

**MINUTES**  
**CASS COUNTY PLAN COMMISSION**  
**Tuesday, March 3, 2015**

Jenny Clark, President called the regular meeting of the Cass County Plan Commission to order at 8:30 PM in the Commissioners Hearing Room on the 2<sup>nd</sup> floor of the Cass County Government Building.

**ROLL CALL:**

Welcome new Building Commissioner, Ralph Koppe and Purdue Extension Office, Educator, Krista Pullen.

Members present: George Stebbins, Stacy Odom, Jenny Clark, Fred Sechase, Jim Donato and Krista Pullen.

Members absent: Brad Johnson, Jim Sailors and Mike Kinsey

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

Public in attendance: See sign in sheet.

**ACTION ON MINUTES:**

Minutes of January 6, 2015 were presented. George Stebbins made a motion to approve the minutes, Fred Sechase seconded the motion and all were in favor.

**PUBLIC HEARING:**

Resolution 15-02: Rezone - 24 West (east of Lake Cicott)

Arin Shaver located the site to be along US Highway 24 West, .36 miles east, .32 miles west and .5 miles north of the US 24 Motor Speedway and gave the following information:

- Uses in the area are Residential; Open Land, Motor Speedway, Next Day Container, Residential and former junk yard
- The residential structures are not allowed to expand or rebuild in the B4, General Business district
- The change to AG, Agricultural, will allow for residential uses
- The B4 classification will remain for the Motor Speedway, Campground and Next Day Container
- The Next Day Container owns a residence and was contacted but did not reply to staff
- Amendments to the Comprehensive Plan, Future Land Use Map(FLUM), designations will be from Agricultural, Residential and Commercial to Agricultural in all the proposed area except Commercial in the B4 area and Residential along Highway US 24

Mrs. Clark asked for questions from the Commission, there were none.

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

Mr. Stebbins motioned for a favorable recommendation for the rezone proposal. Jim Donato seconded the motion and roll call vote was unanimous to approve Resolution # 15-02 rezone.

Mr. Stebbins motioned to approve the amendments to the Comprehensive Plan FLUM. Mr. Donato seconded the motion and roll call vote was unanimous to approve Resolution #15-03 FLUM amendment.

## **REPORTS:**

None.

## **OLD BUSINESS:**

Bylaws: Written Commitments:

Mrs. Shaver explained the amendments to the bylaws:

- Language that provides for the process of any modification or termination of commitments to go through the same process as was followed when the commitments were established.
- The change of the Indiana Code number to 36-4-7-1015

Mrs. Clark asked for questions from the Commission, there were none. Stacy Odom motioned to accept the amendments to the bylaws, Mr. Seehase seconded the motion and roll call vote was unanimous to approve.

Subdivision Re-write:

Mrs. Shaver explained that while researching the Indiana Code and comparing it to the recommendations by CHA, Consultants for the Subdivision Re-write, some discrepancies have been found. Mrs. Shaver stated that she will continue to research these issues and to consult with CHA and legal counsel and bring the changes forward to the next meeting.

Mrs. Shaver did ask for direction concerning the number of members appointed to the Plat Committee stating the following:

- Current Plat Committee has 5 members
- State allow the committee to have 3 or 5 members
- If there are only 3 members, State allows for just 1 Plan Commission member on the committee
- The plat is sent to a Technical Review Committee for concerns before the plat committee will review it
- If the number of members is changed to 3; members could consist of Mrs. Shaver as Subdivision Administrator; 1 Plan Commission; 1 to be appointed
- If a public hearing is not conducted, a letter is required to be sent out after the plat is approved and a certain time period is required to give the public time to respond
- Staff recommends a public hearing with a 3 member committee to be less confusion to the general public

The Commission agreed to a 3 member plat committee with a public hearing conducted.

## **NEW BUSINESS:**

Unsafe Properties:

4065 W. Vandalia:

Ralph Koppe, Building Commissioner, explained the following issues of this property:

- Structure appears sound
- Siding is off in some areas
- Some windows are broken out – rain is coming inside
- Roof is OK
- Front porch post is not attached to the porch
- Garage is full of trash

Mr. Koppe stated that he considers this property unsafe.

Don McMahan, 1117 Van Tower Dr., property owner of this and 4031 Quincy Rd., explained that he acquired the properties at tax sales and does plan on working on the properties, stating that he will do the following:

- Demolish the garage on W. Vandalia
- Demolish an outbuilding on Quincy Rd.
- Board the windows up
- Get the structures back in use

Mrs. Clark asked if a 6 month time frame would be sufficient. Mr. McMahan replied yes and stated that he will board up the windows immediately.

Mr. Stebbins motioned to deny the order and to revisit the situation in 6 months; looking for the broken windows to be boarded up, the property secured and grass and brush be maintained. Mr. Donato seconded the motion and all were in favor.

*4031 Quincy Rd:*

Mr. Koppe stated this is an unsafe property and explained the following:

- Foundation appears OK
- Structure is rotted out on the NW corner
- Porch soffit fascia is rotted
- Chimney is falling down and has holes
- Many windows are broken out
- East side door is open
- Roof has holes
- Growth around the house
- Trees growing out of foundation

Mr. Stebbins motioned to deny this order and staff to re-inspect the property in 6 months; board up all windows; secure the structure and maintain the yard.

Mr. Donato asked Mr. McMahan if his plan is the same for this property and he replied yes. Mr. Donato seconded the motion and all were in favor.

*4044 Quincy Rd.:*

Mrs. Shaver reminded the Commission that this property was brought to the Plan Commission in 2010 and a clean-up was ordered and completed.

Mr. Koppe stated that this property is totally unsafe and explained the following:

- Structure is not on a foundation
- All windows are open
- All doors are open
- Nothing is safe on this property

Mr. Stebbins motioned to approve the order to clean up the property within 30 days and if not cleaned up, a fine of \$5000 will be imposed. Fred Seehase seconded the motion and all were in favor.

*3914 S. 400 W.:*

Mr. Koppe stated the property is unsafe and gave the following information:

- Foundation appears OK
- Siding & Guttering is falling off and missing
- Front porch lower roof is rotted out
- Face boards falling off
- 2 windows are broken and open

- Front door is OK
- East side roof is rotted out
- Yard is overgrown and trees are growing out of foundation

Mrs. Clark asked for comments and then suggested getting an estimate for the necessary work. Mr. Stebbins motioned to approve the order and give the property owner 30 days to secure the property and clean up debris in the yard or a fine of \$5000 will be assessed. Stacy Odom seconded the motion and all were in favor.

**FLOOR IS OPEN TO PUBLIC:**

No one spoke to the Commission.

**ADJOURNMENT:**

Meeting was adjourned at 9:05 AM, March 3, 2015.

---

Officer, CCPC

---

Officer, CCPC

---

Peggy Dillon, Recording Secretary