

**CITY OF HOBART BOARD OF ZONING APPEALS  
MINUTES OF JUNE 6, 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. Kopil motioned to approve the minutes of May 2, 2019 as presented, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Pietrzak noted Petition 19-12 was withdrawn by the petitioner. Mr. Spain motioned to approve the agenda as amended, seconded by Mr. Kopil. All ayes, motion carried. (5-0)

**New Business**

1.     **19-09**           Erin Yanz (Petitioner/Agent) 5200 Liverpool Rd. located approx. ½ mile southwest from the Liverpool Rd. & 49<sup>th</sup> Ave. intersection, Sec. 154.044(G), zoned R-2, 30 acres +/-.

**Request:**        Public Hearing: Use Variance

**Purpose:**         To allow to continue a not for profit philanthropic animal sanctuary

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

Present were Marilyn Reidy, Chairman of the Board of Directors and Erin Yanz, owner. Ms. Reidy mentioned Erin's Farm is a nonprofit charitable organization which serves as an animal sanctuary and educational center. It has two main missions: 1) Serves as an animal sanctuary. The animals are referred to them by police departments, veterinarians, animal rights groups and citizens that are found to be abandoned, neglected or abused. Medical assistance and neutering/spaying is provided as well as providing a long-term home or in some cases transferring the animals to another sanctuary. 2) Provides educational services to youth groups, schools, senior citizens and families during scheduled appointments between the hours of 9:00 a.m. and 6:00 p.m. The educational services are also provided offsite. Mr. Allen opened the public hearing for Petition 19-09. Laurie Hutzel, 6520 W. 85<sup>th</sup> P., Crown Point, 776-2628: She feels this is a good place for children to interact with the animals, has been a volunteer at the facility and is in favor. Joan Orosz, 5220 Liverpool Rd. is a neighbor and was in favor. Barb Boush, 306 N 625 W, Valparaiso was in favor and a volunteer for over a year. On file are signed petitions in favor from Hilario Cedano, 5050 Liverpool Rd.: Dick Boyd, 5253 Liverpool Rd.: Jacqueline Zepeda, 3613 W. 49<sup>th</sup> Ave.: Joan Orosz, 5520 Liverpool Rd. Diana Novak, 3805 W. 49<sup>th</sup> Ave. and Krista Canali, 3785 W. 49<sup>th</sup> Ave. Hearing no further public comments Mr. Allen closed the public hearing. Mr. Mendoza thanked the petitioner on the thorough application. He also inquired as to the disposal of deceased animals. Ms. Yanz stated that they have buried smaller animals on site but if they would not be able to bury a large animal she could trailer it to Purdue University for research. Mr. Spain motioned for a Favorable Recommendation to the Common Council for Petition 19-09 contingent upon

to include the business plan and the entity to continue as a non-profit organization including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

- 2.     **19-10**            Shirish Shah (Petitioner/Agent) for property at 7900 Clay Street located approximately 0.2 miles northwest corner of Clay Street and US 30, Sec. 154.042, zoned R-2, 140 acres.

**Request:**     Public Hearing: Use Variance

**Purpose:**        To allow a proposed outdoor amusement establishment for a remote control airplane club

Favorable Rec. \_\_\_ Unfavorable Rec. \_\_\_ Deferred X Vote 5-0

Mr. Shah requested to operate a six (6) member radio controlled airplane club on the 140 acre parcel previously known as the US 30 Dragstrip. He stated that the property is currently on the market for sale and their intention is to lease it until it is sold. Mr. Allen opened and closed the public hearing for Petition 19-10 without public comment. The existing asphalt is proposed to allow the airplanes to land and take off. Mr. Mendoza inquired as to the hours of operation, number of guests during the those hours, if spectators will be present, proposed fuel/storage tanks on site, if security will be provided, whether additional structures will be constructed on the property and whether a port-a-potty will be provided. Mr. Shah mentioned they intend to use the property as it is, with no port-a-potty, no additional structures or fuel tank. He stated the maximum number of people will be 11 or 12 at one given time. The hours of operation will be 11 a.m. to 5 p.m. weather permitting, and seasonal. He also noted that stipulations per their lease agreement include a gate across the entrance to the property with a sign for members only and no trespassing signs posted. Mr. Shah was instructed to provide the AMA Guidelines and Restrictions and proof of insurance. Mr. Pietrzak mentioned should Mr. Shah receive a favorable recommendation he will be required to follow up with site plan review identifying parking and improvements to the asphalt. Mr. Spain motioned to Table Petition 19-10 pending proof of insurance and AMA Guidelines and Restrictions including all discussion, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

- 3.     **19-11**            Harbor Cabinetry LLC/Billy McCann/Christina Whiteside (Petitioner/Agent) at 813 W. Old Ridge Rd., located approx. 100 feet southwest from the Old Ridge Rd. & Wisconsin St. intersection, Sec. 154.172, zoned B-3, 0.486 acres.

**Request:**     Public Hearing: Use Variance

**Purpose:**        To permit a proposed cabinetry shop

Favorable Rec. X Unfavorable Rec. \_\_\_ Deferred \_\_\_ Vote \_\_\_

Mr. McCann stated he builds custom cabinets for new construction homes. He owns and has been operating a woodworking shop in Portage for the past five years and is requesting to relocate to a larger facility at 813 W. Old Ridge Road. He informed the board his machinery is basic high school woodshop type eco-friendly machinery. Mr. Allen opened the public hearing for Petition 19-11. Lon & Kathleen Ebnos, 129 N.

California St.: They are located directly south of the building and had concerns regarding additional traffic and noise. Dave Vinzant, 1535 W. 4<sup>th</sup> Pl.: He stated he owns the NW building across from the proposed business and felt the building has been an eyesore for years. Speaking on behalf of the businesses on the corners of California St. & Old Ridge Rd. he was pleased to see a business move and to improve the appearance of the building. He felt there is no negative impact for the proposed use. Hearing no further public comments Mr. Allen closed the public hearing. Mr. Pietrzak noted the use that is proposed was permitted in an M-1 District and not a B-3 District. Mr. McCann mentioned they are not open to the public and the only time a customer visits the shop is to view their finished product. He explained the noise level is low and the hours of operation vary but he could be there from 5 a.m. to 7 p.m. in the summer months. They pick up their supplies and deliver the finished product in their 16' box truck. He also noted that all of the shavings are donated for bedding for animal bedding and scraps are reused for birdhouses. Mr. Jackson motioned for a Favorable Recommendation to the Common Council for Petition 19-11 including all discussion and Findings of Fact, seconded by Mr. Kopil. All ayes, motion carried. (5-0) Mr. Mendoza mentioned the owner of the building is appearing before the Plan Commission tonight for site plan review regarding parking and an overhead garage door.

- 4. 19-12 Ross Monk (Petitioner/Agent) at 603 S. Wisconsin St., located approximately 200' northeast from the Wisconsin St. & Lake Shore Dr. intersection, Sec. 154.042, zoned R-2, 0.25 acre.

**Request:** Public Hearing: Use Variance

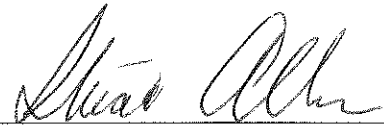
**Purpose:** To allow a proposed engineering/architectural office

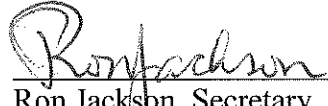
Favorable Rec.  Unfavorable Rec.  Deferred  Removed  Vote

Removed at acceptance of the agenda.

Consultation/Discussion: None

Hearing no further comments or discussion Mr. Jackson motioned to adjourn, seconded by Mr. Spain. All ayes, motion carried. (5-0) Meeting adjourned at 6:55 p.m.

  
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Stuart Allen, Chairman

  
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Ron Jackson, Secretary