

**MINUTES
CASS COUNTY PLAN COMMISSION
MONDAY, August 12, 2013**

Jenny Clark called the regular meeting of the Cass County Plan Commission to order at 6:30 PM in the Commissioners Hearing Room on the 2nd floor of the Cass County Government Building.

ROLL CALL:

Members present: Jenny Clark, Allen Paschen, Fred Seehase, Stacy Odom, George Stebbins and Brad Johnson.

Member absent: Tamara Ogle, Chris Frey and Jim Sailors

Staff present: Arin Shaver, Chris Gaumer, Peggy Dillon and legal counsel Jeff Stanton.

Public in attendance: See sign in sheet.

ACTION ON MINUTES:

Minutes of July 2, 2013 were presented, George Stebbins motioned to approve, Fred Seehase seconded and all were in favor.

PUBLIC HEARING:

Subdivision Re-plat – Rollin on the River:

Mrs. Shaver stated that previously this was a 3 lot subdivision accessed by a private road, approved in 2010. Mrs. Shaver explained that she has reviewed this submission and everything is in order but some standards of the subdivision ordinance are not being met, this commission may waive standards within the subdivision ordinance. Mrs. Shaver explained the issues:

- 509.02 Lot dimensions shall not exceed a multiple of 2 times depth versus width unless dictated by topography or shape of parent tract.
 - The Wabash floodplain is on the north end, roughly 1 acre and a portion is not buildable
 - The private road access is roughly an acre itself and not buildable
 - That leaves 1 acre to build upon
 - Thus the lot has been subdivided to be a long skinny lot
- The requirement of road maintenance is not stated on the plat
 - The private drive contains 4 lots and is conforming
 - There is no indication who owns the lots or how the maintenance for the drive will be performed
 - This information could be placed on the secondary plat

Mrs. Shaver stated that the petitioner also needs to produce the affidavit for the notice of public hearing. Terry Clippard, 6565 E. 275 S. explained that all property owners divide the costs of the drive maintenance. Mrs. Shaver recommends that the secondary plat state that all property owners share the maintenance of the drive. A discussion followed and the Commission was all in favor of the addition to the secondary plat that maintenance of the road be shared by the property owners.

Mrs. Clark asked for questions from the public, there were none. Mrs. Shaver stated that the only waiver will be for the dimension requirements since the road maintenance agreement will be included in the secondary plat.

Fred Seehase made a motion to waive the dimension requirements. George Stebbins seconded the motion and roll call vote was unanimous to approve.

Stacy Odom motioned to approve the re-plat of the Rollin on the River Subdivision with the private road maintenance condition as well as petitioner providing the affidavit for the notice of public hearing to staff.

Mr. Seehase seconded the motion and roll call vote was unanimous to approve.

- Late fee will be \$25

Mrs. Shaver stated that these changes will be presented to the Commissioners.

Bylaw revisions:

Mrs. Shaver explained the amendment will change the time and date of the meeting to 10:00am on the first Monday of the month. Allen Paschen stated that at the new time, he will not be able to attend and he is concerned that the public would not be able to attend either.

Mrs. Clark explained that security is an issue and would be available during the day and not provided in the evening. A discussion of the importance of security followed. This issue will be voted on at the next meeting.

FLOOR IS OPEN TO THE PUBLIC: None.

Mrs. Clark asked for further questions from the board or the public, there were none.

The meeting was adjourned at 7:36PM, August 12, 2013.

CCPC Officer

CCPC Officer

Peggy Dillon, Recording Secretary

REPORTS:

Improvement Location Permits:

Chris Gaumer presented the July ILP's, no questions were asked.

OLD BUSINESS:

Unsafe Building Orders:

Mr. Gaumer explained that inspections by Ray Staller, County Building Commissioner, were conducted with pictures taken on Friday August 9, 2013.

#12-01 - 918 SR 17 Mallott:

Chris Gaumer explained that the structure has been demolished and trash piles remain and a \$1500 fine has been assessed. Mr. Staller stated that all out buildings have been secured except for 1. Mr. Stebbins motioned to continue this case for 90 days with no additional fines to give the property owner more time to complete the clean up. Mr. Seehase seconded the motion and all were in favor.

#12-09 - 9691 E. SR 218 Hankee:

A letter was read from Kathy Hankee stating that she has improved the property and also wishes to remove the front porch roof and posts.

Mr. Gaumer stated that debris has been cleaned up and openings boarded up. Mr. Staller stated that windows are covered, structure is secured, Ms. Hankee lives directly behind this and will be monitoring the situation.

Wenall Getwood, Galveston, father of Ms. Hankee stated that the house is secured. Brad Johnson motioned to remove this property from the unsafe building list. Mr. Seehase seconded the motion and all were in favor.

#12-10 - 9292 E. 600 S. Jones:

Mr. Gaumer explained that this property has been brought back to the unsafe building list. Someone has purchased this and is planning on tearing it down and at this time, property is secured. Mr. Odom motioned to remove this property from the list, Mr. Stebbins seconded the motion and all were in favor.

#13-02 - 1630 Seaton St. Muckenfuss:

Mr. Gaumer explained that the property owner has called and said they will have this all cleaned up by winter. Mr. Staller stated that the structure is demolished and some debris is cleared. Mr. Stebbins motioned to continue this for 90 days. Mr. Johnson seconded the motion and all were in favor.

NEW BUSINESS:

Unsafe Building:

#13-04 - 1858 S 500 W Fitzgerald:

Mr. Gaumer explained that the mobile home was in a fire and has now been demolished.

Laurie Ross, property owner, stated that she wishes to clean up debris and has no plans to put another structure on the property.

Stacy Odom made a motion to approve the order and then remove this property from the unsafe building list. Mr. Stebbins seconded the motion and all were in favor.

Citation Ordinance:

Jeff Stanon explained some minor revisions to the Citation Ordinance:

- All processes will be directed to the Planning Department
- Clerks office will only receive the money
- Removal of Health, Drainage and Animal Control Departments
- Gives ability to appeal to Plan Commission before the courts