

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF MARCH 4, 2021**

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 and Scott Gregory. Member absent: Jason Spain. Also in attendance: Phil Gralik, City Engineer (remote); Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Brezik motioned to approve the minutes of February 4, 2021 as presented, seconded by Mr. Gregory. All ayes, motion carried. (4-0)

Communications/Acceptance of Agenda: Mr. Gregory motioned to approve the agenda as presented, seconded by Mr. Brezik. All ayes, motion carried. (4-0)

New Business

1. **21-05** Art Kraft (Petitioner/Owner) 603 S. Wisconsin St. located 400' north of the NE corner of Wisconsin St. & North Lake Shore Dr. Sec. 154.042, zoned R-2, 0.248 acre

Request: **Tabled; Public Hearing:** Use Variance

Purpose: For a proposed bait shop

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

Mr. Brezik motioned to remove petition from table, seconded by Mr. Jackson. All ayes, motion carried. (4-0) Arthur Kraft, 630-660-2598 proposed to revitalize the existing bait shop, install boat docks, sell bait and rent kayaks and boats. Mr. Allen opened and closed the public hearing for Petition 21-05 without public comments. Mr. Gregory inquired as to why the variance was being sought when the property was previously a bait shop/boat rental establishment. Mr. Pietrzak explained the building has been vacant for over a year and therefore the use approval expired. He noted in 2004 the use was approved with conditions such as the hours of operations between 6:00 a.m. and 8:00 p.m. and posted on signs, to install a gate on the west end limiting access to the boat dock area after business hours and to install fencing and no trespassing signs on the east side of the lot to restrict access to adjoining property on the east. Mr. Gralik mentioned that the Wisconsin Street Project is now under design and that the improvements and multi-use pathway will completely be within the existing right of way but asked the Board, as a condition of their approval, require the property owner to grant the City a temporary access easement over the parking area to allow for parking lot striping and minor grading outside the right of way. Mr. Brezik inquired as to the flood elevation of the property and Mr. Gralik mentioned now that improvements have been made to the 3rd Street bridge and the Little Calumet has improved the railroad bridge east of Old Ridge Road, the flood elevation for this site should have dropped approximately 3 ½ feet during a 100 year flood. Mr. Kraft noted he has made improvements on the first floor with the understanding there could be flooding in the future. Mr. Allen inquired to the parking area once the bridge improvements are made and Mr. Pietrzak mentioned this will be addressed during the Wisconsin Street Project site plan review. Mr. Brezik motioned for a Favorable Recommendation to the Common Council for

Petition 21-05 with the stipulations it is only used for a bait/tackle/boat rental establishment, work with Staff for the temporary access easement in the parking area, hours of operation between 6:00 a.m. and 8:00 p.m. and posted on signs, to install a gate on the west end limiting access to the boat dock area after business hours and to install fencing and no trespassing signs on the east side of the lot to restrict access to adjoining property on the east including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (4-0)

2. **21-07** Douglas & Sarah Anderson (Petitioner/Owner) 5501 Liverpool Rd. located approx. ¼ mile southeast from the Liverpool Rd. & 53rd Ave. intersection, Sec. 154.006(F)(7), zoned R-2, 0.96 acres

Request: *Public Hearing:* Developmental Standards Variance

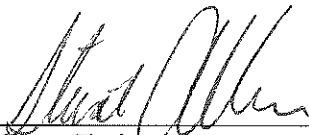
Purpose: To exceed the permitted 864 sq. ft. for accessory structures by 1,296 sq. ft. for a proposed 30'x56' pole barn with a 16'x30' attached open porch

Approved X Denied Deferred Vote 4-0

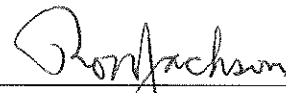
Sarah (219) 545-1058 & Douglas Anderson (219) 545-1057 proposed to construct a pole barn on the existing foundation of a barn that was destroyed by fire in 2018. Mr. Allen opened and closed the public hearing for Petition 21-07 without public comment. Ms. Anderson stated they will use the structure to store their vehicles and maintenance equipment under roof and out of the weather. The pole barn will somewhat match the red brick house with white siding and a red roof. Mr. Brezik questioned the excessive square footage requested for the proposed structure. Mr. Pietrzak mentioned the proposed structure will be longer than the previous barn but shorter, not exceeding the permissible height of 15', and that it is to replace the structure that was destroyed. Therefore, they are required to come into compliance by requesting the variance. Mr. Gregory motioned to Approve Petition 21-07 based on the Findings of Fact and contingent upon personal storage use only and not for business purposes, seconded by Mr. Jackson. All ayes, motion carried. (4-0)

Staff Consultation/Discussion: None

There being no further comments or discussion Mr. Gregory motioned to adjourn, seconded by Mr. Brezik. All ayes, motion carried. (4-0) Meeting adjourned at 6:30 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary