



BOARD OF COMMISSIONERS

LAPORTE COUNTY

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*Ken Layton
President*

*Barbara Huston
Vice President*

*Willie Milsap
Member*

LAPORTE COUNTY COMMISSIONERS

SPECIAL MEETING TUESDAY, SEPTEMBER 6, 2011

The LaPorte County Board of Commissioners met in a special meeting on Tuesday, September 6, 2011, held at 7:00 p.m. in the LaPorte County Complex Meeting Room #3.

CALL MEETING TO ORDER

Mr. Layton, President, called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE

Mr. Willie Milsap led the Pledge of Allegiance.

Mr. Layton, I have been requested to read a communication that was forwarded to the board from Mr. Michael Kobas of 10633 W. 100 N., Michigan City, IN 46360. (Please see attached)

Proposed Comprehensive Zoning Ordinance, Subdivision Ordinance and Zoning Maps

Mr. Layton, brought before us tonight for the commissioners review and edification is the joint zoning ordinance of LaPorte County, city of LaPorte, and city of Michigan City, draft is August 23, 2011.

Mr. Doug Biege, the Plan Commission passed a draft on August 23, 2011 after the county commissioners sent the proposed plan back as a result in the change of the law on July 1, 2011. Those amendments were passed and forwarded back to the commissioners for their review at this time.

Mr. Layton, anyone here this evening representing a group?

Mr. Jim Kaminski, attorney in LaPorte with an associate, Brad Adamsky from my office. I represent the Builders Association of LaPorte County with respect to the proposed ordinance. The Builders Association did speak before the Plan Commission and had some concerns regarding the proposed ordinance. The Plan Commission did take into account some of the concerns expressed by the Builders Association and we are grateful it did lead to some modifications to the ordinance of what you are going to consider tonight. There are still some concerns that we sent in a written communication. I would like to express to you that the zoning ordinance itself is quite large, has a large number of sections to it, is quite comprehensive and I think when you look at the totality of the Builders Associations objections to the ordinance, you will find there aren't a lot of them. Because of that we want to express our appreciation to the commission and its committee for what it has done in the review. There are some issues that the Builders Association has some concerns with and moving forward we would be happy to converse with Mr. Biege, Mr. Willoughby, and Mr. Braje if the commissioners would like to acknowledge some of our comments to the ordinance as far as specific language. It is not the actual ordinance itself that causes a large part of the Builder's Associations concerns; it is the zoning maps themselves. This is an opportunity for LaPorte County to have a forward looking ordinance. That is the whole reason for updating it. When there is a review of the Master Plan map which is not a zoning map but a map that was passed as part of the Master Plan, you notice in

that document there are large areas designated as plan urban utility or sewer treatment areas. In yellow, for instance, in areas between LaPorte and Michigan City you will see a large area where there was contemplated planned urban utility growth and planned urban growth. When you head to the southern part of the county and look at towns such as LaCrosse and Wanatah surrounding those municipalities was the whole planning of utility expansion and then when you look at the ordinance itself, it contemplated that in keeping up with the expansion of planned urban utilities that would lead to plan growth in our county; thinking that the growth would occur from existing utilities and population areas and expand outward. When the final zoning maps were issued, I gave the commissioners, some time ago, some maps with the proposed township areas of what we identify as changes. You would see that most of the changes in the zoning from what existed to what is proposed are reverting back to a default putting in agricultural areas where it is hard to understand why. It is as if we are increasing agricultural zoning as the default zoning change for the county which is one of the most restrictive zoning uses. That seems to be contrary to planned growth for our community in terms of residential, commercial and industrial development. It would seem that some of these areas that have planned urban development for utilities would also contemplate on the maps uses which wouldn't be the most restrictive classifications that are included in agricultural but instead we would see more residential, commercial and industrial growth around the existing municipalities in our county including those of Wanatah and LaCrosse and down south. I have spoke to Mr. Biege about this and he has indicated some concerns he has about time constraints and based on that the Builders Assn. is going to endeavor by the end of the week to try to present as least some rough maps of what we would propose. It was our hope that we could have some meetings with those involved in the map planning process and maybe divide the county into four parts and have one intensive week of looking at the maps so there was a dialogue back and forth. I think the maps are a large concern for the Builders Assn. and we don't think the maps are forward looking rather it seems to be more restrictive. A second objection in which the plan commission did address is subdivision lots. In Agricultural 1 & Agricultural 2 areas the Builders Assn. has had concerns about the restrictions on subdivision of lots. As we understand it, the new ordinance contemplates in Ag 1 a split per 20 acres and then in Ag 2, one for ten. The lot sizes would be one acre with 200 feet of frontage. The Builders Assn. would propose a simpler method for subdivision of lots. That would be that regardless of the size of the current parcel there would be no more than three divisions. We would agree to the one acre, 200 foot frontage but not have any distinction between a 20 acre or 10 acre parcel. Anything after that would go for subdivision approval. It would meet responsible development and would be a more preferential way to do that. The second issue is on the development requirements as it relates to depth to width ratio and in particularly as it relates to setbacks. The proposed ordinance as I understand it has a 50 foot setback for frontage, for the rear setback and 30 foot for the side, assuming that one acre lots with 200 feet of frontage are acceptable and move forward. The Builders Assn. believes those setback requirements are impractical and would cause some difficulties for people building a house and could actually lead to houses not being as attractive as you might see with less restrictive setback requirements. We believe the current setback requirements of the ordinance are best to remain the same for development. Lastly, the other large issue the Builders Assn. was concerned about was when nonconforming use, we believe nonconforming use is defined and allowed. Under the proposed ordinance, if there is a casualty loss that would lead to a loss of over half of the assessed value of that non conforming use, nonconforming use is terminated. We believe that language should not be in the ordinance or if there is going to be any reason to address that in the ordinance, reasonable time limit should be given for the owner to be able to reconstruct that non conforming use so that it could be continued on. We would ask that that be eliminated from the ordinance or if it needs to be addressed in the mind of the commission that some reasonable time period be put in place for a non conforming use. Those are the primary concerns. I would hope the commission would consider this before consideration of the ordinance.

Mr. Tony Hendricks, LaPorte County Surveyor and President of Charles Hendricks and Assoc., We have gotten together with some members of soil conservation, farmers, and real estate agents. We are looking for a compromise. This plan is approximately two years in the making. Most of the concerns are around the agricultural districts in the county. The comprehensive plan was for future orderly development in the county. I do not know where the zoning maps came from. They do not reflect the comprehensive plan on page 71. LaPorte County is sitting on 66% tillable farm ground that is pretty good. We are happy that the proposal got changed to a 1 for 10 and 1 for 20 in A 1 & A 2 zoning. There has been some talk of a set aside or open space agreement since you have the Galena watersheds. We are proposing an agricultural residential district north of 2, 1 acre, 200 foot frontage, as long as you have two approved septics, storm water control and you have a good paved road. Between 2 & 6

we were agreeing we would go with the 1 for 10 and get the three by right lots and south of 6, 1 for 20 you would get three by right lots. As long as you are farming and want to sell your son 40 acres, that would be approved in our recommendation. As long as you are farming and aren't going to use just for residential sales, you can sell to your children 40 or 60 acres so they can continue on farming. We wanted concrete standards for the special exceptions. We need to have planned growth to have a vibrant community. The comprehensive plan is 95% good. The part that needs attention is very critical for the growth of LaPorte County. The city of Michigan City and the City of LaPorte have adopted their plans and are using them today. They are waiting for us to get this approved so they can publish one book but they are not *waiting* for us to get this done. They are adopting their plan, and is in force and being used today. There is a possibility of setting up a study committee within the Plan Commission so we can review things on an ongoing basis. The maps of this plan are one of my greatest concerns. We would like to maintain large tracts of farm ground; we do not want to limit the farmer who needs to sell ground.

Mr. Gary Radtke, Radtke and Associates, Inc. I have spent many hours reviewing the last two drafts and came to the conclusion that neither are good for the property owners of LaPorte County. There has been so much discussion on the A1 zoning which, in our opinion, proves it should be eliminated. A2 should be A1 and that will solve a big issue. Another big issue is the 50% damage clause – this needs to be eliminated. What this means is if you own a \$200,000 building and there is a storm or fire that requires \$100,000 to repair it, you cannot do it. This is a real problem with mortgage companies because they may end up with a lot of land. The existing zoning ordinance you have now makes a very detailed procedure to rezone property. It states that you must notify adjoining property owners and the first thing that the BZA does is check that this was done properly. I understand the need for a new ordinance and I support trying to get a new one put together. Some of my clients that were looking at subdividing would have their land now zoned agricultural. This is a large negative financial impact to them. There should be some type of grandfather clause in the ordinance for the non conforming use issue. How is this proposed ordinance going to be enforced? Is the county going to hire more personnel or will it be just another unenforced ordinance? There are many other financially destructive clauses in this ordinance and I only noted a small amount. This ordinance is not good for the property owners of LaPorte County and it needs to be rewritten for LaPorte County. I have completed mark-ups on the last draft of what causes me concern and we can submit them separately if so desired.

Mr. Layton, I am a little bit confused. In your second paragraph it states "there has been so much discussion on the A1 zoning, which in our opinion, proves it should be eliminated. A2 should be A1 and that will solve a big issue. Are you talking about eliminating A1 and making everything A2?"

Mr. Radtke, Correct.

Mr. Jim Laughlin, resident. My partner John Linewebber and I have been part of the community for a long time. We've served on the hospital foundation board, I am a member of the 39 north conservancy, elected to the redevelopment commission of LaPorte County, United Way, Lebeznick Center for the Arts, I have been a broker in sales for real estate in the county, we are members of the Builders Assn., Chamber of Commerce, we have tried to keep our finger on the pulse. We have Briar Leaf Golf Course; we have the Villas of Briar Leaf, which have currently added about \$6,000,000 in assessed valuation. We are of the opinion that the county wanted some residential development so that the assessed valuations could improve. We have a 300 acre farm and I invite you tomorrow morning to come out and I will show you what you are calling agricultural land. It is worthless to a farmer. It is gorgeous for development. It is in hills, lakes, woodlands, wetlands; I could throw out a high income development there and bring in another 8-10 million dollars in assessed valuation. I don't get trying to tie the hands of people who really want to see the county develop where there has been zero growth. Most of what I hear about the plan to me is negative. I could not believe the backward thinking rather than the forward thinking. This is not a good plan, it does not help the developer. I know there are time constraints and you have to make a decision. There are good parts. I think from a resident/developer person anxious to help this community that we are going in the wrong direction. I can't believe it got this far.

Mr. Dan Adams, 5252 N. Fail Road, LaPorte, IN, in Kankakee Twp. In the comprehensive plan it shows A1 & A2 and it also shows there should be a planned rural estate area. They put the A2 district as a default setting for all the

property that is through there. The R1A district is the planned urban expansion area that you would have planned sewage or in the near future planned or phased in. In Kankakee and Galena Twp. it should be planned rural estate or R1A. That is for ½ acre lots for 25,000 square feet with 120 foot of road frontage. If you take this area between Fail Road and Range Road and go north from the toll road up to 900 you are going to be able to split off under the minor subdivision rule three lots on each side of the road and you are going to increase the homes and decrease the home values. If it is going to be R1A in that area, that says you can't have a fence over 42" high or an electric fence, in this area it is known as horse country, the horses will walk right over them and be in the middle of the paved road. The number of animals...it shouldn't be a number it should say if you are going to have over two animals you need to get a special permit. By putting a number as an animal unit in there, it doesn't help home values or anything. In the zoning ordinance it says you have to have three acres of land before you can have your first animal. I think the number of animals and the requirements for the animal uses needs to be looked at. Throughout the changes that have taken place in agricultural districts, it initially had that you needed 500 foot of frontage. That meant your lot width was going to be 500 feet. It says for keeping of livestock there is a 100 foot setback requirement from the lot lines. When you split it from 500 feet down to 250 feet, and if you are going to have an animal under the keeping of livestock you have to have a 100 foot setbacks from property lines. That limits you to 50 feet down the middle that you can build your barn or house your animals. The setbacks for that need to be eliminated. The comprehensive plan gives you a pretty good outline of the maps. If you look at the two together, it does not reflect what the comprehensive plan put in there. They didn't have any meetings for the maps and they should have. That urban expansion area, I don't believe it belongs where they have it outlined. We don't deserve to have in our area, ½ acre split off lots. If they have any more meetings in the future, I would love to be part of them.

Mr. Harold Parker, 2602 E. St. Rd. 4, LaPorte, IN. A lot of smart people tried to put something together that is pretty hard to put together. What I am concerned about in my case, if you are going to take our ground, give us fair retribution for it. Take it off the tax bills. When I bought this ground thirty years ago I used that frontage as collateral. I expect my son and daughter, when they take over the farm; they are going to have to use it for collateral. You are taking collateral base away from us. At one of the meetings they said only 30 cents was needed out of every \$1 taxed on farm ground. That means I am getting over taxed for something I am not getting. I don't know how you can make urban and rural all in one bag. There is so much diversity in this county it is pretty tough. If you are going to take our rights away from selling ground off we ought to be paid for it in some way.

Mr. Glen Minich, 3252 W. 500 S., LaPorte, IN. We have been coming to the Plan Commission meetings and we were negotiating with the Plan Commission back in 2005 and they are constantly wanting to take control over farm properties. Concessions have been made over the years but this whole master plan is a huge job and I understand how they want everyone to get along and that is the reason for it. To build a master plan in such a diverse area is so complicated and by nailing down all these small items as the number of livestock, the number of acres, it is just too hard to do. I feel like we had a better plan before; where it was more vague, we had a board of zoning appeals, we had several places we could go where each individual plan was laid out, the public is brought in where they can say yes or no we like it or not. This is going to stop a lot of development and has a lot of negative aspects to it. It is a step backwards. Farmer do need to be given some compensation whether it is tax wise or otherwise. There are no farmers on the Plan Commission. The comprehensive plan of LaPorte County says we are an agricultural and small light industry area. Under Indiana Code under membership it says the members assigned to be on the Plan Commission are suppose to have an expertise in the field and in the aspect of the company to plan.

Mr. Hendricks, I wanted to clarify one comment Mr. Adams made. There were no workshops for the zoning maps. There were legal meetings that created those maps. I was just referring that there were no workshops that created those maps. There were no groups that sat down with multiple diversity and said what is agricultural and what is residential and etc.

Mr. Milsap, what is the makeup of the Plan Commission?

Mr. Hendricks, the LaPorte County Surveyor, Commissioner Huston, Councilman Bernacchi, Gene Mazdak, Rita Beatty, Gene Jonas, John Mott, Dwayne Hogan, Ed Kogut. We do not have any farmers on that board.

Mr. Ray Hamilton, Building Commissioner, Now you understand why this book is 47 years old that we are using. Who has ever wanted to go through this before? That is why it has taken 47 years for somebody to step forward and try to create an updated plan. We are known as the last suburb of Chicago. We can see development coming. That is why we have stepped forward; it is time that we get this document updated. Yes, there have been some drastic changes in some things. If we would have done this on a timelier basis we wouldn't be seeing some of the things we are now. We are not going to get everyone to agree to what we have put into this book. We have hired different agencies to come in and do the comprehensive plan. They spent 2 ½ years here driving up and down our county roads studying our soils map looking where our building should go on. Then it came time for the Master Plan and we went out an advertised for bids on that and thought we had picked out the best company available. They can see how this is working for other communities; they have come back with their best suggestions for us. It is not an easy decision. We are using a document that is 47 years old and it needs to be updated.

Mr. Layton, my only question is about the maps. In the first five drafts we have had, I have never seen them before until one came through that Mr. Biege forwarded to us. Who in fact did do the maps?

Mr. Hamilton, the consultants did the maps. We reviewed them in some of the sessions that we had.

Mr. Layton, through testimony here tonight and through conversations with the attorney and Mr. Hendricks, we know that there are problems with the maps. We are actually being asked to approve something that is not up to date.

Mr. Hamilton, for Mr. Milsap, the Plan Commission is made up of nine members, four of them by the virtue of the office they hold. The other five board members are selected by the commissioner and the council. You and the council are the ones that select the ones that set on that board.

Mr. Biege, the maps are the largest concern because we have a 90 day deadline. Jim and I talked earlier in the week to get the new maps together and get them to the commissioners and give notice on time is going to be a challenge. We need a public meeting to review any new maps before the 14th that is 90 days from when the plan commission originally certified the maps. When the county commissioners met in July there was no reference to the maps when the county commissioners sent it back to have the Plan Commission make the modifications based upon the statutory code changes. I don't know if we are going to have time to look at it, get the revisions done with the maps, have a public meeting with the county commissioners and get a recommendation back to the commissioners before the 90 day expiration period. If we don't get it done before the expiration period by Indiana law, the maps pass. This does not mean it cannot be amended but they do pass.

Mr. Paul Przybylinski, 1716 Washington Street, Michigan City. I am here with concerns of being a resident of Michigan City not so much as being a county resident or owning any land in the county besides the lot I own in Michigan City. Recently, the city council in Michigan City adopted their new plan. Just recently we saw what they did by when they streamlined their plan and put it through and that is the adoption of the new facility going in on Michigan Blvd. will not come back to the city council to have a final say. It went to the Board of Zoning Appeals to make the final approval. I think that as commissioners you have a responsibility to all the residents of the county and just because the city of Michigan City and the city of LaPorte passed their plan and they want to fast forward it onto the county has no bearing on the county. The people are living in the cities for specific reasons and people live out in the county for a specific reason. I don't believe as a resident of Michigan City, my rights should be taken away from me to one day wanting to live out in the county and I don't believe the document you have right now is non functional. It has been functioning in the county for x amount of years. There probably are some things that need to be changed but does it all need to be changed? I don't believe so. Don't be afraid to vote this down and start over again. Don't feel that you are under the gun. You are elected to make these decisions. My concern is was this document ever left in any libraries so that the common man could see this comprehensive plan?

Mr. Biege, the consultants have a web site and it has been on there for some time.

Mr. Jim Laughlin, I don't think that thing has gone unchanged for 47 years. I think there have been amendments and changes and new language. What is wrong with getting it right the first time? If it has to go back to the drawing board for some issues, so be it.

Mr. Larry Mosier, 2991 Stonehedge Way, LaPorte, IN. I want to applaud the commissioners, Ray Hamilton, and all the people that have worked so hard on this process to get us where we are. Even if you vote it down tonight, which I think you should, it is not a slap in their face. They have done a lot of good. The majority of this is done. There are a few issues that need to be adjusted. We have spent our own money hiring attorneys to help bring these things to light. We hope these things get resolved before they get passed.

Mr. Matt Bernacchi, LaPorte County Councilman, back in July I know the mapping was a big issue and I asked Tony at that meeting if the maps had been updated. He said he went on line that day and he thought everything was up to date when in fact it was not. If I would have known that at that time, I would have voted it down. I always hate to hear of consulting firms coming in not from our area. Who knows our area better than the people who live here? It has been 47 years since our last Master Plan, what are we worried about 45 or 90 days for. Let's do it right, let's look at the maps, meet with the people in these areas that have concerns, put it in the libraries. We have waited this long.....let's do it right the first time.

Mr. Hendricks, we do have all this information in house, we can get the physical files from our consultant, Mitch Bishop is a very capable person, and he has the software he would need to adjust these maps any way we would want to. As it sets now, the maps have to be approved the way they sit or have to be denied because we do not have enough time for public input. If we deny the maps completely tonight, when can we start over? Where do we set with any denial of any section?

Mr. Chris Willoughby, I want to make clear that the timetable, there isn't an urgency for anything other than the commissioners just have to make a decision and act on what is before them. What it requires is that you are going to have to pass on the zoning and subdivision ordinances, and the maps. The 45/90 days are all statutory deadlines. You have to act on what is before you within the 90 days of certification. That is mid September. After you act you can either reject or amend them, they go back to the plan commission. You have to give a written statement to the plan commission of your wishes. The plan commission then has 45 days to either act and if the plan commission doesn't act, then whatever action you take becomes what is applicable for the county. What you are required to do here as part of your consideration and what the plan commission was charged with doing at the onset was to consider what the comprehensive plan is. To consider the soil conditions, uses & etc. in each of the districts; to consider the most desirable use for the land. You can use those things to make your decision. Since by having this special meeting, statute does require that you act tonight; either in the form of a vote to reject it with an amendment or to reject the proposal. Those two actions either way would go back to the plan commission. The plan commission has 45 days to act and if they do nothing, it is dead in the water.

Mr. Biege, the effects are the same no matter which way the commissioner's vote. If you want to send specific amendments back to the commission, it goes back to the Plan Commission. If you reject it, it goes back to the Plan Commission. It is the same result either way. The plan commission then examines and entertains whether they will accept your rejection or disagree. If they disagree, it comes back to you and you can reaffirm your vote. The plan commission would have 45 days to review and take action. You would then have 45 days after the plan commission takes its action.

Mr. Willoughby, if you are inclined to send one portion back, it may be best to keep them all on the same time table.

Mr. Laughlin, from what I hear and the documents that have been sent to me, I think there are issues beyond the maps.

Mr. Paul Przybylinski, I have a technical question. If you reject this in its entirety, then it goes back to the plan commission and then they can vote? I don't want a misinterpretation for the general public.

Mr. Biege, it goes back to the plan commission but ultimately it goes back to the commissioners again.

Mr. Przybylinski, I understand that but when they reject it, a new form has to be introduced. The same document doesn't volley back and forth.

Mr. Biege, actually it does. It can be amended along the way. If it is rejected we would suggest direction and comments from the commissioners to the plan commission as to reasons why. The Plan Commission can then take a look at that.

Mr. Willoughby, just for clarification, the statutory section that can be used for reference is i.c. 36-7-4-606.

Mr. Przybylinski, I will reaffirm my position and that is to reject it and you have 45 days and you have some workshops. I don't think you have enough time to write all these amendments. I think the best thing to do is vote it down and have a special meeting or workshop with the plan commission and move on from there. It is a complex issue.

Mr. Dale Miller, 2888 N Wozniak Road, Michigan City. I only have 40 acres. I thought if I gave my daughter six acres she could put up a pole barn. Mr. Hamilton denied it; he said I needed 30 acres for a pole barn. I can't do that.

Mr. Layton, Mr. Biege, if this should fail, I understand whatever we do has to be done in writing to the plan commission. I don't disagree with everything that is in this document. How long after this meeting do we have to make that presentation to the plan commission?

Mr. Biege, there is no specific time limits set forth. You simply have to take action within 90 days. The plan commission has 45 days to respond to your report from the commissioners. If the commissioners were to reject and give reasons why in writing, I don't think there would be a time limit for the written response. The Plan Commissions time would begin to run from the date of the written response.

Mr. Layton, I think it should be in a timely fashion and that timely fashion should be within two weeks. That would give us the opportunity to set down together and discuss the issues we have with it and put it in proper form.

Mr. Biege, the statute requires action but it doesn't define what that is. I think it is important that whatever written format the commissioners come up with give the Plan Commission enough direction so they understand what the commissioners concerns are; whether it is an amendment or a rejection.

Mr. Willoughby, I concur with Mr. Biege's opinion on that. I do recommend that whatever your pleasure is that it would be easiest and eliminate some of the confusion if you try to keep the same time line and consider them altogether.

Mr. Layton, I would like to thank everyone that came here this evening and made a presentation before this board. We also thank you for the way it was presented.

Mr. Milsap made a motion to reject the zoning ordinance, subdivision ordinance and the maps as presented, seconded by Mrs. Huston, motion carried by voice vote 3-0.

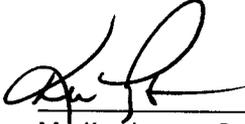
Commissioners Comments

Mr. Milsap, let's do it right.

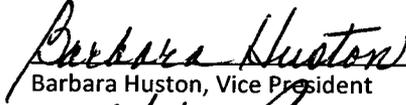
Adjourned

Mr. Layton, President, adjourned the meeting at 9:10 p.m.

LAPORTE COUNTY BOARD OF COMMISSIONERS



Mr. Ken Layton, President



Barbara Huston, Vice President



Mr. Willie Masap, Member

ATTEST: 
Craig Hinchman, LaPorte County
Auditor

9-1-2011

I

To: Mr. Commissioner President Mr. Kenneth Layton,
Please read this letter in its entirety at
your Public Hearing on Sept. 6th. at your 7.00
p.m., and enter it in the hearing minutes,

This hearing pertains to the repeal of the
existing Zoning Ordinance subdivision and zoning
Ordinance and zoning maps for the County
of Laporte, and the adoption of a new
Comprehensive Zoning Ordinance Subdivision
Ordinance and Zoning Maps for the county
of Laporte.

Since I received a copy of Draft # 2
dated 10-15-2009 titled as a Joint Zoning
Ordinance, for Laporte County, - Michigan City,
and the City of Laporte, and reading all the
legals in the Laporte Herald-Argus, and the
Michigan City News Dispatch, I am surprised
that ~~with~~ holding the Hearing on Draft # 7,

Mistakenly I went out on 5 Drafts
written the almost 2 yr. period,

Only to now be informed that the date
of a final draft is Sept. 15-2011,

After trying to understand this Ordinance
I have an 100% in objection to it,
What may be for the betterment of one of the two
cities involved is not necessarily for the
better of the rural areas of the county.

II

Since variances and exceptions of our Building and Zoning Commission are the two loop-holes, as they choose, especially to granting Subdivisions in the rural areas to a select few, primarily Developers, Yes the So-Called Ordinance by NO means will in no way, preserve agricultural or farmland,

Any Ordinance is NO more than More Government Control, and Less Private Property Rights

Unable to attend this Sept. 6th 2011 Public Hearing, I trust you will read mine effort taken to voice mine opinion and objection the way I interpret it, And that is a simple to this Draft, NO

Thank You,

Michael J. Kobor Jr.

10633 W. 100 N.

Michigan City, IN. 46360

Coaling Township

P.S. = In the Summer 2010, Hoosier Farmer Magazine, Randy Kron - Vice President Indiana Farm Bureau Inc. has a full page on his opinions