

AGENDA
ELKHART CITY BOARD OF ZONING APPEALS
THURSDAY, MAY 13, 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 APRIL 8, 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.

**21-BZA-02 PETITIONER IS H&O INVESTMENTS PROPERTY, LLC
PROPERTY IS LOCATED AT VACANT LOT, 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-BZA-10 PETITIONER IS FERNANDO SANCHEZ QUINTOS AND CYNTHIA M ACOSTA ORTEGA
PROPERTY IS LOCATED AT 1731 S MAIN STREET**

To vary from Section 26.4.A.6 Fence Requirements to allow for a wood privacy fence six (6) feet in height in the corner side yard where a split rail, wrought iron, or open picket fence not to exceed four (4) feet in height is permitted.

6. **NEW BUSINESS**

**21-UV-06 PETITIONER IS BRADLEY NORMAN
PROPERTY IS LOCATED AT 915 S MAIN ST**

To vary from Section 15.2. (Q) multi-family residential dwelling located above commercial uses to allow residential uses in the basement of an existing multitenant building.

**21-BZA-12 PETITIONER IS CONCORD COMMUNITY SCHOOLS
PROPERTY IS LOCATED AT 4000 S MAIN ST**

To vary from Section 26.4.A.7 which limits the height of a fence to six (6) feet in height to allow a fence at eight (8) feet in height.

**21-BZA-13 PETITIONER IS HOLLY BYERS
PROPERTY IS LOCATED AT 1401 W LEXINGTON AVE**

To vary from Section 26.4.B Fence Requirements to allow for a wood privacy fence six (6) feet in height in the corner side yard where a split rail, wrought iron, or open picket fence not to exceed four (4) feet in height is permitted.

21-BZA-14 PETITIONER IS BCW PROPERTIES LLC, DONALD & FANNY ARCENATH BERGESON, MAYWELL DEVELOPMENT LLC, JESSE & RENEE STRIEBY, SMARTT PROPERTY LLC
PROPERTY IS LOCATED AT 2426 CASSOPOLIS ST

To vary from Section 26.6.B.5, Exterior Lighting Standards, which requires “all lighting structures within a property or planned development shall... be of uniform height,” to allow for 21 lighting structures at thirty (30) feet in height and 22 lighting structures at twenty (20) feet in height in a planned development. The twenty (20) foot lighting structures are proposed to be installed when within 75’ of a residential use property.

21-BZA-15 PETITIONER IS R E T A INC
PROPERTY IS LOCATED AT 116 W JACKSON BLVD

To vary from Section 26.7.C.7.1.ii.a.i, Parking Lot Landscaping, which requires a four (4) feet wide landscape strip when a parking lot of one to forty (1-40) spaces abuts a building, to allow for a landscape strip one and a half (1.5) feet abutting a building, a variance of two and a half (2.5) feet.

21-UV-07 PETITIONER IS LACASA OF GOSHEN INC
PROPERTY IS LOCATED AT 208 W INDIANA AVE

To vary from Section 11.2, Permitted Uses in the B-1 District, to allow for a single-family dwelling. Single-family dwellings are not a permitted use in the B-1 District.

7. STAFF ITEMS

8. ADJOURNMENT

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