

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF JULY 1, 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, 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. Brezik motioned to approve the minutes of June 3, 2021 as presented, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

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

New Business

1. **21-19** Kris Stojanovski (Petitioner/Owner) 1741 W. Old Ridge Road located on the SE corner of Old Ridge Rd. & Dearborn St, Sec. 154.133(B) zoned R-2 0.11 acre

Request: Public Hearing: Use Variance

Purpose: To allow proposed multi-use office space/professional office space

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

Kris Stojanovski, 219-765-2993 mentioned he purchased the former beauty salon and is proposing to convert the building into office space. Mr. Allen opened and closed the public hearing for Petition 21-19 without public comments. Mr. Pietrzak defined, per City Zoning Ordinance, a professional office: *a "professional office" is an office used by members of a recognized profession including architects, artists, dentists, engineers, insurance agents and brokers, lawyers, musicians, pharmacists, physicians, realtors and surgeons.* The building is located on the SE corner of Old Ridge Road and Dearborn Street. Mr. Brezik inquired to the type of businesses proposed there as he lives on the southwest side of Dearborn Street which is a dead end street. He stated that vehicles use his driveway to turn around. Also parking is limited to 6 or 7 spaces located in the public right of way of Dearborn Street and felt some of the uses within the definition of professional office were not appropriate for that site. Mr. Stojanoski was also informed that if he were to make any improvements in the parking area of the right of way, there is a process to follow which he'll need to complete a form accepting responsibility of the managing and maintenance of the right of way, appear before the Board of Works for approval and after receiving approval, record the form with the property. Mr. Gregory motioned for a Favorable Recommendation to the Common Council for Petition 21-19 with the stipulation to only allow professional office uses of architects, artists, engineers, insurance agents and brokers, lawyers, musicians and realtors and that other uses will need to receive approval, to post signage indicating the end of the business

parking and receive Board of Works approval for future maintenance for the right of way parking area including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

2. **21-20** Carl & Teresa Balaszek (Petitioners/Owners) 35 N. Ash Street located approx. 200' SE from the Ash St. & Home Ave. intersection, Sec. 154.006(G)(5)(a), zoned R-2, 1 acre.

Request: Public Hearing: Developmental Standards Variance

Purpose: To allow a proposed 4' chain link fence in the side portion of the front yard

Approved X Denied Deferred Vote 5-0

Present was Teresa Balaszek 219-771-5112 and proposed to install a 4' chain link to provide a safe flat area for their dogs. She stated the southern and eastern portion of the property slopes down and floods periodically. Mr. Allen opened and closed the public hearing for Petition 21-20 without public comments. It was noted that given the uniqueness of the property's elevation, located at the dead end of the street and the neighbors did not oppose, the board did not feel they were setting precedence by approving the fence. Mr. Spain motioned to Approve Petition 21-20 including all discussion and Findings of Fact, seconded by Mr. Brezik. All ayes, motion carried. (5-0)

3. **21-21** Manuel Robles (Petitioner/Owner) 1610 Sapphire Ct. located 550' north from the NW intersection of Sapphire Ct. & Colorado St. Section 154.050, R-1, 0.31 acre

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the 35% lot coverage by 8% for a proposed 20'x20' patio & 16'x35' driveway extension

Approved X Denied Deferred Vote 5-0

Present was Manuel Robles, 708-309-2691 and had requested to install a 20'x20' rear yard patio and to extend his driveway an additional 16'x35'. With the additional proposed areas, it would exceed the permitted 35% of impervious lot coverage. It was noted the cul de sac was only to be temporary until the subdivision extended to the north and would have been removed. Since the subdivision did not continue, the sidewalk and city right of way is on the property and is included in the 35% impervious coverage. Mr. Gregory motioned to Approve Petition 21-21 including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

4. **21-22** Exceptional Equestrians Unlimited/Pam Mellon (Petitioner/Agent) 5699 E. 73rd Ave. located approx. ½ mile west from the SW corner of 73rd Ave. & Grand Blvd. Sec. 154.006(F)(5) zoned R-3, 29.72 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 3,304 sf for an accessory structure by 13,412 sf for a proposed 70'x192' pole barn

Approved Denied Deferred Vote 5-0

Petition was heard with Petition 21-22A. Mr. Jackson motioned to Approve Petition 21-22 including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

5. **21-22A** Exceptional Equestrians Unlimited/Pam Mellon (Petitioner/Agent) 5699 E. 73rd Ave. located approx. ½ mile west from the SW corner of 79rd Ave. & Grand Blvd. Sec. 154.006(F)(3) zoned R-3, 29.72 acres

Request: Public Hearing: Developmental Standards Variance

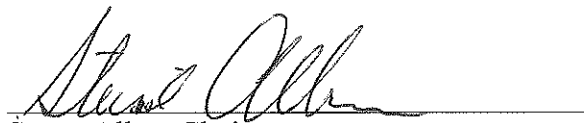
Purpose: To exceed the permitted 15' accessory structure height by 8' for a proposed 70'x192' pole barn


Approved Denied Deferred Vote 5-0

The address on the agenda was corrected to read 73rd Avenue and not 79th Avenue. Public hearing information was issued with the correct address. Present was Pam Mellon, 781-6444 and stated the existing larger pole barn will be demolished due to the roof collapsing due to the weight of the snow last winter and requested to replace it with a smaller 70'x192' pole barn 23' in height. Mr. Allen opened and closed the public hearing for Petitions 21-22 & 21-22A without comments. Mr. Pietrzak mentioned that although the ordinance is written for residential property the equestrian facility received approval to operate under a Use Variance and if approved the board would not be setting precedence since they are only replacing a building that was destroyed. Mr. Jackson motioned to Approve Petition 21-22A including all discussion and Findings of Fact, seconded by Mr. Brezik. All ayes, motion carried. (5-0)

Staff Consultation/Discussion: None

There being no further comments or discussion Mr. Gregory motioned to adjourn, seconded by Mr. Spain. All ayes, motion carried. (5-0) Meeting adjourned at 6:30 p.m.


Stuart Allen, Chairman


Ron Jackson, Secretary
Attest