

Starke County Planning Commission
Regular Meeting
January 18, 2012

Attendance: Butch Ritchie, president & citizen member; Donald White, vice president & citizen member; Denise Marks, executive secretary & citizen member; Judy Benninghoff, councilwoman; Dennis Estok, surveyor; Alan Kurtz, extension educator; Byron Walters, trustee; Steven A. Dodge, commission counsel; Bruce W. Williams, administrator/building commissioner; and Pamla J Starkey, clerk secretary. There were (31) thirty one visitors present.

1. Appointments: Mrs. Benninghoff made a motion to open all board nominations, seconded by Mr. Walters. Motion carried (7-0)
 - a) President-Mrs. Benninghoff made a motion to reappoint Mr. Ritchie for president, seconded by Mr. Walters. Motion carried (7-0).
 - b) Vice President-Mrs. Marks made a motion to appoint Mr. White for vice president, seconded by Mrs. Benninghoff. Motion carried (7-0)
 - c) Executive Secretary-Mr. White made a motion to appoint Mrs. Marks for executive secretary, seconded by Mrs. Benninghoff. Motion carried (7-0)
 - d) Starke County Development Foundation-Mr. White made a motion to reappoint Mr. Estok to the Starke County Development Foundation, seconded by Mrs. Benninghoff. Motion carried (7-0)
 - e) Plan Commission Counsel-Mr. Estok made a motion to reappoint Mr. Dodge for plan commission counsel, seconded by Mrs. Benninghoff. Motion carried (7-0)
 - f) Administrator/Building Commissioner-Mr. White made a motion to reappoint Mr. Williams for plan commission administrator/building commissioner, seconded by Mr. Walters, Motion carried (6-1) Mrs. Benninghoff against.
 - g) Clerk Secretary-Mrs. Benninghoff made a motion to reappoint Mrs. Starkey for clerk secretary, seconded by Mr. White. Motion carried (7-0)
 - h) Tech Committee-Mrs. Benninghoff made a motion to reappoint Mr. Ritchie, Mr. Bridegroom, Mr. Estok, and Mr. Walters for the tech committee, seconded by Mr. White. Motion carried (7-0)

Mrs. Benninghoff made a motion to close nominations, seconded by Mr. Walters. Motion carried (7-0)
2. Approval of the minutes of the November 16, 2011 meeting: Mrs. Marks made a motion to approve minutes as written, seconded by Mr. Walters. Motion carried (7-0)
3. New Business
 - a) Dotlich/Povilaitis: Mr. Williams explained that Mr. & Mrs. Dotlich appealed his approval for the permit for Ms. Povilaitis to the Board of Zoning Appeal. The board of zoning appeal revoked the Povilaitis permit due to an error in classification. The permit was issued in error for a manufactured home and should have been for a used Manufactured Commercial 5B Unit to convert into a single family dwelling. A new permit was applied for and approved and a temporary certificate of occupancy has been issued. Mrs. Benninghoff asked when Ms. Povilaitis came in a reapplied for the permit. Mr. Williams stated that it was on January 11, 2012.

Mrs. Benninghoff made a motion to hear public comment, seconded by Mr. Walters. Motion carried (6-1) Mr. White against. Mr. Dodge made it clear that this is just for comments, any questions and disagreements would need to go back to the Board of Zoning Appeal. Mrs. Dotlich asked why a commercial structure is allowed as a single family dwelling. Mr. Dodge again stated any questions or disagreements will need to go back to the Board of Zoning

Appeal. He also stated that Mrs. Dotlich has an opinion and Mr. Williams also has an opinion and if Mrs. Dotlich or any one else disagrees with Mr. Williams, planning and zoning administrator, they would need to take it to the Board of Zoning Appeal, not the plan commission. Mrs. Dotlich stated that the code in the county code book states that a commercial building cannot be placed in an agriculture zoned area. Mrs. Benninghoff stated that at the last board of zoning appeal meeting Commissioner Norem stated that she thought that Mr. & Mrs. Dotlich should get their money back, because she felt that they went to the wrong board. Mr. Dodge stated that if anyone has a dispute with the planning and zoning administrator they have to take it to the board of zoning appeal and to do that there is a fee. Mr. Ritchie stated that this board will listen to any comments and concerns, not questions, and also stated that maybe some of the zoning needs to be looked over and possibly changed. Mr. Dotlich asked if Mr. Williams has a supervisor, Mr. Ritchie stated that he answers to this board. Mr. White made a motion to close the public comment, seconded by Mr. Walters. Motion carried (7-0).

4. Old Business

a) Vernon & Auglee Hammond, Unsafe Building located at 1175 W. S.R. 10 North Judson: Both owners are deceased and property was left in an estate. Mr. Ward Allen is an heir of the estate and he stated that he would cooperate and cleanup and/or repair the structure, but has not started yet. Mr. Dodge stated that the county could remove the structure and cleanup the property and attach a lien on the property, but property may not be worth the clean up. Mr. White made a motion to advertise for bids for demolition of the structure and turn in the bids at least a week before the next meeting, seconded by Mr. Walters. Motion carried (7-0). Mr. Estok agreed to go ahead and take the bids, but also think about the possibility of hiring the county to do the demolition.

b) James Bailey, regarding the property located at 3120 S. U.S. 35, Knox: Mr. Bailey started a new business without applying for a new permit. He was waiting on information from the Department of Homeland Security. On October 13, 2011 Mr. Baileys son came in and said that he is trying to help his father with this application. Mr. Bailey has since passed away and nothing has been done to solve the problem. Mrs. Benninghoff made a motion for Mr. Dodge to write a letter with authority to sue, seconded by Mr. Estok. Motion carried (7-0).

c) Lynda & Anna Kolasa, unsafe building located at 11440 E. S.R. 8, Culver, IN.: Mr. Williams stated that nothing has been done to the property and know one has tried to contact him to solve the problem. Mr. Walters made a motion for Mr. Dodge to write a letter with authority to sue, seconded by Mr. Estok. Motion carried (7-0)

5. Violations

a) C & C Salvage, located at 3055 S & 3075 S. US 35, Knox: The salvage yard was never given a conditional use as it was established before the planning commission existed, however he is wanting to expand to the adjoining property therefore he will need to go for a conditional use. Mr. Dodge suggests that he write Mr. Campbell to tell him what he needs to do. Mr. Estok made the motion for Mr. Dodge to write Mr. Campbell a letter, seconded by Mrs. Benninghoff. Motion carried. (7-0)

6. End of year reports were discussed by the board.

Mrs. Benninghoff asked Mr. Dodge what is going on with the suit with Mr. Belork. Mr. Dodge stated that Mr. Bush & Mr. Belork had a difference of opinion and Mr. Bush withdrew. Mr. Belork than hired Mr. Schwartz and a new trial date has been set for the first part of June 2012. Mrs. Benninghoff also inquired about the extra help money, she stated that it was only for when Mr. Williams is gone not Mrs. Starkey. She is going to ask the council to revoke the extra help money. Mr. White, Mr. Ritchie and Mr. Estok stated that they understood that the extra help money was to cover both employees. Mrs. Starkey

is to listen to the tape of that meeting and let the board know what it says.

Mr. Armstead asked if anything has been done on the property located on 5666 S. 1100 E., Mr. Williams stated that he is working with them.

With no further business, Mrs. Benninghoff made a motion to adjourn the meeting, seconded by Mr. Walters. Motion carried. (7-0) Meeting was adjourned at 7:23 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 February 15, 2012 at 6:30 p.m.

Pamla J. Starkey
clerk secretary