

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, AUGUST 11, 2022 AT 6:00 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING

THIS MEETING WILL ALSO BE HELD ELECTRONICALLY VIA WEBEX.

This meeting can also be accessed via WebEx. To join, go to <http://coei.webex.com>, enter **157 230 2962** as the meeting number and “**BZA2021**” 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 PROOFS OF PUBLICATION**

4. **NEW BUSINESS**

22-BZA-21 PETITIONER IS JULIE WHEELER
PROPERTY IS LOCATED AT 1717 CASSOPOLIS ST

To vary from Section 13.4, Yard Requirements in the B-3 District, which requires a front yard setback of thirty (30) feet, to allow for the reconstruction of a building (West View Florist) at a six (6) foot setback, a variance of twenty-four (24) feet.

To also vary from Section 26.5.D.1, Major Thoroughfare Setback, which requires a primary building to be setback one hundred twenty (120) feet from the centerline of the street, to allow for the reconstruction of a building (West View Florist) at a forty-six (46) foot setback, a variance of seventy-four (74) feet.

22-X-10 PETITIONER IS LALLY SHOPPING MALL INC
PROPERTY IS LOCATED AT 2707 TOLEDO RD

A Special Exception as per Section 13.3, Special Exception Uses in the B-3 District, to allow for the establishment of a church at an existing strip mall at 2707 Toledo Road.

22-BZA-22 PETITIONER IS TOLSON CENTER INC
PROPERTY IS LOCATED AT 1320 BENHAM AVE

To vary from Section 26.7.C.2.a, Number of Off-Street Parking Spaces, which requires 223 parking spaces for a rebuilt Community Center, to allow for a total of 146 to be provided, a variance of 77 spaces.

To also vary from Section 26.7.C.7.1.2.b.(2) Parking Lot Landscaping, which requires a twenty (20) foot landscape strip for a parking lot with 87 spaces adjacent to a right-of-way, to allow for a ten (10) foot landscape strip, a variance of ten (10) feet.

22-UV-14 PETITIONER IS TOLSON CENTER INC
PROPERTY IS LOCATED AT 1320 BENHAM AVE

To vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District, to allow for a parking lot. Parking lots are not allowed as a primary use in the R-2 District.

To also vary from Section 11.2, Permitted Uses in the B-1, Neighborhood Business District, to allow for the re-establishment of a Community Center. Community Centers are not a permitted use in the B-1 District.

22-BZA-23 PETITIONER IS SGR I LLC AND LIFE CENTER OF ELKHART COUNTY, INC
PROPERTY IS LOCATED AT 1111 AND VACANT LAND, WEST BRISTOL STREET

To vary from Section 12.4, Yard Requirements in the proposed B-2 District, to allow a building setback fifteen (15) feet from the property line fronting on both West Bristol Street and Edwardsburg Avenue, where thirty (30) feet is required, a variance of fifteen (15) feet.

To also vary from Section 12.4, Yard Requirements in the proposed B-2 District, to allow for a building forty-nine (49) feet tall where a maximum of thirty-five (35) feet is allowed, a variance of fourteen (14) feet.

22-BZA-24 PETITIONER IS JASON & JESSICA MORENO
PROPERTY IS LOCATED AT 315 S RIVERSIDE DR

To vary from Section 26.7.B.1.c, Off-Street Parking and Loading - Scope of Regulations, which prohibits the parking of commercial vehicles in residential zones, to allow for a commercial vehicle (fire truck) in a residential zone at 315 South Riverside Drive.

22-BZA-25 PETITIONER IS MICHAEL B & JULIE M ROBINS
PROPERTY IS LOCATED AT 2809 GREENLEAF BLVD

To vary from Section 4.4, Yard Requirements in the R-1 District, which states the required front setback is the Established Setback, to allow for a new garage setback at 36 feet where 68 feet is required, a variance of 32 feet.

To also vary from Section 26.1.B.3, Accessory Structures – General Provisions – which requires that accessory structures be setback at least three (3) feet from an interior side yard lot line, to allow for a gazebo setback one (1) foot, a variance of two (2) feet.

22-UV-15 PETITIONER IS SAM & ERIC INVESTMENTS LLC
PROPERTY IS LOCATED AT 245 W HIVELY AVE

To vary from Section 12.2, Permitted Uses in the B-2 Community Business District, to allow for a 1,000-gallon liquid propane tank. The outside storage of liquids or gases in one or more tanks is not a permitted use in the B-2 District.

22-UV-16 PETITIONER IS JERRY E & JODY L SMITH
PROPERTY IS LOCATED AT 1011 W BEARDSLEY AVE

To vary from Section 12.2, Permitted Uses in the B-2, Community Business District, to allow for a one-family dwelling. One-family dwellings are not a permitted use in the B-2 District.

22-UV-17 PETITIONER IS EAST LLC
PROPERTY IS LOCATED AT 515 EAST ST

To vary from Section 15.2 Permitted Uses in the CBD District, which allows for “multi-family residential dwellings... located above commercial uses,” to allow for residential on the first floor and not above commercial uses for a proposed mixed use building.

5. **STAFF ITEMS**

20-X-04U PETITIONER IS HOUSING AUTHORITY OF CITY OF ELKHART
PROPERTY IS LOCATED AT 315 CHAPMAN AVE

Daycare center update.

6. **ADJOURNMENT**

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