

AGENDA
BOARD OF ZONING APPEALS
THURSDAY, DECEMBER 10, 2020, AT 6:00 P.M.
COUNCIL CHAMBERS - MUNICIPAL BUILDING

THIS MEETING WILL ALSO BE HELD ELECTRONICALLY VIA WEBEX.

If you wish to join online, go to <http://coei.webex.com>, enter 172 922 9971 as the meeting number and “zoning” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted via the WebEx app during the meeting, or may be submitted to jennifer.drlich@coei.org prior to the meeting.

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF BOARD OF ZONING APPEALS CALENDAR FOR 2021**
- 4. APPROVAL OF PROOFS OF PUBLICATION**

5. OLD BUSINESS

None

6. NEW BUSINESS

20-X-05 PETITIONER IS FAITH MISSION OF ELKHART, INC – ROSS SWIHART
PROPERTY IS LOCATED AT 801 BENHAM AVENUE

An expansion of 05-X-03, which granted a special exception per Section 12.3, Special Exception Uses in the B-2, Community Business District, to allow for the operation of a Charitable Organization providing homeless or temporary shelter, housing and meals. This amendment requests additional structures on the northeast side of the property in the form of up to 18 tiny structures and up to 18 tiny houses.

20-X-06 PETITIONER IS NEW VISION OF LIFE CHURCH
PROPERTY IS LOCATED AT 400 MISHAWAKA RD

A Special Exception per Section 4.3, Special Exception Uses in the R-1, One-Family Dwelling District, to allow for the expansion of an existing Day Care Center, to allow for school age children and up to 45 children, where previously the operation was limited to 30 children aged 2-5.

20-BZA-38 PETITIONERS ARE MB CONSTRUCTION
PROPERTY IS LOCATED AT 2020 WOODLAND ESTATES DRIVE

To vary from Section 4.4, Yard Requirements, to allow for a fifteen (15) foot rear setback where 30 feet is required, a variance of fifteen (15) feet.

20-BZA-39 PETITIONERS ARE 500 MAIN LLC
PROPERTY IS LOCATED AT 500 S MAIN STREET

To vary from Section 26.10.D.5 Projecting Signs, which limits projecting signs in the CBD to nine (9) square feet, to allow for a projecting sign of 63 square feet, a variance of 54 square feet.

To also vary from Section 26.10.D.5 Projecting Signs, which states a projecting sign shall not be "attached to a building so that the sign is suspended more than thirty-five (35) feet above the ground," to allow for a sign suspended forty (40) feet above the ground, a variance of five (5) feet

20-UV-19 PETITIONERS ARE WHITMER PHILIP A & GAYLE R, H&W LAURIE STEWART JT TEN
PROPERTY IS LOCATED AT 3030 OLD U.S. 20 WEST

To vary from Section 11.2, Permitted Uses in the B-1 District, to allow for a wire harness assembly operation. Wire harness assembly operations are not permitted by right in the B-1 District.

20-UV-20 PETITIONERS ARE SAM WEIDNER
PROPERTY IS LOCATED AT VACANT LOT WINDING WATERS LANE

To vary from Section 4.2, Permitted Uses in the R-1 District, to allow for commercial drainage and parking. Commercial drainage and parking are not permitted by right in the R-1 District.

20-BZA-40 PETITIONERS ARE BYPASS ROAD DEVELOPMENT, LLC
PROPERTY IS LOCATED AT 2101 BYPASS ROAD

To vary from Section 26.10.F.4.h, which states "Off-premises signs shall be illuminated only by means of continuous reflected light. Internally-illuminated or back-lit billboards are prohibited," to allow for the conversion of an existing billboard to an LED billboard.

To also vary from Section 26.10.F.4.d, which states in part "Off-premises signs shall not exceed thirty (30) feet in height," to allow for an existing off-premises sign thirty-five (35) feet in height, a variance of five (5) feet.

20-BZA-41 PETITIONERS ARE THE BARCLAY CORPORATION
PROPERTY IS LOCATED AT VACANT LOT, EAST BEARDSLEY AVENUE

To vary from Section 26.10.F.4.h, which states "Off-premises signs shall be illuminated only by means of continuous reflected light. Internally-illuminated or back-lit billboards are prohibited," to allow for the conversion of an existing billboard to an LED billboard.

To also vary from Section 26.10.F.4.c, which states in part, "Off premises signs shall not exceed three hundred (300) square feet in area, to allow for an existing off premises sign of 672 square feet, a variance of 372 square feet.

To vary from Section 26.10.F.4.f, which states in part, "Off premises signs shall be located behind the required building setback line of the lots on which they are located" to allow the sign to be located five (5) feet from the property line, a variance of 25 feet.

To also vary from Section 26.10.F.4.d, which states in part "Off-premises signs shall not exceed thirty (30) feet in height," to allow for an existing off-premises sign thirty-five (35) feet in height, a variance of five (5) feet.

To also vary from Section 26.10.F.4.j, which states in part "Off-premises signs shall not be located within thirteen hundred (1,300) feet of the St. Joseph River," to allow an existing off-premises sign three-hundred-fifty (350) feet from the St. Joseph River, a variance of nine-hundred-fifty (950) feet.

20-UV-21 PETITIONERS ARE THE BARCLAY CORPORATION
PROPERTY IS LOCATED AT VACANT LOT, EAST BEARDSLEY AVENUE

To vary from Section 26.10.F.4.a, Off-Premises Signs, which states "Off premises signs shall only be permitted in the B-3 and "M", Manufacturing Districts" to allow for an existing off premises sign on the parcel in a B-2 District.

20-BZA-42 PETITIONERS ARE INDIANA MICHIGAN POWER, AN AEP COMPANY
PROPERTY IS LOCATED AT VACANT LOT, SOUTH MAIN STREET

To vary from Section 26.10.F.4.h, which states "Off-premises signs shall be illuminated only by means of continuous reflected light. Internally-illuminated or back-lit billboards are prohibited," to allow for the conversion of an existing billboard to an LED billboard.

To also vary from Section 26.10.F.4.c, which states in part, "Off premises signs shall not exceed three hundred (300) square feet in area, to allow for an existing off premises sign of 672 square feet, a variance of 372 square feet.

To also vary from Section 26.10.F.4.d, which states in part "Off-premises signs shall not exceed thirty (30) feet in height," to allow for an existing off-premises sign thirty-five (35) feet in height, a variance of five (5) feet.

To vary from Section 26.10.F.4.f, which states in part, "Off premises signs shall be located behind the required building setback line of the lots on which they are located" to allow the sign to be located five (5) feet from the property line, a variance of 25 feet.

20-UV-22 PETITIONERS ARE INDIANA MICHIGAN POWER, AN AEP COMPANY
PROPERTY IS LOCATED AT VACANT LOT, SOUTH MAIN STREET

To vary from Section 26.10.F.4.a, Off-Premises Signs, which states "Off premises signs shall only be permitted in the B-3 and "M", Manufacturing Districts" to allow for an existing off premises sign on the parcel in a B-2 District.

20-BZA-43 PETITIONERS ARE PULSE 1 LLC
PROPERTY IS LOCATED AT 501 COUNTY ROAD 6 EAST

To vary from Section 26.10.D.4.d Free-standing Signs, which requires a monument sign for a single tenant location to be centered on the property; petitioner is requesting a sign at the northwest corner of the property.

To also vary from Section 26.10.D.4 Free-standing Signs to allow for a sign twenty six (26) feet six (6) inches in height and seventy-eight (78) square feet in area that is setback five (5) feet from the property line, where a freestanding sign is permitted to be a maximum of six (6) feet in height and fifty (50) square feet in area, a variance of twenty (20) feet six (6) inches in height and twenty-eight (28) square feet in area.

7. ADJOURNMENT

**PLEASE REMEMBER TO USE YOUR MICROPHONE WHEN SPEAKING.
ERRORS IN THE MINUTES MAY RESULT DUE TO VOICES BEING INAUDIBLE.**