

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, FEBRUARY 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 **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 - JANUARY 12, 2023**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

**22-UV-21 PETITIONER IS CITY OF ELKHART DEPARTMENT OF PARKS AND RECREATION
PROPERTY IS LOCATED AT 3499 NEWTON DR**

To vary from Section 26.4.2, Permitted Use in the R-1, One-Family Dwelling District to allow for the installation of a new wireless communication facility with a one hundred thirty-five foot 135 foot tall cell tower.

**23-BZA-02 PETITIONER IS DANIEL B TISER
PROPERTY IS LOCATED AT 1738 CASSOPOLIS ST**

To vary from Section 26.4.A.1 – Fence Requirements, which only allows barbed wire on fences in manufacturing districts above seven (7) feet, to allow for a barbed wire fence above a six (6) foot chain link fence on a property zoned B-3, Service Business District and R-2, One-Family Dwelling District.

To also vary from Section 26.4.A.6 – Fence Requirements, which only allows split rail, wrought iron, and open picket fences not to exceed four (4) feet in a front or corner side yard, to allow a six (6) foot chain link fence with barbed wire above in a front and corner side yard on a through lot.

**23-BZA-05 PETITIONER IS M M LYNN LLC
PROPERTY IS LOCATED AT 2016 BORNEMAN AVE**

To vary from Section 26.7.C.7 (a, b, c) which states in part that parking lots must be paved with concrete, asphalt, or decorative concrete, brick, or asphalt pavers, and where storage yards for partially or fully finished product may be surfaced with gravel or slag may be located only in a rear yard to allow for an existing gravel lot in the front yard to remain despite a substantial improvement to the property.

To vary from Section 26.7.C.7.1.b.2, Parking Lot Landscaping, which requires a front setback of ten feet along a right of way for parking lots with one (1) to seventy-five (75) spaces, to allow for a parking lot with thirteen (13) spaces at a zero (0) foot setback, a variance of ten (10) feet.

6. **NEW BUSINESS**

**23-BZA-06 PETITIONER IS WILLIE AND DOROTHY ROBINSON
PROPERTY IS LOCATED AT 1659 ROYS AVE**

To vary from Section 5.4 of the R-2 One-Family Dwelling District Yard Requirements to allow the construction of a new home at a setback of four (4) feet nine (9) inches from the public right-of-way of East Cleveland Avenue. A reduction of two (2) feet three (3) inches from the Established Setback of seven (7) feet.

7. **STAFF ITEMS**

**19-X-01U PETITIONER IS S W E INC AN IN CORP
PROPERTY IS LOCATED AT 706 W INDIANA AVE**

Daycare review

**19-X-02U PETITIONER IS ELVIRA AND ONECIMO HERRERA
PROPERTY IS LOCATED AT 1214 CONCORD AVE**

Daycare review

8. **ADJOURNMENT**

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