) Roll Call: Dennis Estok, president & surveyor; Roger Chaffins, vice president & trustee; Kathy Norem, commissioner; Bryan Cavender, councilman; Chad Rushing, extension educator; Rita Berger, Denise Thomas, and Betty Dotlich, citizen members; Martin Bedrock, commission counsel; Terry R. Stephenson; administrator/building commissioner; and Pamla J. Starkey, secretary/clerk. There were (17) seventeen visitors present,
- III) Approval of the minutes of the August 20, 2014 meeting
  - ◆ Mr. Chaffins made a motion to approve the August 20, 2014 meeting minutes as written, seconded by Mrs. Dotlich. Motion carried (8-0)
- IV) Public Hearing to consider an amendment to the private easement, Riviera Court which is in Cedar Pointe Park Sub and Cottage Corner Pointe Sub in Section 13 of California Township. Petitioner being Julie M. Workman.
  - ◆ Mr. Brad Cramer spoke on behalf of Mrs. Workman and explained what was going to be done. (copies of application and sketches are attached to original minutes in the minute book in the Plan Commission Office)
  - ◆ Mr. Bedrock stated that when the subdivision was originally platted there was not a road to go all of the way through and that was the purpose of having a cul-de-sac and now there is a road on the south side so there is no need for the cul-de-sac. He then asked if Outlot A would be left as is and if vacated easement will revert to land owners.
    - Mr. Cramer stated that Outlot A is dedicated for lots 11 & 12 and will remain the same and the vacated easement would revert to the land owners.
  - ◆ After more discussion, Mr. Estok opened the public hearing for public comment
  - ◆ Cheryl Williamson who owns lot 2 in Cottage Corner Pointe Sub spoke on behalf of herself and her father who owns lot 1 and they both object to the vacation for reasons as follows:
    - It is for a private purpose
    - In the future they might want to make Riviera Court a Public road and don't want to lose that option.
    - Covenants state that the subdivision shall not be re-subdivided.
    - Not sure where underground utilities are located.
    - Primary objection is the drainage.
    - People will start parking in the easement and large vehicles will not be able to get into the subdivision.
    - Cedar Point Park has a road and Cottage Corner occupants are not allowed to use the road.
      - Mr. Estok stated that it is a certified road and the public is allowed to use it as well.
    - The road in the past has been used for emergency purposes.
    - Bought the property knowing the easement would not be removed.
    - Doesn't think that justice would be required to vacate the easement.
  - ◆ Mr. Rushing asked what the purpose is to vacate the easement
    - Mr. Cramer stated that they are hoping to achieve the land be opened to the land owners.
    - Mr. Rushing asked who would get the 9300 square feet from the cul-de-sac.
      - Mr. Cramer stated that it would go to lot 10.
    - Mrs. Workman stated that she and Mr. Hampton are the only ones who do any upkeep on the road, no one else in the subdivision has ever maintained it. She also stated that when

the emergency vehicles came on the property they were all on the other side of the subdivision and not even close to Cheryl Williamson's property.

- Suzann McLaughlin stated that the cul-de-sac has never been used and doesn't feel that there is a need for it since the road does go completely around and everyone in the subdivision uses the road all of the way around.
- Mr. Williamson stated that he is against the vacation of the road and that the road has never been a dead end road.
- Mr. Estok stated that normally if you have a through street you would not be required to put in a cul-de-sac .
- After more discussion Mr. Estok made a motion to close the public portion of the hearing.
- Mr. Rushing thinks that a 25' easement might be an issue and maybe just do something with the cul-de-sac that both parties would be happy with.
- Mrs. Dotlich stated that she thinks it should be at least 50'
- ◆ Mr. Rushing made a motion to continue the hearing next month, seconded by Mr. Chaffins. Motion carried (8-0)

V) Public Hearing to consider a Building Unsafe, located at 1010 N. 700 N., Knox, IN. Owned by Charlotte & Mildred Edwards.

- ◆ This hearing is canceled as the building is down.

VI) Public Hearing to consider a Building Unsafe, located at 8875 E. 25 N., Knox IN. Owned by Jon Rock. Legal description of S16 T33 R1, Pt N 30' E ½ SE SE 1 acre, State ID #75-07-16-400-053.000-012.

- ◆ Mr. Stephenson stated that he would like to see the structure demolished.
- ◆ Mr. Estok opened the public hearing.
- ◆ With no comment from the public, Mr. Estok closed the public hearing.
- ◆ Mr. Chaffins made a motion that the building inspector has found the structure beyond repair and confirm the order of the structure to be demolished and impose the administrative fee of (\$700.00) seven hundred dollars and the civil penalty of up to (\$5000.00) five thousand dollars, seconded by Mrs. Norem. Motion carried (8-0)

VII) New and Old Business

- ◆ Schedule of fees
  - Mrs. Dotlich explained what changes the tech committee discussed.
  - Mrs. Norem is to check who hears the dispute of the building codes.
  - After discussion by the board, Mr. Chaffins made a motion to hold a public hearing to amend the Schedule of Fees next month, seconded by Mr. Cavender. Motion carried (8-0)
- ◆ Review of a revised amendment to 6-12-3-5-E(6)B(2), Use of semi van trailers
  - After discussion by the board, Mrs. Dotlich made a motion to set the amendment to 6-12-3-5-E(6)B(2), Use of Semi Van Trailers for a public hearing next month seconded by Mr. Chaffins. Motion carried (8-0)

VIII) New and Old Violation

- ◆ Mr. Stephenson gave an update on all of the violations on file which will be attached to the original minutes.
- ◆ There was discussion on the Clemons property which was
  - Mr. Bedrock talked to the director of Medicaid
  - Mr. Estok stated we would have to demolish and put a lien on their taxes
  - Mr. Bedrock stated that we need to check to see if real estate taxes have been paid.
  - Mrs. Norem asked that we get quotes to demolish the structure if we cannot get another volunteer.
- ◆ There was some discussion on C & C Salvage

IX) Tech Committee

- ◆ Mrs. Dotlich gave a report which is also attached to original minutes

Mr. Estok stated that we do have to make a motion to wave the civil penalty on (3) three of the unsafe buildings. With that being said, Mr. Chaffins made a motion to wave the civil penalty of up to (\$5000.00) five thousand dollars on Genslinger, Brodech, and Wiper Corp, seconded by Mrs. Dotlich

X) End of the month reports

- ◆ Mr. Stephenson read the reports which is also attached to the original minutes

Mr. Dotlich is concerned with Sportz being covered and doesn't think it was included in the plan.

With no further business, Mrs. Dotlich made a motion to adjourn the meeting, seconded by Mr. Chaffins. Motion carried (8-0).

The next scheduled meeting will be held on Wednesday October 15, 2014 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