

**CITY OF HOBART BOARD OF ZONING APPEALS
MINUTES OF JULY 2, 2020**

A call in number was provided for remote public participation.

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; Sergio Mendoza, City Planner; Ross Pietrzak, Zoning Administrator and Joy Respecke, Recording Secretary.

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

Communications/Acceptance of Agenda: Mr. Pietrzak noted Petition 20-07 was requested to be tabled by the Petitioner. Mr. Brezik motioned to approve the agenda as amended, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

New Business

1. **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: *Tabled Public Hearing:* Conditional Use

Purpose: To allow to operate a concrete recycling facility

Approved ____ Denied ____ Deferred X Vote ____

Tabled at acceptance of agenda.

2. **20-10** Daniel Saitta (Petitioner/Owner) 630 E. 11th Street located on the NW corner of 11th & Garfield Streets, Sec. 154.006(G)(5)(a), zoned R-2, 0.18 acre

Request: *Public Hearing:* Developmental Standards Variance

Purpose: To encroach into secondary front yard with a proposed 6' wood privacy fence

Approved X Denied ____ Deferred ____ Vote 5-0

Mr. Saitta requested to install a 6' wood privacy fence replacing the permitted existing 6' privacy fence along the rear property line and a 4' wood fence located in the secondary front yard. The proposed fence will be located in the same location of the existing fence and 30" off the sidewalk. Mr. Allen opened and closed the public hearing for Petition 20-10 without public comments. Mr. Brezik motioned to approve Petition 20-10 including all discussion and Findings of Fact, seconded by Mr. Spain. All ayes, motion carried. (5-0)

3. **20-11** Corey & Helen Smith (Petitioners/Owners) 8304 Clay Street located on the SW corner of Clay St. & 83rd Ave. Sec. 154.006(F)(5) zoned R-1, 1.9 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 2,244 sq. ft. for accessory structures by 2,932 sq. ft. for a proposed 48'x64' pole barn

Approved X Denied Deferred Vote 5-0

Mr. Allen combined Petitions 20-11, 20-11A & 20-11B to be heard together. Mr. Smith mentioned the 48'x64' building is proposed for an indoor basketball court and other activities for their children, nieces & nephews along with an exercise area for his wife. Mr. Allen opened and closed the public hearings for Petitions 20-11, 20-11A & 20-11B without public comments. Mr. Spain stated that typically for pole barn type structures, they are approved contingent upon the fact that they will not be used for business and only for personal use and asked if the petitioner was okay with the contingency in which Mr. Smith replied he was. Mr. Brezik expressed his concern for the excessive amount of square footage being requested. Mr. Mendoza stated that unfortunately research has found no other similar projects for this excessive amount of square footage on similar acreage. Discussion lead to previous excessive square footage requests in which were denied. Mr. Smith attempted to contact the contractor to verify a smaller building. Mr. Brezik motioned to table Petition 20-11 until the end of the meeting to allow Mr. Smith to speak with the contractor, seconded by Mr. Jackson. All ayes, motion carried. (5-0)

At the end of the meeting Mr. Brezik motioned to reopen Petition 20-11, seconded by Mr. Jackson. All ayes, motion carried. (5-0) Mr. Smith amended Petition 20-11 from 48'x64' sq. ft. to a 48'x46' pole barn decreasing the square foot variance from 2,932 sq. ft. to 2,070 sq. ft. Mr. Brezik motioned to Approve Petition 20-11 as amended contingent upon providing new renderings of the building, not for commercial/business use and for personal use only including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

4. **20-11A** Corey & Helen Smith (Petitioners/Owners) 8304 Clay Street located on the SW corner of Clay St. & 83rd Ave. Sec. 154.006(F)(3) zoned R-1, 1.9 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 15' height allowance for accessory structures by 13' for a proposed 48'x64' pole barn

Approved X Denied Deferred Vote 5-0

Mr. Smith amended the proposed pole barn size from 48'x64'x28' to 48'x46'x20'. Mr. Brezik motioned to approve the amended request from 13' to 5' over the permitted height for Petition 20-11A including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

5. **20-11B** Corey & Helen Smith (Petitioners/Owners) 8304 Clay Street located on the SW corner of Clay St. & 83rd Ave. Sec. 154.006(F)(3) zoned R-1, 1.9 acres

Request: Public Hearing: Developmental Standards Variance

Purpose: To exceed the permitted 15' height allowance for accessory structures by 4' for a proposed 32'x42' pole barn

Approved X Denied ____ Deferred ____ Vote 5-0

Mr. Brezik motioned to approve Petition 20-11B including all discussion and Findings of Fact, seconded Mr. Gregory. All ayes, motion carried. (5-0)

6. 20-12 Joe & Pam Broadaway (Petitioners/Owner) 11 N. Hobart Rd. located on the NE corner of Hobart Rd. & Cleveland Ave. Sec. 154.171(D)(9), zoned B-3, 1.05 acres

Request: Public Hearing: Developmental Standards Variance

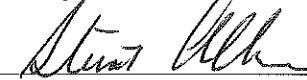
Purpose: To exceed the maximum 60 calendar days permitted for temporary storage containers for one year

Approved X Denied ____ Deferred ____ Vote 5-0

Mr. Broadaway stated they are in need of additional storage but due to the uncertainty of the amount of their property being consumed by a proposed roundabout they are unable to plan for an addition to the existing building or an additional storage barn. He is requesting a temporary storage shipping container for one year until they know the plans for the roundabout at which time they will be able to commit to a more suitable solution to the storage situation. They are proposing the placement of the container to be behind the building and will be painted to match the building. Mr. Allen opened and closed the public hearing for Petition 20-12 without public comments. Mr. Jackson motioned to Approve Petition 20-12 for one year including all discussion and Findings of Fact, seconded by Mr. Gregory. All ayes, motion carried. (5-0)

Staff Consultation/Discussion: None

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 6:35 p.m.



Stuart Allen, Chairman



Ron Jackson, Secretary