

Starke County Planning Commission
Regular Meeting, One Continued Public Hearing
& Two New Public Hearings
October 15, 2014

- I) Pledge of Allegiance
- II) Roll Call: Dennis Estok, president & surveyor; Roger Chaffins, vice president & trustee; Bryan Cavender, councilman; Rita Berger, Jeff Fosler, Denise Thomas, and Betty Dotlich, citizen members; Mary Jane Bendt, city representative; Martin Bedrock, commission counsel; Terry R. Stephenson, administrator/commissioner and Pamla J. Starkey, clerk/secretary. There were (11) eleven visitors present.
- III) Approval of the minutes of the September 17, 2014 meeting and three public hearings:
 - ◆ Mr. Chaffins made a motion to approve the minutes with the additions as follows
 - Add lot 10 to Mr. Cramers statement of Outlot A is dedicated for lots 11 & 12 and will remain the same and the vacated easement would revert to the land owners.
 - Add motion carried (8-0) to wave the civil penalty on 3 unsafe buildings.
 - Seconded by Mrs. Dotlich. Motion carried (7-0)
- IV) Continuation of a Public Hearing to consider an amendment to the private road, Riviera Court, which is in Cedar Pointe Park Sub & Cottage Corner Pointe Sub in Section 13, California Township. Petitioner being Julie M. Workman.
 - ◆ Mr. Estok reconvened the public hearing
 - ◆ Mr. Cramer was present and stated that they have a new design which changes the road to a forty foot road instead of the twenty foot road, also has a letter of approval from the county highway department and the fire department stating that they do not have any issues of the road being forty feet. Mr. Cramer also explained the changes that were made on the drawings.
 - ◆ Mr. Estok asked that if there would be any effect on the utility lines.
 - Mr. Cramer said that there would not be, but what is not on the nipsco drawing is the sewer district. Cottage Corner Pointe does not have plans, a private service did theirs not the conservancy district and do not have the sketch showing where the line is at, just said that it is in front of the cottages.
 - ◆ Mrs. Dotlich had questions for the owner such as the reason for the vacation
 - Mrs. Mc Laughlin was present for Mrs. Workman and stated that they were trying to get back some of the land as it wasn't being used. She also stated that she has small children that play on the cul-de-sac and there is no reason to have the cul-de-sac as there is a road that goes all of the way through.
 - Mrs. Dotlich also read the covenants of the subdivision.
 - ◆ Mr. Estok stated that Mr. Bedrock said at the last meeting that the subdivision is not being re-subdivided as there is not an extra lot.
 - ◆ Mr. Cramer stated that the cul-de-sac was created so Cottage Corner Pointe sub would have a turn around and now there is a road that goes all of the way around, therefore the cul-de-sac is no longer needed
 - ◆ Mr. Estok stated that the purpose is to eliminate the cul-de-sac as it is no longer needed and to make the road a forty foot road instead of a fifty foot road.
 - ◆ Mr. Carmer stated that the additional ten foot is so that a deck can be built in the front of lot 10 otherwise it will not fall within the setbacks.
 - ◆ Ms. Williamson asked Mr. Cramer if out lot A and the ten foot easement along out lot A were combined would it be a buildable lot.

- Mr. Cramer stated that could not be done without a variance
 - ◆ Mr. Estok opened the public portion of the hearing
 - ◆ Ms. Williamson stated that she did not receive notice of the public hearing as required, also as Mrs. Dotlich stated, the covenants do state that the subdivision cannot be re subdivided and according to the county ordinance if you do this you will be violating the restrictive covenants. She also stated that it was on the deed as a granted easement along with the cul-de-sac when the Workman's purchased the property from Butcha's and the plan commission has no authority to vacate the easement. Mrs. Williamson would like the fact that the commissioners accepted the road as a public road for public use and is a public way in the minutes Ms. Williamson asked that the plan commission deny the petition.
 - ◆ Mrs. McLaughlin stated that Cottage Corner Pointe Sub properties will not be changed and that the Williamsons are the only two that are against to vacation.
 - ◆ Mr. Bedrock stated that the only part of the road being vacated is on the Cedar Pointe Park Subdivisions side and that the other side is not being changed.
 - ◆ Mr. Williamson stated that he did not get notice of the hearing and he is not for the change.
 - ◆ Mrs. McLaughlin stated that she did give him a letter that he did sign for.
 - ◆ Mrs. Starkey stated that all of the surrounding property owners either received a letter by certified mail or they were handed a letter and signed the Notification Affidavit.
 - ◆ Mr. Bedrock stated that this is a continued meeting and you would not have to be notified again.
 - ◆ Mr. Armstead and Mr. Dotlich also made comments
 - ◆ Mr. Hampton spoke, stating that he is the owner of lot 11 in Cedar Pointe Parke Sub and pointed out that the road in Cedar Pointe Parke was extended to Cottage Corner Pointe.
 - ◆ After more discussion, Mr. Estok closed the public portion of the hearing.
 - ◆ After discussion Mr. Bedrock suggested that the hearing be tabled so he can confer with Mr. Lucas, the county attorney.
 - ◆ Mr. Cavender made a motion to table the public hearing until next month, seconded by Mrs. Berger (not sure who seconded the motion, all I heard was a yea from a woman at the end of the table) Motion carried (7-0)
- II) Public Hearing to consider an amendment to the Schedule of Fees
- ◆ Mrs. Dotlich stated that the only thing that needed clarified was the administrative appeal to the board of zoning appeal. Kathy was to check on and she is not here tonight.
 - ◆ Mr. Estok opened the public hearing.
 - ◆ With no comment from the public, Mr. Estok closed the public hearing
 - ◆ Mrs. Dotlich made a motion to approve the Fee Schedule as submitted with the exception of the administrative Appeal to Board of Zoning Appeal contingent on clarification from the commissioners on whether that should be the building code review board , seconded by Mr. Chaffins. Motion carried (7-0)
- III) Public Hearing to consider an amendment to the County Ordinance 6-12-3-5(6)B(2), Use of Semi Van Trailers
- ◆ Mrs. Dotlich explained the amendment to the board
 - ◆ Mr. Estok opened the public hearing
 - ◆ Mr. Armstead asked if the existing semi van trailers are grandfathered in.
 - ◆ Mr. Dotlich felt that the semi van trailers should only be used for agricultural purposes and not just general storage of household items.
 - ◆ Mr. Estok closed the public hearing.
 - ◆ Mr. Fosler asked how we would even know what was being stored.

- ◆ Mr. Stephenson stated that there is no way to police that.
- ◆ Mrs. Dotlich made a motion to approve the amendment as submitted, seconded by Mr. Cavender. Motion carried (7-0)

IV) New and Old Business

- ◆ Mrs. Dotlich asked Mr. Bedrock if he talked to Mr. Lucas regarding the abandoned properties.
 - Mr. Bedrock stated that he has not.
 - Mrs. Dotlich asked Mr. Bedrock if he would follow up with Mr. Lucas and find out what his feelings are on that.

V) New and Old Violations

- ◆ Mr. Stephenson went over the violations with the board (violation list is attached to original minutes)
- ◆ Mrs. Dotlich asked if we could have Mr. Rudd come to the next meeting for an update as he is not in compliance.
- ◆ Mrs. Dotlich asked about Harnois stating that the pole barn was open and has been done for quite awhile and property is a mess
 - Mr. Stephenson stated that they have called for inspections but haven't finished yet
- ◆ Mrs. Dotlich asked about the Salyer property
 - Mr. Stephenson stated that the property sold and the person that bought the property will be coming in to get a demolition permit.
 - Mrs. Dotlich asked Mr. Stephenson to follow up with the new owner to get it taken care of or to contact the Salyers to get a purchase agreement, something has to be done.

VI) End of the month reports

- ◆ Mr. Stephenson read the report to the board
- ◆ Mrs. Dotlich asked why there is \$200.00 in the BZA when there was not a meeting in October.
 - Mrs. Starkey stated that the applicant came in and applied in September but was past the deadline to be heard in October.

Mr. Dotlich asked if the plan commission could start using the board like the Mary does for the BZA. Mrs. Berger volunteered to do it.

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

The next scheduled meeting will be held Wednesday, November 19, 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