

Town of Griffith
Plan Commission
November 20, 2023

The Plan Commission meeting was called to order at 7:02 p.m. by Chairman: Larry Ballah with members Rob Bubala, Dan Blount, Dave Maglish, Rick Ryfa, and Larry Stassin. Also present was Plan Commission Engineer; Jake Dammarell and Building Commissioner; Steve McDermott. Absent members Jim Markert.

The minutes from the November 20, 2023 meeting were approved as written.

OLD BUSINESS

Item #1 Indi Homes 200 LLC; 1001 E 40th Pl., Rezone property from R2 to R3 to build townhomes; MOU conditions continued.

Mr. Patrinos was not present and has requested a continuance. **Mr. Ballah made a motion** to continue Indi Homes 200 LLC; 1001 E. 40th Pl., to the December 18, 2023, meeting. **Motion was Seconded by Mr. Stassin. All favored, motion carried.**

Item #2 Westpark Development, Inc.; Turnberry Rd., & Glasgow Dr. Preliminary approval for subdivision approval of Turnberry II.

Mr. Greg Bower and Mr. Chris Kovich appeared before the Commission. Mr. Bower stated that the plans comply with the ordinances. All previous comments have been addressed. Mr. Chris Kovich pointed out that they started out with 75ft lots and eventually went to 70ft lots to be in line with R1 zoning ordinances. Mr. Chris Kovich stated that the streets are widened and vary from 80' – 90'. Mr. Chris Kovich stated there is 30% open space, with a park. The R1 setbacks are 30ft. are consistent with zoning requirements. Mr. Bower stated plans reflect there will be a park, maintained by the community H.O.A. The park will be maintained appropriately according to platted lots in the Turnberry Phase II. Rick Ryfa asked how many homes there will be? Mr. Kovich stated there are 53 homes. Mr. Ryfa asked if they are all single-family homes (paired patios along the perimeter). Mr. Ryfa then asked what the side yard setbacks are. Mr. Stassin clarified that this is just for approval of the subdivision plat, not for preliminary approval of the plans. Mr. Ballah confirmed that it is subdivision of the subdivision plat. Mr. Maglish asked if changes could be made as far as single-family homes along the way with plat approval. Mr. Ballah stated they could not. Only the townhome can go back to a single-family home, due to the ordinances having to be amended or changed. An amendment or change would result in going back to BZA to begin the exercise again. Mr. Ray White, HOA President, stated that clarification of the "so called" ditch has not been made. Mr. Ballah stated the study sessions discussion included the number of homes, the ability of duplexes backing up to certain kinds of property (industrial and ditch), parks, and clarification of ditch. After further investigation of the ordinance, it was written as a ditch and cannot change it. However, the term ditch is approximately 40 years old and will be refined. Mr. White asked if the style of homes will be basement or slabs. Mr. Ballah stated that does not matter, the ordinance speaks to the square footage of the homes. Mr. Ryfa reminded Mr. Ballah that this is preapproval of the subdivision. This will allow the homes to be built but they will have to abide by our ordinances. Larry Ballah stated that preliminary approval is only for the plat and has nothing to do with the homes at this time. Mr. White asked if the park issue will be decided at the following meeting. Larry Ballah stated that town ordinances do not address seeking land for parks in subdivisions or developments. Rick Ryfa concurred that there is no requirement for a park. Mr. Purgert added that the ordinance states drainage ditch, not ditch. Mr. Ballah stated that the engineers have said it counts as a drainage ditch. Mr. Dammarell stated that the extension of Avenue H requires the ditch to function as an extended road that drains to that ditch. Mr. Ryfa asked if it was recognized by the county as a ditch. Mr. Dammarell concluded that it is not a county drain, ties in and is a tributary to. **Mr. Bubala made a motion** approving Westpark Development Inc.; Turnberry Rd., & Glasgow Dr. for preliminary plat approval for subdivision approval of Turnberry II. **Motion was seconded by Mr. Ryfa. All favored, motion carried.**

Item #3 (A) West Park Development, Inc.; Preliminary site plan review of Turnberry II.

Mr. stated that this item has been tabled until the proposed review of the turnabout. Chris Kovich provided an update, that they are in the process of getting a letter of credit and believes the requirement to be one year. Mr. Ballah asked if an estimate of cost was available. Mr. Kovich responded that they have the estimate and the letter of credit will mirror the amount and it will be provided to the town. Mr. Ballah asked Mr. Schwerd if a vote was needed by the Plan Commission to release the bond. Mr. Schwerd stated a motion and a second with the voting process for release of the bond is necessary, and acceptance of the letter of credit for the hammer head. **Mr. Ryfa made a motion** to continue *part A* West Park Development, Inc.; Preliminary site plan review of Turnberry II **Motion was seconded by Mr. Stassin. All in favor, motion carried.**

Item #3 (B) West Park Development, Inc.: Preliminary site plan review of Turnberry II. Continued.

Mr. Kovich asked if the bond could be released. Mr. Ballah stated that money will not be released until the letter and the estimate are provided. ***Mr. Bubala made a motion*** to allow the release of bond monies. ***Motion seconded by Mr. Ryfa.*** Mr. Ryfa suggested an amendment the motion to include that the town engineer and town attorney are satisfied. Mr. Bubala amended his motion to include the letter and estimate are reviewed and approved by the town attorney and town engineer. ***Motion was seconded by Mr. Maglish. All favored, motion carried.***

Item #4 R&T Industries: Public hearing for 1853 N. Jay Street for rezoning R2 to R3.

Mr. Rich Clousing from R&T appeared before the Commission. Mr. Clousing stated he would like to rezone 1853 N. Jay Street from an R2 to an R3 to build a duplex. Mr. Clousing would like to build a one story, 1700ft, 3 bedrooms, per side duplex. Mr. Ballah asked what the time frame was if rezoned. Mr. Clousing stated that the lot would be cleared out immediately and the building would happen after the holidays weather permitting. Mr. Ballah then opened the public hearing portion of the meeting. Susan Andrzejik, 1822 N. Jay Street, stated she is opposed to duplex due to lot sizes and lack of parking. Mr. Ballah asked if there are curbs. Ms. Andrzejik stated there are not. Roy Stover, 1838 Jay Street, opposes the proposed duplex and rezoning. Anthony Pratscher, 1845 N. Jay Avenue, stated he is opposed to change from R2 to R3. Mr. Pratscher stated he managed properties before, and renters do not take care of properties the way homeowners do. Gregory Page, 1807 Norwood Drive, opposed to the zoning change. Brett Kallok, 1857 N. Jay Street, is opposed to duplex and what effect it would have on the water table. Christine Gutierrez, 1843 N. Jay Street, opposed to a duplex being built. Ms. Gutierrez stated that she would rather see a single-family home be built on the property. Gerald Purgert, 614 Edinburg Dr., opposed, would rather see single-family homes being built. Allen Savukoski, appeared before his mother-in-law. Renters don't maintain the properties as they should. Mr. Clousing, stated that they are not sold as rental units, they will be sold as single-family homes. Suzanne Andrzejik, stated concern if the property gets sold it may turn into a rental property because it does not have a HOA. Mr. Clousing stated that it is no different than any single-family home. Ms. GeorgeAnn Austin, the property owner, stated she pays taxes on the property and believes it will be a good investment. Ramona Slawikowski stated that she believes it will improve the neighborhood. Resident Anthony ?, stated that everyone speaking in favor of the rezoning does not live on that block. No additional remonstrators appeared. Mr. Ballah then closed the public hearing portion of the meeting. Mr. Ryfa stated that it was great to have feedback from the residents living there, but clarified the comment that Griffith wants nothing but multifamily homes, is incorrect. The town council cannot do anything if someone would like to change zoning. Mr. Ryfa asked where the closest multifamily home was located, excluding the apartment complex. The audience was unsure. Mr. Ryfa asked if there is any new construction over the last 10-15 years in the neighborhood. Mr. Clousing stated Westfield Estates was the most recent. Mr. Ryfa stated that a big point was made about no street parking available and is important for the board to take that into consideration. Mr. Ryfa then asked what the lot size was. Mr. Clousing stated it is about a ½ acre. Mr. Ryfa wondered if there was a possibility for 2 houses to be built on the lot, but that would not work. Mr. Ryfa asked the approximate lot sizes of the homes in the neighborhood. Resident stated his lot is approximately 105' x 195'. Mr. Maglish asked if the construction of a single-family home had been considered. Mr. Clousing responded, yes. but that he could not get the numbers to work. Mr. Stassin asked what the comps are for the neighborhood. Mr. Clousing stated if he had to guess the comps might be over 250k. Mr. Maglish stated that he would not want a duplex next to his house or in his neighborhood. Mr. Clousing stated the homes he is building are a quarter of a million dollars. Mr. Ryfa stated that he does not believe this is the body to determine whether a business transaction can be profitable.

Mr. Ballah stated there is one other item with regards to a solution about what the ordinances are about duplexes being built on single family lots. Mr. Ballah stated town attorneys are working on the verbiage and how ordinances can be reshaped. The ordinances are going to change to what the county is requesting. ***Mr. Ryfa made a motion*** to deny R&T Industries, Inc.; 1853 N Jay St. request to rezone the property to R3 to build a duplex. ***Motion was seconded by Mr. Maglish.*** Mr. Ryfa stated the request was denied mainly due to the property's location in an established neighborhood. Mr. Ballah agreed. Mr. Ballah; denied, Mr. Blount; denied, Mr. Maglish; denied, Mr. Ryfa; denied Mr. Stassin; denied, Mr. Bubala, in favor. ***The majority voted to deny; motion carried.***

Rick Ryfa asked if this motion will go to the town council. Mr. Schwerd stated that this denial of request will go to the town council and they will make the final determination to either accept or reject. Mr. Ballah stated that the town council can accept the recommendation or overturn it. Mr. Ryfa asked if the council has to act on the ordinance within 30 or 60 days. Bob Schwerd stated 60 days. Mr. Ryfa stated if no action was taken by the council, the answer is no. Mr. Ryfa stated that town council meetings are advertised on the town website, the item should be heard at the December 19, 2023, meeting.

Mr. Schwert stated that as a point of order on behalf of the plan commission, he would like to ask for permission to advertise for a public hearing. Mr. Schwert stated it would be to amend the zoning ordinance, so it conforms with the county regarding townhomes on one parcel. Mr. Schwert stated that he has been working with the town attorney and would take care of the advertisement. *Mr. Blount made a motion to allow advertisement of a public hearing for zoning ordinance change. Motion seconded by Mr. Stassin. All favored, motion carried.*

COMMUNICATIONS

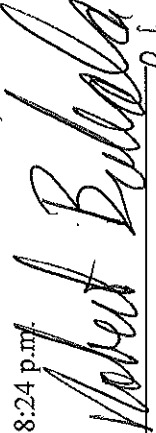
None.

BILLS AND EXPENDITURES

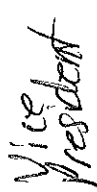
Mr. Maglish made a motion to approve a claim for meeting minute preparation for the meeting held October 16, 2023, in the amount of \$65.00. Motion was seconded by Mr. Bubala. All favored, motion carried.

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 8:24 p.m.



Dave Maglish, Secretary


Robert Bubala, Vice President



Norma E. Diaz, Recording Secretary