



Culver Planning Commission Meeting Minutes

February 19, 2019

Summary of Council Actions:

Items	Motion Made By	Seconded	Vote (For – Against - Abstained)
Motion to approve January 2019 minutes.	Mr. Peterson	Mr. Gut	8 – 0 – 0 Approved
Motion to open public hearing 2019-001P, Schmitt Replat.	Mr. Peterson	Mr. Gut	8 – 0 – 0 Approved
Motion to close public hearing 2019-001P, Schmitt Replat.	Mr. Peterson	Mr. Oosterbaan	8 – 0 – 0 Approved
Motion to approve 2019-001P, Schmitt Replat.	Mr. Peterson	Mr. Fox	8 – 0 – 0 Approved
Motion to open public hearing 2019-002P, Schmitt Replat.	Mr. Peterson	Mr. Gut	8 – 0 – 0 Approved
Motion to close public hearing 2019-002P, Schmitt Replat.	Mr. Oosterbaan	Mr. Peterson	8 – 0 – 0 Approved
Motion to approve 2019-002P, Schmitt Replat.	Mr. Bean	Mr. Peterson	8 – 0 – 0 Approved
Motion to Adjourn	Mr. Gut	Ms. Dehne	8 – 0 – 0 Approved

1. Call to Order

President Barry McManaway called to order a regularly scheduled meeting of the Culver Planning Commission at 6:34 PM on February 19, 2019 at the Culver Town Hall.

2. Roll Call

Mr. Fox conducted roll call. The following members were present: Barry McManaway, Pete Peterson, Margaret Dehne, Chester Gut, Wayne Bean, Dan Osborn, Don Fox, Marty Oosterbaan, and Building Commissioner Chuck Dewitt.

3. Pledge of Allegiance

Led by Mr. McManaway

4. Approval of January 1, 2019 Minutes

Mr. Peterson moved to approve the January, 2019 minutes. Mr. Gut seconded. The motion was approved 8-0-0.

5. Fisher Trust Replat – Mr. Steve Scheider appeared on behalf of Fisher Trust and asked the Commission to defer consideration of the Fisher Trust replat until the March 2019 meeting. The Commission agreed. No motion was required.

6. Public Hearing 2019-001P Robb Schmitt Replat

Mr. Peterson moved to open public hearing 2019-001P Robb Schmitt Replat. This was the first of two proposals brought by Mr. Schmitt about his properties on the West Shore. Mr. Gut seconded. The motion was approved 8-0-0, and the public hearing opened at 6:46PM.

Mr. Schmitt appeared on behalf of himself. In short, Mr. Schmitt owns adjoining parcels on the West Shore and proposed replat 1028 West Shore Drive and 1010 West Shore Drive. The two adjoining parcels are on the north side of West Shore and on the south side of West Shore. The replat would deed 3 feet of 1028 West Shore to 1010 West Shore to make 1010 less non-compliant. The replat would also add a sliver of property, referred to as "lot 15" on the survey map to the west of 1028 West Shore to that parcel. The replat would also divide the current property on the south side of West Shore. There would still be four lots in total.

Mr. Peterson moved to close the hearing, and Mr. Oosterbaan seconded. The motion was approved 8-0-0, and the public hearing closed at 6:52.

The Commission then discussed Mr. Schmitt's proposal, and Mr. Fox asked if there was any potential downside. There was a consensus that what Mr. Schmitt proposed was reasonable and made his properties more useable.

Mr. Peterson moved to approve the replat as proposed. Mr. Fox seconded, and the motion was approved 8-0-0.

7. Public Hearing 2019-002P Robb Schmitt Replat

This was the second replat issue brought by Mr. Schmitt, which focused on parcels on the south side of West Shore. Mr. Peterson moved to open the public hearing. Mr. Gut seconded. The motion was approved 8-0-0, and the hearing opened at 6:53.

McManaway asked if there were any sewer issues associated with the proposed replat. Mr. DeWitt said "no." Mr. Bean asked if there was a house on the south side of West Shore. Mr. Schmitt said "no," but at some point in the future, there might be "coach houses" constructed on the parcels south of West Shore.

Mr. Oosterbaan asked about parking. Mr. Schmitt and Mr. DeWitt clarified the existing parking situation, and that it was consistent with zoning ordinance.

Mr. Gut asked if anyone would be living in any future "coach houses." Mr. DeWitt said whether someone would be living in the coach houses was not relevant to coach houses being consistent with the ordinance. He also clarified that a "coach house" could be a minimum of 961 sq. ft dwelling with sleeping quarters and bath or kitchen on top of garage space.

Mr. DeWitt recommended that Commission approve the proposed replat.

Mr. Oosterbaan moved to close the hearing. Mr. Peterson seconded. The motion was approved 8-0-0, and the hearing closed 7:03 PM.

Mr. Bean then moved to approve the replat. Mr. Peterson seconded, and the motion was approved 8-0-0.

8. Nuisance Properties

8.1 Nuisance Properties – Former City Tavern, 415 Lakeshore

Mr. Peterson asked about the status of legal proceedings involving the former City Tavern property. Mr. Dewitt said there was a court decision in the Town's favor on January 18. The Town will demolish the existing structure and place a lien on the property. Mr. Osborn asked about any environmental concerns. Mr. DeWitt said phase I environmental was negative, but that could change once the soil is sampled. Sidewalks and parking would remain. Where structure is would be covered with 4" of topsoil and seeded with grass. Mr. DeWitt would like to have demolition done by May.

8.2 Nuisance Properties – "College Ave" property

Mr. Gut asked about the "College Ave" property. Mr. DeWitt said the Town continues to maintain the property and add to the exiting liens.

8.3 Nuisance Properties – Hopple Property

Mr. Oosterbaan asked about the Hopple property. Mr. DeWitt said Mr. Hopple wanted to meet with Mr. DeWitt, Mr. Leist, and Mr. Easterday before paperwork was filed with the Court. That meeting took place. The County has asked Mr. Hopple to sign over the property to put the property in receivership so that the County clean it up. The property covers about 12 acres.

Mr. Hopple also owns property in Burr Oak behind Republic Waste Services and has asked the Marshall County Plan Commission to rezone that property to "Heavy Industrial." The Marshall County Plan Commission recommended that the County Commissioners not approve rezoning to "Heavy Industrial," and the Commissioners denied Mr. Hopple's request. Mr. Hopple plans to appeal to the County BZA.

8.4 Nuisance Properties – House on 18B that burned in 2017

Mr. Oosterbaan also asked about the house on 18B Road that burned more than a year ago. Current owners, the Kuhls, purchased it in July, and Mr. DeWitt met with them last week. They would like to build their retirement home there. While the current foundation is suitable for building, Mr. DeWitt recommended the Kuhl's start with a new foundation.

8.5 Nuisance Properties – 709 Obispo, Culver Educational Foundation

Mr. DeWitt said there is Court hearing set for the middle of March for permission to demolish this abandoned house.

9. Citizen Input

Ms. Brandy Pohl said she has a contract to purchase a parcel at the intersection of Clymax and Cass that backs up to Sandhill Farms. Contract has a contingency for annexation and re-zoning. She would like to move her existing daycare, Max's Playhouse, to that location in a proposed fourplex and not a commercial building. The property is just outside the town limits. She would like to have the property annexed and get a sense from the Commission on annexation and re-zoning to R-2. The Commission received Ms. Pohl's plans favorably. Mr. McManaway recommended that Ms. Pohl have a site plan prepared when she comes back to the Commission to formally request rezoning.

10. Member Input or Concerns

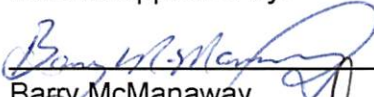
Mr. Oosterbaan said the TRC met last week to look at the proposed Paddocks low-income housing development adjacent to Sandhills. Mr. Oosterbaan has a concern about connecting the Paddocks with the Town and schools. Mr. McManaway said this is an important issue that we should follow closely.

11. Motion to Adjourn

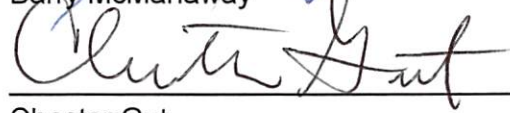
Mr. Gut moved to adjourn the meeting. Ms. Dehne seconded. The motion was approved 8-0-0 and the Commission adjourned at 8:03 PM.

The next regularly scheduled meeting will be Tuesday March 19, 2019 at 6:30 PM

Minutes approved by:



Barry McManaway



Chester Gut

Wayne Bean

Marty Oosterbaan

Pete Peterson



Margaret Dehne



Don Fox

Dan Osborn