

**AGENDA**  
**CITY OF HOBART BOARD OF ZONING APPEALS**  
**CITY HALL/COUNCIL CHAMBERS**  
**414 MAIN STREET**  
**THURSDAY, JULY 11, 2019– 6:00 P.M.**

**I. Meeting called to order**

**II. Pledge of Allegiance**

**III. Record of those present**

**IV. Approval of Minutes: June 6, 2019**

**V. Communications/Acceptance of Agenda:**

**VI. New Business**

- 1. 19-10** Shirish Shah (Petitioner/Agent) for property at 7900 Clay Street located approximately 0.2 miles northwest corner of Clay Street and US 30, Sec. 154.042, zoned R-2, 140 acres.

**Request:** ***Tabled:*** Use Variance

**Purpose:** To allow a proposed outdoor amusement establishment for a remote control airplane club

Favorable Rec. \_\_\_ Unfavorable Rec. \_\_\_ Deferred \_\_\_ Vote \_\_\_

- 2. 19-13** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.006(G)(2), zoned R-2, 0.29 acre

**Request:** ***Public Hearing:*** Developmental Standards Variance

**Purpose:** Proposed subdivision of non-conforming parcels

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_

- 3. 19-14** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.006(F)(3), zoned R-2, 0.29 acre

**Request:** ***Public Hearing:*** Developmental Standards Variance

**Purpose:** To exceed the permitted 15' peak height by 5' for a proposed 24'x48' detached

garage on proposed Lot 2

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

4. **19-15** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.006(G)(5)(a), zoned R-2, 0.29 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into front yard with a proposed 6' wood fence on proposed Lot 2

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

5. **19-16** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.052(A), zoned R-2, 0.29 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach 3' into required 8' side yard on proposed Lot 2

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

6. **19-17** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.050, zoned R-2, 0.29 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed 35% building coverage by 3% on proposed Lot 2

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

7. **19-18** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup> Street & Lake Street, Sec. 154.047(A)(1), zoned R-2, 0.14 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of minimum 10,000 sf. lot size by 3,742 sf. & 80' frontage by 26' on proposed Lot 1

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

8. **19-19** Felix Perry (Petitioner/Owner) 421 E. 5<sup>th</sup> Street located on the SW corner of 5<sup>th</sup>

Street & Lake Street, Sec. 154.052(A), zoned R-2, 0.14 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach 5' into required 8' side yard on proposed Lot 1

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

9. 19-20 Chris Doppler (Petitioner/Agent) 739 Water Street located approx. 200' south from the SE corner of Water & 7<sup>th</sup> Streets, Sec. 154.006(G)(5)(b), zoned R-2, 0.144 acres

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into required 15' front yard by 9" for proposed covered porch

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

10. 19-21 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(A), zoned M-1, 0.63 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of the minimum 5 acre lot area for a proposed 0.63 acre lot area for proposed Lot 1 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

11. 19-22 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.226, zoned M-1, 0.63 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into the required 50' rear yard setback to allow .50' for the proposed Lot 1 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

12. 19-23 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(D), zoned M-1, 0.63 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed the 75% maximum lot coverage by 3% for proposed Lot 1 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

13. 19-24 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.225, zoned M-1, 0.37 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into the required 40' side yard setbacks to allow the proposed 2.5' & 1.1' side yards for proposed Lot 2 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

14. 19-25 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(C), zoned M-1, 0.37 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of 70' lot frontage for a 25' ingress/egress easement for proposed Lot 2 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

15. 19-26 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(B), zoned M-1, 0.37 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of 150' lot width by 47.74' for proposed Lot 2 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

16. 19-27 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(A), zoned M-1, 0.37 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of the minimum 5 acre lot area for a proposed 0.37 acre lot area for proposed Lot 1 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

17. 19-28 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.225, zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into the required 40' side yard setbacks to allow 0' of side yards for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

18. 19-29 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(A), zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of the minimum 5 acre lot area for a proposed 0.19 acre lot area for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

19. 19-30 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(B), zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of 150' lot width by 95.20' for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

20. 19-31 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(C), zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of 70' lot frontage for a 25' ingress/egress easement for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

21. 19-32 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(D), zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed the 75% maximum lot coverage by 17% for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_\_

22. 19-33 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.224, zoned M-1, 0.19 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into 40' front yard setback by 15' for proposed Lot 3 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_\_

23. 19-34 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.229(A), zoned M-1, 2.11 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** Reduction of the minimum 5 acre lot area for a proposed 2.11 acre lot area for proposed Lot 4 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_\_

24. 19-35 Richard Boyd (Petitioner/Owner) 450 S. Ohio Street located on the NE corner of 5<sup>th</sup> & Indiana Streets, Sec. 154.225, zoned M-1, 2.11 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To encroach into the required 40' side yard setbacks to allow 0' of side yards for proposed Lot 4 of a proposed 4-lot subdivision

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_\_

25. 19-36 John Cantu (Petitioner/Owner) 1202 Hickey Street located on the NE corner of Hickey & Ohio Streets, Sec. 154.006(F)(7), zoned R-2, 0.58 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed the permitted 864 sq. ft. For accessory structures by 1,347 sq. ft. for a proposed 36'x36' detached garage

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_\_

26. 19-37 John Cantu (Petitioner/Owner) 1202 Hickey Street located on the NE corner of Hickey & Ohio Streets, Sec. 154.006(F)(3), zoned R-2, 0.58 acre

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed the permitted 15' in height for accessory structures by 10' for a proposed 36'x36' detached garage

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

27. 19-38 Merrillville Metal Recycling, LLC/David Woodward (Petitioner/Agent) 2743 E. 83<sup>rd</sup> Place located SE corner of 83<sup>rd</sup> Place & Minnesota Street, Sec. 154.214, zoned M-1, 1.95 acres

**Request:** *Public Hearing:* Conditional Use

**Purpose:** A proposed metal recycling facility

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

- 28 19-39 BJ's Restaurant/Joan Leguay (Petitioner/Agent) 2757 E. 80<sup>th</sup> Avenue located on the NW corner of US 30 & Iowa St. Sec. 154.308 (C)(2), zoned PUD, 38.63 acres

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To vary from the proposed building structure to frame a corner by using an existing foundation

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

29. 19-40 BJ's Restaurant/Joan Leguay (Petitioner/Agent) 2757 E. 80<sup>th</sup> Avenue located on the NW corner of US 30 & Iowa St. Sec. 154.308 (H)(1)(b), zoned PUD, 38.63 acres

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To permit 100% river rock exceeding the maximum 10% allowance

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

30. 19-41 BJ's Restaurant/Joan Leguay (Petitioner/Agent) 2757 E. 80<sup>th</sup> Avenue located on the NW corner of US 30 & Iowa St. Sec. 154.308 (I)(1)(b)(, zoned PUD, 38.63 acres

**Request:** *Public Hearing:* Developmental Standards Variance

**Purpose:** To exceed the maximum 30' building height by 2' for the proposed entry tower

Approved \_\_\_ Denied \_\_\_ Deferred \_\_\_ Vote \_\_\_\_

**VII. Consultation/Discussion:**