

**CITY OF HOBART BOARD OF ZONING APPEALS  
MINUTES OF MARCH 3, 2022**

Stuart Allen called the meeting to order at 6:05 p.m. with the recitation of the Pledge of Allegiance. Members in attendance: Stuart Allen, John Brezik, Ron Jackson, Jason Spain and Scott Gregory. Also in attendance: Phil Gralik, City Engineer; Ross Pietrzak, City Planner and Joy Respecke, Recording Secretary.

Approval of Minutes: Mr. Gregory motioned to approve the minutes of February 3, 2022 as presented, seconded by Mr. Brezik. All ayes, motion carried. (5-0)

Communications/Acceptance of Agenda: Mr. Pietrzak requested to add under consultation BZA 21-11 & BZA 21-11A. Mr. Brezik motioned to approve the agenda as amended, seconded by Mr. Spain. All ayes, motion carried. (5-0)

**New Business**

1.     **22-03**           Robert E. Urbanek (Petitioner/Owner) 856 Garfield St. located on the NW corner of Garfield & 9<sup>th</sup> Streets, Sec. 154.006(G)(5)(a), zoned R-2, 0.13 acres

**Request:**        *Public Hearing:* Developmental Standards Variance

**Purpose:**         To permit a proposed 6' PVC privacy fence in secondary front yard

Approved   X   Denied      Deferred      Vote  5-0 

Mr. Urbanek requested to encroach 14' in his secondary front yard with a 6' PVC fence to provide privacy and to contain his pets. Mr. Allen opened and closed the public hearing for Petition 22-03 without public comment. Mr. Gregory motioned to Approve Petition 22-03 with the stipulation the fence will remain 12" from the back of the sidewalk including all discussion and Findings & Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

2.     **22-04**           Jacob Ellenberger (Petitioner/Agent) 533 Pershing St. located 110' south from the SE corner of Pershing & Rand Streets, Sec. 154.006(F)(1), zoned R-2, 0.31 acres

**Request:**        *Public Hearing:* Developmental Standards Variance

**Purpose:**         To allow an existing garage & shed to remain on property after the principal structure (house) is demolished

Approved  5-0  Denied      Deferred      Vote  5-0

Jacob Ellenberger, 536 Rush Street, requested to demo the house across the alley at 533 Pershing Street and to allow the garage and shed to remain. He mentioned a basement wall collapsed last August and tore the gas lines down. Mr. Allen opened and closed the public hearing for Petition 22-04 with public comments. When asked if the intension was to rebuild the house Mr. Ellenberger stated he lives across the alley and there are no immediate plans to rebuild the house but to maintain the garage for storage. Mr. Pietrzak stated that if the Board was to permit the variance, they could set a time limit to rebuild the house. He advised the condition be recorded, indicating the time frame, in the event the property is sold. Mr. Brezik motioned to Approve Petition 22-04 for a period of 2 years at which time the petitioner will be required to return prior to the permitted 2 years to request an extension including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

Consultation/Discussion:

BZA 21-11 A petition request for a Use Variance to allow a laydown yard & temporary construction trailers Sec. 154.042 located southeast of the 61<sup>st</sup> Ave. & Wisconsin St. roundabout, zoned R-1, 2.72 acres.

Josh Elmer/NPL Construction Company stated construction season was ready to start and requested to extend their Use Variance to allow them to complete the project. He is anticipating to be finished by the end of the year. Mr. Spain motioned for a Favorable Recommendation to the Common Council for Petition 21-11 for a one year extension including all discussion, seconded by Mr. Brezik. All ayes, motion carried. (5-0)

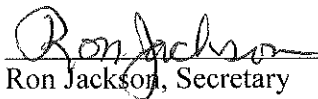
BZA 21-11A A petition request for a Developmental Standards Variance to permit a temporary gravel parking area w/#2 gravel at the entrance Sec. 154.358 (E)(2) located southeast of the 61<sup>st</sup> Ave. & Wisconsin St. roundabout, zoned R-1, 2.72 acres.

Mr. Spain motioned to Approve Petition 21-11A for a one year extension including all discussion, seconded by Mr. Brezik. All ayes, motion carried. (5-0)

There being no further comments or discussion Mr. Brezik motioned to adjourn, seconded by Mr. Gregory. All ayes, motion carried. (5-0) Meeting adjourned at 6:20 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary