

**AGENDA**  
**ELKHART CITY BOARD OF ZONING APPEALS**  
**THURSDAY, FEBRUARY 11, 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 **180 859 5767** as the meeting number and “**zoning2021**” 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 JANUARY 14, 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, S MAIN STREET**

To 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.

To also 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.

**21-BZA-02 PETITIONER IS H&O INVESTMENTS PROPERTY, LLC**  
**PROPERTY IS LOCATED AT VL, COUNTY ROAD 6 EAST (WEST OF STRYKER)**

To vary from Section 26.5.D.1 Major Thoroughfare Setback, which states "no principal building or structure shall be placed within one hundred twenty (120) feet of the center line of the right-of-way of any street designated as a major thoroughfare," to allow a principal building located seventy-four (74) feet from the centerline of County Road 6, a variance of forty-six (46) feet.

**21-UV-02 PETITIONER IS ADAM HARTMAN**  
**PROPERTY IS LOCATED AT 640 INDUSTRIAL PARKWAY**

To vary from Section 18.2, Permitted Uses in the M-1 District, to allow a Motor Vehicle Wrecking Yard/Motor Vehicle Storage Yard, which is not a permitted use in the M-1 District.

6. **NEW BUSINESS**

**21-X-02 PETITIONER IS CITY OF ELKHART**  
**PROPERTY IS LOCATED AT 1347 EDGEWATER BOULEVARD**

A Special Exception as per Section 5.3, Special Exception Uses in the R-2 District, to allow for the rehabilitation of an existing sanitary sewer lift station, including replacement of the above grade structure.

**21-X-03 PETITIONER IS ELKHART PUBLIC LIBRARY**  
**PROPERTY IS LOCATED AT 2400 BENHAM AVENUE**

A Special Exception as per Section 4.3, Special Exceptions in the R-1 District, to allow for a 1,035 square foot addition to an existing Public Library.

**21-X-04 PETITIONER IS ELKHART PUBLIC LIBRARY**  
**PROPERTY IS LOCATED AT 3429 E BRISTOL STREET**

A Special Exception as per Section 4.3, Special Exceptions in the R-1 District, to allow for a 2,130 square foot addition to an existing Public Library.

**21-BZA-04 PETITIONER IS STEVEN E HOLBERT  
PROPERTY IS LOCATED AT 1840 FIELDHOUSE AVENUE**

To vary from Section 18.6, Yard Requirements in the M-1 District, which requires a twenty-five (25) foot front yard setback, to allow for a two (2) foot front yard setback, a variance of twenty-three (23) feet.

**21-BZA-05 PETITIONER IS PULSE 1 LLC / CELLAR INVESTMENT LLC  
PROPERTY IS LOCATED AT 501 / 521 COUNTY ROAD 6 E**

To vary from Section 26.10.D.4.a which allows only one free-standing sign is permitted per zoning lot frontage, to allow a second freestanding sign on the County Road 6 frontage.

To also vary from Section 26.10.D.4 Free-standing Signs to allow for a sign eight (8) feet in height that is setback seven (7) feet from the property line, where a freestanding sign is permitted to be a maximum of seven (7) feet in height, a variance of one (1) foot.

To also vary from Section 26.10.D.4 Free-standing Signs, which requires that an integrated message board in the B-2 to be limited in size to 50% of the sign area of the principal sign, to allow for an Electronic Message Center that is 100% of the size of the principal sign, a variance of 50%.

**21-BZA-06 PETITIONER IS BCW PROPERTIES LLC, DONALD & FANNY ARCENATH BERGERSON,  
MAYWELL DEVELOPMENT LLC, JESSE L & RENEE D STRIEBY, SMARTT PROPERTY LLC  
PROPERTY IS LOCATED AT 2426 CASSOPOLIS STREET (PARCELS 02-29-276-006, 007, 008, 037, 038, 039,  
040), 515 ARLINGTON ROAD (PARCEL 02-29-276-016), VACANT LAND CR 9 (PARCELS 02-29-276-041,  
042, 043), 2508 AND VACANT LAND CASSOPOLIS STREET (PARCELS 02-29-276-005, 050, 032, 033, 034,  
035), 53301 CR 9 (PARCEL 02-29-276-036)**

To vary from Section 14.5.F.1, which requires commercial properties in B-4 zones to provide a forty (40) foot landscaped area when located adjacent to a residentially zoned or used property, to allow for a twenty (20) foot landscaped area along the northern edge of the property and a fourteen (14) foot landscaped area along the southern edge of the property, a variance of twenty (20) and twenty-six (26) feet respectively.

**21-BZA-07 PETITIONER IS BCW PROPERTIES LLC, DONALD & FANNY ARCENATH BERGERSON,  
MAYWELL DEVELOPMENT LLC, JESSE L & RENEE D STRIEBY, SMARTT PROPERTY LLC  
PROPERTY IS LOCATED AT 2426 CASSOPOLIS STREET (PARCELS 02-29-276-006, 007, 008, 037, 038, 039,  
040), 515 ARLINGTON ROAD (PARCEL 02-29-276-016), VACANT LAND CR 9 (PARCELS 02-29-276-041,  
042, 043), 2508 AND VACANT LAND CASSOPOLIS STREET (PARCELS 02-29-276-005, 050, 032, 033, 034,  
035), 53301 CR 9 (PARCEL 02-29-276-036)**

To vary from Section 26.10.D.4 Free-standing Signs to allow for a sign twenty (20) feet in height and 100 square feet in area that is setback ten (10) feet from the right-of-way, where a freestanding sign is permitted to be a maximum of 8.5 feet in height and 60 square feet in area, a variance of 11.5 feet in height and 40 square feet in area.

To also vary from Section 26.10.D.4 Wall Signs, to allow for an 812 square-foot wall sign on a signable area of 1,410 square feet, where a wall sign is limited to 564 square feet, a variance of 248 square feet.

To vary from Section 26.10.D.4 Projecting Signs, which limits projecting signs to nine (9) square feet in area, to allow two projecting signs 12.5 square feet in area, a variance of 3.5 square feet.

**21-BZA-08 PETITIONER IS EW MARINE INC  
PROPERTY IS LOCATED AT 1101 PARKWAY AVENUE**

To vary from Section 26.10.D.4 Directional Signs to allow for a sign five (5) feet in height and twenty-four (24) square feet in area, where a directional sign is permitted to be a maximum of three (3) feet in height and four (4) square feet in area, a variance of two (2) feet in height and twenty (20) square feet in area.

To also vary from Section 26.10.D.4 Free-standing Signs to allow for a freestanding sign 127 square feet in area that is setback thirty (30) feet from the property line, where a freestanding sign is permitted to be a maximum of 75 square feet in area, a variance of 45 square feet.

**7. ADJOURNMENT**

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