

**Minutes of the Meeting of the  
DeMotte Planning Commission  
June 13, 2018**

In attendance were: Jody Melton, Alana Bauman, Peggy Michelin, Rick Herma, Steve Warren, Debbie Thornton, Julie Davidson, John DeKock, Dale Eenigenburg, Office Manager Heather Tokarz, Secretary Kim Kendrick, and Attorney Gordon Etzler.

The meeting was called to order at 7:00 p.m.

The minutes from the April 10, 2018 meeting were read and approved. Motion was made by Steve Warren and seconded by Peggy Michelin. Motion carried with an 9-0 vote.

The first item on the agenda for discussion is Renetta Baraszak 6111 W 100 N. Pictures were distributed on the condition of the property. A warning notice was issued. The board agreed that clean-up was necessary. John DeKock made a motion to proceed with the Notice to Show Cause. Alana Bauman seconded. Motion carried with a 9-0 vote.

Gordon Etzler reported on the Baumgarte, 5301 W 1175, clean-up process. At this time, we are trying to recover the costs from the clean-up process. A hearing was scheduled for June 4 but was continued and rescheduled on June 28th. There has been little progress and case was given to Judge Potter. Our claim is for approximately \$8000.

Property Update for McSparin and Baggerly, 5546 W St Rd 10. Progress has been made removing all of the junk from the yard. The Planning Commission agreed that John is to proceed with getting the mobile home removed.

Scott Morris, Realty Executives, representing the Fritts Family concerning Gentleman Tom's Restaurant, 5830 W 1250 N. Scott said the family is requesting the Board extend the non-conforming use of the restaurant. In August the building will have been vacant for a year. Since 4.2.2 of the DeMotte Planning Code states that if the use is vacant for over a year it must resort back to the use of the zone area which is I-2. The request is to extend the use for one year because their potential buyers are interested in the restaurant. Steve Warren made a motion to extend the use for another year to expire in August 2019. Julie Davidson seconded and motion carried with a 9-0 vote.

The board started to review a potential animal ordinance. There was a discussion by the board. The discussion will be tabled until there is less on the agenda.

Next there was a discussion regarding building permits. John is not going to allow permits to be issued until he has received all approvals from the state. Gordon Etzler stated that John Dyke has the authority to make changes. Peggy Michelin motioned to approve the changes. Debbie Thornton seconded and motion carried with a 9-0 vote.

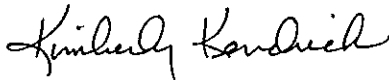
Next item on the agenda was 1506 & 1508 Almond St SW concerning the duplex. Bob Gabrielse representing the property owners discussed the property. The duplex is over 4000 square feet in total, and each side is 2200 square feet. The owners would like to remove the garage and subdivide the lot. Each home would become a single-family home. Bob Gabrielse requested to be able to proceed with the subdivision process. Both sides of the duplex are on town water, town sewer, and the utilities are separate. Mr. Christopher Schmidt and Mr. David

Huppenthal were present at the meeting and discussed how the bills and mortgage were taken care of. The owners intend to get separate loans. The board agreed to hearing the request of the division of the properties. Attorney Gabrielse will proceed with the subdivision process.

The final item on the agenda is the sidewalk dispute for Shepherd, 102 Ironwood St SW. Attorney Gabrielse represented the Shepherd's. The Building Commissioner, John Dyke, is requiring a sidewalk be placed along Division St as per the subdivision control code. Attorney Gabrielse stated The Peterson #6 subdivision plat does not show the sidewalks on Division St. and Prairie Landing across the street does not have sidewalks along Division St. According to attorney Gabrielse the utilities are in the way. When the initial subdivision was approved there were no sidewalks on the north side. When the building permit was submitted the site plan had the sidewalk on the north side of the property. The owners are requesting to not have to install the sidewalks on the north side of the property. Jody Melton discussed the subdivision code (h) that the sidewalks are to be installed, he discussed that the Shepard's can request a variance and go before the Board of Zoning Appeals. John DeKock stated that when the the sidewalks in the subdivision was approved, he believes that the sidewalks on Division St were missed. Steve Warren motioned that the Planning Commission feels that the sidewalks were not supposed to be installed on Division St for Peterson #6 due to the potential change of the width of Division. Julie Davidson seconded and motion carried with a 9-0 vote. Gordon Etzler recommended that the decision be recorded on the property.

Debbie Thorton motioned to adjourn at 8:03 p.m. Steve Warren seconded. Motion passed with an 9-0 vote.

Respectfully submitted,



Kimberly Kendrick  
Secretary