

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, MAY 11, 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 APRIL 13, 2023**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

23-BZA-12 PETITIONER IS 322 E BRISTOL LLC
PROPERTY IS LOCATED AT 332 E BRISTOL ST

To vary from Section 26.10.D.4.d which requires free-standing signs to be centered on the property to allow a sign along Bristol Street to be located near the intersection of Cassopolis Street.

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.

6. **NEW BUSINESS**

23-X-05 PETITIONER IS IGLESIA PROFECTA LA CUIDAD DE SION DE INDIANA
PROPERTY IS LOCATED AT 610 W HUBBARD AVE

A Special Exception per Section 5.3, Special Exceptions Uses in the R-2 One-Family Dwelling District, to allow an existing church to be within a residential neighborhood and expand onto an adjacent vacant parcel.

23-BZA-13 PETITIONER IGLESIA PROFECTA LA CUIDAD DE SION DE INDIANA
PROPERTY IS LOCATED AT 610 W HUBBARD AVE

To vary from Section 5.4 Yard Requirements to allow an existing addition to a church to encroach into the established front yard setback ten (10) feet and eight (8) inches. The requested addition is proposed at six (6) feet from the property line with the front stairs being within eight (inches).

23-UV-05 PETITIONER IS CESAR LOPEZ
PROPERTY IS LOCATED AT 900 W BEARDSLEY AVE

To vary from Section 19.1 Permitted Uses in the M-2 General Manufacturing District to allow an existing building to be used as an event center.

23-BZA-14 PETITIONER IS LUIS NAVARETTE
PROPERTY IS LOCATED AT 1031 CHICAGO AVE

To vary from Section 5.4 Yard Requirements in the R-2 One-Family Dwelling District to allow an addition to a home to extend seventeen (17) feet into the thirty (30) foot rear yard setback.

23-BZA-15 PETITIONER IS T O DOUBLE D PROPERTIES LLC
PROPERTY IS LOCATED AT VACANT LOT 1800 BLOCK MOYER AVE 20-06-09-407-012.000-012

To vary from Section 5.2.B which requires a single family residence to be a minimum of twenty-four (24) feet wide and a minimum of nine hundred fifty (950) square feet of dwelling unit space to allow the construction of a new single family home that would be twenty (20) feet wide and six hundred (600) square feet, a reduction of four (4) feet wide and three hundred and fifty (350) square feet of dwelling unit space.

23-BZA-16 PETITIONER IS ANTHONY R JONES

PROPERTY IS LOCATED AT 610 S TENTH ST

To vary from Section 26.1.B.3, Accessory Structures - General Provisions, which requires accessory structure to "not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line," to allow for a garage on an existing foundation to be two (2) feet from both the side and rear lot lines, a variance of one (1) and three (3) feet respectively.

23-UV-06 PETITIONER IS TIP LLC

PROPERTY IS LOCATED AT 211 N MAIN ST

To vary from Section 15.2, Permitted Uses in the CBD, Central Business District, to allow for a tattoo parlor. Tattoo parlors are not a permitted use in the CBD.

23-BZA-17 PETITIONER IS DRULEY REALTY LLC

PROPERTY IS LOCATED AT 2651 S MAIN ST

To vary from Section 26.10.E, Area and Height of Signs for All Districts, to allow a fifteen (15) foot tall sign at a seven (7) foot setback where a seven (7) foot tall sign is allowed, a variance of eight (8) feet.

7. STAFF ITEMS

8. ADJOURNMENT

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