

**CITY OF HOBART BOARD OF ZONING APPEALS  
MINUTES OF MAY 7, 2020  
VIA ZOOM MEETING**

Stuart Allen called the meeting to order at 6:00 p.m. with the recitation of the Pledge of Allegiance. Members in attendance: Stuart Allen, Ron Jackson, Jason Spain and Scott Gregory. Member absent: John Brezik. Also in attendance: Phil Gralik, City Engineer; Sergio Mendoza, City Planner; Ross Pietrzak, Zoning Administrator and Joy Respecke, Recording Secretary.

Attorney Heather McCarthy read a written statement: due to the current directives to address the spread of COVID 19, this regular meeting of the Board of Zoning will be held in real time by video conferencing call through Zoom as City Hall remains closed to the public for safety reasons. The agenda for today's meeting was properly posted on the City of Hobart's website and outside City Hall, additionally it was sent via facsimile to the press on May 5, 2020. I want to thank the members of the public and press that have joined us through zoom. Some housekeeping: The meeting is being recorded and it is important that its preservation is audible. We request those members of the public joining to keep the mute/audio and video function turned off during the meeting to ensure the board members can clearly communicate with one another. The agenda today contains items for public hearing. A board member will identify the petitioner of the agenda item for hearing to speak at which time the petitioner may unmute their audio. The board members will also allow members of the public to be heard. Members of the public wishing to make a comment should send a message by the chat function on zoom to the chat member labelled "mayor's office." The board member will then hear public comments in the order they are received – do not unmute your status on zoom until you are called upon by the board member. For the board members voting today, the vote will be done by roll call so that each vote can be properly documented. I would ask that each board member refrain from talking over other members and unless the member is speaking, that they also mute their microphones or telephones to reduce noise. Thank you in advance for following these instructions.

Approval of Minutes: Mr. Spain motioned to approve the minutes of March 5, 2020 as presented, seconded by Mr. Jackson. All ayes, motion carried. (4-0)

Communications/Acceptance of Agenda: Mr. Mendoza mentioned there were requests to table Petition 20-06 & 20-07. Mr. Spain motioned to approve the agenda as amended, seconded by Mr. Jackson. All ayes, motion carried. (4-0)

**New Business**

- 1.     **20-05**           Brad Mistina (Petitioner/Agent) 4520 E. 73<sup>rd</sup> Avenue located 200' east from the NE corner of 73<sup>rd</sup> Ave. & State Pl., Sec. 154.071, zoned R-3, 1.11 acre

**Request:**        Public Hearing: Use Variance

**Purpose:**         To operate a proposed real estate property management office

Favorable Rec.   X   Unfavorable Rec.      Deferred      Vote   4-0

Mr. Mistina mentioned he originally purchased the property to revitalize it and to use as rental property but due to circumstances involving their current office they're proposing to operate the business from this location. They have 2 full time office employees that work 9 a.m. to 5 p.m. Monday through Friday. Mr. Allen opened and closed the public hearing for Petition 20-05 without public comments. Mr. Mistina stated there will be no outdoor storage of materials. He stated 2 to 3 vehicles will be parked on site during business hours and 1 or 2 trailers. He stated currently there is a small graveled area between the house and pole barn which is used for parking and proposed to extend the gravel behind the pole barn for parking of the vehicles and trailers. Mr. Mistina mentioned that the pole barn will be used for his personal woodworking shop and that only 10% will be used for storage of materials for the business. Mr. Gralik noted that currently there appears to be 30' of right of way. He stated that the City is cooperating with MCD for a sewer project and will require 40' of right of way and requested an additional 10' of right of way be dedicated. The City will prepare the Deed of Dedication. Mr. Mendoza also reminded the Board of a similar request on Wisconsin Street which required the fire department to inspect the building prior to occupancy due to the use change from residential to business and insure that it complies with Fire Code 675 IAC 12-13-1 et.seq. (Rule 13) and to provide us with a copy. Mr. Spain motioned for a Favorable Recommendation to the Common Council for Petition 20-05 contingent upon the dedication of additional right of way up to 40', pole barn to be used for office storage, outdoor storage is prohibited, not to exceed 5 vehicles and 4 trailers, the property will return to residential use if no longer used for the low-traffic property management office and provide Rule 13 compliance letter, including all discussion and Findings of Fact, seconded by Mr. Jackson. All ayes, motion carried. (4-0) Mr. Jackson, aye; Mr. Spain, aye; Mr. Gregory, aye and Mr. Allen, aye.

- 2. 20-06 Hobart Assembly of God, Inc./Pastor Ryan McDowell (Petitioner/Agent) 7545 E. Ridge Road located 0.27 miles west from the SW corner of Ridge Road & State Road 51, Sec. 154.173, zoned R-2, 9.177 acres +/-

Request: Public Hearing: Conditional Use

Purpose: To allow to operate a church in a proposed B-3

Approved \_\_\_ Denied \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

- 3. 20-07 Mark Hovanec (Petitioner/Agent) 337 N. Liverpool Rd. located approx. 1,600' south from the SE corner of Liverpool Road & Old Ridge Road, Sec. 154.214 (D), zoned M-1, 19 acres +/-

Request: Public Hearing: Conditional Use

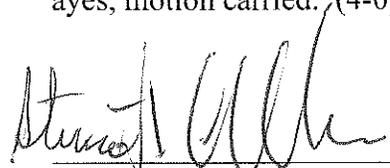
Purpose: To allow to operate a concrete recycling facility

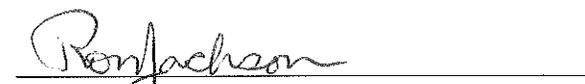
Approved \_\_\_ Denied \_\_\_ Deferred X Vote \_\_\_

Tabled at acceptance of agenda.

Staff Consultation/Discussion: None

Hearing no further comments or discussion Mr. Jackson motioned to adjourn, seconded by Mr. Gregory. All ayes, motion carried. (4-0) Meeting adjourned at 6:30 p.m.

  
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Stuart Allen, Chairman

  
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Ron Jackson, Secretary