

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF FEBRUARY 2, 2023**

Stuart Allen called the meeting to order at 6:00 p.m. with the recitation of the Pledge of Allegiance followed by a moment of silence. Members in attendance: Stuart Allen, John Brezik, Ron Jackson, Jason Spain and Scott Gregory. Also in attendance: Heather McCarthy, City Attorney; Ron Pietrzak, City Planner; Connor Miller, Zoning Administrator; Alex Olesker, City Deputy Engineer and Joy Respecke, Recording Secretary. Absent: Phil Gralik, City Engineer

Approval of Minutes: Mr. Brezik motioned to approve the minutes of January 5, 2023 as presented, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Gregory noted petitions 23-01A & 23-01B were numbered incorrectly on the agenda and should be 23-02 & 23-03. Mr. Gregory motioned to approve the agenda as amended, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Old Business

1. **22-09** Millie Hovanec/Mark Hovanec (Petitioners/Owners) at 337 N. Liverpool Rd. located 0.36 miles south from the SE corner of Liverpool & Old Ridge Rd., Sec. 154.214(D), zoned M-1, 18.5 acres
Comp. PC 22-28

Request: Conditional Use

Purpose: Extension of approval

Approved Denied Deferred Vote 5-0

Mr. Hovanec was present and mentioned there was an issue with the outflow of the detention pond. The elevation will need to be changed to allow for the proper slope. Mr. Pietrzak noted Mr. Hovanec received site plan approval at last month's Plan Commission meeting and that any amendments to the site plan will be addressed before the Plan Commission. He felt approving the conditional use was appropriate. Mr. Brezik motioned to Approve Petition 22-09 including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

New Business

2. **23-01** Elizabeth Cash (Petitioner/Owner) 7001 Colorado Street located approx. 600' south of the SE corner of Colorado St. & 69th Ave., Sec. 154.358(E)(3), zoned R-2, 0.94 acre

Request: Public Hearing: Developmental Standards Variance

Purpose: To permit a proposed 2nd access point (street cut)

Approved Denied Deferred Vote 5-0

Petitions 23-01 & 23-02 were heard with 23-03. Mr. Spain motioned to Approve Petition 23-01 with the stipulation of the improved driveway or receive a waiver from the Board of Works after the first 50' including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

3. **23-02** Elizabeth Cash (Petitioner/Owner) 7001 Colorado Street located approx. 600' south of the SE corner of Colorado St. & 69th Ave., Sec. 154.006(F)(5), zoned R-2, 0.94 acre

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed 864 sf for accessory structures by 1,548 sf for proposed 30'x64' pole barn

Approved Denied Deferred Vote 5-0

Mr. Spain motioned to Approve Petition 23-02 with the stipulation the structure will not be used for business/commercial purposes, additional residential living space, for personal use only and to record commitments including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

4. **23-03** Elizabeth Cash (Petitioner/Owner) 7001 Colorado Street located approx. 600' south of the SE corner of Colorado St. & 69th Ave., Sec. 154.006(F)(3), zoned R-2, 0.94 acre

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed 15' height for accessory structures by 5' for proposed 30'x64' pole barn

Approved Denied Deferred Vote 5-0

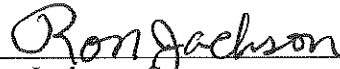
Present were Elizabeth Cash and Joe Ursich requesting approval for a second driveway access, additional 1,548 square footage and 5' over the permitted height for a proposed 30'x64' pole barn. Ms. Cash requested to construct the pole barn to store their RV and other personal items out of the weather. Mr. Allen opened the public hearings for Petitions 23-01, 23-02 & 23-03. *Patricia Corey, 7203 Colorado St.:* Ms. Corey inquired if they were proposing to operate their heating & air conditioning business out of the pole barn. She mentioned they had issues with another neighbor that was operating a business out of his pole barn and it was problematic for her and surrounding neighbors. She noted there is an existing sign placed on the property advertising his business. She is not in favor of a business operating in the residential area. Hearing no further public comments Mr. Allen closed the public hearings. Mr. Ursich stated he installed a sign on his property advertising his established business at a different location. He has no intension of moving and operating his business at his residence. He was not aware that the sign was not allowed and will remove it. An existing building will be demolished if the proposed pole barn is approved. Mr. Pietrzak explained an improved driveway, either concrete or asphalt, is required in order for the RV to have access to the pole barn or he could appear before the Board of Works requesting a waiver from installing the driveway. Regardless, the first 50' off the street must be improved. Mr. Ursich noted the driveway will be improved. Mr. Spain motioned to Approve Petition 23-03 including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

Consultation/Discussion: None

There being no further comments or discussion Mr. Brezik motioned to adjourn, seconded by Mr. Jackson. All ayes, motion carried. (5-0) Meeting adjourned at 6:25 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary