

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF FEBRUARY 6, 2020**

Stuart Allen called the meeting to order at 6:05 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: Sergio Mendoza, City Planner; Ross Pietrzak, Zoning Administrator and Joy Respecke, Recording Secretary. Absent: Phil Gralik, City Engineer.

Approval of Minutes: Mr. Gregory motioned to approve the minutes of December 5, 2019 as presented, seconded by Mr. Jackson. All ayes, motion carried. (5-0). Mr. Gregory motioned to approve the minutes of January 2, 2020 as presented, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Mendoza introduced the City's new staff attorney, Heather McCarthy, and mentioned, when needed, she will be attending the meetings to assist in legal matters. Mr. Brezik motioned to approve the agenda as presented, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

New Business

1. **20-03** Steven McGraw (Petitioner/Owner) 1701 57th Ave. located approx. ¼ mile west from the SW corner of 57th Ave. & Liverpool Rd., Sec. 154.006(F)(3), zoned R-2, 2.4 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 15' height for an accessory structure by 7' for a proposed 24'x26' pole barn with an attached 13'x24' lean to

Approved X Denied ___ Deferred ___ Vote 5-0

Mr. McGraw, 219-577-4368, requested to construct a pole barn similar to the size and height of his previous barn that was damaged and demolished. Mr. Allen opened the public hearing for Petition 20-03. Robert Van Loon, 1702 E. 57th Avenue, 219-308-6452 noted his only concern was water run-off from a driveway that would flow in the creek across the street. Hearing no further public comments Mr. Allen closed the public hearing. Mr. McGraw stated the intent for the proposed building was for a workshop and will be constructed with man doors and no overhead door to enable the storage of vehicles. No fill will be added to the property changing the grade to the current drainage flow pattern. Mr. Pietrzak mentioned if the Board motioned to approve, that based on past practice, the proposed structure cannot be used for business/commercial, additional residential living space or vehicular access without the approval and installation of an improved driveway. Mr. McGraw stated that the material on the rear of the property was saved after the demolition of his old barn and will be removed and stored under roof in the proposed pole barn. It was noted that the

his old barn and will be removed and stored under roof in the proposed pole barn. It was noted that the property encroaches 40' into the 57th Avenue right of way and that in past practice the Board/Commission has requested right of ways be dedicated to the city. Mr. Allen asked that the petitioner work with staff regarding this matter. Mr. Brezik motioned to approve Petition 20-03 with the stipulations the petitioner work with staff for the dedication of the 40' right of way along 57th Avenue, no business/commercial use, no additional living space, no vehicular access without an improved driveway, grading to remain the same, no outdoor storage and return for approval for future driveway including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Staff Consultation/Discussion:

There being no further comments or discussion Mr. Gregory motioned to adjourn, seconded by Mr. Jackson. All ayes, motion carried. (5-0) Meeting adjourned at 6:20 p.m.


Stuart Allen, Chairman


Ron Jackson, Secretary