

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday March 7, 2023

Josh LeDonne, President, called the regular meeting of the Cass County Plan Commission to order at 8:30 AM in the Commissioners Hearing Room on the 2nd floor of the Cass County Government Building.

ROLL CALL:

Members present: Ruth Baker, Josh LeDonne, Zach Dodt, Derek Pullen, Gary Berkshire and Jim Donato

Member absent: Stacy Odom, Fred Seehase and Krista Pullen

Staff present: Arin Shaver, Ashley Rowe, Ralph Koppe, Jamey Harper and Legal counsel, Jeff Stanton

Staff absent: None

Public in attendance: See sign in sheet

ACTION ON MINUTES:

Minutes of February 7, 2023 were presented. Mrs. Baker motioned to approve as presented. Mr. Berkshire seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Safe

4411 Pottawatomie – Simpson

Mr. Koppe stated 4411 Pottawatomie and 4405 Pottawatomie are owned by the same person so they are one property. Mr. Koppe stated there is a lot of stuff setting around on the property, he has one burn pile. Mr. Koppe does not feel like its unsafe, he has a couple campers and a wood pile. The pile of siding in the picture is for the house next door that he is working on. Mr. LeDonne asked Mr. Koppe how many vehicles are at this property? Mr. Koppe stated there are two on this property, two on the 4405 Pottawatomie property and two campers. Mr. LeDonne asked Mr. Koppe if he has been in contact with the owner? Mr. Koppe stated yes, they both walked the property. Mrs. Shaver stated the vehicles are meeting code. Mr. Musselman stated he did go out to both properties and didn't see anything alarming. Mrs. Shaver stated the materials he has been working on the property. We did not send a letter, Mr. Koppe marked them as safe. We just need to here what the Board wants to do.

Mr. Pullen motioned to accept that the Board mark this property as safe. Mr. Berkshire seconded the motion; all were in favor.

OLD BUSINESS:

Unsafe Property

319 Northern Ave - Lynch

Mr. Koppe stated this property we sent out for bids for demo. The only thing that changed on this property is there was a black car on the property but it is now gone. Everything else is the same as it was before. Mrs. Shaver stated because of the timing and the spacing we have to put it in the newspaper, we are looking more at the April meeting to be able to pick the bidder. Also, being able to pick the contractor. Mrs. Shaver just wanted to let the Board know where we were at with this property. Mr. LeDonne stated so we will open bids on April 4th? Mrs. Shaver stated yes, and we also have put a notice on the property so if anyone purchases the property they will know that its being requested to demo. Mrs. Shaver stated we don't need to do a motion its just more of an unsafe but it was on our agenda last time.

2311 Capital St – Aceredo-Ortiz

Mr. Koppe stated there was no change on this property. The Planning Dept recommends we give the owner another 30 days to get things cleaned up, that will be the April 4th meeting, reinspect on March 29th. Mr. LeDonne asked if there was a fine on this property? Mrs. Shaver stated we are requesting a possible fine of \$2,000 if they don't have it cleaned up, if that is what the Board wants to do.

Mrs. Baker makes a motion to accept that the Board give them 30 days to clean up the property with a possible \$2,000 fine if it's not cleaned up by the April 4th meeting, reinspect on March 29th. Mr. Donato seconded the motion; all were in favor.

1705 Cliff Dr – Anderson

Mrs. Shaver stated we did send a letter and posted it. Mr. Anderson came to our office before our last meeting, he wasn't on the agenda. Mr. Anderson had asked us when he needed to file for the next BZA. Mrs. Shaver stated the Board had said he needed to file by that date, we wanted to see what the Board wanted to do if we still wanted to take him forward to the BZA to see if we need to get this done. That is basically where we are at, we do have the \$3,500 in the assessment process it has not been assessed, he has been notified and we sent out the letters. The Board asked Mr. Anderson to step to the microphone and state his name and address. Russell Anderson, 1705 Cliff Dr., Logansport. Mr. Anderson stated this is my whole life, that property is everything in his world. If you drive by the property now it's changed since then, I'm one person that is trying to fix the property up that has been abandoned for 14 years. Mr. Anderson stated he's trying to get rid of the cars and the scrap metal. You have to have the titles to get rid of the scrap. He's trying to go through a third party to try to get rid of them. If you go by the house now, yes, I do have stuff outside. Mr. Anderson stated I work on stuff, that's how I make a living. Mr. Anderson stated he's worked jobs, he's been a brick layer, an iron worker, I've done all these jobs. Everything he has in this world is sitting right there on this property. Mr. Anderson stated he doesn't owe a bank or anyone, he paid for it. He fixes all his own vehicles, anything that he can do that he doesn't have to pay for, because he shouldn't have to pay someone to do something that I can do for myself. Mr. Anderson stated he has moved vehicles, cleaned up wood and he cleared the whole front section. Mr. Anderson stated I do have trailers on my property, he has vehicles that do run and don't run. Mr. Anderson stated he's trying to make it better in my own way. Mr. LeDonne asked Mr. Koppe what he thinks? Mr. Koppe stated as far as the BZA is getting all the vehicles behind a fence, put a fence across the front, then people really can't say much about it. Mr. Koppe stated I believe he has to be rezoned. Mr. Anderson stated coming up with the money to get rezoned, he paid for the paper one month then didn't get the paperwork to go, then you run out of money. Mr. LeDonne asked what does it cost? Mr. Anderson stated the paperwork itself is \$170. Mrs. Shaver stated it's the paper that is the costly part. The Planning Dept decided to waive our fee just to try to help him be in compliance and we knew he was having problems, there are still the notices that need sent out. There was the notice to the paper and notices to the interested parties. Mrs. Shaver stated that was the first time around, and like he said he didn't have the money to refile it again. It's up to this Board, the hard part is it's a larger property to say it's a specific pile that's the concern. Mr. Anderson stated right now it's considered light industrial on a commercial level, because I have 5 acres. Mrs. Shaver stated that is the assessment on your property, it's zoned industrial. It's due to the industrial businesses east of his property. Mr. Dodt stated so it's either one or the other, you pay the \$3,500 or you pay the \$170 to get it zoned. Mrs. Shaver stated she just wanted to make sure the Board and Mr. Anderson understands that just if we take it forward they may or may not approve his application. This is just an option, doing it to say this property is industrial so having a scrap yard. Mrs. Shaver stated this is the LBZA. Mrs. Shaver stated if Mr. Anderson would stay after the meeting we can get the process going for LBZA. Mr. Anderson agreed to stay after to start the process.

Mr. Berkshire motioned to accept that the Board give them 60-days to start the process for the LBZA meeting, which will be the May 2nd meeting. Mr. Donato seconded the motion; all were in favor.

5788 N SR 25 – MH Realty

Mr. Koppe stated this property has had no change. Mr. Koppe did receive a phone call from the owner, he stated that he thought the only thing he was concerned about was the vehicles. This is another property that he isn't allowed to be on the property unless the owner is there with him. Mr. Koppe stated that the owner said he had registered all of his vehicles. Mr. Koppe stated with this property it's not just about the vehicles, it's about the piles also. Mr. Koppe stated what we recommend for this property is give him 30 days to clean up the property, with a possible \$1,000 fine. Mrs. Shaver stated the last meeting the Board voted on assessing a \$2,000 if the property wasn't cleaned up by this meeting today. Mr. Donato asked what's registering the vehicles consist of? Mrs. Shaver stated you get the vehicles plated through the BMV, you can only have so many inoperable vehicles. As long as they are running and plated there not considered inoperable. Mr. Dodt asked how many inoperable vehicles can you have on your property? Mrs. Shaver stated you can have 3 on less than an acre and 5 if more acres. Mr. LeDonne asked what do you recommend the \$2,000 fine? Mrs. Shaver stated the \$2,000 fine the Board stated that if there wasn't any movement you would access that at this meeting. Mr. Koppe stated give them 30

days to clean up the property if it's not cleaned up access an additional \$1,000 fine, which would be the April 4th meeting, reinspect on March 29th.

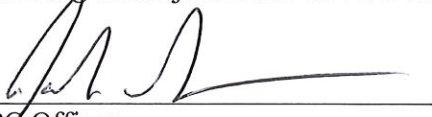
Mrs. Baker motioned to accept that the Board give them 30 days to clean up the property, which would be the April 4th meeting, reinspect on March 29th. If the property isn't cleaned up in 30 days access an additional \$1,000 fine. Mr. Dodt seconded the motion; all were in favor.

NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC: None

ADJOURNMENT:


There were no further questions, Mr. Donato motioned to adjourn the meeting. Mrs. Baker seconded the motion, the meeting was adjourned at 8:54 am on March 7, 2023.



CCPC Officer



CCPC Officer


_____, Ashley Rowe, Recording Secretary