

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF APRIL 4, 2019**

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, 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. Spain motioned to approve the minutes of March 7, 2019 as presented, seconded by Mr. Kopil. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Kopil motioned to approve the agenda as presented, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

New Business

1. **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 X Denied ___ Deferred ___ Vote 3-1

Mr. Gregory abstained.

Mr. Stariha requested to enclose his property with a 4'5' wood fence. Mr. Allen opened the public hearing for Petition 19-04. *In opposition: Tom Silich, 3820 Roach Street stated he knew the prior residents and was opposed due to them owning 2 dogs (pit bull) that will tear up the yard and had safety concerns with the nearby bike trail and Robinson Lake. He noted he had pictures showing the dogs grabbing and hanging from chains. Dan Silich noticed 3 springs with tether straps hanging 6' from a tree which was a concern if the fence will contain the dogs. John Brezik, 5th District City Council was in favor once he learned the existing temporary wire fencing will be removed and that the entire yard will be enclosed with a wood fence.* Hearing no further public comments Mr. Allen closed the public hearing. Mr. Stariha stated the previous owners had several bird feeders in the yard and the existing 3 chains, which are actually ropes, will continue to be used to hang bird feeders. In regards to addressing other concerns he stated he has never seen the dogs hanging from the ropes and requested to see the pictures Mr. Silich stated he had taken. He also noted that his dogs have been in training for 6 months and felt it was a huge prejudice against pit bulls to assume they are only bred for fighting, which in fact, statistics show chihuahuas bite more people on a yearly basis. He stated the request for the fencing is not only to contain his dogs but also privacy for his family. He works regularly from home and watches people walking through their yard. Mr. Spain mentioned this type of variance is common and understood the safety concerns for containing his dogs and future children. He felt the appearance of the fence

was nice and would be constructed properly. Mr. Allen felt there may be a line of sight concern. Mr. Kopil motioned to Approve Petition 19-04 contingent upon the proposed fence does not impede the line of sight required for the speed limit of Liverpool Road including all discussion and Findings of Fact, seconded by Mr. Spain. Motion carried. (3-1) Mr. Allen; nay

2. 19-06 Jeremy Karageorge (Petitioner/Owner) 3517 N. Lake Park Ave located 0.23 Miles north from the NE corner of Lake Park Ave. & 37th Ave. Sec. 154.006(F)(5), zoned R-3, 10 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 2,612 sq. ft. by 460 sq. ft. for total accessory structures for a proposed 40'x60' pole barn

Approved Denied Deferred Vote 5-0

Mr. Karageorge proposed to construct a post frame building to store equipment used to maintain his property under roof and out of the weather. Mr. Allen opened the public hearing for Petition 19-06. Roland Cash, 3525 N. Lake Park Avenue, neighbor to the south, inquired as to the location of the proposed building. Mr. Cash was informed the proposed building will be located approximately 30' behind their property and another 30' to the north. Hearing no further public comments Mr. Allen closed the public hearing. Mr. Gregory motioned to Approve Petition 19-06 contingent upon the building will only be used for personal use and not for business purposes including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

3. 19-07 Jeremy Karageorge (Petitioner/Owner) 3517 N. Lake Park Ave located 0.23 Miles north from the NE corner of Lake Park Ave. & 37th Ave. Sec. 154.006(F)(3), zoned R-3, 10 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 15' accessory structure height by 2' for a proposed 40'x60' pole barn

Approved Denied Deferred Vote 5-0

Mr. Karageorge explained that due to the size of the proposed building the height will measure approximately 16 1/2' at the peak. Mr. Allen opened and closed the public hearing for Petition 19-07 without public comments. Mr. Jackson motioned to Approve Petition 19-07 contingent upon the building will only be used for personal use and not for business purposes including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

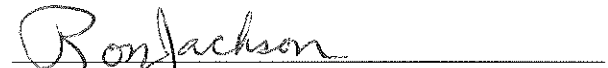
Consultation/Discussion: Mr. Spain motioned to reschedule the regularly scheduled July 4th meeting to July 11th contingent upon the availability of the Council Chambers, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

Mr. Mendoza informed the Board that the Plan Commission is having a presentation regarding the Design Guidelines following this meeting if anyone was interested. Also an open house is set for Wednesday, April 10th, 5:00p.m. to 7:00p.m. in the Council Chambers pertaining to the Conservation Zoning Classification and Sub-Area Plan.

Mr. Gralik mentioned an open house for the Villa Shores/Cressmoor Drainage Project is also being held Wednesday, April 10th 6:00p.m. to 8:00p.m. to gather public input for drainage problems bounded by Liverpool Rd. to Wisconsin St. & 37th Ave. to Old Ridge Rd. which will be held at the Rosser Hall on 37th Ave.

There being no further comments or discussion Mr. Gregory motioned to adjourn, seconded by Mr. Kopil. All ayes, motion carried. (5-0) Meeting adjourned at 6:45p.m.


Stuart Allen, Chairman


Ron Jackson, Secretary