

**AGENDA  
ELKHART CITY BOARD OF ZONING APPEALS  
THURSDAY, SEPTEMBER 9, 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](mailto:jennifer.drlich@coei.org) prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES AUGUST 12, 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-BZA-32 PETITIONER IS KEYBANK NATIONAL ASSOCIATION  
PROPERTY IS LOCATED AT 2801 CASSOPOLIS ST**

To vary from Section 26.5.D.1 which requires primary structures to be 120 feet from the centerline of a major thoroughfare. To allow an ATM canopy to encroach three (3) feet eight (8) inches closer to the public right of way reducing the overall structure's setback to forty-one (41) feet ten (10) inches.

**21-BZA-33 PETITIONER IS BYRON & MELISSA NAFF  
PROPERTY IS LOCATED AT 1723 GREENLEAF BLVD**

To vary from Section 4.4 of the R1 side yard requirements which requires that the total of the two side yard setbacks to be a minimum of twenty (20) feet in width. The request is to reduce the combined setback to eleven point four (11.4) feet to allow an existing detached garage to be attached to the house and an addition to be within eight point five (8.5) feet of the side property line.

**21-BZA-34 PETITIONER IS MARINE REALTY LLC  
PROPERTY IS LOCATED AT 2805 DECIO DR**

To vary from Section 26.7.C.7.1.ii.b.2, Parking Lot Landscaping which requires parking lots abutting a right-of-way in an M-2 District to be 10 feet wide where there are 1 - 75 spaces, to allow for a landscape strip of .88 feet, a variance of 9.12 feet.

**21-BZA-35 PETITIONER IS GORDON HUGHES & JENNIFER ABRELL  
PROPERTY IS LOCATED AT 2700 GREENLEAF BLVD**

To vary from Section 4.4 of the R-1 yard requirements that requires a residence to meet a corner established setback from the side street. To vary from the required thirty-five (35) foot established setback from the side street to allow a garage to be built at eighteen (18) feet from the property line along Bay Street.

**21-BZA-36 PETITIONER IS UBALDO CRUZ PEREZ**  
**PROPERTY IS LOCATED AT 2751 BURR OAK AVE**

To vary from Section 26.7.C.3.a, Parking and Loading Facilities, to allow an off-street parking area in front of the primary residence.

**21-UV-17 PETITIONER IS MARIA PEREIDA**  
**PROPERTY IS LOCATED AT 702 W HIVELEY AVE**

To vary from Section 5.2, Permitted Uses in the R-2 District, to allow retail plant sales. Retail sales are not permitted in the R-2 District.

**21-UV-18 PETITIONER IS NORTON & BARBARA BARNETT**  
**PROPERTY IS LOCATED AT 207 E PARKVIEW AV**

To vary from Section 18.2, Permitted Uses in the M-1 District to allow for internet sales and dispatch for delivery of motor vehicles. Motor vehicle sales is not a permitted use in the M-1, Limited Manufacturing District.

**7. ADJOURNMENT**

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