

CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF MARCH 2, 2023

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 and Jason Spain. Member absent: Scott Gregory. Also in attendance: Phil Gralik, City Engineer; Ross Pietrzak, City Planner; Heather McCarthy, City Attorney; Connor Miller, Zoning Administrator and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Spain motioned to approve the minutes of February 2, 2023 as presented, seconded by Mr. Brezik. All ayes, motion carried. (4-0)

Communications/Acceptance of Agenda: Requested was to add Petitions 21-11 & 21-11A under Consultation/Discussion. Mr. Jackson motioned to approve the agenda as amended, seconded by Mr. Brezik. All ayes, motion carried. (4-0) Mr. Brezik motioned to discuss Petition 23-04 at the end of the agenda, seconded by Mr. Jackson. All ayes, motion carried. (4-0)

New Business

1. **21-11** Joshua Elmer/NPL Construction Co. (Petitioner/Agent) A petition request Sec. 154.042 located southeast of the 61st Ave. & Wisconsin St. roundabout, zoned R-1, 2.72 acres.

Request: Use Variance

Purpose: 3-month extension to allow a laydown yard & temporary construction trailers

Favorable Rec. X Unfavorable Rec. ____ Deferred ____ Vote 4-0

Mr. Pietrzak mentioned the petitioner requested a 3-month extension in order to complete the project and restore the site back to the original condition. The City Council heard and granted the 3-month extension at their March 1, 2023 meeting. Mr. Brezik motioned for a Favorable Recommendation to the Common Council for Petition 21-11 for the 3-month extension (June 3, 2023) including all discussion, seconded by Mr. Spain. All ayes, motion carried. (4-0)

2. **21-11A** Joshua Elmer (Petitioner/Agent) A petition request Sec. 154.358 (E)(2) located southeast of the 61st Ave. & Wisconsin St. roundabout, zoned R-1, 2.72 acres.

Request: Developmental Standards Variance

Purpose: 3-month extension to allow #2 gravel at the entrance of a temporary parking area

Approve X Denied ____ Deferred ____ Vote 4-0

Mr. Brezik motioned to Approve Petition 21-11A for a 3-month extension (June 3, 2023) including all discussion, seconded by Mr. Spain. All ayes, motion carried. (4-0)

3. 23-04 Alexandru Popov (Petitioner/Agent) 669 Lake Street located 130' north from the NE corner of Lake & 7th Street, Sec. 154.042(A), zoned R-2, 0.14 acre

Request: Public Hearing: Use Variance

Purpose: To address the legal non-conforming status of a multi-unit dwelling

Favorable Rec. Unfavorable Rec. Deferred Vote 4-0

Mr. Popov was present and stated he purchased property last December that was marketed as a 2-unit. It currently has a 3rd unit in the basement and is requesting the basement unit be recognized as a permitted use. Mr. Allen opened and closed the public hearing for Petition 23-04 without public comments. Mr. Popov noted that currently only one unit is occupied. Mr. Pietrzak mentioned the County identifies the property as both a 2-unit and tri-plex, but the Building Department has no record of the property being converted to multi-unit dwelling. During the Site Review meeting, the Building and Fire Departments were able to identify code concerns with the basement unit from the pictures that were provided by Mr. Popov. The Building Official, Karen Hansen, provided in writing, that the basement unit may not comply with current codes and suggested that the Building and Fire Departments conduct a walk-thru for all three units prior to making a recommendation for the property. Mr. Pietrzak recommended, assuming Mr. Popov was agreeable, inspections be conducted prior to the Board making a decision. Mr. Brezik motioned to Table Petition 23-04 including all discussion, seconded by Mr. Spain. All ayes, motion carried. (4-0)


Consultation/Discussion: At last month's meeting the Board approved a pole barn at 7001 Colorado Street at which time, it was noted that a sign was constructed on the property advertising a business. The homeowner informed the Board that the sign advertises his existing business at a different location and was not aware that it was not permitted and he would remove it. Mr. Brezik noted the homeowner has failed to remove the sign as he stated at the meeting.

Mr. Pietrzak requested next month to review the Rules of Policies and Procedures for possible updates.

Hearing no further comments or discussion Mr. Brezik motioned to adjourn, seconded by Mr. Spain. All ayes, motion carried. (4-0) Meeting adjourned at 6:25 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary