

Ogden Dunes Plan Commission

Public Hearing – Tuesday, June 18, 2024 - 7:00PM Fire Station

Members of the Ogden Dunes Plan Commission			
☒ Ken Thompson Chair / Citizen Member ☒ Gen Code Review (574) 514-6318	☒ Arman Sarkisian Secretary / Citizen Member ☒ BZA, Building Code Review (312) 590-2732	☒ Scott Kingan Town Council Member ☒ Town Council President (219) 615-8057	☒ Jeremy Ogden Town Member ☒ Town Marshall Building Commissioner (219) 314-8921
☒ Scott Stolarz Vice Chair / Citizen Member (219) 741-5040	☐ Dave Snyder Town Council Member (219) 734-6423	☒ Tom Cleland Citizen member (219) 712-1756	

1. Call to Order

Call to order at 7:02 p.m.

2. Reading of Ordinances and General Explanation if Necessary

A. Building Permits

Changes deal with time periods for construction and permitting costs for any extension that may be needed.

B. Accessory Uses

Changes deal with Fences; Sheds; 3 Car Garages.

C. Building Height

Changes deal with building height of a portion of the principal structure and potential requirements for fire safety.

3. Public Comments

A. Building Permits

Allan Johnson; 15 Diana Road – Questioned the format or language of Paragraph (3) given there is a “(C)”. It did not seem to fit. Commission agreed that the language was correct, but the format needed to be corrected or addressed.

Nicolette Freed; 9 Diana Road – Requested clarification on Paragraph (2) to understand whether it was prorated or how that percentage is determined.

Roger Rhodes; 49 Aspen – Identified terms within paragraph (1) that seemed ambiguous with when the 12 month construction period was going to begin or end.

B. Accessory Uses

Allan Johnson; 15 Diana Road – Paragraph (A)(3) did not include the side setbacks of fifteen (15) feet.

Roger Rhodes; 49 Aspen – The proposal as worded does not limit the number of sheds a property owner may have. Suggests that there should be a limit on the number.

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Nicolette Freed; 9 Diana Road – Confirmed that these accessory structures do not allow for someone to reside in them. These are specifically limited to storage units of sorts. She asked about the time limit for grandfathering accessory structures that were already in place. She asked for some clarification on what determines a grandfathered structure. She asked how we determine a lot line and if the town has a master plot map.

Luke Brennan; 81 Hillcrest Road – Has some concern of the term ‘shed’. Suggests that we tighten up the language of accessory structure. Agrees with the idea of the survey being required.

C. Building Height

Luke Brennan; 81 Hillcrest Road – Fire Department is entirely opposed to this Ordinance. There were concerns that the Fire Department was not included in the discussion nor was it passed through the Building Code Review Committee. The reason for the 30 foot limit is because that is high as the ladders go. Above that, we will need a ladder truck. Mr. Brennan questions why suddenly this is just becoming an issue and moving forward. Continued on with Section (4)(2) to suggest that it read the building commissioner “shall” require and that the parameters or building requirements of these walkways be tightened up. Luke respectfully requests that the Plan Commission send this to the building code review committee.

Jim Luke; 26 Ski Hill Road – Asked for the example of the flat roof elevation and asked for an explanation of the finished grade. Questioned a person’s ability to simply regrade to current property to make it work. Jim commented on the Fire Department argument to point out that most of the houses on Shore Drive right now are not accessible by a 30 foot ladder truck. All of which were built under the old or current building code height restriction. As long as all of the verbiage is clear the intent is good for the community.

Allan Johnson; 15 Diana Road – Questions where in the paragraph it says that the 30 foot datum point begins at the top of the finished grade and goes down.

David Tarpo; 58 Shore Drive – Discussed his own personal experience with the current code. Discussed the need to be able to accommodate the varying topography of the lots that we have in the town. The current code prevents us from using our property in a manner best suited for the property owner. David worked with several architects that struggled with our code as written. Believes this is in the best interest of the town.

Roger Rhodes; 49 Aspen – Suggested that we include or expand the definition of the datum point that defines the 30 foot height.

4. **Member Comments**

A. Building Permits

Arman Sarkisian moves to Approve with changes or modifications to certain language. Tom Cleland Seconds. The modification is to Section 151.077(B)(3). Specifically, the modification is to strike the language:

“(C) Failure to complete construction within twelve (12) months.”

Roll Call Vote:

TOM YES
Arman YES
Scott YES
Jeremy YES

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Scott S. YES

Ken YES

Motion passes 6-0 to send a suggestion to approve to Town Council.

B. Accessory Uses

Tom Cleland moves to Approve with changes or modifications to certain language. Jeremy Ogden seconds. The modification is to Section 151.045(A)(2). Specifically, the modification is to add the language in **bold** below:

No shed more than 144 sq. ft. (12' x 12') may be located closer than five feet (5') to a rear lot line, **fifteen (15') to a side lot line**, nor closer than ten feet (10') from any portion of the principal building and shall not project further than the front setback line of the principal building. **No more than one (1) shed shall be allowed per address.**

The matter is open to discussion.

Scott Kingan has concerns with the Ordinance about moving, changing, or adding structures that possibly could impact someone's view. His concern is that we are building bigger, wider, taller, structures, and moving them around. A big question in his mind is: Why are we changing things anyways? Scott would direct these issues to the BZA when necessary.

Jeremy Ogden disagrees because the updated language brings our building code more in line with what people these days are wanting or expecting with their primary residences.

Roll Call Vote:

Tom YES

Arman YES

Scott NO

Jeremy YES

Scott S YES

Ken YES

Motion passes 5-1 to send a suggestion to approve to Town Council.

C. Building Height

Jeremy Ogden moves to table this Ordinance in order to meet with the fire department, add additional language to more clearly define the datum point references where the height is measured from, and add the language that the building commissioner "Shall/Must" with regard to the fire safety. Tom Cleland seconds the motion to table it for now.

Roll Call Vote:

Tom YES

Arman YES

Scott YES

Jeremy YES

Scott S. YES

Ken YES

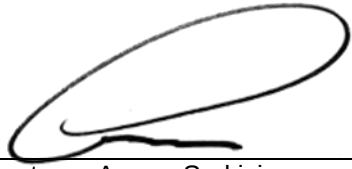
Motion passes 6-0 to table this ordinance pursuant to the Motion above.

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5. Adjourn

Meeting adjourned at 8:34 p.m.

Chair: Ken Thompson



Secretary: Arman Sarkisian