

Starke County Planning Commission
Regular Meeting
July 21, 2010

Attendance: Butch Ritchie, president & citizen member; Jack Hudgens, vice president & citizen member; Judy Benninghoff, executive secretary & councilwoman; Daniel Bridegroom, commissioner; Byron Walters, trustee; Richard Singleton, citizen member; Steven A. Dodge, commission counsel; and Pamla J. Starkey, recording secretary. There were (4) four visitors present.

1. Approval of the minutes of the June 16, 2010 regular meeting and (4) four public hearings: Mrs. Benninghoff made a motion to approve minutes as written, seconded by Mr. Walters. Motion carried. (6-0).
2. Public Hearing to consider rezoning the North Judson Industrial Park from Industrial and Residential 2 to Heavy Industrial to conform the zoning of the land to the needs and purposes of the North Judson Industrial Park was postponed to August 18, 2010 meeting as it did not get advertised in the Leader.
3. New Business
 - a) Tech Committee Reports: Mr. Ritchie stated that the last tech committee meeting was canceled. Next scheduled meeting will be held on Thursday, August 12, 2010 at 9:00 a.m.
 - b) Monthly Reports: Mr. Ritchie read the reports aloud.
 - c) Appendix A needs to be discussed for the WECS: After discussion by the board, Mr. Hudgens made a motion to adopt Appendix A with changes to #2 “or instead of but” and #4 “0 kw instead of 1 kw”, seconded by Mrs. Benninghoff. Motion carried (6-0). Hudgens then made a motion for the Tech Committee to make draft language for the residential portion of the WECS Ordinance, seconded by Mr. Bridegroom. Motion carried (5-1) Mr. Singleton opposed.
 - d) Fees for the WECS: Mr. Ritchie explained to the board that it was suggested to keep fee structure the same as the other counties for the WECS. Mr. Hudgens suggested that we asked Mr. Charlie Weaver what he thinks the fees should be. After discussion by the board, Mr. Hudgens made a motion to table until Mr. Weaver has his input on what the fees should be. Motion dies for lack of a second. Mr. Bridegroom made a motion to accept the WECS fee schedule as submitted, seconded by Mr. Singleton. Motion carried (5-1) Mr. Hudgens opposed.
 - e) Starke County Planning Commission Fee Schedule: Mrs. Starkey stated that this is just being brought up to remind the board that it is time to reevaluate the fees for the planning commission in August. She also let the board know that Mr. Williams suggests that we keep the fees the same for 2011.
4. Old Business
 - a) Manufactured Housing Ordinance, the Communications Facility Ordinance Amendment and the WECS were passed by the Starke County Commissioners.
 - b) Dwelling on CR 210 owned by Mr. Dormody in Boa shores has been demolished.
 - c) Building Ordinance: Commissioners did not pass this ordinance, a change in section 19 item #2 they would like to include an appeal process to the county as well as to a court. They will make up a board and would like some input from this board as to have set on that board. Mr. Dodge read the statute regarding this matter. After discussion by the board Mr. Singleton made a motion to send back to the commissioners with that change, seconded by Mrs. Benninghoff. Motion carried (6-0). After further discussion Mrs. Benninghoff made a motion for the Tech Committee to make recommendations to the commissioners for the size and structure of the appeals board on the decisions of the building commissioner, seconded by Mr. Hudgens. Motion carried. (6-0).
5. Violations

- a) Darrell Keiper: 7651 N. Kickapoo Lane, Walkerton: We mailed letter to Keiper letter came back so board asked us to write letter to the bank (Bank of America, NA) since they are the ones paying the taxes, still no response. Mr. Hudgens made a motion for the planning commission office to send a certified return receipt to the bank, seconded by Mr. Walters. Motion carried (6-0).
- b) Sam & Crystal Singleton, 0345 N. S.R. 23, Knox: 2 letters were sent. They built a garage without a permit. Mr. Bridegroom made a motion for Mr. Dodge to write a letter with authority to sue, seconded by Mrs. Benninghoff. Motion carried (6-0).
- c) David & Carol Kopala on land contract to James & Pamela Hudgens, 3731 S. 625 E. Knox: Mr. Dodge explained that there were steps put on to the deck without a permit. Hudgens said they don't need a permit and also Kopala's are the recorded owners of the property and that is why we are writing to them. Mr. Jack Hudgens spoke on behalf of his brother & niece stating that they want to apply to the Board of Zoning Appeal. Mr. Dodge stated that the Kopala's are the owner of the property so they are the ones to appeal or they can sign an agent form for the Hudgens to represent them. Mr. Singleton made a motion to table until next month, seconded by Mr. Walters. Motion carried (6-0).
- d) Krystal Hudgens, property located in Olson Shores at Bass Lake; garage was turned into a dwelling, no permits applied for. Was an undersized lot but has purchased an adjoining lot since first letter was sent, but according to our records dwelling is still undersized etc. Was discussed with previous violation noted above. Mr. Ritchie stated that the previous motion was for both Mr. & Mrs. Kopala and Ms. Hudgens.

Mr. & Mrs. Healy were present with a complaint of the contractor that was hired to build their dwelling. They have contacted him to repair what needs to be repaired with no response. The stated that Mr. Williams told them that there is nothing he can do as the dwelling is built to the codes that he enforces. The board agreed that it is a private matter and that they will have to hire an attorney.

With no further business, Mrs. Benninghoff made a motion to adjourn the meeting, seconded by Mr. Walters. Motion carried (6-0). Meeting was adjourned at 7:50 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, August 18, 2010 at 6:30 p.m.

Pamla J. Starkey
Recording Secretary