AGENDA
BOARD OF ZONING APPEALS
THURSDAY, AUGUST 13, 2020, AT 6:00 P.M.
COUNCIL CHAMBERS - MUNICIPAL BUILDING

THIS MEETING WILL BE HELD ELECTRONICALLY VIA WEBEX.

To join, go to http://coei.webex.com, enter 160 355 2708 as the meeting number and “nXpkHMQB364” 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 kathy.kalman@coei.org prior to the meeting.

1. ROLL CALL
2. APPROVAL OF AGENDA
3. APPROVAL OF MAY 14, 2020 and JUNE 11, 2020 MINUTES
4. APPROVAL OF PROOFS OF PUBLICATION

5. OLD BUSINESS

20-BZA-18 PETITIONER IS AMUL PETROLEUM, INC.
PROPERTY IS LOCATED AT 2217 WEST FRANKLIN STREET
To vary from Section 26.10.D.4 Free-standing Signs, which requires a monument sign for a single tenant location to be centered on the property; petitioner is requesting a sign at the northeast corner of the property.

To also vary from Section 26.10.D.4 Free-standing Signs, which requires that an integrated message board in the CBD to be limited in size to 50% of the sign area of the principal sign, to allow for an Electronic Message Center that is 81% of the size of the principal sign, a variance of 31%.

6. NEW BUSINESS

20-BZA-20 PETITIONER IS ALBONI #5 LLC
PROPERTY IS LOCATED AT 2837-2849 OLD US 20 W
To vary from Section 26.4.A.6 Fence Requirements, General Provisions – All Districts, which states that “no fences, other than split rail, wrought iron or open picket fences… not to exceed four (4) feet in height, shall be permitted in any front yard or corner side yard,” to allow for a six-foot aluminum fence in the front yard.

To vary from Section 13.4, Yard Requirements in the B-3, Service Business District, to allow for a flagpole that is 70 feet tall where 35 feet is allowed, a variance of 35 feet.

To also vary from Section 26.2.C.7, Areas to be Landscaped to allow for outside storage in front of the front or corner side building façade where outside storage is required to be behind the front or corner side building façade.

20-X-04 PETITIONER IS HOUSING AUTHORITY, CITY OF ELKHART
PROPERTY IS LOCATED AT 315 CHAPMAN AVENUE
An amendment to 19-X-13, which granted a special exception per Section 7.3, Special Exception Uses in the R-4, Multiple Family Dwelling District, to allow for a day care center (preschool) with up to twenty (20) children. This amendment requests additional space for the day care center (preschool) and a capacity of up to forty (40) children.

20-UV-12 PETITIONER IS ANTHONY DATENA
PROPERTY IS LOCATED AT 516 COUNTRY ROAD 3 NORTH
To vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District, to allow for internet sales and warehousing. Internet sales and warehousing are not a permitted use in the R-2 District.

20-BZA-21 PETITIONER IS 3 CREEK LLC
PROPERTY IS LOCATED AT 400 BENCHMARK DRIVE
To vary from Section 26.7.C.7 (a, b, c) which states in part that parking lots must be paved with concrete, asphalt, or decorative concrete, brick, or asphalt pavers, and where storage yards for partially or fully finished product may be surfaced with gravel or slag may be located only in a rear yard to allow for a gravel and slag parking lot/storage area in the front and side yards.

20-BZA-22 PETITIONER IS R FLAGG HOLDINGS INC.
PROPERTY IS LOCATED AT 511 SOUTH MAIN STREET
To vary from Section 26.10.D.5 Projecting Signs, which limits projecting signs nine (9) square feet, to allow for a projecting sign of 32 square feet, a variance of 23 square feet.

**20-BZA-23 PETITIONER IS STREAMS EDGE PROPERTIES, LLC**  
**PROPERTY IS LOCATED AT 2500 AEROLEX DRIVE**  
To vary from Section 26.4.A.6 Fence Requirements, General Provisions – All Districts, which states that “no fences, other than split rail, wrought iron or open picket fences… not to exceed four (4) feet in height, shall be permitted in any front yard or corner side yard,” to allow for an eight-foot galvanized chain link fence in the front yard.

To also vary from Section 26.4.A1 Fence Requirements, General Provisions – All Districts, which states that “in manufacturing districts… barbed wire may be used at the top portion of a permitted fence or wall if located more than seven (7) feet above the adjacent ground level,” to allow for a six (6) foot chain link fence with barbed wire above in a side and rear yard, a variance of one (1) foot.

To also vary from Section 26.2.C.7, Areas to be Landscaped to allow for outside storage of trailers in front of the front or corner side building façade where outside storage is required to be behind the front or corner side building façade.

**20-BZA-24 PETITIONER IS ALBONI #6 LLC**  
**PROPERTY IS LOCATED AT 2805 OLD US 20 W**  
To vary from Section 26.4.A.6 Fence Requirements, General Provisions – All Districts, which states that “no fences, other than split rail, wrought iron or open picket fences… not to exceed four (4) feet in height, shall be permitted in any front yard or corner side yard,” to allow for a six-foot aluminum fence in the front yard.

To also vary from Section 26.2.C.7, Areas to be Landscaped to allow for outside storage in front of the front or corner side building façade where outside storage is required to be behind the front or corner side building façade.

**STAFF ITEMS**  
**20-UV-07 UPDATE 1333 WEST LUSHER AVENUE**

7. **ADJOURNMENT**

Please remember to use your microphone when speaking.  
Errors in the minutes may result due to voices being inaudible.