

Town of Griffith
Plan Commission
December 7, 2016

The December 7, 2016 Plan Commission meeting was called to order at 7:02 p.m. by Chairman Larry Ballah with members Rick Ryfa, Ken Ruesken, Dave Maglish, and Stan Dobosz. Also present was Town Attorney; Brent Torrenga, Plan Commission Engineer; Jake Dammarell, and Building Commissioner; Steve McDermott. Absent were members Rob Bubala and Tony Hobson.

Minutes from the November 2, 2016 meeting were approved as written.

OLD BUSINESS

Item #1 Goodwill Industries by Michael O'Connor of Holladay Properties; 1601 W. 45th Ave. Final Site Plan Approval for a not-for-profit business.

Mr. Doug VonGuten of Ancon Construction appeared before the Commission. Mr. Ballah asked if there has been any changes since last appearing before the Commission. Mr. VonGuten stated nothing has changed. ***Mr. Maglish made a motion*** granting Final Site Plan Approval to Goodwill Industries; 1601 W. 45th Ave. ***seconded by Mr. Ruesken. All favored, motion carried.***

Item #2 Brent Tomczak; 613 N. Broad St. Public Hearing to rezone the property from R2 Single Family Residential to R3 Single to Four Family Residential.

Mr. Brent Tomczak; 613 N. Broad St appeared before the Commission. Mr. Tomczak stated he would like to renovate and rent out the property as a duplex. There are 2 units existing, but each unit doesn't have the proper exits. Mr. Ballah asked if the proof of publication and mailings were in order. Mr. Torrenga stated the legal advertisement was in order and it appears mailings were in order also. Mr. Ballah then opened up the Public Hearing portion of the meeting. Ms. Fran Wisniewski; 607 N. Broad St. stated she lives next door to the property and it has always been used as rental property (in-law type rental). Mr. Ruesken asked if both units will be rented out. Mr. Tomczak stated that was correct. Mr. Tim Nagar; 626 N. Lafayette stated he is opposed to the request and feels it will bring down the property values in the neighborhood. Mr. Jeff Konopasek; 608 N. Lafayette stated he is opposed due to the potential of too many vehicles as well as the type of renters that could go in/out of the property. Mr. Tomczak stated both units will be 2 bedrooms, 1 garage space for each and a background check will be required. Mr. Rick Konopasek; 702 N. Broad St. asked the Commission if allowing an R3 zoning would that allow the property to also be used as a rental for up to four families? Mr. Torrenga stated the property could be rented out to up to four families. Mr. Konopasek also asked if that would be considered spot zoning. Mr. Ballah stated it would. Mr. Konopasek asked if the property owner will be the "third family". Mr. Tomczak stated he would not. Mr. Konopasek asked if the petitioner needs to prove a hardship. Mr. Torrenga stated he does not. Mr. Konopasek stated he is opposed to the request based on spot zoning and the possibility of up to four families occupying the residence. No further remonstrators appeared before the Commission. Mr. Ballah then closed the Public Hearing portion of the meeting. Mr. Ryfa stated he is against spot zoning, he feels it will bring the surrounding property values down and the property will not be rented as a non-owner tenant (in-law) units. Mr. Dobosz stated he agreed with all of Mr. Ryfa's comments. Mr. Maglish stated he does not like the non-owner tenant rental. Mr. Ballah stated he does not like spot zoning and also has an issue with the potential of having up to four families residing at the property. Mr. Tomczak stated he feels the remodeling work will bring the property values up, he will have high quality tenants, and mentioned that there are other areas in town that have spot zoning. Mr. Ballah stated the property was used illegally as multifamily. Mr. Tomczak does not believe there will be a parking issue. Mr. Maglish asked Mr. Tomczak if he would have purchased the property had he known of this issue. Mr. Tomczak stated he would not. Mr. Maglish asked if the property was purchased as an investment. Mr. Tomczak stated he did. Mr. Tomczak stated he would agree to live in one of the units if that would help the rezone go thru. Mr.

Torrenga mentioned to Mr. Tomczak that whatever decision the Commission makes will be forwarded to the Town Council for review and they will make the final decision at the next scheduled meeting. **Mr. Ruesken made an unfavorable recommendation** to the Town Council for Brent Tomczak; 613 N. Broad St. to rezone the property from R2 to R3 **seconded by Mr. Maglish. All favored, motion carried.**

Item #3 Marathon Pipe Line by Kevin Hartman; 1900 W Avenue H. Final Site Plan approval for a new office building/shop.

Mr. Brian Knipper of Marathon appeared before the Commission. Mr. Ballah asked if the issues had been addressed. Mr. Dammarell stated the revisions submitted have been reviewed and appear to be in order. Mr. Dammarell did continue in mentioning that there are two issues that should be included into the record.

1. There is a need to deviate from the storm water standards for the stormwater due to site restrictions that does not allow the slope on a swale to reach 0.5%. In this case the maximum slope will be 0.32%.
2. The Lake County Health Department has stated the septic will be okay. The Town of Griffith should maintain a copy of that letter.

Mr. Dobosz then made a motion granting Final Site Plan Approval to Marathon Pipe Line; 1900 W Ave H for a new office building/shop **seconded by Mr. Maglish. All favored, motion carried.**

NEW BUSINESS

Mr. Ryfa mentioned the need to come up with a new date for Plan Commission meetings for the new year. There was discussion about dates and trying to make it accommodating for all members. **Mr. Ryfa then made a motion** to tentatively change Plan Commission meeting dates to the fourth Wednesday of every month at 7:00 p.m. or immediately following the BZA meeting which will now start at 6:00 p.m. **seconded by Mr. Maglish. All favored, motion carried.** Mr. Torrenga stated he would look into *Roberts Rules* to make sure there aren't any unseen issues.

COMMUNICATIONS

None.

BILLS AND EXPENDITURES

Mr. Ruesken made a motion to approve a claim for the meeting held November 2, 2016 in the amount of \$65.00 **seconded by Mr. Dobosz. All favored, motion carried.**

ADJOURNMENT

There being no further business before the Plan Commission a motion was made to adjourn the meeting. All favored, motion carried. Meeting was adjourned at 7:40 p.m.

Respectfully Submitted

Rob Bubala, Secretary

Veronica L. Horka, Recording Secretary