

## TOWN OF HUDSON

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

Date: 5/21/2015

Call to order at 6:35 pm by Pres. Mann, followed by Pledge to the American Flag.

Marlene read minutes of 3/19/2015. Motion by Mann, 2<sup>nd</sup> by G.Kope to approved minutes as read.

1. Motion to approve Britany Martin's ILP 062015 for addition of a deck- proceed to County.
2. Jason Brandt ILP for 'fence' approved.
3. Dixie Spitler deck ILP- approved by Hudson, proceed to County.
4. UBC/Brian Schmidt- when old Fellowship Hall was removed, the zoning went from nonconformance to noncompliant. Will need BZA variance for >30% coverage by parking lot. Concrete can stay as is, but put in green area along alley right-of-way. Meeting moved to UBC to review the area. Proposal to table corrective action to allow Brian to prepare catch basin proposal to present at next meeting 7/23. Motion by Mann, 2<sup>nd</sup> by Dawson. Approved to postpone.
5. Chad Minier has not submitted for an ILP. Mann to contact to enquire reason for not complying with ILP.
6. Erik Ritter's old garage per verbal w/ Dawson to be removed upon completion of new garage. Suggested either contacting him or sending a reminder letter.
7. 305 W. Depot wants to remove a building. Nothing required to do so.
8. Carol/Terry Fender issue with fence. Mann personally measured from stake to stake, found discrepancies. Suggested a 'gentlemen's agreement'. Motion by Mann, 2<sup>nd</sup> by Dawson to send letter to both parties to leave as is with no changes or extensions until such time as either property is sold. At that time it will be surveyed, and if found to be noncompliant with property lines, it will be Fender's responsibility to have the fence moved to bring it into compliance. Approved.
9. Brandenburg building in street right-of-way on North St. Motion by Mann, 2<sup>nd</sup> by K.Kope to send letter regarding the issue.
10. Mann inspected T.Lake's chickens for feasibility study. Found no problems. Suggest approval for them to be part of the study.
11. Discussion of green sewer process.
12. Regarding street signs. 3<sup>rd</sup> Street on sign, actually should be Third Street. Motion by Mann, 2<sup>nd</sup> by K. Kope to change to Third.
13. Regarding new scoreboard sign at Hardy Park. Will need an ILP per Mann.
14. Luttmann property. If they re-plot, they become a developer. Cannot go through with sale without approval of the town.
15. Marlene to contact Lyle Torrence ref. BZA meeting to discuss #14.
16. Election of officers for 2015- Motion to retain Mann as president and Helmkamp as vice president made by Marlene, 2<sup>nd</sup> by Dawson. Approved.
17. Motion by Dawson, 2<sup>nd</sup> by Mann to adjourn at 8:50 pm Passed.
18. Next scheduled meeting July 23 at 6:30 pm.

Note: Due to several ILP's coming in (Minier, Brunt, & Phillips) a short meeting it to be held on 6/4/15 at 6 pm.

Submitted by: Marlene Smith



# Hudson Planning Commission

Agenda: May 21, 2015

Call the meeting to Order  
Pledge of Allegiance  
Moment of Remembrance for Perry Clingan  
Reading and Acceptance of the Old Minutes

## Old Business:

1. Hudson Zoning Ordinance Compliance.
  - a. Review ILP requests
  - b. Determine Recommendation on ILP Requests.
  - c. Review Violation's of past ILP requests/ Non-Compliance
  - d. Determine Next Step for Non-Compliant Recipients
2. Finalize Corrective Action on ILP issued to Brian Schmidt, Hudson United Brethren Church, 516 N. Main St.
  - a. Review Zoning Ordinance Sec. 10-19, Sec. 10-21c, Sec 10-131.
  - b. Determine "Retention Pond" locations.
  - c. Determine extent of parking lot improvements on Town Easments
  - d. Letter of Recommendation, for a Zoning Variance to Sec. 10-48 to Hudson BZA.
3. Letter to Darrel Brandenburg, 728 Smathers St.
4. Comprehensive Animal Plan: Terry Lake
5. Sewer System Future handout: Discussion?
6. Old Business not discussed yet.

## New Business

1. Jeff Brunt and Lorie Randol: 104 Third St. or 104 3<sup>rd</sup> St.?
  - a. On-site discussion of set-back requirements
    - i. Twenty (20) feet on Front and Seven (7) feet on side yards.  
(See Zoning Ordinance Sec. 10-39, 10-40, 10-41)



## Marlene Smith

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**From:** David Mann <handymann7@gmail.com>  
**Sent:** Friday, May 29, 2015 8:07 AM  
**To:** Kathy Kope; Bill Eberhard Jr.; Melissa Westafer; Phil; Todd Helmkamp; Marlene Smith  
**Subject:** Re: Luttman Auction

Plan Commissioner's and Bill,

I called Mike Roy back yesterday. I told him after reviewing the Comprehensive Plan, Zoning and Planning Ordinances, I did not find any mention of an exemption for subdividing one (1) parcel only. He was disappointed, understandably, and lightly expressed the negative ramifications to his client. I told him I understood, and that as we review the Planning Ordinances this year, we would consider such an exemption that does exist in Allan and Steuben Counties Planning Ordinances. Mike then lightly joked and asked if the Town would like to expand, and purchase this 5 acre parcel. I thanked him for the offer, and said that Hudson was operating under budgetary constraints, as is most every other municipalities in the State, and there were no funds available in this years budget for land acquisition. I ended the phone conversation by saying Hudson is committed in helping him, or his client, move through the process of subdividing this parcel, if they so wished, as quickly as possible.

Regards,  
David Mann, President  
Planning Commission, Hudson

On Wed, May 27, 2015 at 5:43 PM, David Mann <[handymann7@gmail.com](mailto:handymann7@gmail.com)> wrote:  
Plan Commissioner's and Bill,

I just received a call from Mike Roy, who was on speaker phone, with one Jerry, who runs their Ft. Wayne office. Mike informed me that Allen Co. allows one (1) exemption to subdividing one (1) parcel in auctions, and was pretty sure Steuben Co. does the same. He then asked if we were all on the same page for this auction. I said, "No, we are not on the same page. You are asking for a Variance. There are many in my Town that wish I could grant them a Variance, and I have to tell them they must go to the BZA for a Variance." Mike then asked if Hudson had the same exemption for subdividing one (1) parcel. I told he and Jerry that I was not aware of any such exemption in our Ordinances, and I would check tonight to see if one existed. Mike then eluded to the fact the grass has been mown on a one (1) acre lot for years and that should allow for the variance. I then told Mike GIS shows one (1) tax number for the entire property of the house, mown grass, and planted field, and selling off the house and mown grass area would indeed constitute subdividing a parcel. I ended the conversation by reiterating I would review our Zoning and Planning Ordinances for an exemption, report my findings some time tomorrow afternoon, and that Hudson was committed in aiding them to allow this sale to proceed in a positive way.

Bill, my cell number is [260.585.9853](tel:260.585.9853) and I will be near it all day tomorrow. I would like to just touch base with you before I call them with my findings on the Zoning and Planning Ordinance review. Thank you.

Regards,  
David Mann, President  
Planning Commission, Hudson

## Marlene Smith

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**From:** David Mann <handymann7@gmail.com>  
**Sent:** Wednesday, May 27, 2015 1:38 PM  
**To:** Todd Helmkamp; Phil; Kathy Kope; Marlene Smith; Melissa Westafer  
**Subject:** Re: Luttmann Auction

Planning Commissioners,

I just finished talking with Mike Roy about the up coming Luttmann auction. After explaining, in similar detail as my e-mails have stated, the potential responsibilities and consequences of subdividing existing parcels in the incorporated limits of Hudson, Mike said 'it was above his head, and he was turning this over to their Legal Department. Kathy, will you contact our Legal Council, and have them advise me, and the Planning Commission, as to how to proceed and what our next steps should look like? Thank you Kathy.

Regards,  
David Mann, President  
Planning Commission, Hudson

## Marlene Smith

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**From:** David Mann <handymann7@gmail.com>  
**Sent:** Wednesday, May 27, 2015 10:10 AM  
**To:** Mike Roy; Kathy Kope; Phil; Melissa Westafer; Todd Helmkamp; Marlene Smith  
**Subject:** Re: Luttmann Auction

Mike,

Thank you for the clarification on if/ when surveys will be completed. Mr. Luttmann may not be aware of the amount of paper work, as well as possible financial responsibility, he may be responsible for if current Platted parcels are subdivided within the corporate limits of the Town of Hudson. Please also inform your customer, that per Hudson's Planning Ordinances, the final sale of subdivided platted parcels must have the approval of the Planning Commission. Additionally, if the platted parcels are subdivided, he will become, by definition, a Developer and may be subject to the financially responsible for the capital improvements of the infrastructure(s) to those new parcels.

This information is being supplied to you to alleviate any questions or concerns in the future, of any parties, as to where responsibilities reside for these proposed actions. Hudson is committed in helping it's citizens in providing information and aid for understanding the Ordinances that govern it's incorporated boundaries. If you have any questions, please do not hesitate in continuing to contact me.

Regards,  
David Mann, President  
Planning Commission, Hudson

On Wed, May 27, 2015 at 9:24 AM, Mike Roy <[mike@schraderfortwayne.com](mailto:mike@schraderfortwayne.com)> wrote:

David,

the border between 4 and 5 would be a new boundry. It follows the line partially created by existing lot along the east side of farm. Sorry for the confusion. Obviously the house (tract 3) is on a new tract.

Keep in mind that we will be advising the buyers that any building or new plats to further subdivide would have to be approved by your board.

Mike

On 5/27/2015 8:59 AM, David Mann wrote:

Mike,

Good morning. Hudson's Town Council met last night at their regular scheduled time. During the meeting, I recounted our phone conversation, of yesterday morning, and discussed that you had told me the proposed Lots, that will be auctioned, are defined by current Plat lines. After a short discussion concerning our conversation, and while looking at Hudson's Zoning/ Plat map, dated March 1990, it was not clear where exactly Lot 3 and 4 exist on our Zoning/ Plat Map. The Town Council, as well as the Planning Commission, was encouraged by the Town's Legal Council, to have you delineate on our map, the location of Lots 3, 4, and 5 to clear up the differences between GIS, which is a non-legal representation, and our Zoning/ Plat map that currently exist. Concerns were raised again last night at the Town Council meeting, about

potential changes to the current Plat and the zoning/  
planning/ financial responsibilities included with these  
actions. Please call me, and I will get a map delivered to your office  
this week. Hudson is in the process of digitizing this data,  
but currently is not available for electronic delivery.

Additionally, you mentioned yesterday about surveying, and it was not  
clear to me if/ when this would be completed. The Town Council inquired  
whether surveys would be conducted before or after the sale, and I was  
not able to provide them with this information. When you call, if I do  
not remember, please clarify this issue.

Regards,  
David

On Sat, May 23, 2015 at 11:39 AM, David Mann <[handymann7@gmail.com](mailto:handymann7@gmail.com)>  
<<mailto:handymann7@gmail.com>>> wrote:

Mike,  
I am currently camping in the woods this weekend, and cell signal is  
weak. You may call me Tuesday on my cell: [260.585.9853](tel:260.585.9853)  
<<tel:260.585.9853>>. This proposed auction was discussed at the  
Planning Commission meeting this last Thursday, and all of the  
possible ramifications this may have on your customer, and our  
Town. We will work with you as much as it is possible.

Regards,  
David Mann, President  
Planning Commission  
Hudson

On Fri, May 22, 2015 at 3:54 PM, Mike Roy  
<[mike@schraderfortwayne.com](mailto:mike@schraderfortwayne.com)> <<mailto:mike@schraderfortwayne.com>>> wrote:

Dave,  
Can I call you on this matter to simplify things?  
What number would be best.  
Mike

On 5/21/2015 11:36 AM, David Mann wrote:

Mike,

I have received the auction map you sent Marlene, and have  
reviewed it.  
After reviewing Hudson's Plat Map, I have many questions  
concerning the  
division of the 'Lots' that are proposed to be sold. Lots  
4, 5 and 6  
already have plated lots per Hudson's Plat Map. A portion  
of Lot

6 exists inside the corporate limits of Hudson. Hudson's Plat Map reveals two (2) street easements and one (1) alley easement that exist in, or boarder Lots 4, 5 and 6. Property boundaries are not clear on the map of your proposed Lot sales. Are you intending to re-plat these properties? If so, you will need to submit a Plat Application to the Hudson Planning Commission for review and approval. The process of reviewing and approving a Plat Application includes a 30 day review by the Commission, a 10 day notification process to the general public, a public hearing, and a 5 day period for a Notice of Decision to the applicant and to such remonstrators or other interested parties. The Hudson Planning Commission is meeting tonight at 6:30 p.m. and will be discussing your proposed sale. I am requesting additional information to clarify the issues I have stated in this correspondence.

Regards,

David Mann, President  
Hudson Planning Commission

On Mon, May 18, 2015 at 3:21 PM, Mike Roy  
<[mike@schraderfortwayne.com](mailto:mike@schraderfortwayne.com) <mailto:mike@schraderfortwayne.com>  
<mailto:mike@schraderfortwayne.com  
<mailto:mike@schraderfortwayne.com>>> wrote:

David,  
I have spoken to Marlene concerning the Luttman real estate auction on Shumaker St. She said you will take it up at the plan commission meeting. Just wondering if you had any questions or input at this time as I am under a advertising deadline and would like to get the signs ordered.  
Thanks So Much,  
Mike Roy

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Mike L. Roy Schrader of Fort Wayne [\(260\)749-0445](tel:2607490445)  
<tel:%28260%29749-0445>

<tel:%28260%29749-0445> [\(260\)437-5428](tel:(260)437-5428)  
<tel:%28260%29437-5428> <tel:%28260%29437-5428> cell  
[1-866-340-0445](tel:1-866-340-0445) <tel:[1-866-340-0445](tel:1-866-340-0445)> <tel:[1-866-340-0445](tel:1-866-340-0445)>  
<tel:[1-866-340-0445](tel:1-866-340-0445)>>

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Mike L. Roy Schrader of Fort Wayne [\(260\)749-0445](tel:(260)749-0445)  
<tel:%28260%29749-0445> [\(260\)437-5428](tel:(260)437-5428) <tel:%28260%29437-5428> cell  
[1-866-340-0445](tel:1-866-340-0445) <tel:[1-866-340-0445](tel:1-866-340-0445)>

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Mike L. Roy Schrader of Fort Wayne [\(260\)749-0445](tel:(260)749-0445) [\(260\)437-5428](tel:(260)437-5428) cell  
[1-866-340-0445](tel:1-866-340-0445)



David Mann <handymann7@gmail.com>

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## Luttman Auction

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David Mann <handymann7@gmail.com>

Thu, May 21, 2015 at 11:36 AM

To: Mike Roy <mike@schraderfortwayne.com>, Marlene Smith <treasurer@hudsonstown.org>, Phil <phildawson1972@yahoo.com>, Kathy Kope <kathykope-1@hotmail.com>, Melissa Westafer <mtaylor8@yahoo.com>, Todd Helmkamp <toddhelmkamp@gmail.com>

Mike,

I have received the auction map you sent Marlene, and have reviewed it. After reviewing Hudson's Plat Map, I have many questions concerning the division of the 'Lots' that are proposed to be sold. Lots 4, 5 and 6 already have plated lots per Hudson's Plat Map. A portion of Lot 6 exists inside the corporate limits of Hudson. Hudson's Plat Map reveals two (2) street easements and one (1) alley easement that exist in, or boarder Lots 4, 5 and 6. Property boundaries are not clear on the map of your proposed Lot sales. Are you intending to re-plate these properties? If so, you will need to submit a Plat Application to the Hudson Planning Commission for review and approval. The process of reviewing and approving a Plat Application includes a 30 day review by the Commission, a 10 day notification process to the general public, a public hearing, and a 5 day period for a Notice of Decision to the applicant and to such remonstrators or other interested parties. The Hudson Planning Commission is meeting tonight at 6:30 p.m. and will be discussing your proposed sale. I am requesting additional information to clarify the issues I have stated in this correspondence.

Regards,

David Mann, President  
Hudson Planning Commission

[Quoted text hidden]

## Town of Hudson



P.O. Box 97  
115 Parsonage Street  
Hudson, Indiana 46747-0097

(260) 587-9500 Telephone  
(260) 587-3504 Fax

[treasurer@hudsontown.org](mailto:treasurer@hudsontown.org)

Visit the Hudson Web Page: [www.hudsontown.org](http://www.hudsontown.org)

May 22, 2015

Marlene Smith  
Hudson Clerk / Treasurer  
Hudson, IN 46747

Re: ILP Letter of Recommendation for Britany Martin, 305 Depot St., Hudson

Marlene,

The Hudson Planning Commission has reviewed the information submitted by Britany Martin of Hudson, Indiana, concerning the proposed deck on the south side of the house located at 305 Depot Street.

After reviewing the information submitted with the Improvement Location Permit (ILP) on the constructed fence, 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 proposed deck at 305 Depot Street. The next step is for Britany Martin to take her ILP, and submit for a building permit from Steuben County Building Department.

President of the Planning Commission

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

David H. Mann

Planning Commission Member

*Marlene Smith*

May 22, 2015

Marlene,

Good morning. Please find attached to this note Britany Martin's Letter of Recommendation for her ILP on her proposed deck. Please make a copy and enter it into the Planning Commission's records. Thank you .

Regards,

David

