

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, DECEMBER 10, 2021 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 MINUTES NOVEMBER 10, 2021**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

20-BZA-42 PETITIONER IS 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.

6. **NEW BUSINESS**

21-X-12 PETITIONER IS JANET COOK, PRESIDENT PRAYERS MINISTRIES, INC
PROPERTY IS LOCATED AT 2626 PRAIRIE ST

A Special Exception per Section 4.3 Special Exception Uses in the R-1 One Family Dwelling District to allow for the establishment of a Clubhouse Community called Lexington House which would help people in recovery with education, employment, and support.

21-UV-25 PETITIONER IS NORA WADE TRUST
PROPERTY IS LOCATED AT 1702 E HIVELY AVE

Use Variance of Section 18.2 Permitted Uses to permit an existing single family home in a M-1 Limited Manufacturing District.

21-UV-26 PETITIONER IS MINA YOUSSEF AND DIANA MESEHE
PROPERTY IS LOCATED AT 1433 W FRANKLIN STREET

To vary from Section 6.2, Permitted Uses in the R-3 District, to allow a Three-Unit Multiple Family Dwelling. Multiple Family Dwellings are not allowed by right in the R-3 District.

21-UV-27 PETITIONER IS TERRI NORWOOD/CURTIS
PROPERTY IS LOCATED AT 900 EDWARDSBURG AVE

To vary from Section 13.1, Permitted Uses in the B-3 Service Business District, to allow for an existing building to be used as a single family home.

21-BZA-45 PETITIONER IS HABITAT FOR HUMANITY OF ELKHART COUNTY, INC
PROPERTY IS LOCATED AT VACANT LOT NADEL AVENUE, 06-07-226-018-012

Developmental Variance of Section 5.4 Lot Size to allow for a residential lot to be less than 7,200 sq. ft. to allow for the construction of a house on a 6,735 sq. ft. lot a reduction of 465 sq. ft. also a variance from Section 26.7.C.3.a Location of Parking Facilities to allow a paved parking area to be located in the corner side yard.

21-BZA-46 PETITIONER IS HABITAT FOR HUMANITY OF ELKHART COUNTY, INC
PROPERTY IS LOCATED AT VACANT LOT NADEL AVENUE, 06-07-226-018-012

Developmental Variance of Section 5.4 Lot Size to allow for a residential lot to be less than 7,200 sq. ft. to allow for the construction of a house on a 6,544 sq. ft. lot a reduction of 656 sq. ft.

21-UV-28 PETITIONER IS DANNY REYNOLDS
PROPERTY IS LOCATED AT 1813 BORNEMAN AVENUE

To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District, to allow for a Single Family Dwelling. Single Family Dwellings are not permitted by right in the M-1 District.

21-X-13 PETITIONER IS MAXIM IVANOV / THE LENOX LLC
PROPERTY IS LOCATED AT 101 NORTH MAIN STREET

A Special Exception per Section 15.3 Special Exception Uses in the CBD, Central Business District to allow for the establishment of a meeting hall/banquet facility.

21-BZA-47 PETITIONER IS MAXIM IVANOV / THE LENOX LLC
PROPERTY IS LOCATED AT 101 NORTH MAIN STREET

To vary from Section 15.5.G, Developmental Conditions in the Central Business District, which prohibits permanent, free-standing signs in the front yard on Main Street, to allow for a permanent, freestanding sign in the front yard at 101 North Main Street.

To also vary Section 26.10.D.4.d which requires freestanding signs to be centered on the property line to allow for a freestanding sign at the southeast corner of the property.

To also vary from Section 26.10.D.4 Free-standing Signs to allow for a sign ten (10) feet in height that is setback six (6) feet from the property line, where a freestanding sign is permitted to be a maximum of 6.5 feet in height, a variance of 3.5 feet.

21-X-14 PETITIONER IS RAFAEL PEREZ / TOMASA AGUIRE A
PROPERTY IS LOCATED AT 322 E INDIANA AVE

A Special Exception of Section 12.3 of the Community Business District to allow the operation of a tattoo parlor.

21-BZA-48 PETITIONER IS JOSEPH D AVERY
PROPERTY IS LOCATED AT 1025 & 1027 W CLEVELAND AVE

Developmental Variance of 26.7.C.3.a Location of Parking Facilities to allow a paved parking area to be located in the front yard.

21-BZA-49 PETITIONER IS LAURA JEAN SMITH
PROPERTY IS LOCATED AT 3200 E JACKSON BLVD

To vary from Section 26.7.C.3.a, Location of Parking Facilities, which does not allow parking areas and driveways to be in a front yard, or to occupy more than 50% of any yard, to allow an off-street parking area in front of the primary residence and to allow the parking area/driveway to occupy more than 50% of the yard.

7. ADJOURNMENT

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