

**AGENDA**  
**ELKHART CITY BOARD OF ZONING APPEALS**  
**THURSDAY, APRIL 11, 2024 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 **2317 077 1574** as the meeting number and **"BZA2023"** 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 [hugo.roblesmadrigal@coei.org](mailto:hugo.roblesmadrigal@coei.org) prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF PROOFS OF PUBLICATION**
  
4. **OLD BUSINESS**

**24-BZA-03 PETITIONER IS NANCY SHAUM**  
**PROPERTY IS LOCATED AT VACANT-LOT TOLEDO RD - 06-11-251-013**

To vary from Section 12.4 Yard Requirements in the B-2, Community Business District, to allow for a ten (10) foot rear yard setback where twenty (20) feet is required, a variance of ten (10) feet.

**24-UV-04 PETITIONER IS HERG INC**  
**PROPERTY IS LOCATED AT 106 & 108 BOWERS COURT**

To vary from Section 7.2, Permitted Uses in the R-4, Multiple Family Dwelling District to allow for the demolition of 106 and 108 Bowers Court and used for a parking lot to provide off street parking for the River Queen.

5. **NEW BUSINESS**

**24-X-03 PETITIONER IS NM VYT, LLC (d/b/a Voyant Beauty)**  
**PROPERTY IS LOCATED AT 1919 SUPERIOR STREET**

A Special Exception per Section 18.3.L, Special Exception Uses in the M-1, Limited Manufacturing District, for the storage of any liquid or gas in excess of 10,000 gallons, to allow for the addition of 2 – 10,000 gallon tanks and 2- 5,000 gallon tanks.

**24-BZA-06 PETITIONER IS JFS REAL ESTATE HOLDING LLC**  
**PROPERTY IS LOCATED AT 444 N NAPPANEE STREET**

To vary from Section 26.10.D.4.c.ii, Free Standing Sign Increases, to allow a new freestanding sign that is eight (8) foot in height where a sign six and one half (6.5) feet is permitted, a variance of one and one half (1.5) foot. To also vary from Section 26.10.D, Table 1, which states in part, limits an integrated message board on the same supporting structure to 50% of the sign area of the principal sign, to allow a sign with an integrated message board at an area of 32 square feet where 10 square feet is permitted, a variance of 22 square feet. The primary sign face is 20 square feet. The sign is double faced.

**24-UV-06 PETITIONER IS JAMES RUPRIGHT**  
**PROPERTY IS LOCATED AT 2020 INDUSTRIAL PARKWAY**

To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the property to be used for a daycare center. Daycare Centers are not allowed by right in the M-1 district.

**24-UV-07 PETITIONER IS GURPREET SINGH**  
**PROPERTY IS LOCATED AT 1900 & 1904 WEST FRANKLIN STREET**

To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the construction of a two family dwelling. Two family dwellings are not a permitted use in the M-1 District.

6. **ADJOURNMENT**

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

**0500 MERCHANDISE**

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**LEGAL NOTICE #24-UV-07**

Hearing on proposed Use Variance #24-UV-07

NOTICE is hereby given that the City of Elkhart Board of Zoning Appeals will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **THURSDAY, APRIL 11, 2024 at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Use Variance Petition #24-UV-07.

**Petitioner:** Gurpreet Singh

**Request:** To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the construction of a two family dwelling. Two family dwellings are not a permitted use in the M-1 District.

**Location:** 1900 and 1904 West Franklin Street

**Zoning:** M-1, Limited Manufacturing District

This meeting can also be accessed via WebEx. To join, go to <http://coei.webex.com>, enter 2317 077 1574 as the meeting number and "BZA2023" 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 [hugo.roblesmadrigal@coei.org](mailto:hugo.roblesmadrigal@coei.org) prior to the meeting.

**LEGAL DESCRIPTION:**

**Parcel I**  
The 10.5 foot triangle in Northeast Corner of Lot Numbered 4 in Dinehart's Edgewater Addition to the City of Elkhart, Indiana as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

**Parcel II**  
Lot Numbered 5 in Dinehart's Edgewater Addition to the City of Elkhart, Indiana as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

**EXCEPT:** All of Lot Numbered 3 and a part of Lots Numbered 4 and 5, as said lots are known and designated on the recorded plat of H.E. Dinehart's Edgewater Addition to Elkhart, Indiana, being more particularly as follows:

Assuming the West line of said Lot Numbered 3, to have a bearing of due North and South, beginning at the Southwest corner of said Lot Numbered 3; thence North 73°01' East along the Southerly line of Lots Numbered 3, 4 and a part of 5, a distance of 93.11 feet to an iron stake; thence North 09°07' West, 120.68 feet to an iron stake located on the Northerly line of Lot Numbered 4; thence South 73°01' West along the Northerly line of Lots Numbered 4 and 3, a distance of 73.10 feet to the Northwest corner of Lot Numbered 3; thence due South along the West line of said Lot Numbered 3, a distance of 125 feet to the place of beginning.  
(Being 1904 West Franklin St.)

**Parcel III:** Lot Numbered 6 in H.E. Dinehart's Edgewater Addition to the City of Elkhart as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.  
(Being: 1900 West Franklin St.)

Arguments for and against the granting of the above designated petition will be heard at this meeting.

**PLEASE NOTE:** A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Board, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 25th day of March, 2024, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: March 28th, 2024  
hspaxlp

**0500 MERCHANDISE**

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**0900 LEGALS****MECHANICS LIEN AUCTION**

**TOMS AUTO SERVICE**  
30290 CR 12  
ELKHART, IN 46514

**AUCTION WILL BE HELD**  
MONDAY  
APRIL 15th AT 9:00 a.m.

**2015 LAND ROVER LR4**  
SALAG2V61FA774018  
\$2,285.00

**2020 SUBARU WRX**  
JF1VA1A63L9806285  
\$2,285.00

**2017 CHEVY TRAX**  
3GNCJNSB3HL162166  
\$2,285.00

**2008 LAND ROVER RANGE**  
ROVER  
SALSF25408A162983  
\$2,285.00

**2000 CHEVROLET SUBURBAN**  
K1500  
3GNFK16TXYG116025  
\$2,285.00

**2011 JEEP GRAND CHEROKEE**  
1J4RR4GGXBC600995  
\$2,285.00

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**0900 LEGALS**

20D06-2403-JP-000082  
**Elkhart Superior Court 6**  
STATE OF INDIANA  
IN THE ELKHART CO.  
SUPERIOR COURT  
COUNTY OF ELKHART  
CAUSE NO.  
20D06-2403-JP-000082

IN RE PATERNITY OF:  
BRINY D. FLORES ERAZO

By Next Friend:  
YENI ERAZO BETANCOURTH  
YENI ERAZO BETANCOURTH  
Petitioner

v.

SAUL FLORES JIMENEZ  
Respondent

**SUMMONS - SERVICE BY PUBLICATION NOTICE OF SUIT**

You are notified that you have been sued in the Court above-named and a hearing will take place in Elkhart Co. Superior Court. The nature of the suit against you is a Petition for Establishment Paternity and Custody. This summons by publication is specifically directed to Saul Flores Jimenez, residence unknown.

You must answer the Petition, in writing, by or your attorney, within thirty (30) days after notice of suit, and if you fail to do so, a judgment will be entered against you for what the petition has

**Sell Your Unwanted  
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**LEGAL NOTICE #24-UV-06**

Hearing on proposed Use Variance #24-UV-06

NOTICE is hereby given that the City of Elkhart Board of Zoning Appeals will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **THURSDAY, APRIL 11, 2024 at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Use Variance Petition #24-UV-06.

**Petitioner:** James Rupright for Creative Sewing Designs, Inc.

**Request:** To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the property to be used for a daycare center. Daycare Centers are not allowed by right in the M-1 district.

**Location:** 2020 Industrial Parkway

**Zoning:** M-1, Limited Manufacturing District

This meeting can also be accessed via WebEx. To join, go to <http://coei.webex.com>, enter 2317 077 1574 as the meeting number and "BZA2023" 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 [hugo.roblesmadrigal@coei.org](mailto:hugo.roblesmadrigal@coei.org) prior to the meeting.

**LEGAL DESCRIPTION:**

A PART OF THE SOUTHEAST QUARTER (SE ¼) OF SECTION THREE (3), TOWNSHIP THIRTY-SEVEN (37) NORTH, RANGE FIVE (5) EAST, IN THE CITY OF ELKHART, CONCORD TOWNSHIP, ELKHART COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION THAT IS SEVEN HUNDRED FORTY (740) FEET WEST OF THE SOUTHEAST CORNER OF THE WEST HALF (W ½) OF SAID QUARTER SECTION; THENCE NORTH ZERO (0) DEGREES ONE (1) MINUTE EAST, TWO THOUSAND SEVEN AND SEVENTY-SEVEN HUNDRETHS (2007.77) FEET; THENCE SOUTH EIGHTY-NINE (89) DEGREES FORTY (40) MINUTES EAST ALONG THE NORTH LINE OF INDUSTRIAL PARKWAY, TWO HUNDRED FIFTY-FIVE (255) FEET TO THE BEGINNING POINT OF THIS DESCRIPTION; THENCE CONTINUING SOUTH EIGHTY-NINE (89) DEGREES FORTY (40) MINUTES EAST ALONG THE NORTH LINE OF SAID PARKWAY, TWO HUNDRED NINETY-TWO AND SIXTY-TWO HUNDRETHS (292.62) FEET; THENCE NORTH ZERO (0) DEGREES TWENTY (20) MINUTES WEST, FIVE HUNDRED THIRTY-SEVEN AND SIX HUNDRETHS (537.06) FEET TO THE SOUTH LINE OF THE NEW YORK CENTRAL RAILROAD RIGHT-OF-WAY; THENCE SOUTHWESTWARDLY ALONG THE SOUTH LINE OF SAID RAILROAD RIGHT-OF-WAY TO A POINT THAT IS NORTH ZERO (0) DEGREES ONE (1) MINUTE EAST OF THE BEGINNING POINT; THENCE SOUTH ZERO (0) DEGREES ONE (1) MINUTE WEST, FOUR HUNDRED SIXTY-THREE AND NINETY-FOUR HUNDRETHS (463.94) FEET TO THE PLACE OF BEGINNING, CONTAINING APPROXIMATELY THREE AND THIRTY-SEVEN HUNDRETHS (3.37) ACRES OF LAND.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

**PLEASE NOTE:** A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Board, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 25th day of March, 2024, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: March 28th, 2024  
hspaxlp

**0900 LEGALS**

demand. Petitioner's attorney is Andrew G. Spear, 1300 N. Pennsylvania St., Ste 202, Indianapolis, IN 46202.

Date: 3/20/2024

/s/ Christopher Anderson  
Elkhart Co. Clerk

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5454 or 260-223-8286.

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293-2937/295-8052

**LEGAL NOTICE #24-X-03**

Hearing on proposed Special Exception #24-X-03

NOTICE is hereby given that the City of Elkhart Board of Zoning Appeals will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **THURSDAY, APRIL 11, 2024 at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Special Exception Petition #24-X-03.

**Petitioner:** NM VYT, LLC (d/b/a Voyant Beauty)

**Request:** A Special Exception per Section 18.3.L, Special Exception Uses in the M-1, Limited Manufacturing District, for the storage of any liquid or gas in excess of 10,000 gallons, to allow for the addition of 2 - 10,000 gallon tanks and 2- 5,000 gallon tanks.

**Location:** 1919 Superior Street

**Zoning:** M-1, Limited Manufacturing District

This meeting can also be accessed via WebEx. To join, go to <http://coei.webex.com>, enter 2317 077 1574 as the meeting number and "BZA2023" 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 [hugo.roblesmadrigal@coei.org](mailto:hugo.roblesmadrigal@coei.org) prior to the meeting.

**LEGAL DESCRIPTION:**

Part of the west half of Section 3, Township 37 North, Range 5 East, City of Elkhart, Elkhart County, Indiana and being that 43.59 Acre parcel surveyed by Lang Feeney - Wightman team, Terrance D. Lang, Indiana Professional Surveyor No. 80040523 and shown on a Minor Subdivision certified on March 11, 2022 as Job No. 226077. Subject to the legal rights of a public highway, any easements, covenants, or restrictions of record.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

**PLEASE NOTE:** A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Board, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 25th day of March, 2024, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: March 28th, 2024  
hspaxlp

**LEGAL NOTICE #24-BZA-06**

Hearing on proposed Developmental Variance #24-BZA-06

NOTICE is hereby given that the City of Elkhart Board of Zoning Appeals will meet in the Council Chambers on the second floor of the Municipal Building, 229 South Second Street, Elkhart, Indiana on **THURSDAY, APRIL 11, 2024 at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Developmental Variance Petition #24-BZA-06.

**Petitioner:** SFS Real Estate Holding LLC

**Request:** To vary from Section 26.10.D.4.c.ii, Free Standing Sign Increases, to allow a new freestanding sign that is eight (8) foot in height where a sign six and one half (6.5) feet is permitted, a variance of one and one half (1.5) foot. To also vary from Section 26.10.D, Table 1, which states in part, limits an integrated message board on the same supporting structure to 50% of the sign area of the principal sign, to allow a sign with an integrated message board on an area of 32 square feet where 10 square feet is permitted, a variance of 22 square feet. The primary sign face is 20 square feet. The sign is double faced.

**Location:** 444 North Nappanee Street

**Zoning:** B-3, Service Business District

This meeting can also be accessed via WebEx. To join, go to <http://coei.webex.com>, enter 2317 077 1574 as the meeting number and "BZA2023" 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 [hugo.roblesmadrigal@coei.org](mailto:hugo.roblesmadrigal@coei.org) prior to the meeting.

**LEGAL DESCRIPTION:**

Wildwood Lot 188 NE 80x193 feet and part vacated street adjacent N except W side of Right of Way as shown in the office of the Elkhart County Recorder, State of Indiana. The property is more commonly known as 444 N. Nappanee Street, Elkhart, IN 46514.

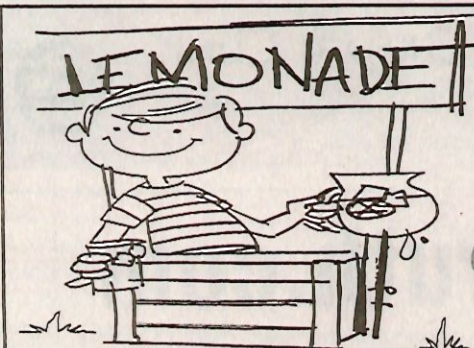
Subject to all taxes, rights of way, easements, liens, restrictions and other encumbrances of record.

Arguments for and against the granting of the above designated petition will be heard at this meeting.

**PLEASE NOTE:** A copy of this petition is on file in the Planning Office for public examination prior to the hearing. Written objections to this petition which are filed with the Secretary of the Board, located in the Planning Office, prior to the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

Dated at Elkhart, Indiana this 25th day of March, 2024, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: March 28th, 2024  
hspaxlp



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# Staff Report

## Planning & Zoning

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**Petition:** 24-BZA-03

**Petition Type:** Developmental Variance

**Date:** April 11, 2024

**Petitioner:** Nancy Shaum

**Site Location:** Vacant Land Toledo Road – parcel - 06-11-251-013

**Request:** To vary from Section 12.4 Yard Requirements in the B-2, Community Business District, to allow for a ten (10) foot rear yard setback where twenty (20) feet is required, a variance of ten (10) feet.

**Existing Zoning:** B-2, Community Business District

**Size:** +/- 1.3 Acres

**Thoroughfares:** Toledo Road

**School District:** Concord Community Schools

**Utilities:** Available to site.

**Surrounding Land Use & Zoning:**

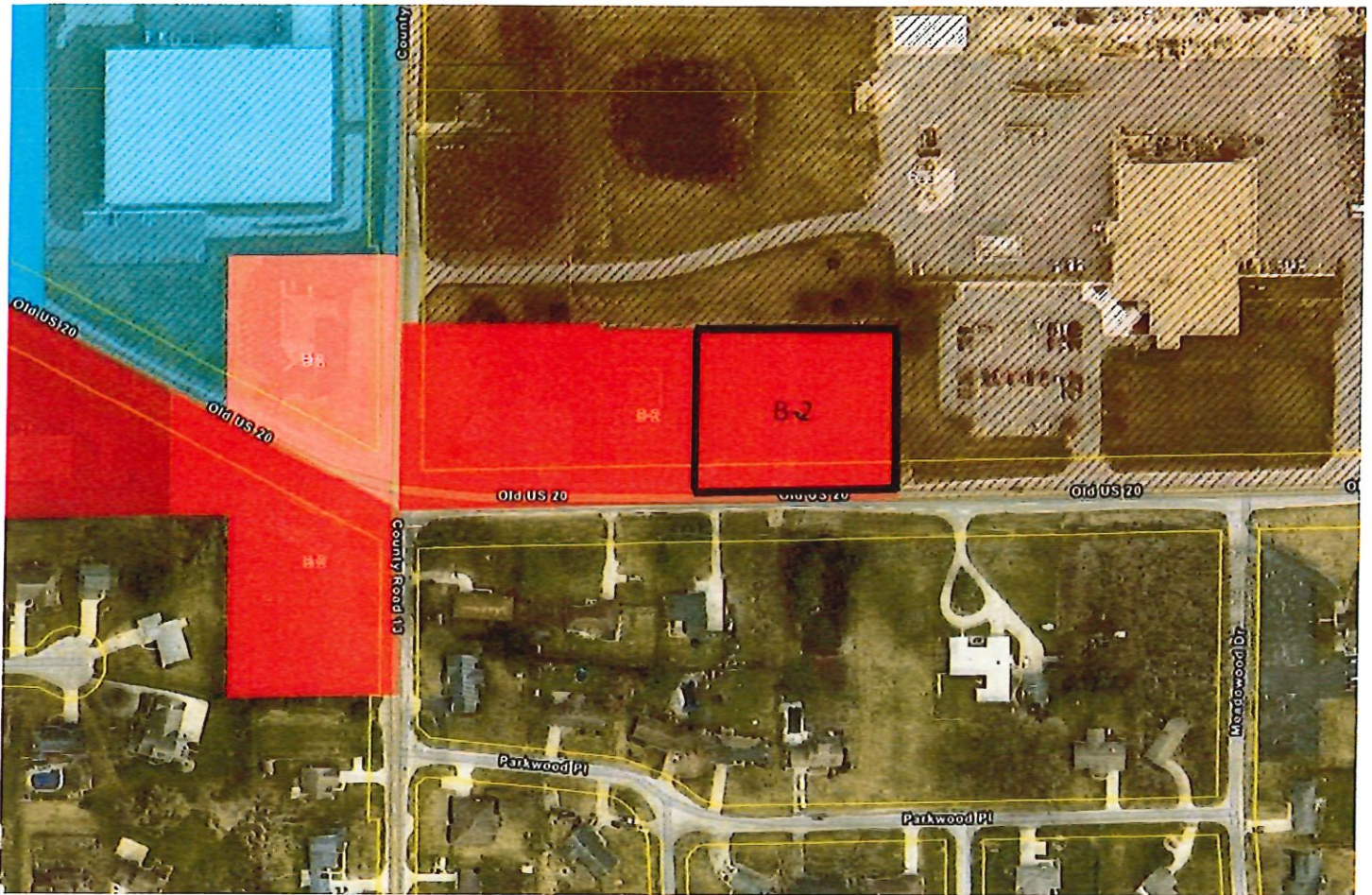
The property is located along an arterial road within a cluster of primarily commercial retail and office uses to the west and the north. Property to the east and south, while located within the county, are low density residential, religious and small commercial office uses.

**Applicable Sections of the Zoning Ordinance:**

Enumerated in request.

**Comprehensive Plan:**

The Comprehensive Plan calls for this area to be developed with industrial uses.



## Staff Analysis

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The petitioner owns the approximately 1.3 acre parcel on the north side of Toledo Road, east of Middleton Run Road. The developer has submitted a proposal to develop the property as a 16,000 square foot building, with associated areas for off-street loading and parking.

The site is located on Toledo Road, an arterial road within the city. The proposed building, again submitted with the request, has no end user and use is still unknown. Subsequent to the second filing, representatives from both planning and engineering met with the owner and representative. From the City's perspective, we wanted assurances of the type and level of quality of construction to expect at the property in question. The petitioner assured staff the building would be quality and an asset to the City. The petitioner also understands the uses allowed within the list of permitted uses in the B-2 District.

The property is currently zoned B-2, Community Business District. The comprehensive land use plan does reflect industrial use for this area, drawing from the density of industrial uses found north and west of the site. Petitioner had previously submitted a petition to rezone the property to M-1, Limited Manufacturing District. At council, the ordinance failed to progress for lack of a second for the motion.

The Toledo Road corridor effectively serves as the southern boundary of the Corporate limits in this area connecting the City to the US 20 bypass, with a mix of City and County properties fronting on the road. Land uses in the corridor between Goshen Avenue and Middleton Run Road is characterized by a mix of commercial, industrial and multi-family uses. Land Uses east of Middleton Run Road, where the subject property is located, become less intense, with a larger presence of lower density single-family residential and small office uses.

While the Comprehensive Land Use Plan does call for Industrial Use at this site, the character of the uses immediately surrounding the subject property are not conducive to manufacturing or production uses, but would be better suited to supporting neighborhood or community business uses.

## Recommendation

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The Staff recommends **approval** of the developmental variance based on the following findings of fact:

1. The approval **will not** be injurious to the public health, safety, morals or general welfare of the community because the reduced Rear Yard Setback will not place the proposed structure at an unsafe distance from surrounding structures,
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because the rear yard abuts a large campus occupied by Indiana Michigan Power;
3. Granting the variance **would** be consistent with the intent and purpose of this Ordinance as a measure of relief is allowed when warranted;
4. Special conditions and circumstances **do exist** which are particular to this property as the proposed building could not be constructed within the required development standards;
5. The strict application of the terms of this Ordinance **will** result in practical difficulties in the use of the property as it the parcel may not be of sufficient size to accommodate some of the potential B-2 uses such as: appliance stores, dry cleaner and laundry, indoor recreation and liquor stores are examples of uses requiring larger footprint building approved within the B-2 uses;
6. The special conditions and circumstances **do** result from an action or inaction by the applicant as the proposed building design is driving the request for the variance;
7. This property does not lie within a designated flood hazard area.

## Conditions

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If the Board chooses to approve the requested developmental variance, staff recommends that the following condition be placed upon the approval:

1. The petitioner shall submit plans for review and approval at Technical Review for the site and proposed façade elevations.

# Photos

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PETITION #: 24-B2A-03

FILING FEE: \$ 300

**PETITION for APPEAL to the BOARD of ZONING APPEALS**

**PETITION TYPE:**

Developmental Variance       Appeal from Staff Decision  
 Use Variance       Special Exception       Conditional Use

Property Owner(s): Nancy V. Shaum c/o Mid-States Construction

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: MidStates@MidStatesConstruction.com

Contact Person: Wightman c/o Terry Lang

Mailing Address: 1402 Mishawaka Avenue, South Bend, Indiana 46615

Phone #: 574-233-1841 Email: TLang@GoWightman.com

**Subject Property Address:** 3246 TOLEDO ROAD, ELKHART, INDIANA

Zoning: B-2 Community Business District

Present Use: vacant land Proposed Use: light assembly business

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Nancy V. Shaum

SIGNATURE(S): [Signature] DATE: 1-4-'24

**STAFF USE ONLY:**

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- A completed Petition form signed by the legal owner of record (or approved representative).
- If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.
- Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

January 2, 2024

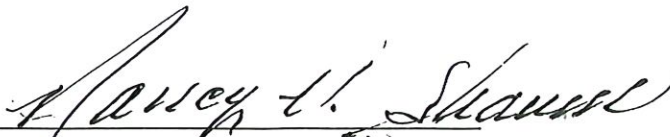
TO: Board of Zoning Appeals  
City of Elkhart, Indiana

RE: Developmental Use Variance

The undersigned petitioner respectfully shows the Council and Plan Commission:

1. We, Nancy V. Shaum, owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:  
A part of the West Half of the Northeast Quarter of Section 11, Township 37 North, Range 5 East, in Concord Township, City of Elkhart, Indiana. Beginning at the southwesterly corner of the recorded plat of Middlebury Street Industrial park (Elkhart Plat Book 20, Page 12), said point also lying on the south line of said Quarter Section; thence South 89 degrees 14 minutes West along the South line of said Quarter Section a distance of 264 feet; thence North 00 degrees 04 minutes East a distance of 220.20 feet to an iron stake on the southerly line of said recorded plat; thence north 89 degrees 15 minutes 25 seconds east (north 89 degrees 15 minutes East recorded) along the southerly line of said plat a distance of 264 feet to an iron stake; thence South 00 degrees 04 minutes West along the southwesterly line of said recorded plat a distance of 220.17 feet to the beginning point of this description.
2. The above described real estate presently has a zoning classification of a B-2 Community Business District under the Zoning Ordinance of the City of Elkhart.
3. Petitioner presently occupies the above described property in the following manner:  
The site is currently vacant.
4. Petitioner desire to construct a building with the appropriate number of parking spaces for the facility. The shallow depth of the lot is not adequate to accommodate enough parking space without pushing the building into the required 20' rear yard setback. **Therefore needing a rear yard setback variance from the required 20' to a 10' rear yard setback.**
5. Is in accordance with Comprehensive Plan: Yes, this shall follow the continuity of the surrounding area and stay within the City's Comprehensive Plan.  
Current conditions and the character of current structures and uses in each district: The new construction shall follow the continuity of the surrounding area and shall meet the construction and zoning guidelines.  
The most desirable use for which the land in each district is adapted: light assembly business is similar to companies that exist within this area, this facility is well suited for the needs within the area.  
The conservation of property values throughout the jurisdiction: This new construction shall closely follow the continuity of the surrounding area and shall not adversely affect the use and value of the area adjacent to the property.  
Responsible growth and development: The new development will not be injurious to the public health, safety, morals and general welfare of the community. This shall help promote positive growth.

WHEREFORE, Petitioners pray and respectfully requests a hearing on this appeal and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above described parcel of land located in the City of Elkhart to Planned Unit Development or amending the PUD as described on the petition.

  
Nancy V. Shaum

Contact Person:  
Wightman c/o Terry Lang  
1402 Mishawaka Avenue  
South Bend, Indiana 46615  
574-233-1841  
TLang@GoWightman.com



Legal Description:

A part of the West Half of the Northeast Quarter of Section 11, Township 37 North, Range 5 East, in Concord Township, City of Elkhart, Indiana.

Beginning at the southwesterly corner of the recorded plat of Middlebury Street Industrial park (Elkhart Plat Book 20, Page 12), said point also lying on the south line of said Quarter Section; thence South 89 degrees 14 minutes West along the South line of said Quarter Section a distance of 264 feet; thence North 00 degrees 04 minutes East a distance of 220.20 feet to an iron stake on the southerly line of said recorded plat; thence north 89 degrees 15 minutes 25 seconds east (north 89 degrees 15 minutes East recorded) along the southerly line of said plat a distance of 264 feet to an iron stake; thence South 00 degrees 04 minutes West along the southwesterly line of said recorded plat a distance of 220.17 feet to the beginning point of this description.

**AFFIDAVIT IN SUPPORT OF VARIANCE PETITION**

I, Nancy V. Schaum, being first duly sworn upon his/her oath deposes and says that he/she is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my variance petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at 3246 TOLEDO ROAD, Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 4<sup>th</sup> day of January 2024

Nancy V. Schaum  
Printed: Nancy V. Schaum

I certify under the penalties for perjury under the laws of the United States of America and the State of Indiana that the foregoing factual statements and representations are true and correct.

Katie Yoder  
 Printed: Katie Yoder  
 NOTARY PUBLIC  
 STATE OF INDIANA  
 ELKHART COUNTY  
 My Comm. Expires 06-01-2024

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Nancy V. Schaum, and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 4<sup>th</sup> day of January, 2024.

Stephen H. Nussbaum  
Printed: Stephen H. Nussbaum

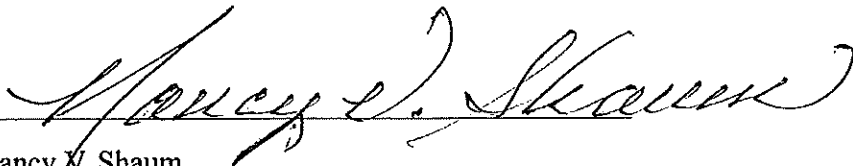
My Commission Expires:  
June 01, 2024

Notary Public in and for the State of Indiana  
Resident of Elkhart County, Indiana

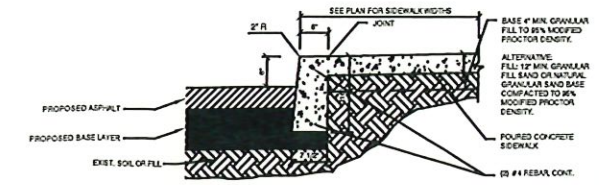
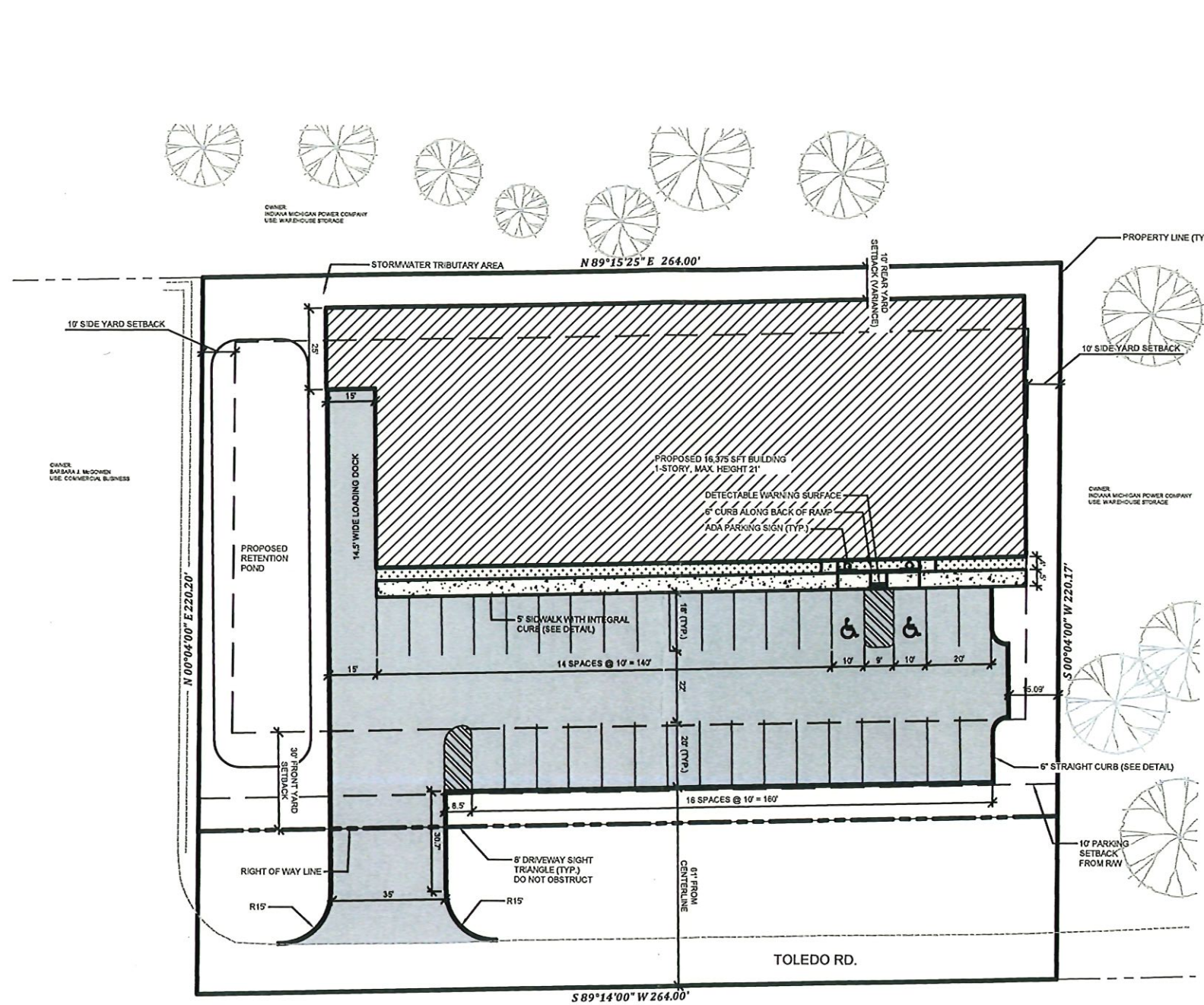
LETTER OF AUTHORIZATION

January 4, 2024

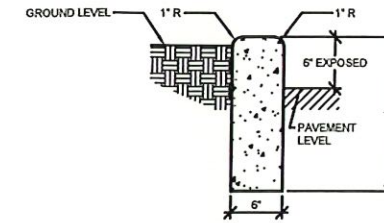
I, Nancy V. Shaum, hereby authorize the Wightman firm by Terance D. Lang to submit a petition for the Board of Zoning Appeals for a rear yard setback variance at my property located at 3246 Toledo Road, Elkhart, Indiana.

  
Nancy V. Shaum

**SITE PLAN**  
 SECTION 11, TOWNSHIP 37 NORTH, RANGE 4 EAST,  
 CONCORD TOWNSHIP, CITY OF ELKHART, INDIANA



**INTEGRAL CURB & WALK**  
 NOT TO SCALE



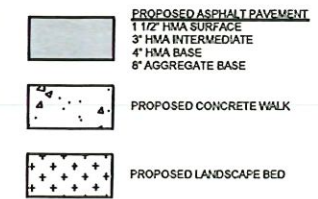
**STRAIGHT CURB DETAIL**  
 NOT TO SCALE

**NOTES:**

1. PROPOSED BUILDING IS NOT INTENDED FOR INDUSTRIAL USE. USE TO CONFORM TO S-2 ZONING.
2. PROPOSED DUMPSTER TO BE CONTAINED INSIDE BUILDING.
3. NO SITE LIGHTING CURRENTLY PROPOSED. LIGHTING WILL NEED TO BE REVIEWED BY CITY PRIOR TO INSTALLATION IF DESIRED.

STORMWATER TRIBUTARY AREA

**HATCH LEGEND**



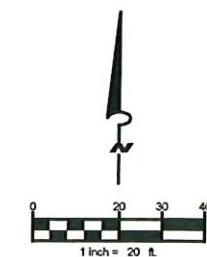
**NOTES:**

- 06/3/15/2024 BCW REVISED BUILDING LAYOUT
- 05/05/2023 BCW REVISED PER CITY COMMENTS
- 04/05/03/2023 LF REVISED PER CITY COMMENTS
- 03/04/19/2023 BCW REVISED PER CITY COMMENTS
- 02/03/28/2023 BCW REVISED PER CITY CHECKLIST
- 01/02/02/2023 BCW ISSUED FOR REVIEW

SITE PARKING		
EXISTING PARKING	PROPOSED PARKING	FUTURE USE
NONE	32 STANDARD STALLS, 2 ADA STALLS	PEAK EMPLOYEES = 2 PEAK CUSTOMERS = 15

**PROPOSED PAVEMENT AREAS (OUTSIDE RW)**

ASPHALT: 13,643 SFT  
 CONCRETE (INCL. CURB): 1,243 SFT



715 S. MICHIGAN ST.  
 SOUTH BEND, IN. 46601  
 574.233.1841

www.wightman.com

PROJECT NAME:  
**TOLEDO ROAD**  
**FINAL SITE PLAN**  
 3408 TOLEDO RD  
 ELKHART, IN 46514

**NANCY V. SHAUM,**  
**M.S. INVESTMENT**  
**CORPORATION**  
 57157 RAIDER DR  
 ELKHART, IN 46516

06/3/15/2024 BCW REVISED BUILDING LAYOUT

05/05/2023 BCW REVISED PER CITY COMMENTS

04/05/03/2023 LF REVISED PER CITY COMMENTS

03/04/19/2023 BCW REVISED PER CITY COMMENTS

02/03/28/2023 BCW REVISED PER CITY CHECKLIST

01/02/02/2023 BCW ISSUED FOR REVIEW

**REVISIONS**

THE REPRODUCTION, COPYING OR OTHER USE OF THIS DRAWING WITHOUT WRITTEN CONSENT IS PROHIBITED.  
 © 2023 WIGHTMAN & ASSOCIATES, INC.

DATE: FEB. 2023

SCALE: 1" = 20'

PROPOSED GEOMETRY



# Staff Report

## Planning & Zoning

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**Petition:** 24-X-03

**Petition Type:** Special Exception

**Date:** Plan Commission: April 1, 2024; Board of Zoning Appeals April 11, 2024:

**Petitioner:** NM VYT, LLC (d/b/a Voyant Beauty)

**Site Location:** 1919 Superior Street

**Request:** A Special Exception per Section 18.3.L, Special Exception Uses in the M-1, Limited Manufacturing District, for the storage of any liquid or gas in excess of 10,000 gallons, to allow for the addition of 2 – 10,000 gallon tanks and 2- 5,000 gallon tanks.

**Existing Zoning:** M-1, Limited Manufacturing District

**Size:** +/- 43 Acres

**Thoroughfares:** Superior Street and Simpson Avenue

**School District:** Elkhart Community Schools

**Utilities:** Available to site.

**Surrounding Land Use & Zoning:**

The site in question is surrounded by: to the north – B-1, Neighborhood Business District – Medical Clinic and Office Uses, M-1, Limited Manufacturing District – Industrial Use, R-2, One Family Dwelling District – Residential Uses; to the south – M-2, General Manufacturing District – Industrial Use; to the west – R-2, One Family Dwelling District – Residential and cemetery uses; to the east – R-1, One Family Dwelling District - Park

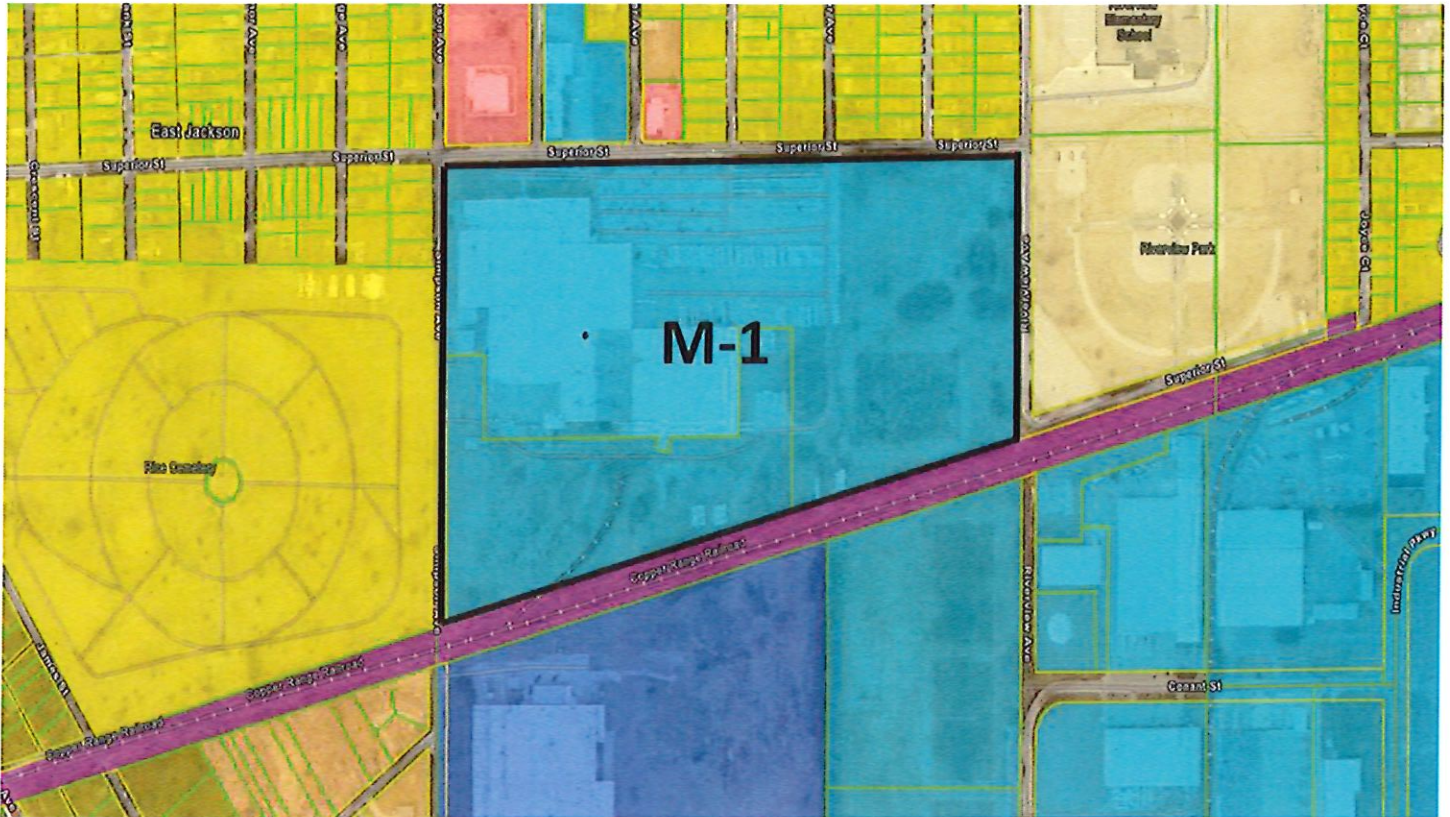
**Applicable Sections of the Zoning Ordinance:**

Enumerated in request.

**Comprehensive Plan:**

The Comprehensive Plan calls for this area to be developed with commercial uses.

**Plan Commission Action:** Recommendation to Board of Zoning Appeals.



## Staff Analysis

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The petitioner is requesting a special exception to allow for the addition of four (4) new tanks as a part of an expansion project at the Superior Street facility. The petitioner, d.b.a. Voyant Beauty, is a manufacturing and packaging plant for aerosol blend configurations and specialty viscous liquids in bottles, tubes and jars; for use in hair, body, face, sun and natural formulations.

The plan is to add additional product lines to increase capacity. The tanks are proposed to be used as a part of the product line expansion. No new chemicals are being added – just additional capacity. Based on plans submitted to the City for review, the tanks will be contained within an enclosure that will have a drain connected to the existing monitored sanitary sewer line, should the tank need to be drained.

The construction plans have been submitted for review and approval at Tech Review for a +/- 60,000 square foot addition on the south side of the current building on Superior Street. This addition is adjacent to the Norfolk Southern Railroad.

# Recommendation

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Staff recommends **approval** of the request based on the following findings of fact:

1. The Special Exception is so defined, located and proposed to be operated that the public health, safety and welfare **will be** protected because all tanks will be built per all applicable codes, located within the building and have the necessary floor drains connected to the sanitary sewer system;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because the additional tanks will not change the use of the property and will not impact the adjacent uses;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because the tanks will not generate adverse effects on adjacent properties with noise, emissions or vibrations.

# Photos

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April 5, 2024

NM VYT, LLC (dba Voyant Beauty)  
Attn: Jon Jones  
1919 Superior St.  
Elkhart, IN 46516

**RE: 24-X-03**  
**1919 Superior St.**

Dear Jon,

This letter certifies that the Elkhart City Plan Commission, at its regular meeting on **Monday, April 5, 2024**, heard the above petition to vary from Section 18.3.L, Special Exception Uses in the M-1, Limited Manufacturing District, for the storage of any liquid or gas in excess of 10,000 gallons, to allow for the addition of 2 – 10,000 gallon tanks and 2- 5,000 gallon tanks.

The commission voted **7 to 0 to approve** the request. This action was forwarded to the Board of Zoning Appeals (BZA) with a “Do-Pass” recommendation.

Your petition will next be heard before the BZA on April 11, 2024. Please contact Hugo Robles Madrigal at 574-294-5471, extension 1024 to confirm the public hearing dates for your request. You must be in attendance for the public hearings.

Sincerely,

Carla Lipsey  
Plan Commission Recording Secretary

Cc: NM VYT, LLC (dba Voyant Beauty)  
6710 River Road  
Hodgkins, IL 60525

*PC*  
*Approval Letter*  
*4/5/24*

PETITION #: 24-X-03

FILING FEE: \$ 300.00

### PETITION for APPEAL to the BOARD of ZONING APPEALS

**PETITION TYPE:**

Developmental Variance       Appeal from Staff Decision  
 Use Variance       Special Exception       Conditional Use

Property Owner(s): NM VYT, LLC (d/b/a Voyant Beauty)

Mailing Address: [REDACTED]

Phone #: 708-482-8881

Email: bill.saracco@voyantbeauty.com

Contact Person: Jon Jones

Mailing Address: [REDACTED]

Phone #: [REDACTED]

Email: [REDACTED]

**Subject Property Address:** 1919 Superior Street, Elkhart, IN 46516

Zoning: Industrial (I)

Present Use: Manufacturing

Proposed Use: Manufacturing

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): Brian McMorrow, PE (bmcorrow@v3co.com)

V3 Companies, Ltd., 460 Stull Street, Suite 300, South Bend, IN 46601 | 574-360-7674

SIGNATURE(S): [Signature]

DATE: 02/28/24

**STAFF USE ONLY:**

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

- One copy of the Appeal Letter signed in ink by the owner of the property (or representative).
- A completed Petition form signed by the legal owner of record (or approved representative).
- If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.
- Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



February 26, 2024

City of Elkhart  
Plan Commission and Board of Zoning Appeals  
City Hall  
229 South 2<sup>nd</sup> Street  
Elkhart, Indiana 46516

**RE: Special Exception Request**  
**NM VYT, LLC (d/b/a Voyant Beauty), 1919 Superior Street, Elkhart, IN**

Dear Members of the Plan Commission and Board of Zoning Appeals,

The undersigned Petitioner respectfully shows:

1. NM VYT, LLC (d/b/a Voyant Beauty) is the Owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to wit:

*Part of the west half of Section 3, Township 37 North, Range 5 East, City of Elkhart, Elkhart County, Indiana and being that 43.59 Acre parcel surveyed by Lang Feeney – Wightman team, Terance D. Lang, Indiana Professional Surveyor No. 80040523 and shown on a Minor Subdivision certified on March 11, 2022 as Job No. 226077. Subject to the legal rights of a public highway, any easements, covenants, or restrictions of record.*

2. The above-described real estate presently has a zoning classification of M-1, Limited Manufacturing District under the Zoning Ordinance of the City of Elkhart.
3. Petitioner presently occupies the above-described property as a manufacturing and packaging plant for various aerosol blend configurations and specialty, high complexity viscous liquids in bottles, jars, and tubes to meet customer needs across hair, body, face, sun and natural formulations.
4. Petitioner desires to maintain and operate all existing storage tanks and install, maintain, and operate new storage tanks associated with a proposed expansion of one of its product lines. A complete list of all nineteen (19) storage tanks, both existing and new, are attached hereto and made a part hereof.
5. The Zoning Ordinance of the City of Elkhart, at Section 18.3L, requires an Owner to seek Special Exception approval of the City of Elkhart for the storage of any liquid or gas in excess of 10,000 gallons.
6. The subject property is especially suited to the special exception use being requested because it has been continuously zoned and utilized as a manufacturing facility for more than seventy-five (75) years and situated adjacent to a cemetery, a railroad, and a public park on three (3) sides. On the one (1) side facing nearby residential uses, the building houses customary office operations.



**10,000 Gallon Tanks**

---

1. T10000GA-1 - L45
2. T10000GA-2 - L44
3. T10000GA-3 - L43
4. T10000GA-4 - L43
5. T10000GA-5 - L46 (new)
6. Tank 5 - L40
7. Tank 5 - L40
8. Tank 5 - L40
9. Bulk Water Tank
10. Bulk Water Tank (new)

**5,000 Gallon tanks**

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11. T5000GA-1 - L45
12. T5000GA-2 - L45
13. T5000GA-3 - L44
14. T5000GA-4 - L44
15. T5000GA-5 - L46 (new)
16. T5000GA-6 - L46 (new)
17. Bulk Alcohol Tank
18. Bulk Alcohol Tank

**25,000 Gallon Tank**

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19. Bulk water tank



06-03-301-004-012

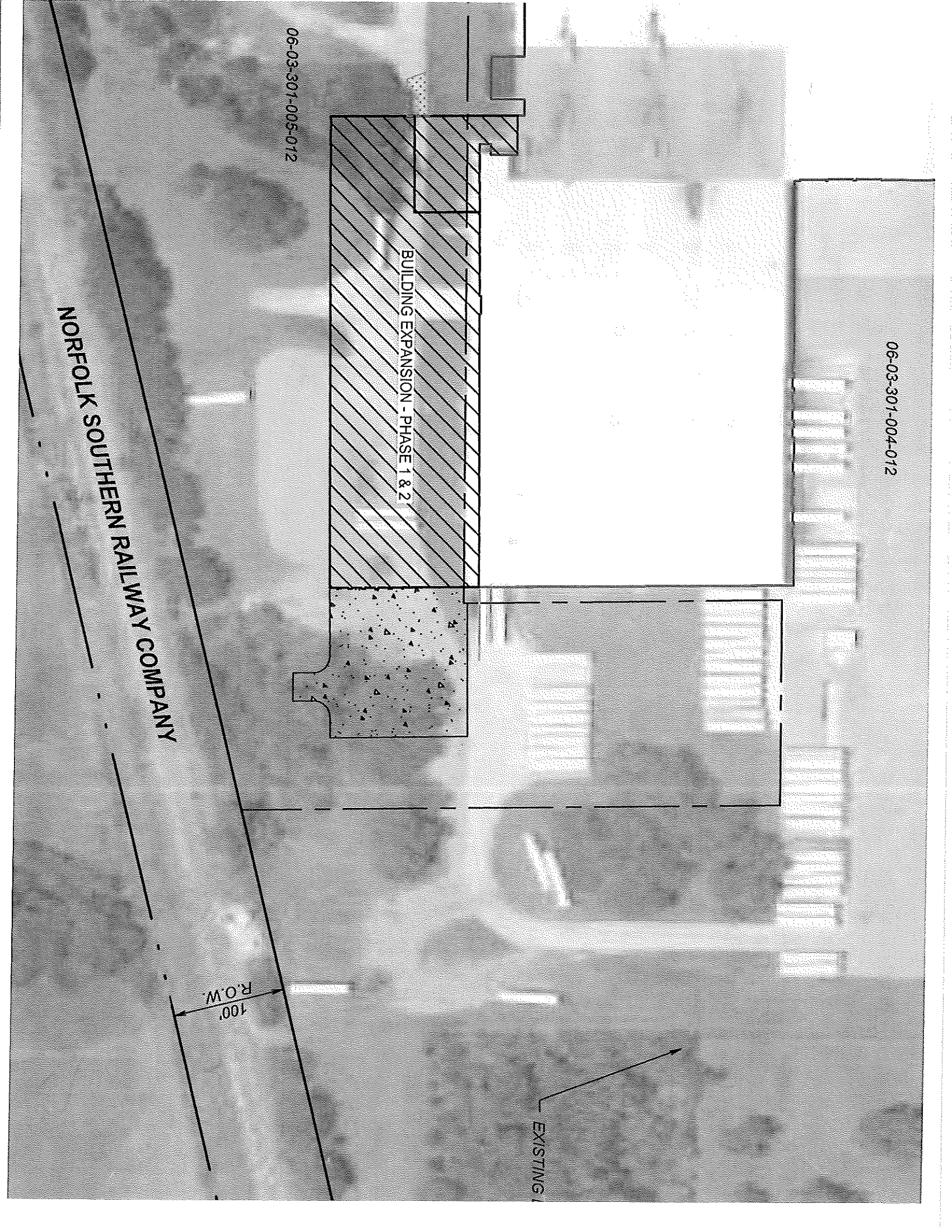
06-03-301-005-012

BUILDING EXPANSION - PHASE 1 & 2

NORFOLK SOUTHERN RAILWAY COMPANY

100'  
R.O.W.

EXISTING







# Staff Report

## Planning & Zoning

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**Petition:** 24-UV-06

**Petition Type:** Use Variance

**Date:** April 11, 2024

**Petitioner:** Creative Sewing Designs, Inc. c/o James Rupright

**Request:** To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the property to be used for a daycare center. Daycare Centers are not allowed by right in the M-1 district.

**Site Location:** 2020 Industrial Parkway

**Existing Zoning:** M-1, Limited Manufacturing District

**Size:** +/- 3.37 Acres

**Thoroughfares:** Industrial Parkway

**School District:** Concord Community Schools

**Utilities:** Available and provided to the site.

**Surrounding Land Use & Zoning:**

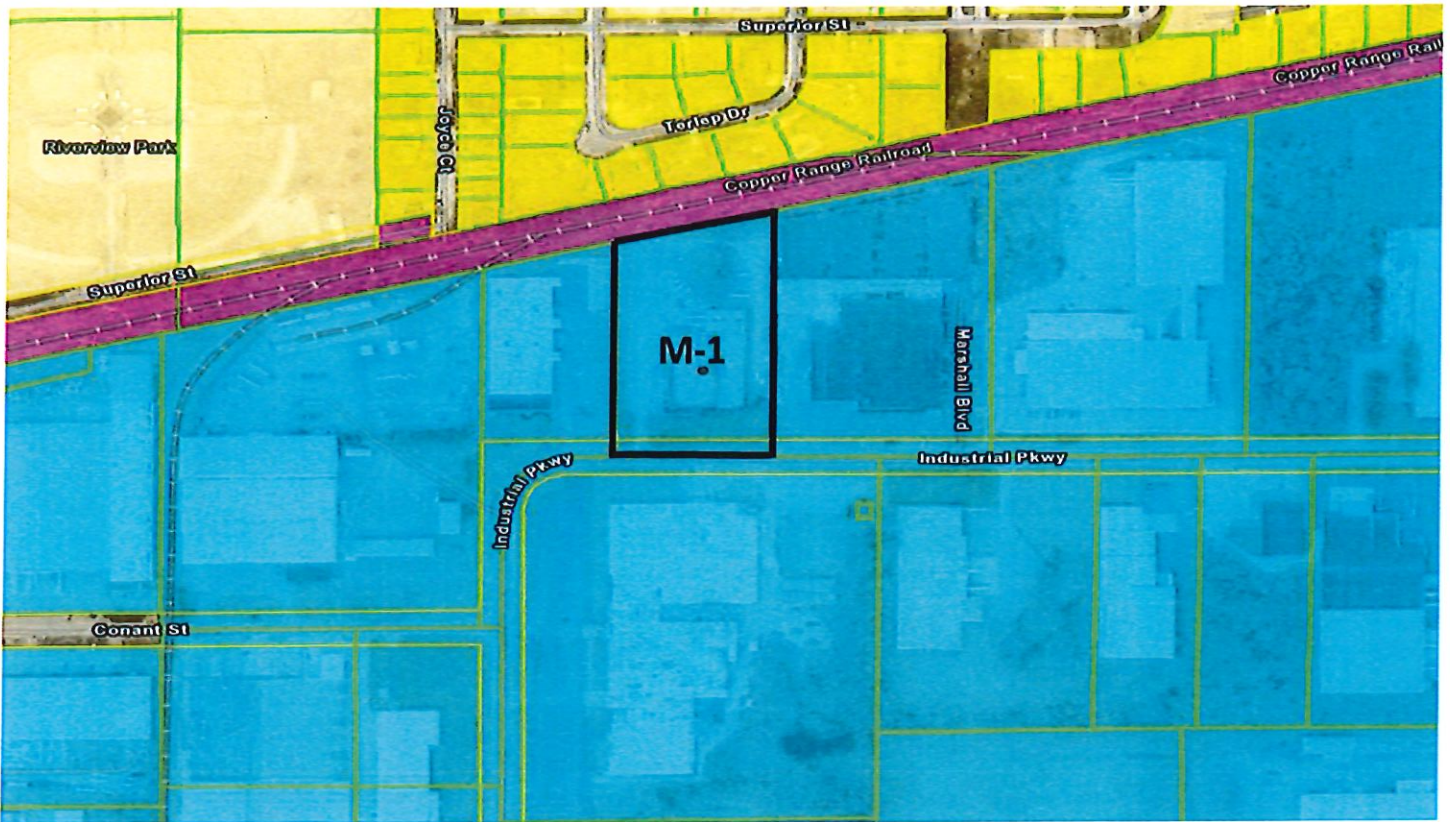
The property is surrounded by a mix of industrial uses zoned M-1, Limited Manufacturing District on the west, south and east sides. The land to the north is the Norfolk Southern rail line.

**Applicable Sections of the Zoning Ordinance:**

Enumerated in request.

**Comprehensive Plan:**

The Comprehensive Plan calls for this area to be developed with industrial uses.



## Staff Analysis

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The petitioner is requesting a use variance to allow the industrial building at 2020 Industrial Parkway to be a daycare center. Based on Assessor's records the building was built in 1967 and is just under 30,000 square feet in area and is sited on a 3.37 acre parcel. The operator of the daycare center will lease the building with an option to buy at a later date. The proposed age range of children cared for onsite, will be newborn to 12 years of age. In speaking with the potential operator, she plans on having ultimately 150-200 children and around 100 staff. Utilizing aerial photographs, staff determined the current parking area would accommodate approximately 106 parking spaces.

Planning staff, building and fire inspectors toured the facility at 2020 Industrial Parkway on April 5, 2024. During the tour a number of observations were made – the concrete block building had a large number of classroom sized rooms as well as several larger open space areas that would be well suited for indoor play equipment and open space for children. The building had a large kitchen area that is intended for warming only. There were three (3) sets of restrooms. At least one (or otherwise as specified by the State) will need to be modified with smaller fixtures to accommodate children.

It was apparent that much of the building's carpet would either need to be replaced, cleaned and/or removed entirely. Many of the ceiling tiles (there is a dropped ceiling in most of the building) will need to be replaced. As the building was most recently a small manufacturing company, the walls will also need to be repaired and painted to restore the walls. They look to have been damaged from likely moving furniture out of the building. In the past the building was previously owned by Elkhart General Hospital for some sort of medical and office use.

Based on the building tour, Fire Department inspectors relayed necessary and critical information to the operator. A plan would need to be developed meeting Chapter 34 of the Building Code to ensure the occupancy requirements are met as the functional classification is changing. Those plans will need to be signed and sealed by a design professional willing to certify the plans and submitted to the State for review and approval.

Staff recognizes there is a critical need for additional daycare facilities. The location of the building would seemingly allow those individuals who work in this and surrounding industrial parks an opportunity for child care within close proximity of their workplace.

The daycare operator shall be required to obtain licensing per Indiana Code 12-17.2. Any modifications to the building will require Building Department review and approval. Submittal at Technical Review will not be required unless renovation plans require exterior changes to the footprint of the building or additional paving.

## Recommendation

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The Staff recommends **approval** of the use variance based on the following findings of fact:

1. The approval **will not** be injurious to the public health, safety, morals or general welfare of the community because the building will be required to be modified to the current building code requirements as well as any condition or stipulation required by the State of Indiana Family and Social Services Administration, Office of Childhood and Out of School Learning;
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because the proposed use as a daycare center most all activities will occur indoors and would be an asset as this facility would provide a needed service for the workers in the area;
3. The need for the variance arises from some condition peculiar to the property involved because without board action the use would not be permitted;
4. The strict application of the terms of this Ordinance **will** constitute an unnecessary hardship if applied to the property for which the variance is sought because the building was constructed with many offices and open spaces which lends itself reasonably well to the proposed use. Most contemporary industrial users require much more ceiling height and open area for production;
5. The approval does not comply with the Comprehensive Plan which calls for the area to be developed with industrial uses, however this site was historically used as a facility that provided space for community gathering. The proposed use is similar in its mission.

# Conditions

---

If the Board chooses to approve the requested use variance, staff recommends that the following conditions be placed upon the approval:

1. The petitioner shall submit plans for building renovations to the State as per Chapter 34 of the Building Code. The petitioner shall also obtain permits for any work performed on the premises from the City of Elkhart.
2. All children shall be restricted to the building or any future exterior fenced-in play area except when arriving and leaving.
3. The facility and grounds shall be kept clean at all times.
4. The facility shall be subject to inspection upon reasonable notice, by the zoning administrator during hours of operation.
5. Any exterior display, signs, or other forms of advertising on the premises shall be required to obtain a zoning clearance prior to installation. Signage is required to be installed by a bonded sign contractor.
6. A copy of the child care license shall be submitted to the Department of Planning and Zoning upon receipt from the Indiana Family and Social Services Administration.
7. If the daycare ceases to operate for more than one (1) year, or the license is revoked, the Use Variance becomes null and void.
8. Any violation of the terms of this Use Variance as determined by the City Zoning Administrator shall render the Use Variance invalid.
9. The number of children to be cared for at this location will be calculated by the Indiana Family and Social Services Administration.
10. Pickup and drop-off shall occur onsite and any after care bus drop-offs must take place onsite and not from the public right of way.
11. The Use Variance is for two (2) years and shall be reviewed as a staff item by the Board of Zoning Appeals by April 11, 2026.

# Photos

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PETITION #: 24-UV-06

FILING FEE: \$ 300

### PETITION for APPEAL to the BOARD of ZONING APPEALS

**PETITION TYPE:**

Developmental Variance       Appeal from Staff Decision  
 Use Variance       Special Exception       Conditional Use

Property Owner(s): James Rupright

Mailing Address: 2020 Industrial Parkway, Elkhart, IN 46516

Phone #: 574-238-2791      Email: bernadette@creativesewing.design

Contact Person: TRISHANA WRIGHT-MIDDLETON

Mailing Address: [REDACTED]

Phone #: [REDACTED]      Email: Firststep2begin@gmail.com

Subject Property Address: 2020 Industrial Parkway, Elkhart, IN 46516

Zoning: M-1

Present Use: Matterss Covering Manufacturing.      Proposed Use: Childcare Center

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): James Rupright

SIGNATURE(S): *James M. Rupright*      DATE: 02/18/2024

**STAFF USE ONLY:**

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- A completed Petition form signed by the legal owner of record (or approved representative).
- If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- A full and accurate legal description of the property.
- One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.
- Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_



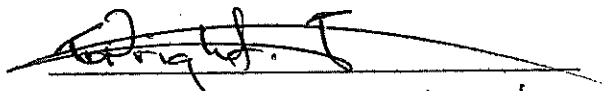


**AFFIDAVIT IN SUPPORT OF VARIANCE PETITION**

I, \_\_\_\_\_, being first duly sworn upon his/her oath deposes and says that he/she is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my variance petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at 2020 Industrial Parkway Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 03 day of 04, 2024.

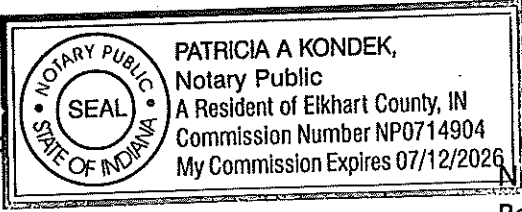
  
 Printed: Trishana Wright

I certify under the penalties for perjury under the laws of the United States of America and the State of Indiana that the foregoing factual statements and representations are true and correct.

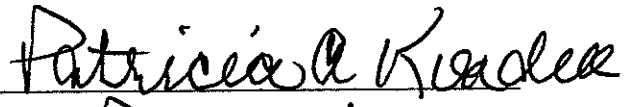
\_\_\_\_\_  
Printed: \_\_\_\_\_

STATE OF INDIANA    )  
  ) SS:  
COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Trishana Wright and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 4 day of March, 2024



My Commission Expires 07/12/2026

  
 Printed: Patricia A. Kondek

Notary Public in and for the State of Indiana  
Resident of Elkhart County, Indiana

JEM ENGINEERING AND DESIGN  
2030 GREENLEAF BLVD.  
ELKHART. IN 46514

JEMDESIGN574@gmail.com  
574-400-9081  
EST 2010

Date: 2/26/2024

RE: Inspection for future daycare usage

Property specifications

Property Name	Creative Sewing Designs Inc
Property Address	2020 Industrial Pkwy, Elkhart, Elkhart County, Indiana
46516	
Latitude & Longitude	41.687335, -85.933202
Tax Parcel Number	20-06-03-403-003.000-012
Property Owner	Vandeleigh Industries LLC

**Site**

Zoning	Limited Manufacturing District (M-1)
FEMA Flood Map No.	18039C01410
Flood Zone	Zone X
Gross Land Area	3.350 acres
Usable Land Area	3.350 acres

**Existing Improvements**

Property Use	Flex office
Occupancy	100.0% 29,970
Gross Building Area (GBA)	29,970 sf
Number of Stories	
Year Built	1967
Condition	Average
Construction Class	C - Masonry
Construction Quality	Average
Percent Office	83.3%
Clear Height	12.0'

Current usage: sewing Company

Prior usage: Doctor Office (complex)

The property is being considered as a location for a daycare center.

The building is ideal for a daycare center due to several reasons.

- The rooms are extremely large. There are several rooms over 20' x 36' which could be used as multi learning areas, indoor play areas, and large teaching rooms.
- The building is ADA compliant.
- The building has a fire suppression system and alarms installed.
- The building has two sets of male and female bathrooms and two full kitchens which are set up in a manner which a daycare center can use.
- The wide (5') hallways will ease in the flow of traffic as children go from classroom to classroom.
- The facility is fully carpeted except of the bathrooms, kitchens, utility rooms and storage area.
- The 12' ceilings will allow for sound damping.
- Ample parking, the side street will allow for safe entering and exiting without traffic hazards.
- Room for a fenced in outdoors playground on the property.
- Two sets concrete block hallways which are already designated as tornado safety areas.

#### Conclusion

Due to these reasons this property will make an excellent location for a daycare center. It should easily clear the state inspection for licensing.

There was a prior situation where a daycare center was built in and industrial area with the same zoning, and the variance was approved. This daycare is still in operation. As well as a second daycare with the same zoning currently in operation at this time too.

James Middleton

**DATE:** 02/18/2024

**TO:** Board of Zoning Appeals

**RE:** Developmental or Use Variance

City of Elkhart, Indiana (Use Variance)

The undersigned petitioner respectfully shows the Board of Zoning Appeals:

1. I, James Rupright, own 2020 Industrial Parkway real estate in the City of Elkhart, Concord Township, Elkhart County, State of Indiana.
  2. The above-described real estate presently has a zoning classification of M-1 District under the Zoning Ordinance of the City of Elkhart.
  3. Petitioner presently occupies 2020 Industrial Parkway as Creative Sewing Design Inc; this company manufactures mattress coverings.
  4. Petitioner desires to occupy 2020 Industrial Parkway as First Step 2 Learning Academy. A Childcare Center that will provide quality care and education for children zero through 12 years (0-12 years).
  5. The Zoning Ordinance of the City of Elkhart requires residential zoning for Home Childcare but has recommended a used variance for buildings of Childcare Centers that are not zoned residential.
  6. There is an excellent shortage of quality childcare and education services for infants, toddlers, and children with disabilities. By adhering to the current zoning I will not be allowed to operate a licensed childcare center. Hence filling the void.
- The Petitioner assures you that once granted the approval we will not be injurious to the public health, safety, morals, and general welfare of the community since we will be doing consistent health and safety inspection and module-positive community morals as this too is our desire working with young children and families.
  - The Petitioner assures you that once approved, we will not affect substantial adverse use and value of the area adjacent to the property since there will be no physical changes to the building or property. But instead it will add value to the adjacent companies and residential areas by providing high-quality childcare to their employees who work and reside in the area.

- The Petitioner assures you that once granted the variance, we do not only plan on renting this building but also to purchase once the opportunity present itself, so that this Childcare Center as will be there for generations to come.
- There are no special conditions and circumstances due to the fact that there will be no physical changes, interior or exterior of the building that will affect the surrounding buildings or the residential areas.
- In designated flood hazard areas, the variance will not increase flood heights, threaten public safety, cause additional public expense, create nuisances, or conflict with existing laws or ordinances.” Not applicable due to the fact that this will be a Childcare Center.
- The need for the variance arises because of the current property zoning.
- By adhering to the current zoning of this property it limits growth and development in this areas for business which could become an asset to the area, by providing quality childcare to the area business and residencies.
- Not applicable, there will be no Comprehensive Plan changes now nor in the future to the building in the area.

WHEREFORE, Petitioner prays and respectfully requests a hearing on this appeal and that the Board grant the requested variance after such hearing.

**Signature of Property Owner:** \_\_\_\_\_

**Printed Name:** James Rupright

**Second Property Owner:** \_\_\_\_\_

**Printed Name:** \_\_\_\_\_

**Contact Person:** Trishana Wright-Middleton

**Address:** \_\_\_\_\_

**Phone Number where you can be reached:** \_\_\_\_\_

**Email:** [Firststep2begin@gmail.com](mailto:Firststep2begin@gmail.com)

229 S. Second Street,

Elkhart,

Indiana 46516

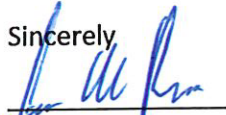
March 5, 2024

Dear Sir/Madam,

This letter formally announces that I, James Rupright, authorize Trishana Wright-Middleton to act as the petition's owner's agent.

For questions and concerns, I can be contacted at [REDACTED]

Sincerely



James Rupright







# Staff Report

Planning & Zoning

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**Petition:** 24-UV-07

**Petition Type:** Use Variance

**Date:** April 11, 2024

**Petitioner:** Gurpreet Singh

**Request:** To vary from Section 18.2, Permitted Uses in the M-1, Limited Manufacturing District to allow for the construction of a two family dwelling. Two family dwellings are not a permitted use in the M-1 District.

**Site Location:** 1900 and 1904 W Franklin Street

**Existing Zoning:** M-1, Limited Manufacturing District

**Size:** +/- .24 Acres

**Thoroughfares:** W. Franklin Street

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to the site.

**Surrounding Land Use & Zoning:**

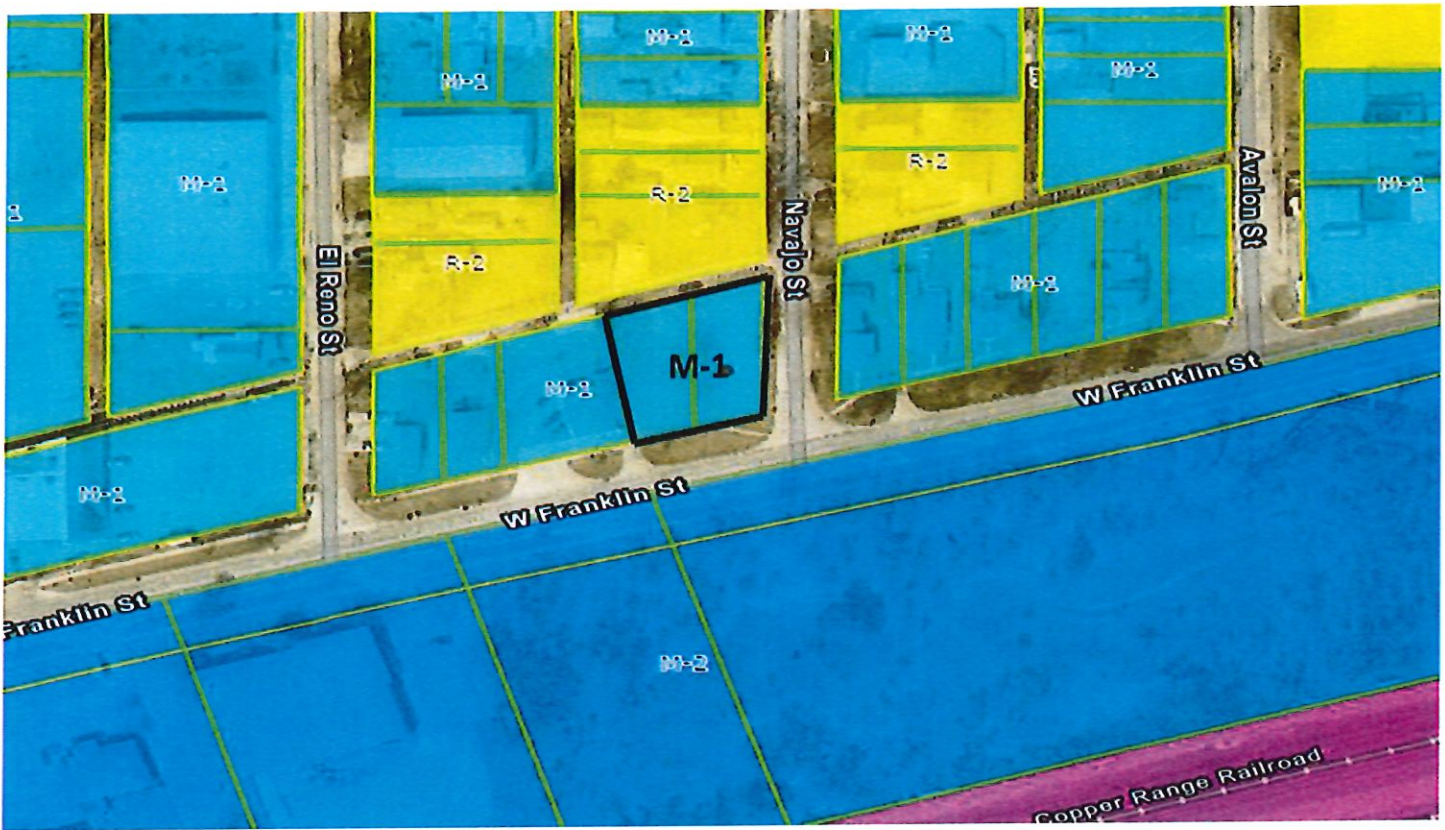
The properties are surrounded by a bar to the west zoned M-1, Limited Manufacturing District. Properties to the north and east are residential zoned M-1, Limited Manufacturing District. Land to the south vacant land zoned M-1, Limited Manufacturing District.

**Applicable Sections of the Zoning Ordinance:**

Enumerated in request.

**Comprehensive Plan:**

The Comprehensive Plan calls for this area to be developed with commercial uses.



## Staff Analysis

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The petitioner is proposing to construct a two family dwelling at the intersection of W Franklin and Navajo Streets. This section of Franklin has had manufacturing zoning for almost 70 years. Since the 1950's, this area has been a mix of industrial, commercial and residential uses. Because of its adjacency to the railroad, the uses tended to be more intense along Franklin and became less intense the farther away one moved from Franklin. Over time, the manufacturing and commercial uses have diminished and the need for more residential has grown.

It is thought that in time much of this portion of the neighborhood will be considered for rezoning to some sort of residential uses. However, for the time being, the need for a use variance is required in order to construct this project. The idea of a more intense use should not impact the surrounding uses or character of the neighborhood as this use is less intense than most commercial users.

Staff is supportive of this infill project. Proposals like this one are becoming more common in areas that have seen some disinvestment over time and where the need for new and diverse housing options are needed. It is anticipated that more of these requests will be coming in the future as staff looks for creative ways to find users for infill property.

# Recommendation

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The Staff recommends **approval** of the developmental variance based on the following findings of fact:

1. The approval **will not** be injurious to the public health, safety, morals or general welfare of the community because the lot will be constructed to city standards;
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because the intensity of use will blend with the neighborhood that has a variety of commercial uses along Franklin currently;
3. Granting the variance **would** be consistent with the intent and purpose of this Ordinance because it allows for a measure of relief when warranted;
4. The strict application of the terms of this Ordinance **will** result in practical difficulties in the use of the site because any residential redevelopment will require board action and the land does not support most industrial uses on the small site;
5. The special conditions and circumstances **do not** result from an action or inaction by the applicant.

# Photos



PETITION #: 24-WV-07

FILING FEE: \$ 300

### PETITION for APPEAL to the BOARD of ZONING APPEALS

**PETITION TYPE:**

\_\_\_\_\_ Developmental Variance      \_\_\_\_\_ Appeal from Staff Decision

Use Variance      \_\_\_\_\_ Special Exception      \_\_\_\_\_ Conditional Use

Property Owner(s): GURPREET SINGH

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Contact Person: TRAVIS SUGTLER

Mailing Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Subject Property Address: 1900 & 1904 W. FRANKLIN ST

Zoning: M-1

Present Use: VACANT Proposed Use: 2-FAMILY DUPLEX HOUSING

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): TRAVIS SUGTLER

SIGNATURE(S): [Signature] DATE: 3/8/24

**STAFF USE ONLY:**

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

- \_\_\_\_\_ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- \_\_\_\_\_ A completed Petition form signed by the legal owner of record (or approved representative).
- \_\_\_\_\_ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.
- \_\_\_\_\_ A full and accurate legal description of the property.
- \_\_\_\_\_ One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.
- \_\_\_\_\_ Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: [Signature] DATE: 3/8/24



# LAND & BOUNDARY

The Land And Boundary Resource Office

March 8, 2024

## Appeal Letter

TO: Board of Zoning Appeals City of Elkhart, IN

RE: Use Variance within the City of Elkhart

Parcels:

**20-06-07-330-025.000-012 and 20-06-07-330-019.000-012**

**1900 & 1904 W. Franklin Street  
Elkhart, IN 46516**

1. I, Gurpreet Singh, am the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

**Parcel I**

The 10.5 foot triangle in Northeast Corner of Lot Numbered 4 in Dinehart's Edgewater Addition to the City of Elkhart, Indiana as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

**Parcel II**

Lot Numbered 5 in Dinehart's Edgewater Addition to the City of Elkhart, Indiana as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

**EXCEPT:** All of Lot Numbered 3 and a part of Lots Numbered 4 and 5, as said lots are known and designated on the recorded plat of H.E. Dinehart's Edgewater Addition to Elkhart, Indiana, being more particularly as follows:

Assuming the West line of said Lot Numbered 3, to have a bearing of due North and South, beginning at the Southwest corner of said Lot Numbered 3; thence North 73°01' East along the Southerly line of Lots Numbered 3, 4 and a part of 5, a distance of 93.11 feet to an iron stake; thence North 09°07' West, 120.68 feet to an iron stake located on the Northerly line of Lot Numbered 4; thence South 73°01' West along the Northerly line of Lots Numbered 4 and 3, a distance of 73.10 feet to the Northwest corner of Lot Numbered 3; thence due South along the West line of said Lot Numbered 3, a distance of 125 feet to the place of beginning.

(Being 1904 West Franklin St.)



# LAND & BOUNDARY

The Land And Boundary Resource Office

## Parcel III:

Lot Numbered 6 in H. E. Dinehart's Edgewater Addition to the City of Elkhart as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

(Being: 1900 West Franklin St.)

2. The above described real estate presently has a zoning classification of M-1 limited manufacturing district under the Zoning Ordinance of the City of Elkhart
3. Petitioner presently plans to develop the above described property in the following manner: A two-family residential duplex building.
4. Petitioner desires to build a two-family residential duplex in an M-1 zone.
5. The zoning ordinance of the City of Elkhart does not include two-family residential homes as a permitted use in the M-1 zoning district per section 18.2 of the ordinance.
6. Strict adherence to the zoning ordinance would create unusual hardship by preventing the owner from using the land in a similar manner to properties within the same platted subdivision. The majority of surrounding properties are used as single family residential.
7. Standards that must be considered for a use variance:
  - a. The approval will not be injurious to the public health, safety, morals and general welfare of the community as it will be of similar use to surrounding properties.
  - b. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner as it will be of similar use to surrounding properties.
  - c. The need for the variance arises from property being zoned M-1 while in the middle of a residentially used area.
  - d. Strict application of the terms of the ordinance will constitute an unnecessary hardship because it would deny the owner the right to use the property for residential purposes while adjoining properties enjoy such use.
  - e. This petition does not interfere with the comprehensive plan because the proposed use is similar to the use of surrounding properties.



# LAND & BOUNDARY

The Land And Boundary Resource Office

Wherefore, petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Agent: *Travis R. Shetler*  
Travis R. Shetler, PS

Contact: Travis R. Shetler  
401 S. 3<sup>rd</sup> Street  
Goshen, IN 46526  
P. 574.320.5514  
E. [travis@landbro.com](mailto:travis@landbro.com)

Contact 2: Dave Miller  
Sunrise Home Builders  
60976 CR 33  
Goshen, IN 46528  
[davegloriamiller@yahoo.com](mailto:davegloriamiller@yahoo.com)  
[C. 574.536.8762](tel:574.536.8762)





# LAND & BOUNDARY

The Land And Boundary Resource Office

March 8, 2024

## Authorization Letter

Re: Replat Subdivision within the City of Elkhart; Use Variance within the City of Elkhart

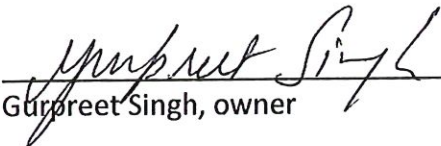
Parcels:

**20-06-07-330-025.000-012 and 20-06-07-330-019.000-012**

**1900 & 1904 W. Franklin Street  
Elkhart, IN 46516**

To whom it concerns.

I authorize Land and Boundary LLC to act as my agent for petition purposes to the city of Elkhart for the proposed development of 1900 and 1904 West Franklin Street Elkhart, IN.

 Date: 03/08/24  
Gurpreet Singh, owner

Phone: (269) 325-9401 Email: bobby1279@sbcglobal.net

Shipping Address: 64863 Apple Lane  
Goshen, IN 46526

2020-16277

ELKHART COUNTY RECORDER  
JENNIFER L. DORIOT  
FILED FOR RECORD ON  
07/24/2020 02:57 PM  
AS PRESENTED

Tax ID Number(s):  
20-06-07-330-026.000-012  
20-06-07-330-019.000-012

*Mendian Title (JH)*

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH THAT

LaCasa of Goshen, Inc., an Indiana non-profit corporation

CONVEY(S) AND WARRANT(S) TO

Gurpreet Singh, for Ten Dollars and other valuable consideration the receipt whereof is hereby acknowledged, the following described REAL ESTATE in Elkhart County, in the State of Indiana, to wit:

SEE ATTACHED EXHIBIT "A"

Subject to Real Estate taxes now due and payable and thereafter.

Subject to covenants, restrictions and easements of record.

The undersigned persons executing this deed on behalf of Grantor represent and certify that they are duly authorized to act for the Grantor and have been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, the Grantor has executed this deed this 23rd day of July, 2020.

LaCasa of Goshen, Inc., an Indiana non-profit corporation

By: *Chris Kingsley*  
Chris Kingsley, President

By: *James N. Davis*  
James N. Davis, Chief Operating Officer

MTC File No.: 20-26878 (UD)

Page 1 of 4

DM

MC

DISCLOSURE FEE PAID  
DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER  
Jul 24 2020  
PATRICIA A. PICKENS, AUDITOR  
03653  
20.00

State of Indiana, County of Elkhart ss:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Chris Kingsley, President and James N. Davis, as Chief Operating Officer of LaCasa of Goshen, Inc., an Indiana non-profit corporation, who acknowledged the execution of the foregoing Deed and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS, my hand and Seal this 23rd day of July, 2020.

June 30, 2024  
My Commission Expires:

685832  
Commission No.

ELKHART COUNTY, INDIANA  
Notary Public, County and State of Residence

This instrument was prepared by:  
Andrew R. Drake, Attorney-at-Law  
11711 N. Pennsylvania St., Suite 110, Carmel, IN 46032

Property Address:  
1904 West Franklin Street, Elkhart, IN 46516  
1900 West Franklin Street, Elkhart, IN 46516

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law. Andrew R. Drake

Kathleen A. Irelan  
Signature of Notary Public

KATHLEEN A. IRELAN  
Printed Name of Notary



Grantee's Address and Mail Tax Statements To:  
433 Silverwood Ln Apt 6  
Goshen, IN 46526



CERTIFICATE OF PROOF

WITNESS to the signature(s) on the foregoing instrument to which this Proof is attached:

Angela Emmons

Witness Signature

Angela Emmons

Witness Name (must be typed / printed)



PROOF:

STATE OF INDIANA

COUNTY OF ELKHART

Before me, a Notary Public in and for said County and State, personally appeared Angela Emmons, the above named WITNESS to the foregoing instrument, who, being known or proved to me to be the person whose name is subscribed as a witness to the foregoing instrument, who, being duly sworn by me, deposes and says that the foregoing instrument was executed and delivered by Chris Kingsley, President and James N. Davis, as Chief Operating Officer of LaCasa of Goshen, Inc., an Indiana non-profit corporation, in the foregoing subscribing witness' presence.

Witness my hand and Notarial Seal this 23rd day of July, 2020.

My Commission expires:

June 30, 2024

Signature: Kathleen A. Irelan

Printed: KATHLEEN A. IRELAN

Resident of ELKHART County, Indiana

## EXHIBIT A

### Parcel I

The 10.5 foot triangle in Northeast Corner of Lot Numbered 4 in Dinehart's Edgewater Addition to the City of Elkhart, Indiana as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.

### Parcel II

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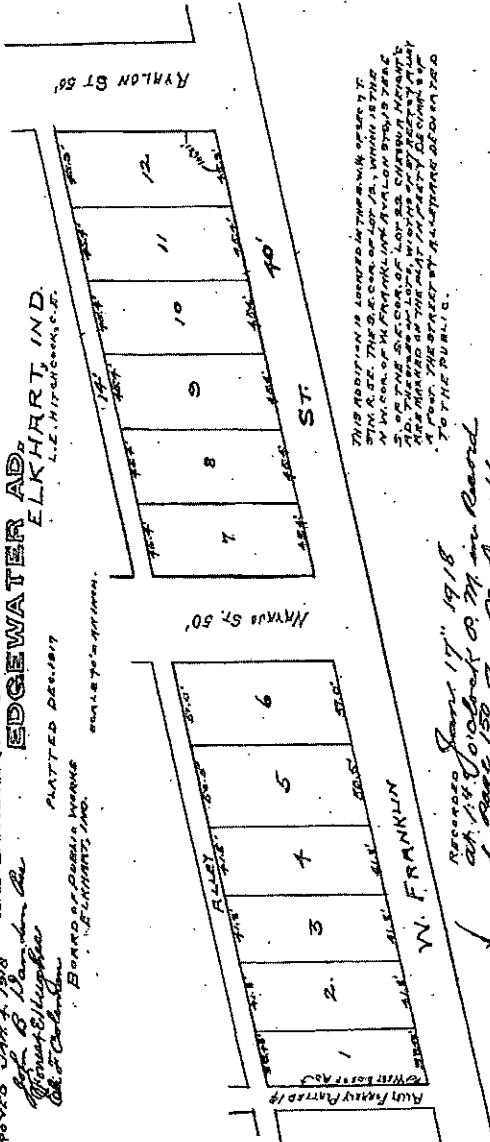
EXCEPT: All of Lot Numbered 3 and a part of Lots Numbered 4 and 5, as said lots are known and designated on the recorded plat of H.E. Dinehart's Edgewater Addition to Elkhart, Indiana, being more particularly as follows:

Assuming the West line of said Lot Numbered 3, to have a bearing of due North and South, beginning at the Southwest corner of said Lot Numbered 3; thence North 73°01' East along the Southerly line of Lots Numbered 3, 4 and a part of 5, a distance of 93.11 feet to an iron stake; thence North 09°07' West, 120.68 feet to an iron stake located on the Northerly line of Lot Numbered 4; thence South 73°01' West along the Northerly line of Lots Numbered 4 and 3, a distance of 73.10 feet to the Northwest corner of Lot Numbered 3; thence due South along the West line of said Lot Numbered 3, a distance of 125 feet to the place of beginning.  
(Being 1904 West Franklin St.)

Parcel III: Lot Numbered 6 in H. E. Dinehart's Edgewater Addition to the City of Elkhart as per plat thereof recorded in Plat Book 1, page 150 in the Office of the Recorder of Elkhart County, Indiana.  
(Being: 1900 West Franklin St.)

APPROVED JAN 4, 1918  
 JOHN B. HARRISON, JR.  
 Mayor  
 Board of Public Works  
 ELKHART, IND.  
 PLATTED DEC. 18, 1917

**H.E. DINEHART'S  
 EDGEWATER AD-  
 ELKHART, IND.**  
 L. E. 17-18-19-20-21-22



THIS ADDITION IS LOCATED IN THE SW 1/4 OF SEC. 10  
 T. 11 N. R. 2 E. THE S. E. COR. OF LOT 12, WHICH IS THE  
 N. W. COR. OF THE ORIGINAL RYALON ST. 50' 22' 23'  
 24' 25' 26' 27' 28' 29' 30' 31' 32' 33' 34' 35' 36' 37' 38' 39' 40'  
 41' 42' 43' 44' 45' 46' 47' 48' 49' 50' 51' 52' 53' 54' 55' 56' 57' 58' 59' 60'  
 61' 62' 63' 64' 65' 66' 67' 68' 69' 70' 71' 72' 73' 74' 75' 76' 77' 78' 79' 80'  
 81' 82' 83' 84' 85' 86' 87' 88' 89' 90' 91' 92' 93' 94' 95' 96' 97' 98' 99' 100'  
 TO THE PUBLIC.

RECORDED JAN 17, 1918  
 at 118 Vol. 158 Page 77  
 H. E. DINEHART, REG. CLERK  
 COUNTY AND RECORDS DEPARTMENT, ELKHART, IND.

H.E. DINEHART, Register of Deeds, City of Elkhart, Indiana  
 State of Indiana, Elkhart County, Ind.:-

The undersigned hereby certifies that the attached map is a true plat of an addition to the City of Elkhart, Elkhart County, Indiana, to be known as N. E. Dinehart's Edgewater Addition to the City of Elkhart, and that the lots are numbered set forth on such map, and that the streets and alleys represented thereon are shown on such map and such streets and alleys are hereby dedicated as public highways.

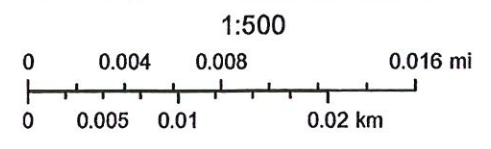
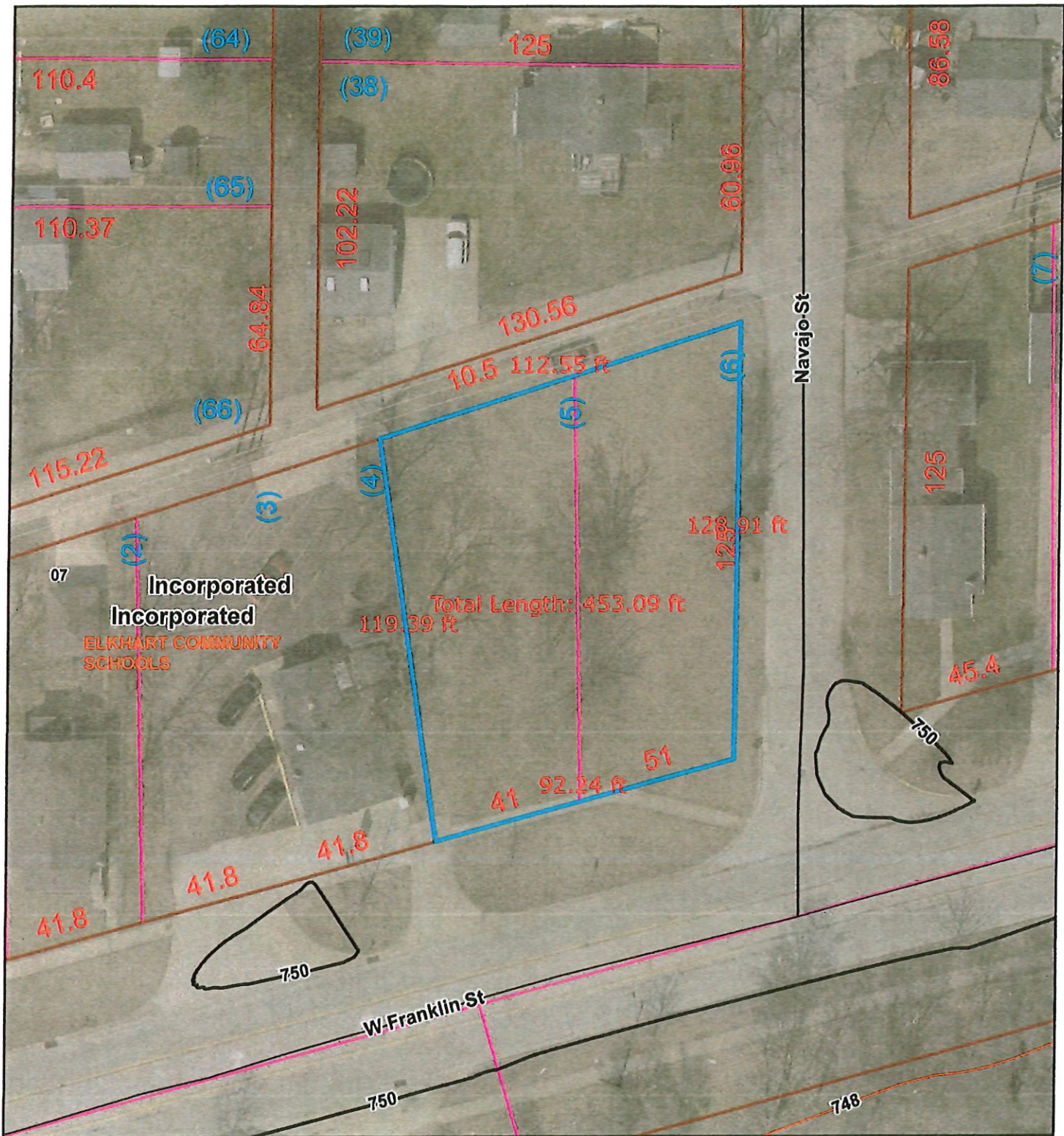
In testimony whereof, we have hereunto set our hands and seals this 13<sup>th</sup> day of December, 1917.

Harvey E. Dinchart (seal) Benjamin F. Tuhm (seal)  
Fina G. Dinchart (seal) Leha Tuhm (seal)  
Elizabeth Barndollar (seal)

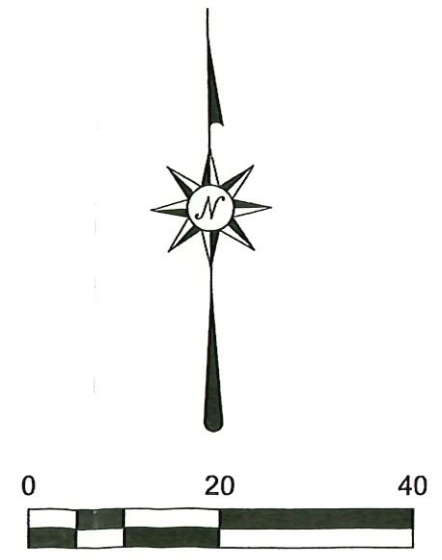
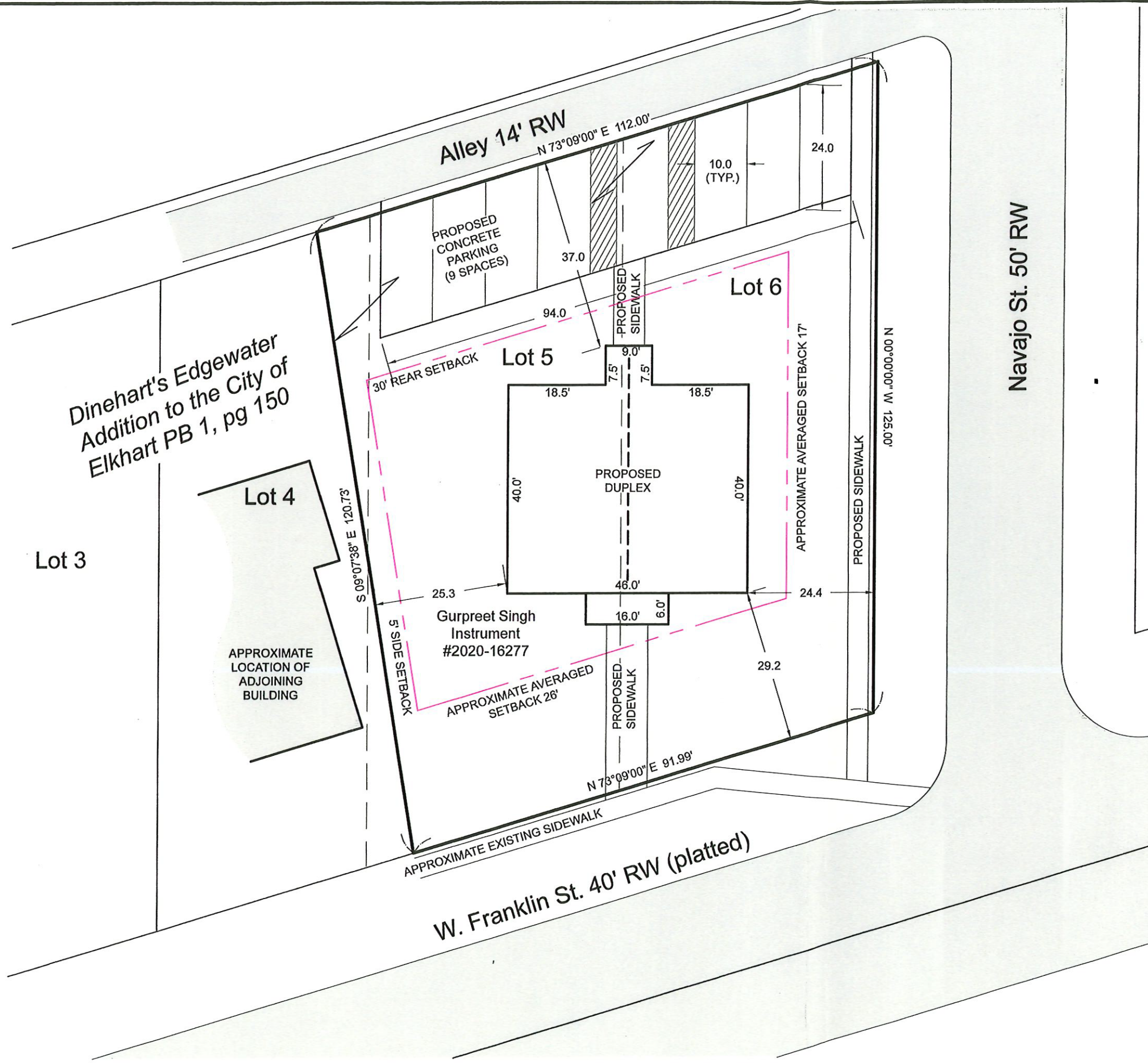
Subscribed in my presence and sworn to before me this 13<sup>th</sup> day of December, 1917.

Emil V. Anderson

My Commission expires November 5<sup>th</sup> 1918 L.S.  
Representative-General Assembly  
State of Indiana, Elkhart County







THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT.

**Sketch of Use Variance**

Lot 6 and part of Lot 4 & 5 of  
Dinehart's Edgewater Addition to the City of Elkhart  
Concord Township, Elkhart County  
**State of Indiana**

**LAND & BOUNDARY**  
The Land and Boundary Resource Office

401 SOUTH 3RD STREET GOSHEN, IN 46526  
(574) 320-5514  
INFO@LANDBRO.COM

DATE OF FIELD WORK: N/A	PROJECT NUMBER: 240301
SCALE: 1" = 20'	AUTHORIZED BY: TRS
	DRAFTING BY: TRS