

LOWELL PLAN COMMISSION MEETING MINUTES
FEBRUARY 10, 2011
7:00 PM

President Konradi 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, James Konradi, Greg Shook and Matt Felder. Absent was Richard Kelley. Also present was Director of Community Development Wilbur Cox, Attorney Steele and Recording Secretary Christine Marbach.

Introduction of new member:

President Konradi introduced Bob Philpot as the new member of the Plan Commission.

Election of Officers:

President Konradi asked for a nomination for President of the Plan Commission. Mr. Carras moved to nominate Richard Kelley. Seconded by Mr. Huseman. Voting was **all in favor**.

Mr. Konradi asked for a nomination for Vice President. Mr. Felder moved to nominate Mr. Konradi. Seconded by Mr. Carras. Voting was **all in favor**.

Vice President Konradi asked for a nomination for Secretary. Mr. Felder moved to nominate Elias Carras. Seconded by Mr. Huseman. Voting was **all in favor**.

Vice President Konradi asked for a motion to appoint a member of the Plan Commission to the Board of Zoning Appeals. Mr. Felder moved to appoint Richard Kelley. Seconded by Mr. Shook. Voting was **all in favor**.

Approval of Consent Agenda:

- a) Vice President Konradi asked for a motion to approve the June 10, 2010 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 – None.**

Public Hearings:

Petitioner: PC#11-001, Marie Cassenti

5133 Suffield Terrace, Skokie, IL

Request: Zone change from PUD to R3-D for property located at 310 S. Nichols, Lowell, IN 46356

Purpose: To change single family dwelling into duplex dwelling.

Mr. Cox asked if may make a change on the purpose portion. He stated that this was not a single-family home; it was a building that housed an office and an apartment. Bob Coluzzi owner of RFC Remodeling, 20076 Calumet Ave was present to represent the petitioner. He stated that the petitioner wants to get this zoned as a duplex. It had two

kitchens in the building. The petitioner wants to renovate the property so that it is not such an eyesore to the neighborhood.

Vice President Konradi **opened the public hearing.** Neil Fitzmaurice, 434 Dogwood Lane, President of the property owners association in Meadowbrook, stated that he knows that this building was used as an office but wants to know why they want this building changed to a duplex. He also asked if this was being requested as a R2-D or R3-D zoning. Mr. Cox stated that they were coming in for an R-3D zone. Mr. Fitzmaurice stated that the R-3D was not what was in the notice to the property owners. He was concerned with the fact that there is only one entrance to this building and wanted to know if two entrances were required. Mr. Cox stated that he wanted to address some of the questions that Mr. Fitzmaurice had. He stated that the building was included in the PUD with the use of an office and apartment upstairs. He stated that he looked through the records of this subdivision and there were never any uses specified for this building and if the use of the building were changed, it would not change the character of the building other than there will no longer have a business there. He stated that because of the proposed use, it warranted the R-3D zoning for a duplex. He addressed the entrance issue by stating that the Indiana State Building Code states that there is only entrance required in a residential unit. Mr. Coluzzi stated that there are two entrances in the building, one at the rear deck and one in the front of the house where there is a vestibule that goes to the second floor and to the main floor and on the main floor there is a side exit. He further stated that when he spoke to the Code Official and told him that he will bring everything up to code with the renovations. John Masepohl, 323 Spruce Ct. stated that there was a parcel on the west and north side of this property that is still under Lake County Trust 2919 according to the County records. Mr. Coluzzi stated that what he found out from Chicago Title and Trust was that there is a chain of deed, which goes with the parcels of property and will be deeded back to the property to complete the change of title. Mr. Masepohl wanted to know if this is going to be converted into a zoning of duplex which would require common walls between units and separate utilities, i.e. gas, water, sewer and electric. Mr. Cox stated that he felt that the zoning should be changed from a PUD to R-3D to accommodate 2 units. He further stated that a duplex could be side by side or up and down. There are many four plexes in the area with two units upstairs and two units downstairs, which are, constructed the same way. Mr. Masepohl asked if there should be two entrances for each unit. Mr. Cox stated that according to the State of Indiana and the National Code reads that two entrances are not required. Vice President Konradi **closed the public hearing.**

Mr. Huseman stated that there was a fence around this property separating it from the Meadowbrook subdivision. Mr. Cox explained that he did not want to allow the building to be used as commercial again, but two unit single-family dwellings. They will have to comply with separate utilities for each unit. Mr. Shook stated that as it is right now, it could be a business on the first floor and a residence on the second floor and as a PUD now, the owner could run a business right now. Mr. Cox agreed and stated that this was a zone change to allow two residential units instead of one residential and one business. Mr. Felder asked if the parcel that runs north and south would be included with the main

parcel. Mr. Cox stated that any recommendation made to the Town Council should be made subject to the owner clearing up the title to include those parcels.

Mr. Huseman moved to send a favorable recommendation to the Town Council to change this zone from PUD to R-3D subject to the clarification of the title work to come in as one parcel. Seconded by Mr. Carras. Voting was **all in favor**.

Old Business:

None.

New Business:

None

Announcements:

None

Adjournment: Mr. Huseman moved to adjourn at 7:35 PM

James Konradi, Vice 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