

Starke County Planning Commission
Regular Meeting and (4) Four Public Hearings
April 16, 2014

- I) Pledge Of Allegiance
- II) Roll Call: Dennis Estok, president and surveyor; Roger Chaffins, vice president and trustee; Kathy Norem, commissioner; Bryan Cavender, councilman; Chad Rushing, extension educator; Rita Berger, Jeff Fosler, Denise Thomas, and Betty Dotlich, citizen members; Martin Bedrock, commission counsel; Terry R. Stephenson, administrator/building commissioner and Pamela J. Starkey, clerk/secretary. There were (7) seven visitors present.
- III) Approval of the minutes of the March 19, 2014 meeting
 - ◆ Mr. Chaffins made a motion to approve minutes as written, seconded by Mr. Fosler. Motion carried (9-0)
- IV) Public Hearing to consider the approval of the amendment to the Ordinance For Flood Hazard Areas For Starke County
 - ◆ Mr. Estok opened the public hearing
 - With no comment from the public, Mr. Estok closed the public hearing
 - Mr. Chaffins made a motion to approve the amendment to the Ordinance for Flood Hazard Areas for Starke County and send it to the commissioners with a favorable recommendation, seconded by Mr. Rushing. Motion carried (9-0)
- V) Public Hearing to consider a Building Unsafe, located at 6595 E. 25 N., Knox, IN. 46534. Owned by Bank of America, Legal description of S18 T33 R1, Pt SW SE 2.91 acres
 - ◆ Mr. Estok opened the public hearing
 - Mr. Stephenson explained that it is a burnt out building and that notice was given and received.
 - Mr. Estok asked if anyone was present for the hearing with no response.
 - Mr. Estok also stated that they were given plenty of notice and no one has responded and feels that we need to go ahead and confirm that order and also apply the civil penalty of \$5,000.00.
 - Mr. Bedrock stated that we need to make special findings, the building inspector has inspected the structure and stated that it is in total disarray and beyond disrepair with more than 70% damage and based on those findings the structure is deemed unsafe and needs to be demolished.
 - After discussion by the board, Mrs. Norem made a motion that the building inspector has found it beyond repair and confirm the order of the structure to be demolished and the \$5,000.00 maximum civil penalty be applied, seconded by Mrs. Dotlich. Motion carried (9-0)
- VI) Public Hearing to consider a Building Unsafe, located at 8561 S. Elm Street, Monterey, In. 46960. Owned by Otis & Carolyn Roberts, legal description of S35 T32 R1, Monterey Resorts, Lots 110-113, Block K
 - ◆ Mr. Estok opened the public hearing
 - Mr. Stephenson stated that this building has been sitting for a long time and is in total disarray, more than 70% and needs to be demolished. Notice was given and received.
 - Mr. Stephenson also stated that a neighbor tried to contact the owners wanting to buy the property.
 - With no comments from the public, Mrs. Dotlich made a motion that the building inspector has found it beyond repair and confirm the order of the structure to be demolished and the \$5,000.00 maximum civil penalty be applied, seconded by Mr. Chaffins. Motion carried (9-0)

- Mrs. Estok closed the public hearing
- VII) Public Hearing to consider a Building Unsafe, located at 7080 E. 50 S., Knox, IN. 46534. Owned by Walter Brodech, legal description of S20 T33 R1, Pt S ½ NW 5 acres.
- ◆ Mr. Estok opened the public hearing
 - Mr. Stephenson stated the structure is in total disarray and there is a well pit that is open that is unsafe as well.
 - A neighbor was present and stated that he contacted Mr. Brodech and offered to buy the property from him
 - Mr. Keiser also was present and stated that his property adjoins this property and no one has lived there since 1984.
 - Mr. Estok closed the public hearing.
 - After discussion by the board, Mr. Chaffins made a motion that the building inspector has found it beyond repair and confirm the order of the structure to be demolished and the \$5,000.00 maximum civil penalty be applied, seconded by Mrs. Norem. Motion carried (9-0)
- VIII) New and Old Business
- ◆ Appointment of a Plan Commission member to the Board of Zoning Appeal Board
 - Mrs. Norem stated that the (3) three new members are the only ones eligible to be on that board. Mr. Rushing volunteered as the extension agent to be on the board so now there needs to be one more that is a citizen member.
 - Mrs. Berger volunteered to set on the Board of Zoning Appeal Board.
 - Mrs. Norem made the motion to appoint Mrs. Rita Berger to replace Denise Cultice term on the Board of Zoning Appeal Board which will end at the end of 2014, seconded by Mr. Cavender. Motion carried (9-0)
 - ◆ Recreational Vehicle Ordinance
 - Mr. Chaffins made a motion to table until next meeting, seconded by Mr. Fosler. Motion carried (9-0)
- IX) New and Old Violations
- ◆ Carl & Tina Rudd, (Bruno Bujwid) update on unsafe buildings located at 6835 E. S.R. 10, Knox.
 - Mr. Rudd, stated that they removed 30-40 shrub trees, pulled permits to remodel three (3) buildings, put roofs on two (2) of the buildings.
 - Mr. Estok stated that it still is a mess and asked Mr. Stephenson if he had been out there lately.
 - Mrs. Norem and Mrs. Dotlich stated that it is still in disrepair.
 - Mrs. Norem also stated that we are not setting the same standards that we just set on the other three (3) properties and we have given multiple extensions with very little progress.
 - Mrs. Rudd stated that the difference of them and the other properties is that they are trying to fix the problems and they are not.
 - Mr. Rudd stated that they will have the (3) three buildings finished by summer and will have main house boarded up.
 - Mr. Stephenson suggested that they repair the outside of the structures so that they look nicer then, work on the inside. Mrs. Norem agreed with Mr. Stephenson's suggestion.
 - Mr. Rushing asked if the structures are truly unsafe.
 - Mr. Stephenson stated that there is nothing really unsafe on the main house, not sure about the rest.
 - Mrs. Dotlich questioned if the septic is still functioning since the son is going to be living out there soon.
 - Mr. Stephenson stated that Chris Dalton checked the septic

- Mr. Rudd stated that he said it was okay and the sewer does not go out that far.
 - Mrs. Dotlich asked if they will need a variance for what they want to do there, Mr. Estok stated yes they will and that they should be talking with them about that, but right now the concerns are to get the property cleaned up and safe.
 - Mr. Estok stated that Mr. Stephenson needs to check on the property every month and give a report to the board.
 - Mr. Stephenson stated again that he thinks that they need to work on the outside, such as siding and windows, of the structures and the curb appeal.
 - Mrs. Norem asked how long it would take to complete the siding and windows on the house, and remodel the (3) cabins.
 - Mr. Estok asked if (4) four months would be long enough, Mr. Rudd stated that it would.
 - After more discussion, Mrs. Norem made a motion to continue the extension contingent on the completion of siding and windows on (1) one of those (4) four buildings every 30 days or once a month and bring a report back each month, seconded by Mrs. Dotlich. Motion carried (9-0)
- ◆ Michael & Sylvia Vician, update on unsafe building located at 4715 E. Toto Rd. Knox, IN.
- Mr. Bedrock explained that the court order gave her until April 4, 2014 to remove the unsafe building and that Mrs. Vician came to him and asked for more time and he told her to go the Starke County Plan Commission Office and be put on the agenda as he does not have the authority to do that. He also told her that he knows people that are interested in buying the property.
 - Mrs. Vician stated that she did go to the office to be put on the agenda and Mrs. Starkey stated that she doesn't remember her being there, but did state that she did try to call Mrs. Vician when Mr. Bedrock told her that she was at his office and the number that was given was not in service.
 - Mrs. Vician stated that she did not know that she could come to these meetings and that she didn't have time to clean the property and the weather had been so bad. Mrs. Vician told her daughter that she could have the property and would like more time to clean it up.
 - Mr. Bedrock stated that he had several conversations with Mr. Bales, who is present, and Mr. Matzat and they are willing to buy the property and tear down the structure but she is not interested in selling the property.
 - Mr. Bales stated that he is representing Mr. Matzat, and that he has farmed out there for 8 to 10 years and it has been a dumping ground and it has been long enough. He also stated that his landlord is very interested in purchasing the property and they would clean it up.
 - Mr. Estok stated to Mrs. Vician that she will need to get it done in the time frame that the board gives her or we will impose the civil penalty of \$5,000.00 and clean it up and eventually she will end up paying somebody.
 - Mrs. Vician requested at least (60) sixty days to get the property cleaned up.
 - After more discussion Mrs. Norem made a motion to give Mr. & Mrs. Vician (30) thirty days to get the structure demolished and property cleaned up, seconded by Mr. Chaffins. Motion carried (9-0)
- ◆ Robin Thompson, 3780 E. Debby Drive, Knox
- Mr. Bedrock sent letter and property is still a mess, no response. Set a court date for May 13, 2014 at 10:00 to hold her in contempt of court.
- ◆ Lynda & Anna Kolasa, 14475 E. S.R. 8, Culver
- Mr. Bedrock let the board know that the bank withdrew their foreclosure and now it is back in Kolasa's hands and he has tried calling them.

- Mr. Estok suggested to start over and include the mortgage company in the order.
 - Mr. Bedrock asked if he called and asked them to deed it over to the county would we want it. Mr. Estok said yes.
 - Mrs. Norem stated that the bank would have to release the mortgage if they signed it over to us.
 - ◆ S.R. Mansfield Well Drilling & Pump Repair Inc.
 - Mr. Stephenson explained to the board that we sent the third letter as the board requested fining them and telling them that the next step will be small claims court with no response from them, so now Mr. Bedrock will need to get it ready for small claims court.
 - ◆ John Knight/Shawn Marken 11056 E. Iroquois Ave, Walkerton
 - Mr. Stephenson stated that Mr. Marken bought the property and was to tear it down. The neighbors have called and reported that he is now fixing the roof and windows.
 - Mr. Estok asked what order was given to Ms. Knight. Mr. Stephenson stated that we told them they needed to demolish it.
 - Mr. Estok stated that we need to put a stop to it.
 - Mr. Chaffins made a motion to issue a cease and desist order to stop any repair work and demolish the structure, seconded by Mrs. Thomas. Motion carried (9-0)
 - Mr. Estok stated that we need to set it for a public hearing.
- X) Tech Committee Report
- ◆ Permit application for a new single family dwelling being built as a replacement for an existing dwelling
 - Mrs. Dotlich stated that they drafted an amendment to 6-12-3-2-7 (C) and add #4 to clarify that the demolition actually happens and add penalty for violations. She also stated that the board could review this amendment and possibly have a public hearing at the same time as the recreational vehicle ordinance.
 - ◆ Mrs. Dotlich also stated that they discussed how to address noncompliance with the requirement for licensed manufactured home installers to set manufactured homes in the county.
 - ◆ The part time building inspector position was discussed.
- XI) End of the Month Reports were given
- ◆ Mr. Stephenson read the report to the board

With no further business, Mrs. Norem made a motion to adjourn the meeting, seconded by Mr. Chaffins. Motion carried (9-0)

The next scheduled meeting will be held on Wednesday May 21, 2014 at 5:30 p.m.

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

