

Town of Griffith
Plan Commission
March 19, 2018

The March 19, 2018 Plan Commission meeting was called to order at 7:01 p.m. by Chairman Larry Ballah with members, Rob Bubala, Stan Dobosz, Dave Maglish, and Rick Ryfa. Also present was Town Attorney Joseph Svetanoff, Plan Commission Engineer; Jake Dammarell, and Building Commissioner; Steve McDermott. Absent was member Tony Hobson.

Minutes from the February 19, 2018 meeting were approved as written.

OLD BUSINESS

Item #1 Turnberry Phase 2 by Chris Kovich of Komark, LTD. Public hearing on a PUD. The petitioner has requested a continuance to the April 16, 2018 meeting.

Mr. Bubala made a motion to continue Turnberry Phase 2 by Chris Kovich of Komark, LTD to the April 16, 2018 meeting seconded by Mr. Dobosz. All favored, motion carried.

Item #2 Ken Hay; N.E. corner Pine & Arbogast. Public Hearing to rezone the property located at the N.E. corner of Pine and Arbogast for the construction of a duplex. Current zoning is R2, requesting R3 zoning.

Mr. Ken Hay; 1310 Trailee Ct., Dyer appeared before the Commission. Mr. Hay stated the property in question reflects an address of 704 Arbogast but is incorrect. The correct address should be 703 Arbogast. Mr. Hay continued in stating his intention of constructing a two family duplex on the lot. Mr. Ballah asked if the issue with the address will be corrected. Mr. Hay stated it will. Mr. Svetanoff stated proof of publication and mailings were in order contingent upon receiving the remaining certified mailing tags. Mr. Ballah then opened up the Public Hearing portion of the meeting. Ms. Diane Carter; 645 Arbogast appeared stating her concerns with the property not being owner occupied and possible issues with parking. Ms. Janet Chermak; 727 N. Oakwood appeared stating she is against the proposal. Mr. Hay stated the duplexes will be 2 bedroom, 2 bathroom, 1,200 sq. ft., with a 2 car garage. The entrance will be off of Arbogast with a 30' setback from the street. Mr. Hay does not foresee an issue with parking. Mr. Ballah asked if Mr. Hay will rent the units. Mr. Hay stated that was correct. Mr. Ballah asked if the homes' setback will be in line with the other houses in the neighborhood. Mr. Hay stated it would. Mr. Dobosz asked if each unit will have a separate two car garage. Mr. Hay stated they will. No further remonstrators appeared before the Commission. Mr. Ballah then closed the Public Hearing portion of the meeting. Mr. Hay stated the approximate construction cost will be around \$325k. Mr. Hay continued in stating there is a duplex to the east that was a church but has since been converted to a duplex. Mr. Ryfa asked if he is aware of the brick ordinance at front elevation. Mr. Hay stated he was aware. Mr. Ryfa asked what the rental cost would be monthly. Mr. Hay stated it will be around \$1,200 a month/per unit. Mr. Ballah asked if the basement will be finished. Mr. Hay stated they will not. Mr. Maglish asked who will be responsible for the upkeep of the property. Mr. Hay stated his renters will be responsible for the upkeep. Mr. Hay included that he has other rentals in and out of Griffith, there hasn't been any issues before. Mr. Dobosz asked if Mr. Hay will manage the properties. Mr. Hay stated he will. Mr. Ryfa asked Mr. McDermott what the ordinance requires for yard length. Mr. McDermott stated it is approximately 100' - 125'. Mr. Dammarell stated lot requirements are 80' x 120'. Mr. Hay stated his lot is 132' in length. Mr. Ryfa asked if the motion could include that the petitioner adhere to a minimum construction cost. Attorney Svetanoff stated a motion for the property could include a cost for construction, if the Commission so chooses. Mr. Dammarell stated the rezoning for the property follows the parcel, not property owner. *Mr. Ryfa made a favorable recommendation to the Town Council to rezone the property located at the N.E. corner of Pine & Arbogast from R2 to R3 by Ken Hay contingent upon the construction cost being approximately \$305,000 and shall be confirmed by the Building Commissioner, Mr. McDermott seconded by Mr. Bubala. All members except Mr. Maglish were in favor. Motion carried (4/1 vote).*

NEW BUSINESS

Item #1 Ken & Pat Bakker; 734 N. Harvey. 1 Lot Subdivision on the 1000 block of N. Harvey Ave. Petitioner has received approval from the minor plat committee.

Mr. Bakker appeared before the Commission. Mr. Bakker stated a few items were missing from the drawings at the Minor Plat meeting but they have since been addressed. Mr. Dammarell stated the mylar submitted does reflect the items in question and a recommendation for approval is appropriate. Mr. Ryfa asked what the lot dimensions are. Mr. Dammarell stated it is 300' deep x 65' wide. *Mr. Maglish made a motion granting Final Approval on a 1 Lot Subdivision to Ken & Pat Bakker on the 1000 block of N. Harvey Ave. seconded by Mr. Bubala. All favored, motion carried.*

Item #2 Mirjan Petrovic; 331 N. Broad St. Requesting permission for a Public Hearing to rezone the property from B2; Central Business to R2; Single Family Residential.

Mr. Petrovic appeared before the Commission. Mr. Petrovic stated he owns the property located at 331 N. Broad St. and will soon be opening a restaurant in Town where Zuchez Restaurant was located. Given the close proximity of the two, he would like permission to rezone the property and live there. *Mr. Ryfa made a motion grant Mirjan Petrovic permission to advertise for a Public Hearing for 331 N. Broad St. seconded by Mr. Dobosz. All favored, motion carried.*

Item #3 Superior Ambulance by David Curtis; 321 E. Main St. Site Plan Review for Change of Use to operate an ambulance service.

Mr. Mirko Krasic (property owner) and Ms. Mirjana Cvjeticanin appeared before the Commission on behalf of Superior Ambulance. Ms. Cvjeticanin stated it has been difficult renting the space due to the zoning. Superior Ambulance has agreed to a month to month lease. Superior would like to have 2 ambulances parked inside the warehouse, 2 offices (one bunkroom and one dayroom), there will be 4 employees at a time (12 employee's total) in rotation every 24 hours. The sirens will sound during the daytime once the ambulance is pulling into traffic, in the evening, ambulances will only use lights to pull into traffic and will not sound the sirens until they are at the intersection. Superior will lease the space only until a long-term tenant is found. Mr. Ryfa mentioned that at the last Plan Commission meeting, Mr. Schwerd stated Superior Ambulance was no longer interested in the space. Ms. Cvjeticanin stated Superior is looking elsewhere for a headquarters location. Mr. Dobosz stated his concerns with nearby neighbors and the noise from the sirens. Ms. Cvjeticanin then stated the "bay area" is 57,060 sq. ft. and the office space is 1,800 sq. ft. Mr. Dobosz confirmed that the lease is short term. Mr. Krasic stated it is a temporary lease until Superior can find a bigger location. Mr. Maglish questioned the sirens going off in a residential area. Ms. Cvjeticanin stated restrictions will be placed and spelled out in the lease agreement. *Mr. Ryfa made a motion granting Preliminary Site Plan Review contingent upon having no more than 2 ambulances and 4 employees, including an area to sleep for no more than 12 months seconded by*

Mr. Maglish. Mr. Ryfa mentioned that the petitioner can request a special hearing, if needed, to request final approval. Attorney Svetanoff included, the petitioner should submit a proper site plan of the property for the next meeting. *All favored, motion carried.*

Item #4 Family Express Corp.; 1208-1216 45th Ave. Requesting permission for a Public Hearing to rezone the property from B1; Neighborhood Business to B3; General Business to operate a convenience store with fueling pumps.

Attorney Randy Wyllie appeared before the Commission on behalf of Family Express. Attorney Wyllie requested permission to advertise for a Public Hearing to convert the Family Video to a Family Express (convenience store and fueling boutique) at the intersection of 45th Ave. and Colfax. Mr. Ryfa asked if it will be similar to the location in Highland. Mr. Wyllie stated it will be more similar to a site in Valparaiso. This will be Family Express' 72nd location. Mr. Ballah asked if the current structure would be demolished. Mr. Wyllie stated Family Express will retrofit the existing structure to better suit the convenience store. Mr. Ryfa mentioned the LED lighting and traffic will likely be questioned at the next meeting. Mr. Wyllie understood. *Mr. Bubala made a motion* granting permission to Family Express Corp.; 1208-1216 45th Ave to advertise for a Public Hearing to rezone the property from B1 to B3 *seconded by Mr. Dobosz. All favored, motion carried.*

COMMUNICATIONS

None.

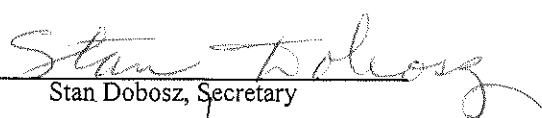
BILLS AND EXPENDITURES

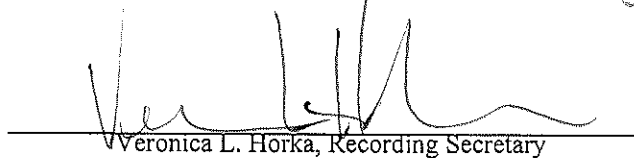
Mr. Dobosz made a motion to approve a claim for the meeting held February 19, 2018 in the amount of \$65.00 *seconded by Mr. Bubala. All favored, motion carried.*

ADJOURNMENT

There being no further business to come before the Plan Commission, a motion was made and seconded to adjourn. The meeting was adjourned at 7:50 p.m.

Respectfully Submitted


Stan Dobosz, Secretary


Veronica L. Horka, Recording Secretary

**TOWN OF GRIFFITH
PLAN COMMISSION**

REQUEST BY PETITIONER, KEN HAY,
LOCATED AT 704 ARBOGAST, GRIFFITH, INDIANA, a/k/a PARCEL NO.: 45-07-35-226-
026.000-006 (NORTHWEST CORNER OF PINE STREET AND ARBOGAST)
FOR A CHANGE IN ZONING FROM R-2 TO R-3.

FINDINGS OF FACT

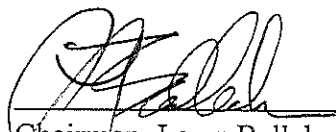
1. That on March 19, 2018, Petitioner appeared for a public hearing on his Petition to change the zoning of the above-mentioned property from R-2 to R-3. After Attorney Joseph C. Svetanoff advised the Board that all notices, publications and postings were in order, the Chairman then opened the public comment portion of the hearing for the change in zoning so the Petitioner can expand the options and potential renters as related to the premises.
2. That Petitioner explained through his Attorney at the public hearing the proposed change in zoning and what type of potential renters would be available as related to same.
3. That there being two (2) remonstrators who made comment during the public comment portion of the hearing, the Chairman then closed the hearing to public comment.
4. That to obtain a zoning change the Petitioners are required under the Town of Griffith Zoning Ordinance and the Indiana Code §36-7-4-603, to demonstrate the following:
 - a) The request is consistent with the comprehensive plan;
 - b) The current conditions and the character of current structures and uses in each district will be maintained because the structures have been built or will be built to the applicable standards;
 - c) The zoning change for this property does contain the most desirable uses for which the land can be adapted because the redevelopment of the property should not negatively impact the surrounding residential uses;
 - d) The proposed zoning change will preserve the conservation of property values throughout the Town because the land will be developed to current standards and will be in active use; and
 - e) The change in zoning of the property, is more compatible with the surrounding properties and reflects responsible growth and development.
5. That as set out in the Town of Griffith Zoning Ordinance, the Board must make a recommendation to the Town Council by issuing a favorable, unfavorable, or no recommendation to grant the requested Change in Zoning. Board Member, Mr. Ryfa moved for a FAVORABLE recommendation to the Town Council, subject to the condition that the construction cost of the project total Three-Hundred Five Thousand and 00/100 (\$305,000.00) or above. The Motion was seconded by Board Member, Mr. Bubala.

6. That the Board then made the following Findings of Fact:

- a. The request made by this Petitioner is consistent with the comprehensive plan, in that, the zoning will remain consistent with business;
- b. The current conditions and the character of current structures and uses in each district of this Petitioner will be maintained because the structures have been built or will be built to the applicable standards;
- c. The zoning change for the property of this Petitioner does contain the most desirable uses for which the land can be adapted because the redevelopment of the property should not negatively impact the surrounding residential uses;
- d. The proposed zoning change for this Petitioner will preserve the conservation of property values throughout the Town because the land will be developed to current standards and will be in active use; and
- e. The change in zoning of the property for this Petitioner from R-2 to R-3, is more compatible with the surrounding properties and reflects responsible growth and development.

These Findings of Fact are approved and adopted this 19th day of March, 2018.

TOWN OF GRIFFITH
PLAN COMMISSION


Chairman, Larry Ballah