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**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF MARCH 7, 2019**

Stuart Allen called the meeting to order at 6:10 p.m. with the recitation of the Pledge of Allegiance followed by a moment of silence. Members in attendance: Stuart Allen, Mark Kopil, Ron Jackson, Jason Spain and Scott Gregory. Also in attendance: Phil Gralik, City Engineer; Sergio Mendoza, City Planner; Ross Pietrzak, Zoning Administrator and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Gregory motioned to approve the minutes of February 7, 2019 as presented, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Mendoza requested to table Petition 19-04. Mr. Jackson motioned to approve the agenda as amended, seconded by Mr. Kopil. All ayes, motion carried. (5-0)

New Business

1. **19-01** Ride, Rage & Escape LLC/Glenn X Miller (Petitioner/Owner) 5515 W. 41st Ave., Gary, IN for property at 3950 W. 49th Ave. located .5 miles west from the NW corner of 49th Ave. & Liverpool Rd. (Sec. 154.044 (F), zoned R-2, 7 acres

Request: Public Hearing: Use Variance

Purpose: To allow a proposed ATV track, rage room & escape room

Favorable Rec. ___ Unfavorable Rec. X Deferred ___ Vote 5-0

Mr. Gregory abstained. Glenn Miller mentioned he and his sister purchased the property and propose to operate rage & escape rooms within the 4,250 sq. ft. building. A food/beverage area is also proposed. A 6' chain link fence and 25' buffer area will encompass a proposed ATV track to the rear of the property. A 15' gravel access road is proposed inside the fenced area on the west side of the property as well as an east/west gravel access road for emergency vehicles. He is aware that a SWPPP is required. Mr. Miller stated the track will be watered down once a day to keep the dust to a minimum not only for the neighbors but also for the solar farm to the west. Mr. Mendoza stated he had inquiries from the public as to the explanation of a rage room, the hours of operation and the intended capacity at any given time. Mr. Miller mentioned a rage room is a room where people can go to release their aggressions by breaking/smashing items with baseball bats, crow bars, etc. The broken items will be cleaned up and placed in an on-site dumpster. The hours of operation for the building will occur between 10 a.m. and 8 p.m. with a capacity of no more than 100 people. Mr. Mendoza explained the parking spaces are limited to approximately 30 to 35 spaces which would limit the capacity of the building. Mr. Allen opened the public hearing for Petition 19-01. The following residents were in complete opposition to the proposed ATV track and rage room for the same concerns of abutting DNR, nature preserve & wetland properties, dust, noise pollution, traffic, an unsuitable & unsafe track design, parking lot not adequate for vehicles and trailers, disruption to the wildlife and not conducive to the adjacent properties: *Cynthia Silich, 330 S. Liverpool Rd.; Dan Silich, 330 S. Liverpool Rd.; Derek Nimetz, DNR, 1600 N 25 E, Chesterton 46383; Patty Jarosz, 3840 Barnes St. 219-730-2250, Treasurer of Spring Lake Izaak*

Walton; Bob Allen, 555 N. Union St., 219-942-9770; Jose Saavedra, 109 Cool Spring Circle, Michigan City, 219-229-0025; Dan Waldrop, 152 N. Michigan Ave., 219-746-0727; Don Novak, 3805 W. 49th Ave., 219-615-9852; Chris Kosovich, 3610 W. 49th Ave., 219-902-1014; John Brezik, 5th District Councilman; Don Froman, 418 S. Liverpool Rd.; Sandy O'Brien, 5500 Liverpool Rd., 219-942-2956; Jen Woronecki-Ellis, 2833 W. 38th Pl.; Tom Silich, 3820 Roche St., 219-617-2788; Larry Regal, 3120 W. 49th Ave., 219-942-4506. Letters and photos of the area were also submitted by the residents that spoke in opposition. There being no further public comments Mr. Allen closed the public hearing. Mr. Spain stated he appreciated Mr. Miller's desire to open a new business in Hobart but unfortunately due to the opposition from the surrounding neighbors and pertaining to the Findings of Fact felt by approving the request it would affect the adjacent property in an adverse manner and did not agree it would create a hardship if not granted. Mr. Spain motioned for an Unfavorable Recommendation to the Common Council for Petition 19-01 including all discussion and Findings of Fact, seconded by Mr. Kopil. All ayes, motion carried. (4-0) Mr. Mendoza mentioned the final decision will be heard before the Common Council on the 20th of this month in which they may or may not uphold the BZA's recommendation. Should the Council uphold the decision it will be denied. He suggested to Mr. Miller that he request to table his application tonight for site plan review before the Plan Commission. The result of the Council's decision could alter the impact to the proposed site plan.

2. 19-04 Alex & Lindsay Stariha (Petitioners/Owners) 1750 E. 53rd Avenue located on the NW corner of 53rd Ave. & Liverpool Rd., Sec. 154.(G)(5)(a), zoned R-2, 1.80 acres

Request: Public Hearing: Developmental Standards Variance

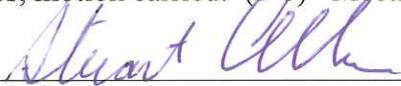
Purpose: Proposed 4'/5' wood fence in the secondary front yard on a reversed corner lot

Approved ___ Denied ___ Deferred X Vote ___

Tabled at acceptance of agenda.

Consultation/Discussion:

There being no further comments or discussion Mr. Kopil motioned to adjourn, seconded by Mr. Jackson. All ayes, motion carried. (5-0) Meeting adjourned at 7:15 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary