

## TOWN OF HUDSON

115 PARSONAGE STREET HUDSON, IN 46747 (260) 587-9500 Planning Commission Mtg.

Date: 2-19-2015

Pres. Mann called meeting to order at 6:30 pm.

Present were: Chad Minier, Gary & Kathy Kope, David Mann, Jennifer and Phil Dawson, Brian Schmidt, and Marlene Smith.

Minutes of 1/22/15 meeting were presented. Motion by Mann, 2<sup>nd</sup> by K.Kope to approve. Passed.

Pres. Mann discussed letters sent to citizens of non-compliance of their residence. 4 citizens filled out ILP's- Marlene presented them to Mann, who stated that Frank Charlton of Steuben County Building Dept. suggested that we also attach a copy of their form.

622 First St. Will need to go to the County. Give County application, and approve Hudson's ILP. Motion by Mann, 2<sup>nd</sup> by K.Kope. Unanimous. Mann to send the letter.

618 Smathers. Deck will need to go to County for additional requirements. Treated 2 x 4's needed to stabilize. Motion by Mann to issue ILP from us with County form attached. 2<sup>nd</sup> by K. Kope. Passed.

621 N. Second St. Ramps- 1/12 slope per Chad. No poles in ground- attached to the deck and rests on the ground. 2 x 12 stringers must have post if greater than 12'. 12-14' foot length at most per Chad. Chad requested information for original ramp and was told he didn't need an ILP, so he went ahead and built the 2<sup>nd</sup> ramp – then was told that he needed a permit. Stated 2 people went by and never questioned it or he would have taken care of it at the time. Was told that everyone has to follow the same rules. County will require stabilization with additional stringer and cross bracing. Motion by Mann to issue the ILP and County form. 2<sup>nd</sup> by G. Kope. Passed.

516 N. Main Issue is that the parking area was resurfaced with asphalt and a concrete approach poured to the car port. Drainage issues per Mann. Would need a variance from BZA. Larry Gilbert, County Surveyor is willing to offer suggestions. Marlene requested blank copies of the County form to keep on hand so citizens will know what is required. Mann to provide copies to her office. Motion by Mann to accept ILP with conditions 10 get direction from County surveyor of what needs done to prevent drainage problems. 2<sup>nd</sup> by K. Kope. Passed. Commission to send letter to Church with requirements.

308 Hardy and 104 North St.- no County permit is required. Must obtain ILP from Hudson.

Mann suggested sending out a 2<sup>nd</sup> letter with a deadline and copy of action of fine to those who did not respond to the first letter. Motion by Mann, 2<sup>nd</sup> by Dawson to send 2<sup>nd</sup> letter to non-compliance with notice of fines, etc. Passed.

224 Parsonage Unsafe structure. Motion by Dawson, 2<sup>nd</sup> by G.Kope to send letter regarding structure, and that County would handle if issue not addressed locally. Passed.

Regarding residences which straddle lots. Contiguous lot form suggested. Would not need ILP from

 3/19/15

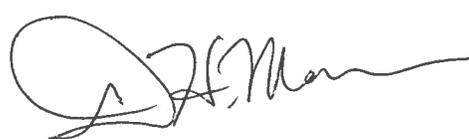
Hudson to just combine the lots. Mann handed out draft letters for 516 N. Main regarding combination of lots, and 301 Parsonage regarding structure addition without permit.

Regarding Feasibility study. Residents to be informed they have one month to comply with the requirements of the study, or desist raising animals.

Motion by Dawson, 2<sup>nd</sup> by G. Kope for Mann to bring up issue of sewer disconnect at next Council meeting for 301 Parsonage.

Motion by Mann to adjourn at 8:35 pm. 2<sup>nd</sup> by Kope. Passed.

Next meeting scheduled for March 19 at 6:30 pm.

 3/19/15

## Hudson Planning Commission

Agenda: February 19, 2015

Call the meeting to Order

Pledge of Allegiance

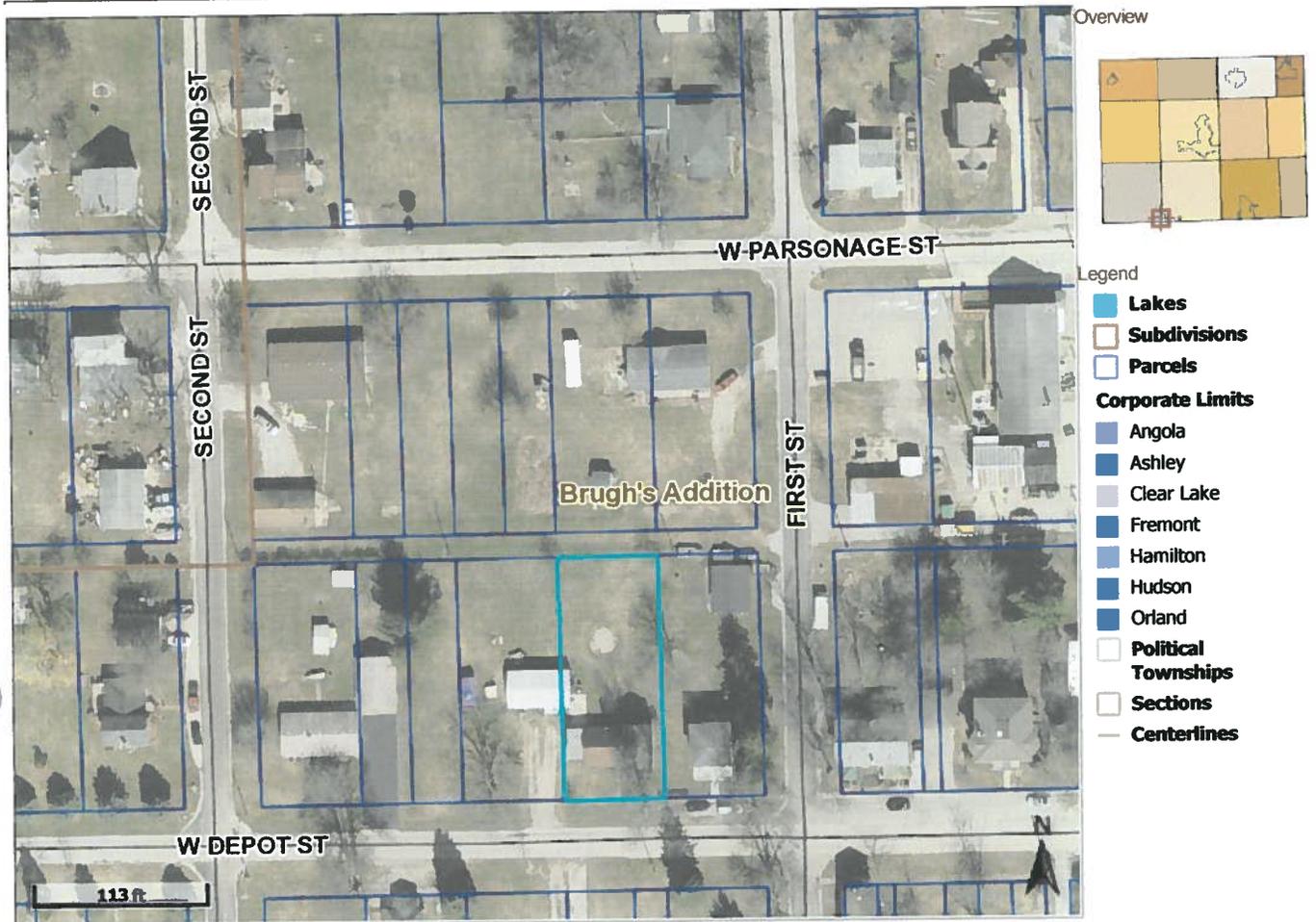
Reading and Acceptance of the Old Minutes

Old Business:

1. Hudson Zoning Ordinance Violation Letters.
  - a. Review List of Recipients and Responses
  - b. Review ILP requests
  - c. Determine Action on ILP Requests.
  - d. Determine Next Step for Non-Compliant Recipients
2. Discuss proposed Budget Advisory Council.
  - a. See proposal handout
3. Draft Zoning Ordinance Violation Letter for 301 W. Parsonage St.
  - a. Structure being added to an existing dwelling.
4. Re-Zoning of up-town lots and properties that violate current Zoning Ordinances.
5. Zoning Violations Draft Letter
  - a. Review List of Recipients
6. Review current Zoning map.
  - a. Make revisions for a new DRAFT map for approval 2015
7. Additional Comprehensive Animal Plan, Feasibility Study Membership

New Business:

1. Review of Planning Commission Membership.
2. SCEDC meeting February 17, 2015 review.
3. Propose Action Against Flagrant, Non-Payment of Water Bills.
  - a. Disconnect and plug the sewer pipe near the lateral 'tee' into the system.
4. Open Floor.
5. Next Planning Commission meeting: March 19, 2015, 6:30 p.m.



<b>Parcel ID</b>	761236410413000015	<b>Alternate ID</b>	12-36-410-413.000-38	<b>Owner Address</b>	Hoffman Joyce A & Jeff S W/H T/E R/S
<b>Sec/Twp/Rng</b>	36-36-12	<b>Class</b>	One Family Dwelling Platted		212 W Depot St PO Box 27
<b>Property Address</b>	212 W DEPOT ST	<b>Acreage</b>	n/a		HUDSON, IN 46747
<b>District</b>	HUDSON-SAL CORP				
<b>Brief Tax Description</b>	BRUGH LOT 28				
	(Note: Not to be used on legal documents)				

Last Data Upload: 2/19/2015 9:27:05 AM

The information on this page was collected from several sources. Steuben County assumes no legal responsibility for the information contained on this map. Users noting errors or omissions are encouraged to contact the Steuben County GIS Department. Address information contained in the Parcel Report may not be accurate. Please use the address information in the Transportation Layers. See full disclaimer for more information.



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March 10, 2015

Marlene Smith  
Hudson Clerk / Treasurer  
Hudson, IN 46747

Re: ILP Letter of Recommendation for Tracie Alford, 622 First St., Hudson

Marlene,

The Hudson Planning Commission has reviewed the information submitted by Tracie Alford of Hudson, Indiana, concerning the constructed deck, on the north side of the house on 622 First Street.

After reviewing the information submitted with the Improvement Location Permit (ILP) on the constructed deck, the Hudson Planning Commission has determined that this work is in compliance with current Ordinances and the Comprehensive Plan. Therefore, the Hudson Planning Commission is recommending that the ILP be issued, upon request, for the above mentioned constructed deck at 622 First Street. The Planning Commission also requests that Tracie Alford be given a BLUE APPLICATION FORM, Steuben County Government sheet, and instructed to proceed to the Steuben County Building Department and present Hudson's ILP, submitted paperwork, and submit for a County Building Permit.

President of the Planning Commission

A handwritten signature in black ink, appearing to read "David H. Mann", written over a horizontal line.

David H. Mann

Planning Commission Member

Cc: Steuben County Building Department

**Town of Hudson**



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March 10, 2015

Marlene Smith  
Hudson Clerk / Treasurer  
Hudson, IN 46747

Re: ILP Letter of Recommendation for Dixie Spitler, 618 Smathers St., Hudson

Marlene,

The Hudson Planning Commission has reviewed the information submitted by Dixie Spitler of Hudson, Indiana concerning the constructed deck, on the west side of her home on 618 Smathers Street.

After reviewing the information submitted with her Improvement Location Permit (ILP) on the constructed deck, the Hudson Planning Commission has determined that this work is in compliance with current Ordinances and the Comprehensive Plan. Therefore, the Hudson Planning Commission is recommending that the ILP be issued upon request for the above mentioned constructed deck at 618 Smathers Street. The Planning Commission also requests that Dixie Spitler be given a BLUE APPLICATION FORM, Steuben County Government sheet, and instructed to proceed to the Steuben County Building Department and present Hudson's ILP, submitted paperwork, and submit for a County Building Permit.

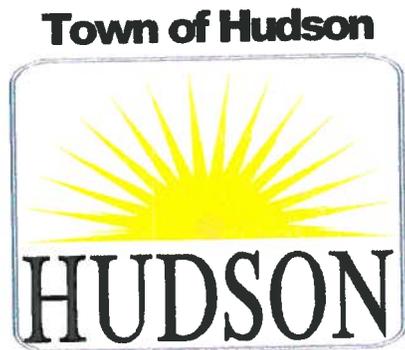
President of the Planning Commission, Hudson



David H. Mann

Planning Commission Member, Hudson

Cc: Steuben County Building Department



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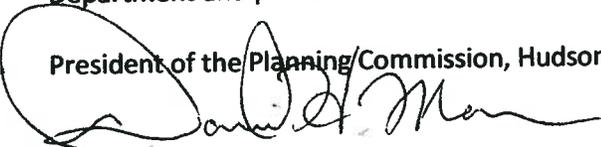
Re: ILP Letter of Recommendation for Chad Minier, 621N 2<sup>nd</sup> St., Hudson

Marlene,

The Hudson Planning Commission has reviewed the information submitted by Chad Minier of Hudson, Indiana, concerning the constructed ramp, on the west side of his home on 621N 2<sup>nd</sup> Street.

After reviewing the information submitted with his Improvement Location Permit (ILP) on the constructed ramp, the Hudson Planning Commission has determined that this work is in compliance with current Ordinances and the Comprehensive Plan. Therefore, the Hudson Planning Commission is recommending that the ILP be issued, upon request, for the above mentioned constructed ramp at 621N 2<sup>nd</sup> Street. The Planning Commission also requests that Chad Minier be given a BLUE APPLICATION FORM, Steuben County Government sheet, and instructed to proceed to the Steuben County Building Department and present Hudson's ILP, submitted paperwork, and submit for a County Building Permit.

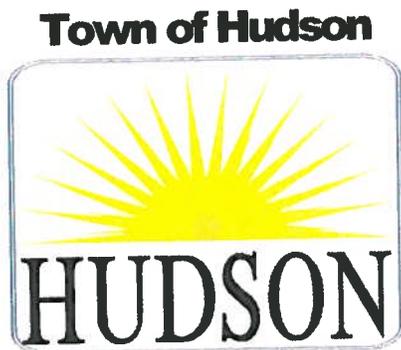
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March 10, 2015

Marlene Smith  
Hudson Clerk / Treasurer  
Hudson, IN 46747

Re: ILP Letter of Recommendation for Brian Schmidt, 516N Main St., Hudson

Marlene,

The Hudson Planning Commission has reviewed the information submitted by Brian Schmidt of Pleasant Lake, Indiana, concerning the poured concrete approaches and drive extension, on the north side of the United Brethren Fellowship Hall at 516N Main Street.

After reviewing the information submitted with the Improvement Location Permit (ILP) on the poured concrete approaches and drive extension, the Hudson Planning Commission has determined that this work is not in compliance with current Ordinances. Therefore, the Hudson Planning Commission is recommending that the ILP be issued with the following required conditions, to be completed within the 2015 calendar year:

1. The Steuben County Surveyor is consulted, on the subject properties improvements, for his professional opinion on current and future drainage issues and applicable remedies.
2. The President of the Planning Commission is included during meetings with the Steuben County Surveyor, as he visits this property.
3. Upon the completion of the Surveyor's assessment, Brian Schmidt meets with the Hudson Planning Commission to finalize required corrective actions for the poured concrete approaches and drive extension activities to bring them into compliance with current Hudson Ordinances.
4. The finalized corrective actions of the Hudson Planning Commission be implemented and completed within the 2015 calendar year.

During the February 2015 Planning Commission meeting, Brian Schmidt requested information on ruling Ordinances on these matters. Enclosed with this letter is a copy of the International Residential Code

(IRC), Section R102 and R105, which all Federal, State, and Local Permit Ordinances are based on, concerning when a permit application is required.

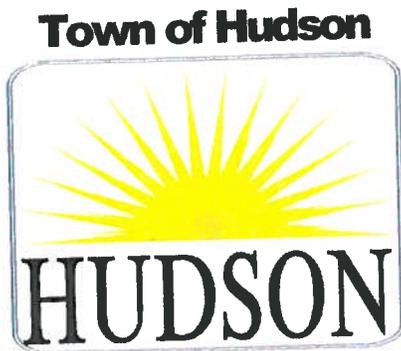
Failure to comply with the recommendations of this letter will be considered as non-compliance with the ILP. This non-compliance can result in penalties issued by the Town of Hudson for current Zoning and Planning Ordinance violations. If you have any questions, please do not hesitate in contacting the Hudson Clerk / Treasurer during, normal business hours, at 587-9500.

President of the Planning Commission,

A handwritten signature in black ink, appearing to read "David H. Mann", written over the typed name below.

David H. Mann

Planning Commission Member,



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March 10, 2015

Residential Dwelling  
224 Parsonage Street  
Hudson, IN 46747

Dear Resident,

On February 2, 2015, a letter was mailed to you detailing a building that had become unsafe due to activities on your property during 2014. The letter stated that "a written proposal stating how, with corresponding time line, you intend to remedy the unsafe condition of this structure" be submitted in 30 days. This letter is to inform you that we have not received your proposal for remedying the unsafe conditions of an unattached garage, which was created during the 2014 year.

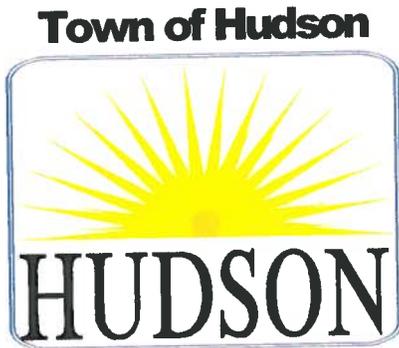
**The Hudson Planning Commission is again requesting that you submit a written proposal stating how, with corresponding time line, you intend to remedy the unsafe condition of this garage, at the Hudson Town Hall during normal posted business hours, within 30 days. This is your second notice. Failure to comply with this request will result in the Planning Commission turning this building issue over to the Steuben County Building Department, who may remove the structure at your cost.**

If you have any questions, please direct your calls to Hudson's Clerk Treasurer, 587-9500, to find out when the Hudson Planning Commission meets. We will be more than willing to discuss this issue with you at our meetings.

Regards,

A handwritten signature in black ink, appearing to read "David H. Mann", written over a white background.

David H. Mann, President  
Hudson Planning Commission



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March 10, 2015

Residential Dwelling  
104 North Street  
Hudson, IN 46747

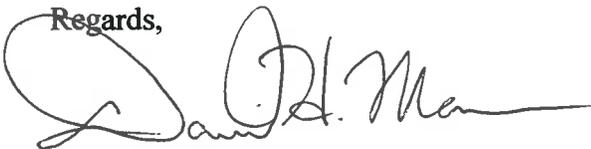
Dear Resident,

On February 2, 2015, a letter was mailed to you detailing recent building activities on your property, and the lack of an Improvement Location Permit (ILP). This letter stated the reasons why you must apply for an ILP and gave a 30 day period of time to do so. This letter is to inform you that we have not received your application for an ILP on the hand railing you constructed during the 2014 year.

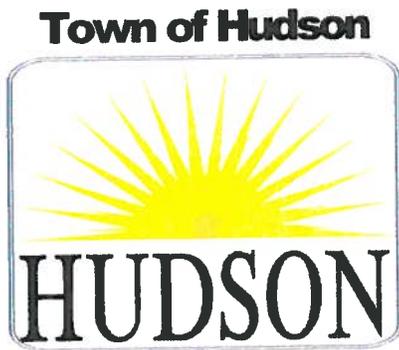
**The Hudson Planning Commission is again requesting that you apply, at the Hudson Town Hall during normal posted business hours, within 30 days, for an ILP on the hand railing you constructed on the north side of your home. This is your second notice. Failure to comply with this request will result in penalties and possible fines up to \$2,500.00 dollars per offense, per day, which will be set by the Hudson Town Council.**

If you have any questions, please direct your calls to Hudson's Clerk Treasurer, 587-9500, to find out when the Hudson Planning Commission meets. We will be more than willing to discuss this issue with you at our meetings.

Regards,



David H. Mann, President  
Hudson Planning Commission



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March 10, 2015

Residential Dwelling  
301 Parsonage Street  
Hudson, IN 46747

Dear Resident,

It has come to the attention of the Hudson Planning Commission, that you are adding a structure, on the south west side of your existing residential building. We are encouraged when residents of Hudson make improvements to dwellings that improve the value of our community. We have reviewed our records, and see that you did not apply for an Improvement Location Permit (ILP).

There are many misunderstandings and some misinformation surrounding when an ILP is required. Attached to this letter is a copy of Hudson's Zoning Ordinance that describes when an ILP is required. Within Section 10-64, it explains that an ILP is required for every building, structure, or dwelling. The new structure on the south west side of the house is covered under the term "structure". The term "structure", in Hudson's ordinance, is defined by the following:

**Structure** – Anything constructed or created requires location in or on the ground, or attachment to something having a location on or in the ground.

Another misunderstanding surrounds the governance of the Town of Hudson's Building Codes. This becomes a little more complicated due to the long standing relationship we have with Steuben County. Because we do not have our own Building Commission and Inspector, we are governed by Steuben County's Building Commission and ordinances. However, because we have a Planning Commission and Board of Zoning Appeals, Hudson governs its future building projects and grants its' own variances to its' own zoning ordinances. Therefore, all building activities, in Hudson, must go through the following process:

## Process for Placing a Structure on a Property

1. Resident of Hudson desires to place a structure on a property.
2. Resident goes to the Clerk Treasurer of Hudson and submits, in writing and with necessary documentation, for an Improvement Location Permit.
3. The Clerk Treasurer brings the Resident's submitted material to the Hudson Planning Commission for a formal review.
4. The Hudson Planning Commission, after reviewing the submitted material, issues a Letter of Recommendation, to the Clerk Treasurer, with site specific requirements. Some of these requirements may include, but are not limited to, the following:
  - a. Additional permits and activities with the Steuben County Building Department
  - b. Additional permits and activities with the Steuben County Drainage Board
  - c. Additional activities with the Hudson Board of Zoning Appeals
  - d. No further local or county government activities necessary
  - e. Denial of the structure on property because it violates Zoning and/or Planning Ordinances.
5. The Hudson Clerk Treasurer then issues the Improvement Location Permit to the Resident based on the Hudson Planning Commission's review of Hudson Ordinances.

Because our records show you have not submitted for an ILP, the Hudson Planning Commission is requesting you make the following **corrective action** to this violation: **a written submittal for an Improvement Location Permit, with a drawing of the current dwelling and additional structure to the Hudson Clerk Treasurer with thirty (30) days of receiving this letter.**

We are sorry for any inconvenience the misunderstandings and misinformation may cause you that continues to be circulated in the name of the Town of Hudson. If you have any questions, please direct your calls to Hudson's Clerk Treasurer, 587-9500, to find out when the Hudson Planning Commission meets. We will be more than willing to discuss this issue with you at our meetings.

Regards,



David H. Mann, President  
Hudson Planning Commission

Cc: Steuben County Building Department

shall be regarded as a conforming use and may be continued except that any change in layout, expansion or extension shall be subject to all provisions of this Ordinance.

**Sec. 10-59 Non-Conforming Variance and Avoidance of Undue Hardship.**

The Board of Zoning Appeals may authorize, upon appeals in specific cases, such variance from the terms of this section as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this section will result in unnecessary hardship, and so that the spirit of this section shall be observed and substantial justice done, no action shall be taken or decisions made, except after public hearing.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building or development on which actual building construction has been carried on diligently. Where demolition or removal of all existing building has been substantially begun, and/or preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried on diligently. Actual construction is defined as work done which is beyond the preparation stage, and which is into that stage where the changes or additions are made permanent.

**Sec. 10-60 through Sec. 10-63 Reserved for Future Use.**

**Division IV. Administration and Enforcement.**

**Sec. 10-64 Improvement Location Permit.**

a. No building, structure or dwelling shall be erected, reconstructed, enlarged or moved until an Improvement Location Permit has been applied for, in writing, and subsequently issued by the Clerk-Treasurer or Town Manager.

b. No Improvement Location Permit shall be issued by the Clerk-Treasurer or Town Manager for the proposed erection, reconstruction, enlargement, or moving of a building or structure unless the same conforms to the provisions of this Ordinance and the Hudson Building Ordinance.

c. Applications for Improvement Location Permits shall be made by the owner(s) of the real estate on which the improvement is to be, or has been located, or their agent, or the superintendent or contractor in charge of the work, upon forms prescribed by the Clerk-Treasurer or Town Manager; and shall be accompanied by a site plan. The applicant must also prove compliance with all state and county health and fire regulations. If the Clerk-Treasurer or Town Manager determines that a site plan is not needed to make a determination that the proposed use is in conformance with the terms of this Ordinance, he may waive the need for such a plan.

d. The applicant shall post said permit in a prominent place on the premises prior to, and during, the period of erection, reconstruction, enlargement, or moving.

e. Any said permit may be revoked if active work is not commenced within one (1) year after the date of its issue and continued with due diligence to completion. The Clerk-Treasurer or Town Manager shall judge if due diligence is being shown and shall notify the owner or agent in case due diligence is not shown.

f. If the Clerk-Treasurer or Town Manager determines that the person to whom the permit has been issued has failed to commence, with due diligence, the improvement of the location specified in the permit, as according to the detailed statement. plans and specifications upon which such permit was issued; or is proceeding in violation of the

