

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, NOVEMBER 9, 2023 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 **2317 077 1574** as the meeting number and “**BZA2023**” 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 hugo.roblesmadrigal@coei.org prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES FOR SEPTEMBER 14, 2023, AND OCTOBER 12, 2023**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

23-BZA-28 PETITIONER IS NANCY SHAU
PROPERTY IS LOCATED AT VACANT LOT TOLEDO ROAD 3200 BLOCK 013

To vary from Section 12.4 Yard Requirements in the B-2, Community Business District, to allow for a ten (10) foot rear yard setback where twenty (20) feet is required, a variance of ten (10) feet.

6. **NEW BUSINESS**

23-BZA-29 PETITIONER IS 1104 BRISTOL LLC
PROPERTY IS LOCATED AT 1104 W. BRISTOL STREET

To vary from Section 26.10.D.4.a, which states in part that ‘One freestanding sign is permitted per zoning lot’ to allow for two (2) freestanding signs being modified to remain. To also vary from Section 26.10.E – Table 2 which establishes the maximum sign height. To allow for one sign at seven (7) feet from the ROW for the west sign at twenty one (21) feet in height and ten (10) feet from the ROW for the east sign at sixteen (16) feet in height, a variance of fourteen (14) feet for the west sign and seven and one half (7.5) feet for the east sign. To also vary from Section 26.10.D – Table 1 which establishes the maximum sign area of fifty (50) square feet for both freestanding signs to allow for the west sign to be ninety six (96) square feet and fifty five (55) square feet for the east sign, a variance of forty six (46) and five (5) square feet respectively.

23-BZA-30 PETITIONER IS MARSON INTERNATIONAL
PROPERTY IS LOCATED AT 3630 MANCHESTER DRIVE

To vary from Section 10.D.1 which states, ‘All on-premise signs, except wall, marquee and awning signs, shall be located no closer than five (5) feet from any right of way that allows sign that are six (6) feet in height. To allow for a sign zero (0) feet from the right of way that is 7’4” in height, a variance of 7’6” from the right of way line and 1’4” for the height.

23-BZA-31 PETITIONER IS EDIC ROBERTO POBLANO OJEDA
PROPERTY IS LOCATED AT 2029 PRAIRIE STREET

To vary from Section 26.1.B.5 which states in part that ‘All accessory structures shall be limited to a maximum height of fifteen (15) feet in residential districts to allow for a new accessory structure that is eighteen (18) feet in height, a variance of three (3) feet.

23-BZA-32 PETITIONER IS HULLCO ENTERPRISES LLC
PROPERTY IS LOCATED AT 117 S. NAPPANEE STREET

To vary from Section 26.10.D.4.d, which states ‘Free standing signs shall be centered on the property, or if not possible, at least twenty (20) feet from any adjacent property line to allow for a new replacement freestanding sign that is not centered on the property.

23-BZA-33 PETITIONER IS WILLIE J. LEE AND ADRIAN L. RILEY
PROPERTY IS LOCATED AT VACANT LAND (1022) W. GARFIELD STREET - 06-08-302-014

To vary from Section 5.2.B which states in part that ‘The primary façade of the structure shall face a public street’ to allow for a manufactured home to be cited so that the primary façade does not face the public street.

23-BZA-34 PETITIONER IS GUSTAVO VALENZUELA
PROPERTY IS LOCATED AT 917 MIDDLEBURY STREET

To vary from Section 6.4 Established front yard setback in the 900 block of Middlebury Street (south side) that is calculated to be 27.6 feet to allow for the enclosure of the front porch with a setback of 21.5 feet, a variance of 6.1 feet. The enclosure of the front porch will change the average setback.

23-BZA-35 PETITIONER IS WADE P. FRAUHIGER
PROPERTY IS LOCATED AT 1501 E. BRISTOL STREET

To vary from Section 26.10.D.4.d which states in part, 'Free standing signs shall be centered on the property, or if not possible, at least twenty (20) feet from any adjacent property line' to allow for a replacement freestanding sign that is two (2) feet from the (east) side property line. To also vary from Section 26.10.D.4.c.ii which states in part 'The permitted height of a free standing sign may be increased at a rate of one foot for every two (2) feet the sign is located in excess of the required five (5) feet minimum distance from the right of way' to allow for the same replacement freestanding sign that is fifteen (15) feet from the right of way and thirteen (13) feet in height a variance of two (2) feet.

7. **ADJOURNMENT**

PLEASE REMEMBER TO USE THE MICROPHONE WHEN SPEAKING.
ERRORS IN THE MINUTES MAY RESULT FROM INAUDIBLE VOICES.