

LOWELL PLAN COMMISSION MEETING MINUTES
March 13, 2008 @ 7:00 PM

President Kelley called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited. Roll call was taken. Members answering the roll call were Don Huseman, Elias Karras, Greg Shook, Frank Lovely and Matt Felder. Absent was Jim Konradi Also present was Director of Community Development Wilbur Cox, Attorney Steele and Recording Secretary Christine Marbach.

Approval of Consent Agenda:

- a) President Kelley asked for a motion to approve the February 14, 2008 meeting minutes. Mr. Huseman moved to approve the meeting minutes. Seconded by Mr. Carras. Voting was **all in favor**.
- b) **Claims or expenditures – None.**
- c) **Staff Reports or Comments – Comprehensive Plan Meeting.** Mr. Cox asked for a meeting date to continue the discussion of the Comprehensive Plan. It was decided that the next meeting would be March 25, 2008 at 6:00 PM.

Public Hearings:

PC #08-002, Bonnie and Don Cripe, 1005 Cottage Grove. Requesting a waiver of Preliminary Plat Approval process 154.037 (B) (3) (4) for Preserves Subdivision Phase V. Purpose: Single Family Residences. Mark Langen, 5125 W. 175th Ave. speaking on behalf of Bonnie and Don Cripe by grant of limited power of attorney was present and stated that the request stems because he had Phase 5 engineered and Phase 6 had not been engineered, so they asked for a waiver to hear Unit 5 individually as opposed to hearing it concurrently with Phase 6. He stated that next month the board would be hearing Unit 5 and 6 and now he does not know if he needs to ask for a waiver. Mr. Cox stated that he preferred that the board act on this request in case they do not come in next month with both phases.

President Kelley **opened the public hearing.** There was no one present to speak for or against the petitioner. President Kelley **closed the public hearing.**

Mr. Felder moved to approve the request of a waiver for Phase V. Seconded by Mr. Huseman. Voting was **all in favor**.

PC #08-003, James and Sophia Panagakis, 1116 Perthshire Lane, Dyer, IN 46311. Requesting a zone change from A-1 (Agriculture) to R-2 (Single Family) for property located approximately ¼ mile west of Cline Ave. on the south side of W. 173rd Ave. Purpose: Single Family Residences. Sophia Panagakis was present and that she owns the property and wants to develop it into single-family residences. Mr. Cox explained that the surrounding areas were all zoned R-2 except for Northmeadow Subdivision and recommends the approval of the zone change. Mr. Cox explained that there is no difference in lot size between R-1 and R-2; the only difference is the size of the home. The R-1 requires a minimum of 1800 sq ft and the R-2 requires a minimum of 1350 sq ft.

He further stated that in Deere Acres the developer wrote in the restrictive covenants that there be a minimum square footage of the homes built in his development. In Village Green the homes are ranging from 1600 to 1900 sq ft even though they are zoned to have a minimum of 1350 sq. ft. He stated that the board could ask the developer if they were going to put in a restrictive covenant to require a bit larger homes. Mr. Huseman asked Mr. Cox to explain "single family detached". Mr. Cox explained that what is being proposed are single-family homes, not duplexes or town homes. It would be individual dwellings on individual lots.

President Kelley opened the public hearing.

Ken Den Hartog, 627 Iowa Dr. wanted to know if there would be any chance of duplexes going in. Mr. Cox stated that there would not be any chance of duplexes going in.

Russ Mc Donald, 704 Seminole Dr. stated that he had a problem with water backing up to his property from the vacant land behind him. Mr. Cox stated that this would be addressed when the developer brings in their engineering.

Jerry Miller, 648 Seminole has the same problem as Mr. McDonald.

Stacy Gleason, 643 Iowa Dr. stated that she has concerns regarding the size of the proposed homes and wanted to know if the developer would consider going with 1800 sq. ft. minimum instead of 1350. She stated that she has a petition that was done within the last two days. The petition was accepted but will not be made part of these minutes.

Jerry O'Connor, 624 Dakota agreed with Stacy Gleason and feels that a smaller home would affect the property value of the larger homes in the area and would also like to see the developer go with a larger home.

President Kelley closed the public hearing.

Sophia Panagakis thanked all the people that came to the meeting and wanted to assure them that they would be building big homes similar to the ones that they are talking about and even better. She stated that she was glad for their input because it gives them an idea of what the neighbors would expect from them and she would be willing to work with them. Mr. Kelley asked if she would have any objections to changing her request to R-1 instead of R-2. Mrs. Panagakis stated that she had no objections. Mr. Cox stated that the petitioner advertised for an R-2 zoning and in order for the petitioner to agree to an R-1, the board would have to deny the R-2 zoning. There are two ways to do this; the board can approve the R-2 with a written agreement that she has no problem with the minimum restrictions being 1800 sq. ft. This would be a recorded commitment that would go with the land or the board would have to deny her R-2 and she would have to re-apply for the R-1. Attorney Steele stated that he agreed with the two options. A discussion followed regarding the R-1 and R-2 zoning. Mr. Cox suggested that the board instruct the attorney to draw up the agreement to build the homes with the minimum square footage of an R-1 zoning. Attorney Steele Mrs. Panagakis if she would agree on the record to build

homes with the minimum size of 1800 square feet. Mrs. Panagakis stated that she would agree to this commitment. Attorney Steele stated that he would draw up something for her to sign. Mr. Cox stated that this document needs to be signed before the Town Council can act on it and the recommendation of the board should be that the R-2 be approved subject to the receipt and execution of the recorded zoning commitment.

Mr. Huseman moved to send a recommendation to the Town Council that the R-2 zoning be approved subject to the receipt and execution of a recorded zoning commitment. Seconded by Mr. Carras. Voting was **all in favor**.

Old Business:

None.

New Business:

None.

Staff Reports and Comments:

Adjournment: Mr. Felder moved to adjourn at 7:30 PM

Richard Kelley - President

Elias Carras- Secretary

Note: The above-proposed minutes are submitted for review and approval as the official minutes by the Plan Commission.

Christine Marbach – Recording Secretary