

Starke County Planning Commission
Regular Meeting & 3 Public Hearings
April 21, 2010

Attendance: Jack Hudgens, vice president & citizen member; Judy Benninghoff, executive secretary & councilwoman; Daniel Bridegroom, commissioner; Dennis Estok, surveyor; Byron Walters, trustee; Donald White & Richard Singleton, citizen members; Steven A. Dodge, commission counsel; Bruce W. Williams, administrator/inspector; and Pamla J. Starkey, recording secretary. There were (7) seven visitors present.

1. Approval of minutes of March 17, 2010 meeting and public hearing. Mrs. Benninghoff made a motion to approve minutes as written, seconded by Mr. Bridegroom. Motion carried (7-0)
2. Mr. Don LeBrun, Assistant Director of Code Enforcement Fire & Building Safety Indiana Department of Homeland Security was present to discuss reasons why we would want to be recognized by the state. He stated that we would not have to start a new department or hire new employees and it can be combined with the planning commission. Mr. Mix asked if plumbing inspections are done by a licensed plumber, the response from Mr. LeBrun was no and in the state of Indiana a plumber does have to be a licensed plumber. Some of the advantages of being recognized by the state would be that the state will back the county inspector, discounts are available for the recognized departments as well as some free education. Mr. Dodge would like Bruce to send Mr. LeBrun a copy of what we had originally submitted and see if it meets with what they would require.
3. Preliminary approval of a (1) one lot subdivision to be known as White Pine Meadows Two located in Section 11, Wayne Township, Pt of NW1/4 on the south side of CR 400 S, 200 feet east of S.R. 39, consisting of 13.44 acres. Legal owner being Weinberg Realty Corp. Mr. Cramer was present to explain what their plans are. The owner is wanting to re plat the subdivision from (6) six lots to (1) one lot. The drainage board has already looked at the project and gave approval contingent to the planning commission approval. After discussion Mr. Singleton made a motion to hold a public hearing for White Pine Meadows Two next month, seconded by Mr. White. Motion carried. (7-0)
4. Public Hearing to consider Order declaring dwelling unfit for human habitation order for improvement or removal: Property owner being Robert & Mary Dormody, located at 3880 S. C.R. 210 Knox, IN. 46534. Legal Description: 7-32-1, Boa Shores Lot #1 Block 2. State parcel ID# 75-11-07-102-127.000-008. Mr. Williams passed out pictures to the board. No one was present for Mr. & Mrs. Dormody. Mrs. Mix was present in favor of removing dwelling and asked if something could be done before removing the house as far as fumigating for pests that are living in the house. They have the property up for sale now. Mr. Mix stated that the roof has caved in on the porch more than it was. Mr. Hudgens closed the public comment portion of the hearing. Mr. Singleton asked how we would re coop our money. Mr. Williams stated that a lien would be put on the property. Mr. Williams read the letter that was sent by certified mail to the board. Mr. Dodge suggest that we file a law suit against him and the cost of the attorney will be added to the cost of the suit. After discussion Mr. Estok made a motion to accept Mr. Williams findings of the dwelling being torn down, seconded by Mr. White. Motion Carried (7-0)
5. Public Hearing to consider Order declaring dwelling unfit for human habitation order for improvement or removal: Property owner being First National Bank of Monterey, located at 0660 S. S.R. 23, Knox, IN. 46534. Legal description: 22-33-1, Pt N ½ SW 5 acres, State parcel ID# 75-07-22-300-026.200-012. No one present for First National Bank of Monterey. Mr. Williams stated that it is burnt mobile home that has been there for six years. Mr. Stephenson

was the previous owner and was fighting with the insurance company, now the bank owns it. Mr. Williams sent the same letter as to Mr. Dormody. Mr. Dodge recommended for Mr. Williams office to draft a letter to the bank that we found in favor of Mr. Williams findings. Mrs. Benninghoff have made a motion to draft a letter to the bank to let them know that they are in favor of Mr. Williams findings, seconded by Mr. Bridegroom. Motion carried (7-0)

6. Public Hearing to consider an amendment to the Code of the County of Starke Indiana dated 1991, "Communications Facility Ordinance". Mr. Williams explained that Commissioner Norem was concerned that there are not spaces saved for the county. Mr. Bridegroom stated that he also believes that there should be spaces for the county on the towers as well as a space on the ground if needed for storage. Mr. Hudgens stated that we should specify where on the tower the spaces should be. Mr. Bridegroom made a motion to solicit for template ordinances and review at the next meeting, seconded by Mr. White. Motion carried. (7-0)
7. New Business
 - a) Tech meeting minutes were read to the board.
 - b) Bruce read the monthly reports to the board.
 - c) Bass Lake Beach: The person that is leasing the Beach and Campgrounds would like to extend the camping on the beach side. Mr. Williams stated that he believes that he should be able to as long as the state approves. Mr. Bridegroom read the lease aloud to the board. Mrs. Mix stated that we should promote tourism and they do not camp there all the time just when the other campground gets full. A vote was taken as to a decision of if he should go to the Board of Zoning Appeal or the State. Mrs. Benninghoff & Mr. Singleton voted to go to BZA, Mr. White, Mr. Estok, and Mr. Walters voted to go to State and Mr. Bridegroom voted to go to State then Commissioners. Mr. Estok made a motion to take no action because it is not in our jurisdiction, seconded by Mr Singleton. Motion carried. (7-0)
8. Old Business
 - a) Wind Mill Farms: Mr. Estok stated that the tech committee would like to adopt the ordinance that White County has adopted. After discussion by the board Mr. Estok made a motion to hold a public hearing on the Wind Energy Conversion Systems Siting Regulations next month, seconded by Mr. Walters. Motion carried. (7-0)
9. Violations
 - a) Michael Thomas, 2691 W. Julia Dr. North Judson, legal description, 15-32-3, Pt SE NW .60 acre. Built an addition onto a garage without applying for a permit. Two letters were sent. Mr. White made a motion for Mr. Dodge to write a letter with authority to sue, seconded by Mrs. Benninghoff. Motion carried. (7-0)
 - b) John Belork, 4435 E. 500 N. Hamlet, 26-34-2, NE NW 40 acres. Mr. Belork has constructed a fence to close the the right of way. A letter was sent and then we received a letter from Mr. Belork's attorney. We gave Mr. Dodge the letter and Mr. Dodge then wrote his attorney a letter and the fence is still there. Mr. Bridegroom said that this came up at a commissioners meeting as well .Mr. Bridegroom made a motion for Mr. Dodge & Mr. Lucas discuss the problem and let the board know the outcome at the next meeting, seconded by Mrs. Benninghoff. Motion carried (7-0)
 - c) Dorine Tchoudine, 7420 S. 450 E. Knox, 26-32-2 Pt NE EX 10A NE COR 8 acres. Mr. Tchoudine is repairing a dwelling without a building permit. Two letters were sent. After second letter they said that they would be in by April 20th 2010 to apply for the permit and did not make it in. Mr. Tchoudine called and said that he would be by May 1st 2010. Mrs. Benninghoff made a motion that if they do not come in by May 1st 2010 to turn over to Mr. Dodge to write a letter with authority to sue, seconded by Mr. Walters. Motion carried. (7-0)

Mr. Howard McIntire, located at 1835 E. S.R. 8, was present to ask the board to wave the late filing fee

that was added to his permit fee as he constructed an addition to his pole barn without a building permit. He stated that he did not know that he had to get a permit as he didn't have to when he rebuilt the pole barn in 1975. Mr. Dodge explained to him that the laws change. Mr. Hudgens explained to Mr. McIntire that it is up to him to make sure that he is current with the laws. The Board decided not to wave the late filing fee.

Mrs. Benninghoff made a motion to adjourn the meeting, seconded by Mr. Singleton. Motion carried. (7-0). Meeting was adjourned at 8:16 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, May 19, 2010.

Pamla J. Starkey
Recording Secretary