

Town of Griffith
Plan Commission
August 10, 2016

The August 10, 2016 Plan Commission meeting was called to order at 7:04 p.m. by Chairman Larry Ballah with members Rob Bubala, Rick Ryfa, Tony Hobson and Stan Dobosz. Also present was Town Attorney; Brent Torrenga and Building Commissioner; Steve McDermott. Absent was Plan Commission Engineer; Pete Kohut, members Dave Maglish, and Ken Ruesken.

Minutes from the July 13, 2016 meeting was approved as written.

OLD BUSINESS

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

Petitioner has requested a continuance to the September 14, 2016 meeting. *Mr. Bubala made a motion to continue Goodwill Industries by Michael O'Connor of Holladay Properties to the September 14, 2016 meeting seconded by Mr. Hobson. All favored, motion carried.*

Item #2 Ronald J Dembowski 114 E. Main St.; Public Hearing to rezone the property from B2 Central Business to R2 Single Family Residence.

Mr. Ronald Dembowski appeared before the Commission. Mr. Ballah asked if proof of publication and mailings were in order. Mr. Torrenga stated all legal requirements were in order. Mr. Torrenga stated he was reviewing them and would notify the Commission once done. Mr. Dembowski stated the property was purchased in 1957 as a residential home. The home had been occupied until February of 2016. Mr. Dembowski continued in stating that the property is zoned commercial and he is having a hard time selling it as such. Mr. Ryfa asked if there has been an assessment done on the property. Mr. Justin Berggren; Realtor for the petitioner stated the assessment is approximately \$130k. Mr. Berggren stated he has had interest from property investors that would like to rehab the house. The improvements will hopefully bring the value up to \$230k - \$250k. Mr. Berggren informed the Commission that there are two additional lots on the east side. Mr. Ryfa asked how the house is currently taxed. Mr. Dembowski stated it is taxed as a house. Mr. Ryfa then asked how much the tax bill is. Mr. Dembowski stated it is \$1800.-\$2200. Mr. Dembowski stated commercial loans are difficult. Mr. Ballah then opened up the Public Hearing portion of the meeting. No remonstrators appeared before the Commission. Mr. Torrenga stated he had finished reviewing the petitioner's paperwork and asked that any of the remaining green cards received be dropped off to the Building Department to be kept with the official records. Mr. Dembowski stated he understood. Mr. Hobson asked if the side lot next to the house is included in the sale. Mr. Dembowski stated that was correct. Mr. Ryfa asked Mr. Torrenga if dual zoning could be placed on the property. Mr. Torrenga stated it could not. Mr. Ryfa asked if spot zoning is allowed. Mr. Torrenga stated it would have to go before the Board of Zoning Appeals. Mr. Hobson stated zoning the property back to residential might cause issues with a future owner due to its proximity to the nearby brewery and restaurant. Many of their customers park in front of the house. Mr. Berggren stated there is a high demand for refurbishing homes. Mr. Dembowski stated he has never had any issues with the location especially since the police station is so close. Mr. Ryfa asked if it is possible to convert the home to a restaurant. Mr. Dembowski stated it is a large 5 bedroom home. Mr. Ryfa asked if the listing will be \$115k - \$130k. Mr. Berggren stated that was correct and he already has investor's interested. Mr. Ballah asked if the property will be sold or rented. Mr. Berggren stated it will be sold, rehabbed then sold as residential. Mr. Ballah then closed the Public Hearing portion of the meeting. Mr. Bubala made a motion to rezone 114 E Main St. from B2 Central Business to R2 Single Family Residential seconded by Mr. Ryfa. Mr. Bubala; in favor, Mr. Ryfa; in favor,

Mr. Hobson; in favor, Mr. Dobosz; in favor, Mr. Ballah; opposed. Motion carried. Mr. Torrenga asked for a motion allowing preparation of the ordinance for Town Council. Mr. Dobosz made a motion allowing Mr. Torrenga to prepare an ordinance regarding the residential rezone of the property located at 114 E. Main St. seconded by Mr. Bubala. All favored, motion carried.

COMMUNICATIONS

Mr. Chris Kovich of Trail Creek Subdivision appeared before the Commission requesting clarification of the previously approved PUD. Mr. Kovich stated Phase I of the development received and approved PUD. There are new permit applications with smaller side yard setbacks on duplex units. Mr. Kovich stated there used to be flexibility with the lots to accommodate the house and NIPSCO/utility easements. Lot 9 and 11 of Phase I are proposed with a 4' 5" – 4' 9" side yards. Mr. Ryfa asked if the proposed house is single family. Mr. Kovich stated they are proposed duplexes. Mr. Ryfa explained that the Board cannot take action, it's not on the agenda. Mr. Torrenga stated the approved PUD must be modified because the current PUD did not have specified sideyards. A formal public hearing meeting is required with all normal requirements. Mr. Ballah asked if there is written evidence of what was approved. Mr. Kovich stated nothing specific about the sideyards was noted. Mr. Kovich asked if there has been feedback on the subdivision. Mr. Ballah stated that was not the issue. Mr. Kovich stated there are 4 other single family lots with a 7'5" setback. Mr. McDermott stated the side yard requirement for R2 is 7'5" and R3 zoning is 10'. Mr. Torrenga stated the platted dimension are different and that should be inspected. Mr. Hobson stated there could be an issue with fire code. Mr. Ryfa stated neighbors need to be notified of the infringement to the property lines. Mr. Ballah asked if the BZA can take action. Mr. Torrenga stated there can be an amendment to the PUD or Mr. Kovich can seek an appeal before the BZA. Mr. Ryfa stated he would like to know all side yard measurements on existing properties. Mr. Hobson made a motion asking the Mr. McDermott; Building Commissioner and Mr. Torrenga to determine current lot sizes and side yards at the subdivision and research the meeting minutes for side yard specifications seconded by Mr. Bubala. All favored, motion carried.

BILLS AND EXPENDITURES

Mr. Bubala made a motion to approve a claim for the meeting held July 13, 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 in favor, motion carried. Meeting was adjourned at 7:52 p.m.

Respectfully Submitted

Rob Bubala, Secretary

Veronica L. Horka, Recording Secretary