

MINUTES
CASS COUNTY PLAN COMMISSION
Tuesday December 6, 2022

Josh LeDonne, Vice 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, Krista Pullen, Zach Dodt, Brian Reed and Fred Seehase, Jim Donato and Gary Berkshire

Member absent: Stacy Odom

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 October 4, 2022 were presented. Mr. Donato motioned to approve as presented. Mrs. Baker seconded the motion; all were in favor.

PUBLIC HEARING: None

REPORTS: Safe Property

2200 S Ridgeview Rd - Kraning

Mr. Koppe stated this is a property out at Ridgeview Road, the actual house itself everything on the house is ok with the exception of the corner. The roof itself is starting to cave in a little bit, Mr. Koppe stated I marked this unsafe. We need to get someone out there to get that repaired, there is some siding off. Mr. Koppe stated he believes that's part of the problem is the roof that is starting to sag down. Mrs. Shaver recommended that we do a staff letter to the owner to let them know this needs to get fixed before it gets worse. Mrs. Shaver asked the Board if they are ok with Mr. Koppe writing a staff letter letting them know what needs to be fixed instead of taking them through the process. The Board agreed to have Mr. Koppe send a letter to the owner.

OLD BUSINESS:

Unsafe Property

2301 Capital St - Grandstaff

Mr. Koppe stated Mr. Grandstaff is making progress on this property as far as clean up. Mr. Koppe recommends we give Mr. Grandstaff 60 days, which would be the February 7th meeting and reinspect on February 1st. Mrs. Shaver showed the Board the before pictures and the newest pictures. Mr. Koppe stated Mr. Grandstaff has done a lot to this property.

Mr. Seehase motioned to accept that the Board give Mr. Grandstaff 60 days, which would be the February 7th meeting and reinspect on February 1st. Mr. Berkshire seconded the motion; all were in favor.

2383 N 500 E - Rennewanz

Mr. Koppe stated this property is done. Mr. Rennewanz has cleaned this property up, its graded and Mr. Koppe thinks it is seeded as well. Mrs. Shaver stated we did have this property at our last meeting, Mr. Rennewanz had sent us pictures of the property. Mrs. Shaver still wanted Mr. Koppe to go to the property just to make sure everything was done. Mr. Koppe stated we had some issues with the house but he is getting started on that. Mr. Koppe recommends that this property be removed from the unsafe list.

Mr. Seehase motioned to accept that the Board remove this property from the unsafe list. Mr. Reed seconded the motion; all were in favor.

2315 Capital St - Martin

Mrs. Shaver stated the pictures that were shown were the beginning pictures. Mr. Martin collected all of the wood that he would have evening bonfires. Mrs. Shaver stated Mr. Martin has cleaned up. Mr. Koppe recommends we put Mr. Martin on the Watch list so it doesn't get as bad as it did.

Mr. Reed motioned to accept that the Board put Mr. Martin's property on the Watch list. Mr. Dodt seconded the motion; all were in favor.

1705 Cliff Dr. - Anderson

Mrs. Shaver stated Mr. Anderson did clean his property up a little bit, made better wood piles from the last time the Board had talked to him. The real concern ended up being that Mr. Anderson does the vehicles and scrapes them. What we had asked Mr. Anderson to do is go to the Board of Zoning Appeals and ask to be able to do that type of business on his property. The Board of Zoning Appeals did approve it with putting a fence in the front, which he has not done that yet. The fence would be aligning the front of the property. Mr. Koppe stated that there is some fencing that Mr. Anderson put up but not what he needs to put up. Mrs. Shaver stated we are going to be working with him to get the rest of the fence put up. If it comes back to being a problem in the front we would bring him back. Mrs. Shaver stated we wanted to get the Board of Zoning Appeal process done and then bring it back for any additional issues that would come up. Mrs. Harper stated Mr. Anderson hasn't went through the Board of Zoning Appeals process yet. Mr. Anderson hasn't paid to have his notifications sent out for the December meeting. Mrs. Harper stated Mr. Anderson will be going through the Logansport Board of Zoning Appeals because he is in the fringe. Mr. Koppe asked at this point do we put him on watch? Mrs. Shaver stated we would still continue this process. Mrs. Shaver stated we could put a fine on him saying if he does not get on the Board of Zoning Appeals agenda for January it will still be on unsafe. The Board can still do the unsafe property even if Board of Zoning Appeals approves it, what they would be approving is the portion of the vehicles. Because we only have a certain number of vehicles that are allowed. If Mr. Anderson gets approved to scrap out some things he would be allowed more vehicles than what is allowed on the ordinance. Mrs. Shaver stated he has cleaned up a lot on the front and he has made better piles in the back of his property. Mr. Koppe stated he is a little more organized. Mrs. Shaver stated we can still do whatever the Board wants to do on this property especially since he hasn't gone to the Board of Zoning Appeals. The vehicles itself are still not in compliance with the ordinance. Mr. Reed stated we could send him a letter saying he needs to get on the agenda for the Board of Zoning Appeals for January. Mrs. Harper stated he has missed both months for getting on the agenda. Mrs. Baker stated this property has been brought up numerous times. If he has the extra money to put all of the extra cars on his property. Mrs. Shaver stated that is what Mr. Anderson does to make money, he scraps the vehicles. Mrs. Baker asked if Mr. Anderson has a permit? Mrs. Shaver stated that is what the Board of Zoning Appeals that we are trying to get him to go through. Mrs. Baker stated you get the permit first then you do the scraping. Mrs. Shaver stated the Board can have him clean it up now, that is what he has been doing. Mrs. Shaver stated he would only be allowed five vehicles. The Board could tell him he has to get it down to five vehicles for now since he hasn't gone through the Board of Zoning Appeals or he will be fined a certain amount. Mrs. Shaver stated she knows he has some scrap yard piles. You could say your scrap piles need to be removed and you have to get it down to five vehicles. Mrs. Pullen asked if you were to send a letter do you explain each consequence for each action? Mrs. Shaver stated so usually Mr. Koppe will go out the property and explain to the owner we understand you have scrap piles, or wood piles, Mr. Koppe will explain what he needs to do to resolve the problem. We then keep an eye on the piles and make sure they don't get bigger. Mrs. Shaver stated her understanding he does this to make money, he finds this stuff and scraps it to make his money. Mrs. Shaver stated what the Board could say is we have given you the opportunity to go to BZA. Since he hasn't gone to the BZA he needs to take the number of vehicles down to five and the scrap piles would need to be removed by the next meeting or he will be fined. The Board has asked Mr. Musselman what his thoughts are about this property, since it is right on the river. Mr. Musselman answered with I would ask the Zoning Board when he is scraping does he need to store it in something so it's not just lying on the ground. Most scrap vendors will bring big containers to the property that they will put their scraps in then they will come pick it back up when it's full. Mr. Musselman stated it shouldn't just be laying on the ground so it doesn't leech into the soil. Mrs. Shaver stated since he hasn't gone to the Board of Zoning Appeals he is still in violation. Even if Mr. Anderson went to the BZA that wouldn't be anything new because the Board has already requested that Mr. Anderson clean up his property. There are a lot of different piles, he has some that are in containers and some that are on the ground. We talked at the last meeting about his motors, supposedly they are cleaned out, its on a tree stump not on the ground. Mr. Dodt asked how long has Mr. Anderson had to get on the Board of Zoning agenda? Mrs. Shaver answered he has had two months to get on the agenda. Mr. Reed stated we've sent him multiple letters asking him to clean up his property. Mrs. Shaver stated

we've been working with Mr. Anderson for at least six months or more. Mrs. Baker asked how Mr. Anderson's property is zoned? Mrs. Harper answered I believe it is zoned Industrial 1 because of Tierney Industrial and Bolin's. Mr. Anderson's district doesn't support this type of business but he is in a district where other industrial businesses are. Mr. Anderson would still have to go to the BZA to get approved for that type of business. Mrs. Shaver recommends that the Board give Mr. Anderson 30 days to get the scrap piles and non-buildable debris cleaned up by the January 3rd meeting, reinspect on December 30th if the scrap piles aren't cleaned up the Board will assess a \$2500 fine. If Mr. Anderson does not get on the January Board of Zoning Appeals agenda the Board will assess another \$1000 fine.

Mr. Reed motioned to accept that the Board give Mr. Anderson 30 days to get the scrap piles and non-buildable debris cleaned up by the January 3rd meeting, reinspect on December 30th, if the scrap piles aren't cleaned up by the January 3rd meeting the Board will assess a \$2500 fine. If Mr. Anderson does not get on the January Board of Zoning Appeals agenda the Board will assess \$1000 fine. Mr. Berkshire seconded the motion; all were in favor.

2215 E River Rd - Elliott

Mr. Koppe stated Mr. Elliott is working on getting this property cleaned up. Mr. Koppe recommends that the Board give Mr. Elliott 60 days to get things cleaned up, which is the February 7th meeting and reinspect of February 1st. Mr. LeDonne asked if the Mr. Elliott wanted to comment on his property. Mr. Elliott stepped to the microphone. Mr. Elliott stated they have been working on cleaning the property up, there are two cars that he has people interested in them. Mr. Elliott asked the Board if there are any other things that are the main issue? Mr. Koppe stated it is mainly the vehicles that need to get cleaned up.

Mr. Donato motioned to accept that the Board give Mr. Elliott 60 days to get things cleaned up, which is the February 7th meeting and reinspect of February 1st. Mrs. Baker seconded the motion; all were in favor.

319 Northern Ave – Lynch

Mrs. Shaver stated everything is still on this property, they have not sold this property. Mrs. Shaver stated she is wondering if they have a contract that just isn't recorded, the only reason she says that is Mrs. Lynch did send us a letter that said the neighbor is going to tear down the home. We have never got a demo permit from the neighbor and Lynch still owns the property. Mrs. Lynch only contacts us through letters because she says she doesn't have any other way to contact us. So, we haven't been able to ask her or get more information. Mrs. Shaver stated we really are wanting to get on the property to inspect and see what is really going on. Is it a roof issue or is it a structural issue all together, they've not let us onto the property to let us inspect it. All we know is there is a tarp over the whole structure. Mrs. Shaver stated one of the options is we can get a court order to go in and inspect so that we know what we are dealing with. Mrs. Lynch thinks her neighbor is going to tear it down, she's not planning on tearing it down. We have assessed \$3500 total so far on her property already, so what it comes down to is no one is tearing it down and no one is fixing the roof. Mrs. Shaver asked do we go to the court and get something so we can go in and see what's wrong, if it is the roof do we fix it. Mrs. Shaver stated another option is we could skip the court order and just go through the procedures of getting the demo costs or we can go through the court and try to get on the property to inspect. We aren't getting any movement on their end other than they are saying now the neighbor is tearing it down. Mr. Musselman stated the neighbor is in the process of removing stuff and then they are going to have an inspection on Monday on the property across the street where they are taking the stuff and illegally dumping it. Mr. Musselman stated he will remind him on Wednesday at 10am that he does not have a demolition permit and that he can not do that. Mrs. Shaver asked if Mr. Koppe would be able to come to the meeting with Mr. Musselman to talk to the neighbor? Mr. Musselman agreed that he could join him on that meeting. Mrs. Shaver stated that if Mr. Koppe talks to the neighbor and he can get their contact information so that we can also send a letter to them. Mr. Donato stated that in the letter we should ask if there is an unrecorded sale, if there is than we need a copy of that contract. Mrs. Shaver recommended that they give us a copy of the unrecorded sale if there is one and get a demo permit. The Board will give them another 30 days, which will be the January 3rd meeting.

Mr. Berkshire motioned to accept that the Board give them 30 days to get a copy of the unrecorded sale if there is one and a demo permit, the 30-day meeting will be the January 3rd. Mr. Dodt seconded the motion; all were in favor.

8879 E 600 S – MG IRA, LLC

Mr. Koppe stated Mr. Madrigal is working on clean up, he is doing a good job. He has a little bit more to go. Mr. Koppe recommends that the Board give him 60 days to keep working on the property, which is the February 7th meeting and reinspect on February 1st.

Mr. Donato motioned to accept that the Board give 60 days to make some more progress on the property, which would be the which is the February 7th meeting and reinspect on February 1st. Mr. Berkshire seconded the motion; all were in favor.

5788 N SR 25 – MH Realty, LLC

Mr. Koppe stated that the owner is moving forward on this clean up, he has gotten rid of a couple vehicles. Mr. Koppe recommends that the Board give him 60-days to keep working on the property, which is the February 7th meeting and reinspect on February 1st.

Mr. Donato motioned to accept that the Board give the owner 60-days to make some more progress on clean up, which is the February 7th meeting and reinspect on February 1st. Mr. Seehase seconded the motion; all were in favor.

7304 E Old US 24 – Toot

Mr. Koppe stated that this property is done. Mr. Toot has done an excellent job on this property. Mr. Koppe recommends the Board remove this property from the unsafe list.

Mr. LeDonne asked if anyone was at the meeting to represent this property, Mr. Toot was in attendance. Mr. Toot stated he has sold the property to Michael Wray and they are working together to finish.

Mrs. Baker motioned to accept that the Board remove this property from the unsafe list. Mr. Donato seconded the motion; all were in favor.

NEW BUSINESS:

Unsafe Property

51 N 400 W - Musselman

Mr. Koppe stated this property has a lot of stuff laying around that has accumulated over time. Mr. Musselman is working on getting things cleaned up, he had a trailer on the far end that he removed. Mr. Koppe recommends that the Board give Mr. Musselman 60-days, which will be the February 7th meeting, and reinspect on February 1st.

Mr. Donato motioned to accept that the Board give them 60-days to finish getting things cleaned up, which will be the February 7th meeting, and reinspect on February 1st. Mrs. Baker seconded the motion; all were in favor.

501 N 600 E - Titus

Mr. Koppe stated he's not 100% sure what's going on with this property. There is a lot of debris and it looks like they are working on the house. When Mr. Koppe was at this property the owners were not there to ask. Mr. Koppe recommends that the Board give them 60-days to move forward with the clean-up and to give us more information, which will be the February 7th meeting, and reinspect on February 1st.

Mr. Donato motioned to accept that the Board give them 60-days to move forward with the clean-up and to give us more information, which will be the February 7th meeting, and reinspect on February 1st. Mr. Berkshire seconded the motion; all were in favor.

1976 W 600 N - Quaglio

Mr. Koppe stated Mr. Quaglio has done a really good job with cleaning up the property, he still has some more to do. He still has some more stuff piled on the back side of the garage. Mr. Koppe recommends that the Board give them 60-days to move forward with the clean-up, which will be the February 7th meeting, and reinspect on February 1st.

Mrs. Baker motioned to accept that the Board give them 60-days to move forward with the clean-up, which will be the February 7th meeting, and reinspect on February 1st. Mr. Reed seconded the motion; all were in favor.

Mrs. Shaver stated the Planning Dept has had a lot of BZA cases come up about RV campsites. Most of them are not your typical campsites, they want to be more permanent campsites. There is currently not any language in the Ordinance about this. Tall Sycamore added 100 spaces and they are open to weekends and seasonal. They are planning on seeing more traveling contractors that need to stay for a long time. Also, as you know traveling nurses, these traveling nurses they would like to be able to have places for them to be able to stay. I also see where we are continuing to have other RV businesses adding new sites and they aren't seasonal. The concern is that RV camping become a mobile home park to a degree, but they aren't secured like a mobile home park. Mrs. Shaver is recommending that our Ordinance Review Committee could meet and discuss, do we want to make sure anything else needs to be put in the Ordinance. This would have more standards in place that way the BZA Board would have something to review of we are looking for more seasonal. We have 200 now of places where you could stay, we don't know if we would need more to come in and be year-round locations. It may be something that we would need Mr. Musselman to join the conversation. If they are going to be year-round we need to make sure they follow the correct procedures. Most of the sites will have hook up into the septic so they are sitting there doing that. Mr. Musselman stated he has done some soil reports on them, they will be regulated by the state, anytime there is over 9. Mr. Musselman knows that there are a couple of them would like to do is build 3 of them instead of 9 that way you have to regulate them instead of the state entity for well water. We could probably put 250 sites out there and fill them, we have so many outside contractors that would like to have 40 sites. It's so much cheaper for them to send their employees down here with these wind mills, put them in an RV and give them a check and say this is your per-diem. We did not do a good job when we did Tall Sycamore, we've had a lot of problems with on top of ground water lines that froze last year so they just let the water run that flooded the systems. There needs to be some regulations there, they need to be skirted. Even if its temporary they can't just come in plug it up, its not a primitive site. Mr. Musselman stated that he would be willing to participate in that conversation. Mr. Musselman stated we could certainly use the campsites. It would be nice if they bought some of the land that was a little closer they could put it into the public utility. Public utilities are even a man-made utility like we have mobile home parks that have their own water service, that can just be really expensive. Unless you have maybe as many as 200 sites could an owner maybe put in some type of a regional system where there would be multiple tanks where they would treat their own water. Otherwise it takes a lot of ground surface to move that much water. Mrs. Shaver stated some of the issues is the last one was, it wasn't off a major highway or anything like that, they were putting in 50 sites and there's 5 people within a mile radius so those 5 people who have always had country living now have 50 people by them. There have been things that have come up in discussions. Mr. Berkshire stated my questions would be is this a temporary problem or an ongoing problem. Mrs. Shaver stated with the housing problem in general to people are looking to go that route also. Even if its temporary the Board needs to know, will we only allow these for 5 years. Once you approve it with BZA it will run with that property. If we continue to allow everything to pop up right now because of development those are there forever. Is there some language we put in place that says it can be there for 5 years then they have to go back through? Mr. Berkshire what are the rules as far as RV's go now, can somebody stay out there for 30 days at a time, 60 days or 6 months? Mrs. Shaver stated the RV park runs it how they run it. If it's going to be a permanent do we put regulations in. Mrs. Shaver stated she just wanted to let the whole Board know that this is something that's out there that needs to start being discussed.

FLOOR IS OPEN TO THE PUBLIC: Lora Redwick – 5524 N 600 E, is there a size of lot to where the amount of vehicles, she thought it was 3 inoperable. Mrs. Shaver stated if you have an acre you can have 3 if you have more than an acre you can have 5.

ADJOURNMENT:

There were no further questions and the meeting was adjourned at 9:32 am on December 6, 2022.



CCPC Officer



CCPC Officer



Ashley Rowe, Recording Secretary

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