

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, SEPTEMBER 8, 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-X-11 PETITIONER IS FRANCISCO SESMAS AND MARIA J TORRES
PROPERTY IS LOCATED AT 2038 BENHAM AVE

A Special Exception as per Section 5.3, Special Exception Uses in the R-2 District, to allow for the establishment of a Day Care Home in an existing building.

22-X-12 PETITIONER IS FRANCISCO SESMAS AND MARIA J TORRES
PROPERTY IS LOCATED AT 2044 BENHAM AVE

A Special Exception as per Section 5.3, Special Exception Uses in the R-2 District, to allow for the establishment of a Day Care Home in an existing building.

22-BZA-27 PETITIONER IS RANAE RILEY AKA RANAE MYERS
PROPERTY IS LOCATED AT 1900 GRANT ST

To vary from Section 26.4.B Fences Permitted in Residential and Business District, which allows fences up to six (6) feet high in side and rear yards, to allow for a fence eight (8) feet high in a rear yard, a variance of two (2) feet.

22-UV-18 PETITIONER IS THOMAS E AND BETTY J MARKS
PROPERTY IS LOCATED AT 2025 W LUSHER AVE

To vary from Section 18.2, Permitted Uses in the M-1 District, to allow for an existing structure to be used as a single family dwelling. Single family dwellings are not a permitted use in the M-1 District.

22-BZA-28 PETITIONER IS MOYER INVESTMENTS LLC
PROPERTY IS LOCATED AT 1905 FIELDHOUSE AVE

To vary from Section 18.6, Yard Requirements in the M-1 District, which requires a twenty-five (25) foot setback in Front Yards, to allow for a twenty-two foot setback on Fieldhouse Avenue, a variance of three (3) feet.

To also vary from Section 18.6, Yard Requirements in the M-1 District, which requires a Corner Side Yard setback to be equal or greater to the Established setback, to allow for a fifteen (15) foot setback where twenty-nine (29) feet is required, a variance of fourteen (14) feet.

22-BZA-29 PETITIONER IS ARACELI MARIN
PROPERTY IS LOCATED AT 1920 W INDIANA AVE

To vary from Section 26.4.A.6 Fence Requirements, General Provisions -- All Districts, which states "no fences, other than split rail, wrought iron or open picket fences... not to exceed four (4) feet in height, shall be permitted in any front yard or corner side yard, to allow for a six (6) foot privacy fence in a front yard, a variance of two (2) feet and the type of fence (privacy).

22-BZA-30 PETITIONER IS CITY OF ELKHART
PROPERTY IS LOCATED AT 721 S MAIN ST

To vary from Section 15.5.G Development Conditions in the CBD, which prohibits Permanent, free-standing signs in front yards along Main Street, Jackson Boulevard, and Elkhart Avenue in the CBD, to allow for a nine (9) square foot addition onto an existing freestanding sign at 721 South Main Street.

5. STAFF ITEMS

**22-X-04U PETITIONER IS CITY OF ELKHART PLANNING AND ZONING DEPT
PROPERTY IS LOCATED AT 112 E LEXINGTON AVE**

Staff and BZA review of Special Exception 22-X-04, which allowed for a charitable organization to operate a soup kitchen.

**22-REV-01 PETITIONER IS CITY OF ELKHART
PROPERTY IS LOCATED AT VACANT LOT BELMONT**

A request by the City of Elkhart to revoke 21-BZA-29, which was approved July 8, 2021 to grant a developmental variance to allow construction of a gravel lot where a paved parking area would be required

**22-REV-02 PETITIONER IS CITY OF ELKHART
PROPERTY IS LOCATED AT VACANT LOT BELMONT**

A request by the City of Elkhart to revoke 21-UV-14 which was approved July 8, 2021 to grant a use variance to allow the operation of a tree cutting business where residential uses are allowed.

6. ADJOURNMENT

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