

AGENDA
CITY OF ELKHART BOARD OF ZONING APPEALS
THURSDAY, JULY 9, 2026 AT 6:00 P.M.
COUNCIL CHAMBERS – MUNICIPAL BUILDING

This meeting can also be accessed electronically via Teams.

To join, go to <https://teams.microsoft.com/meet/256645390586576?p=o6J7lgxFRN35uwNEVV> enter **256 645 390 586 576** as the meeting number and “**iA2W2Pv3**” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

1. **ROLL CALL**
2. **APPROVAL OF AGENDA**
3. **APPROVAL OF MINUTES JUNE 11, 2026**
4. **APPROVAL OF PROOFS OF PUBLICATION**

5. **OLD BUSINESS**

26-UV-11 PETITIONER IS LUIS & MARIA NAVARRETE
PROPERTY IS LOCATED AT 2642 S MAIN ST

To vary from Section 19.2 Permitted Uses in the M-2, General Manufacturing District to allow for a Food Truck Park.

6. **NEW BUSINESS**

26-BZA-10 PETITIONER IS SRE INDIANA 1M, LLC
PROPERTY IS LOCATED AT 3008 MOBILE DR

To vary from Section 26.4.A.6, Fence Requirements, which states in part that, ‘No fences, other than split rail, wrought iron, or open picket fences not to exceed four (4) feet in height, shall be permitted on any front yard or corner side yard’ to allow for a seven (7) foot chain link fence (six (6) foot fence and one (1) foot 3-strand barbless wire fence) in the front yard, a variance of three (3) feet.

26-X-02 PETITIONER IS NEW LIFE IN CHRIST MINISTRIES
PROPERTY IS LOCATED AT 1842 E BRISTOL ST

Per Section 11.3, B-1, Neighborhood Business District, Special Exception Uses, (11.3.A) Churches to allow for the establishment of a new church at 1842 East Bristol Street.

26-UV-17 PETITIONER IS JOHN ROBINIA
PROPERTY IS LOCATED AT 2603 MORTON AVE

To vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District to allow for a Dog Grooming Salon.

26-BZA-15 PETITIONER IS KENNETH A KNOX AND WANDA L KNOX
PROPERTY IS LOCATED AT 2901 HOMER AVE

To vary from Section 26.1.B.8.a, which states in part, ‘Accessory buildings on property occupied by a one or two family residential use shall be limited to a maximum floor area of seven hundred twenty (720) square feet for the largest structure, with a maximum total of eight hundred forty (840) square feet for all accessory buildings combined’, to allow for the proposed accessory building at 1152 square feet, where the maximum for any one accessory structure is 720 square feet, a variance of 432 square feet. To also vary from the maximum total area for all accessory structures of 840 square feet to allow for a total area for all accessory structures of 1,568 square feet, a variance of 728 square feet.

Also:

To vary from Section 26.1.B.3, which states in part, ‘An accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line’, to allow for variance of three (3) feet to an interior side yard lot line and five (5) feet rear lot line for a zero (0) setback for both.

26-BZA-16 PETITIONER IS HMS ELKHART LLC
PROPERTY IS LOCATED AT 1514 W LUSHER AVE

The property owner wishes to replace an existing non-conforming six (6) foot fence with a new ten (10) foot fence. The request is - To vary from Section 26.4.D.1, Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part that, ‘An opaque fence, a minimum of eight (8) feet in height, constructed of painted or treated wood, painted or textured block, or brick and set back fifteen (15)

feet or more inside the lot lines.’ And ‘In a front or corner side yard the fence shall not project beyond the front façade of buildings located on adjacent lots on the same side of the street’, to allow for a chain link fence (at the same location as the existing) beyond the front façade of the structure, at the property line with a zero (0) foot setback.

To also vary from Section 26.4.D.3.a, of Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part, ‘A landscape strip shall be maintained between the fence and property line in the following yards: a. All front and corner side yards’, to allow for the same replacement fence at a zero (0) foot setback with no landscape strip.

**26-BZA-17 PETITIONER IS GARRICK AND TRICIA LANKFORD
PROPERTY IS LOCATED AT 12 MELROSE MANOR**

To vary from Section 4.4, Yard Requirements in the R-1, One Family Dwelling District, which requires rear setbacks located along a river or stream to be the established setback. The established setback at this location is 64’9” (current rear setback is 48’6”). The requested setback for the home after an addition is 36’6” feet in the rear, a variance of 28.3 feet.

- 7. **STAFF ITEMS**
- 8. **ADJOURNMENT**

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

BOARD OF ZONING APPEALS MEMBERS

<u>Name</u>	<u>Term</u>	<u>Appointed By</u>
Janet Evanega-Rieckoff, President	February 2, 2024 – January 6, 2028	Mayor
Phalene Leichtman, Vice President	January 1, 2024 – December 31, 2027	Mayor
Ann Linley	January 1, 2026 – December 31, 2027	City Council
Rochali Newbill	January 1, 2026 – December 31, 2030	Plan Commission
Position Vacant	TBD	Mayor

BOARD OF ZONING APPEALS

-MINUTES-

**Thursday, June 11, 2026 - Commenced at 6:07 P.M. & adjourned at 7:14 P.M.
City Council Chambers – Municipal Building**

Please note that due to technical issues, no recording of this meeting was created.

MEMBERS PRESENT

Janet Evanega Rieckhoff
Phalene Leichtman
Ann Linley

MEMBERS ABSENT

Rochali Newbill

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter, Assistant Director for Planning
Kyle Anthony-Petter, Planner II

LEGAL DEPARTMENT

Rose Rivera

RECORDING SECRETARY

Raen Levendoski

ELECTION OF OFFICERS

Postponed.

APPROVAL TO AMEND AGENDA

Trotter proposes an amendment to the agenda, to table case 26-UV-11 until July.
Leichtman makes a motion to approve; Second by Linley. Voice vote carries.

APPROVAL OF MINUTES FOR MAY 14, 2026

Linley makes motion to approve; Second by Leichtman. Voice vote carries.

APPROVAL OF PROOFS OF PUBLICATION

Leichtman makes motion to approve; Second by Linley. Voice vote carries.

OPENING STATEMENT

Welcome to the June 11, 2026 meeting of the Elkhart City Board of Zoning Appeals.

If you are joining by video, your microphone will be automatically muted and your video will not be on when you enter the meeting. Please make sure you use both your first and last name. If you would like to speak, you must click on the “raise hand” action and wait to be called on in order to alert our IT attendant to unmute your speaker and turn on your video, which is necessary if you want to take part in the meeting. When you begin to speak, speak up and identify yourself before proceeding. When speaking: Petitioner, Public and Board members, make sure your mic is on and speak into it.

The purpose of this meeting is to review and consider all requests for relief from any standard in the Zoning Ordinance including variances, use variances, special exceptions, conditional use requests, and administrative appeals. All of the cases heard tonight will have a positive, negative, or no decision made by the board. If no decision is made, the petition will be set for another hearing. If a decision is made that you disagree with, either as the petitioner or an interested party, you must file for an appeal of the Board's decision no later than 30 days after the decision is made in an appropriate court. If you think you may potentially want to appeal a decision of this Board you must give this Board a written appearance before the hearing. If you are here in person, a sign-in sheet is provided which will act as an appearance. You should sign the sheet if you want to speak but also if you do not wish to speak but might want to appeal our decision. A written petition that is set for hearing tonight satisfies that requirement for the petitioner. If you file your appeal later than 30 days after the decision of this Board or give no written appearance tonight you may not appeal the Board's decision. Because the rules on appeal are statutory, and specific on what you can do, the Board highly suggests you seek legal advice. If you are the petitioner, in addition to filing an appeal, you may first file a motion for rehearing within 14 days of the Board's decision.

Tonight, we have our minimum quorum of three members present, which may include temporary appointed Members. While we can conduct business with three members, any votes taken must be unanimous. Anything less than a unanimous vote will be considered No Action and the case will be reset for the next month.

With respect to the public comment portion of the meeting, public comments will be taken only on the specific petition being heard before the board. Unlike the City Council meeting, where there is time for anyone to comment on any issue, we do not have that at the BZA and comments will only be taken for or against the petition before the board.

DRAFT

OLD BUSINESS

26-UV-09 PETITIONER IS LYNDON MARTIN PROPERTY IS LOCATED AT 2111 S SEVENTEENTH ST

The request is to vary from 18.2 Permitted Uses in the M-1, Limited Manufacturing District, to allow for auto sales.

Evanega Rieckhoff calls the petitioner forward.

Lyndon Martin, 2111 17th St, appears in person. Martin states that they do not anticipate needing to use large trucks to load and offload vehicles, and because there are two entrances to the property, there would be flow of traffic to prevent issues.

Evanega Rieckhoff asks for questions from the Board. Seeing none, she opens for public comments to speak in favor. Seeing none, she opens for opposition. Seeing none, she closes the public portion of the meeting and calls staff forward.

STAFF ANALYSIS

Trotter presents. Since the petition was previously read into record during the May 14, 2026 meeting, Staff will not be reading the full report again.

Trotter states there were 12 letters mailed with one returned in favor with no comment.

Evanega Rieckhoff asks if there are questions from the Board for staff.

The Board asks about what happens when the property is sold. Trotter clarifies that if the property is sold, the new buyers would need to request their own variance.

Evanega Rieckhoff calls for a motion.

Leichtman makes a motion to approve 26-UV-09 and adopt the petitioner's documents and presentation as the Board's findings of fact in the present petition and adopt all conditions listed in the staff report, including the additional board condition for a review in two years; Second by Linley.

Leichtman – Yes

Linley – Yes

Evanega Rieckhoff – Yes

Motion carries.

NEW BUSINESS

26-UV-12 PETITIONER IS HARRY BURNSTINE AMENDED AND RESTATED REVOCABLE TRUST PROPERTY IS LOCATED AT VACANT LOTS 1500 BLOCK MAPLE ROW

Kyle Anthony-Petter, Planner II, presents. The request is to vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District to allow for a parking lot as the primary use.

Evanega Rieckhoff calls the petitioner forward.

Christy Burnstine, 1505 W Beardsley, appears in person. Burnstine states that they purchased the lot with the impression that it was a parking lot. However, upon further investigation they discovered that a variance was not received for the lot. They are requesting this variance so that they can sell the property and market it as a parking lot for the adjacent business property which is also being sold.

Evanega Rieckhoff asks for questions from the Board. Seeing none, she opens for public comments to speak in favor.

Howard Turner, 610 Beech St, appears in person. Turner states that he is not in favor or opposition but has some questions. Turner asks for clarification on the location of the petition lot.

Evanega Rieckhoff opens for public opposition. Seeing none, she closes the public portion of the meeting and calls staff forward.

STAFF ANALYSIS

The petitioner is requesting a use variance to allow the property at 1500 VL Block Maple Row to be used as a parking lot. Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District, does not allow a parking lot as the primary use.

The property on Maple Row contains a parking area for the building at 1505 W. Beardsley Avenue. This use has been in place for several decades with no previous board approvals found on file. Currently the only other parking for the business is within the right of way along Beech Street to the east and some shared parking with the business at 1515 W. Beardsley Avenue to the west. The property along with the building on Beardsley was placed on the market for sale and it was during the due diligence period, when the properties were being listed, it was discovered there was no board action for the Maple Row parcels for use as a parking lot.

Based on research by staff, this property has had no prior board approval for use as a parking lot. This is supported by the lack of an approved paving material or elements typically found and required for the establishment of a parking area. There is no storm water containment area or dry wells to capture storm water on site, no lot striping to depict the parking layout, no curbing or landscape buffer and/or fence to screen the use from adjacent residential uses.

The Maple Row parking area appears to be surfaced with roto mil (recycled asphalt). Access is from the alley on the north of the lots – no access exists from Maple Row. There is no stormwater provided on site and the screening contains in part a fence in need of repair. The current state of the parking area is non-conforming; meaning the parking lot does not meet the current development standards.

The legacy manufacturing uses along West Beardsley Avenue commonly did not have large areas for employee parking as most of the buildings were built to maximize the lot area with no room left for parking. These buildings were also constructed during a time when the city had a more robust public transportation network and where many employees did not own cars. Over time, the need for parking grew and lots were established in the residential neighborhood to the south along Maple Row for employee parking; staff have found meeting minutes dating back to 1958 for several of the parking areas east of the land in this request.

Near this property are three parking lots along Maple Row which are used by businesses on West Beardsley Avenue. At the corner of (1400-1416) Maple Row and Walnut Street, a parking lot was approved by Special Use in 1970 to be used as an off-street parking area. 1320-1326 Maple Row was approved by Special Use in 1958 to be used as an off-street parking area. 1222 Maple Row was approved for Special Use in 1958 to be used as an off-street parking area.

This section of Maple Row historically had a mix of accessory parking uses intermixed with residential uses for at least 80 years. Since the 1950's, this board has approved parking lots on Maple Row for the businesses that fronted on Beardsley Avenue. Because of its current R-2 zoning, the need for any development not allowed by right, the parking lot development on Maple Row must meet the current standards in order to protect the adjacent residential uses.

It is important this project must be submitted for Technical Review to ensure compliance with developmental standards for the Public Works Department, Fire Department and the Planning Department. This request is for the use only. It is expected the petitioner will submit for review and approval civil engineering drawings to be formally reviewed by city staff. It cannot be guaranteed the layout as depicted on the plan for this case will not remain unchanged.

Staff supports the request for use only.



Blue box is current petition

STAFF RECOMMENDATION

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 parking lot has existed in some form for many years with no apparent harm to surrounding properties;
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner because the parking lot has existed in some form for many years with no apparent harm to surrounding properties;
3. Granting the variance would be consistent with the intent and purpose of this Ordinance because a small measure of relief when uniquely warranted;
4. Special conditions and circumstances do exist which are particular to the land involved and which are not applicable to other lands or structures in the same district because without board action this project on this parcel would not be permitted;
5. The strict application of the terms of this Ordinance will not result in practical difficulties in the use of the property because if in the future the parking lot could be removed and a permitted use could be built;
6. The special conditions and circumstances do result from an action or inaction by the applicant as the use was established without the benefit of board action. It is likely that construction of a compliant parking lot would not be detrimental to the surrounding uses as the use has existed for some time;
7. This property does not lie within a designated flood hazard area.

CONDITIONS

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

1. A complete set of civil engineering plans shall be submitted for review and approval at Technical Review – to ensure compliance with developmental standards for the Public Works and Planning Departments when a site plan is proposed.
2. The parking area is to be used for employee parking only. Outdoor storage shall not be permitted.

Trotter states there were 22 letters mailed with one returned in favor with the comment: the lot is not vacant, we use it for BBQ, family reunions, football, etc. The neighborhood uses it for yard sales.

Evanega Rieckhoff asks if there are questions from the Board for staff.

Linley asks for clarification on what Tech Review entails. Anthony-Petter responds.

Evanega Rieckhoff calls for a motion.

Leichtman makes a motion to approve 26-UV-12 and adopt the petitioner's documents and presentation, together with the Staff's finding of fact, as the Board's findings of fact in the present petition and adopt all conditions listed in the staff report; Second by Linley.

Leichtman – Yes
Linley – Yes
Evanega Rieckhoff – Yes

Motion carries.

**26-UV-13 PETITIONER IS TFI ELKHART IN LLC
PROPERTY IS LOCATED AT 1341 WADE DRIVE**

Trotter presents. The request is a Use Variance of Section 13.2 Permitted Uses in the B-3 Business Service District to allow for the creation of a finished goods storage lot.

Evanega Rieckhoff calls the petitioner forward.

Crystal Welsh, 303 River Race Dr, representative of Abonmarche, appears in person along with Ryan Martin, a representative from Gillette Generators. Gillette Generators owns an adjacent property and wishes to use this petition property for finished product storage.

Evanega Rieckhoff asks for questions from the Board.

Leichtman asks if any fuel or chemicals will remain in the stored generators. Martin denies.

Evanega Rieckhoff opens for public comments to speak in favor. Seeing none, she opens for opposition.

Daraleigh Stephenson, 1400 County Rd 6 W, appears in person. Stephenson is concerned about stormwater retention, as their property floods every time it rains. She is also concerned about buffers for lighting and noise. She also mentions frustration at a previous hearing regarding another property in the area, and the reading of mailed responses.

Evanega Rieckhoff closes the public portion of the meeting and calls staff forward.

STAFF ANALYSIS

The petitioner owns a vacant parcel of property in the Elk-Air Industrial Park. The parcel of property is on the south side of Wade Drive. The intended use of the property is outdoor storage of finished goods.

Gillette Generators has an industrial facility north of the property in the same industrial park that manufactures generators that are proposed to be stored on the lot that is a part of the variance request. To the south, across Wade Drive, the petitioner would like to place finished goods (generators) on the parcel.

Per the submitted site plan the outdoor storage area would be screened to ordinance standards. The petitioner is providing a 50-foot buffer along the rear property line. Within the 50-foot buffer is an existing 15-foot utility easement. The development standard requirement is a 10-foot buffer. With the proposed plan, the petitioner exceeds the requirement area for buffering by five (5) times what is required.

A six (6) foot-tall chain link fence is proposed to be placed around the parcel for security. This will be in addition to the screening adjacent to the residentially used and zoned property to the south. The buffer is proposed to be evergreen screening.

Based on information provided by the petitioner, the storage area is not proposed to have new light fixtures installed; this is intended to reduce any impact to adjacent properties. The new storage area will meet all requirements for stormwater collection. The units will be stored with no fuel.

This project has been submitted for Technical Review to ensure compliance with developmental standards for the Public Works Department, Fire Department and the Planning Department. By the writing of this report, the project review has not been completed. All comments raised by staff must be addressed before any permits are granted.

STAFF RECOMMENDATION

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 storage lot will be reviewed through the Technical Review Process for compliance with all developmental requirements;
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner because the storage area will be properly buffered and screened from the adjacent residentially used and zoned properties;
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 as the Comprehensive Plan calls for this area to be developed industrially;
4. Special conditions and circumstances do exist which are particular to the land involved and which are not applicable to other lands or structures in the same district because without board action this project on this parcel would not be permitted;
5. The strict application of the terms of this Ordinance will not result in practical difficulties in the use of the property because a B-3 could be developed. However, because of the location at a dead end street and being between industrially zoned and residentially zoned land – most commercial uses would not be viable;
6. The special conditions and circumstances do not result from an action or inaction by the applicant because no construction has started and the zoning for the property has existed for some time;
7. This property does not lie within a designated flood hazard area.

CONDITIONS

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

1. The units store in this area will not be stored with any fuel in them.
2. The storage area will not be lit.
3. Any and all comments from the Technical Review process will have to be addressed prior to any permit being issued.

Trotter states there were 10 letters mailed with none returned and one phone call received not in favor with comments: caller is again the variance, does not wish to have storage behind their property, concerned about water table, their property flooding due to stormwater runoff, lighting, and noise buffers.

Stephenson states that more letters and phone calls were received. Trotter responds that they are reading all items they received.

Levendoski states that one additional phone call was received, but the caller only asked a few questions and stated that they were not in favor or opposition of the petition.

Evanega Rieckhoff asks if there are questions from the Board for staff.

Evanega Rieckhoff calls for a motion.

Leichtman makes a motion to approve 26-UV-13 and adopt the petitioner's documents and presentation, together with the Staff's finding of fact, as the Board's findings of fact in the present petition and adopt all conditions listed in the staff report; Second by Linley.

Leichtman – Yes

Linley – Yes

Evanega Rieckhoff – Yes

Motion carries.

26-UV-16 PETITIONER IS SNYDER REAL ESTATE HOLDINGS COMPANY PROPERTY IS LOCATED AT 1801 WOOD ST

Anthony-Petter presents. The request is to vary from Section 11.2, Permitted Uses in the B-1, Neighborhood Business District to allow for a Photography Studio.

Evanega Rieckhoff calls the petitioner forward.

Lorrie Willits, 21948 Shirley Dr, Goshen, appears in person. Willits is a prospective buyer of the property, contingent on whether the Board approves the petition. Willits has operated a photography studio for 12 years, but needs a larger space and feels this location is ideal.

Evanega Rieckhoff asks for questions from the Board. Seeing none, she opens for public comments to speak in favor. Seeing none, she opens for opposition. Seeing none, she closes the public portion of the meeting and calls staff forward.

STAFF ANALYSIS

The petitioner is requesting to vary from Section 11.2, Permitted Uses in the B-1, Neighborhood Business District to allow the property at 1801 Wood Street to be used for a photography studio.

The perspective buyer is requesting board action to use the building as a photography studio. Photography studio is a permitted use in the B-2, Community Business District – where the use is located on a major corridor and sized to serve the needs of customers beyond the immediate neighborhood.

This type of building is not that unusual in residential neighborhoods. Often there was a small commercial, building that served the immediate neighborhood - most often a food service – which this building was. This building was also a former deli and resale shop and most recently approved for a woodworking shop in 2021.

The building is 5,500 square feet, built in 1920. The building's location is somewhat unusual as it's a single commercial building in the middle of a low-density residential neighborhood.

The proposed use as a photography studio will be by appointment only. The property is not located on a major thoroughfare and surrounded by low density residential uses; a photography studio will have little to no impact on the adjacent residential properties. The proposed photography business will be all digital and not utilize chemicals in any process. A photography studio would be deemed permissible in the more intensive B-2 district, but considering the size of the structure, location within the neighborhood and the use will be by appointment only, the use is ideal for the location.

STAFF RECOMMENDATION

The Staff recommends approval of the use variance for a photography studio 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 proposed use as a photography studio is a low intensity use and will not have an impact to the surrounding neighborhood;
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner because the use is low impact that will not create any noise or odor and will have no substantive exterior changes to the building;
3. The strict application of the terms of this Ordinance will not constitute an unnecessary hardship if applied to the property for which the variance is sought because this use is low intensity and will not be a nuisance for surrounding properties in the form of noise, smoke or odor;
4. Special conditions and circumstances do exist which are particular to the land involved and which are not applicable to other lands or structures in the same district because without board action the use as a photography studio on this parcel would not be permitted;
5. The strict application of the terms of this Ordinance would not result in practical difficulties in the use of the property because establishing a permitted B-1 use could be established on this site;
6. The special conditions and circumstances do not result from an action or inaction by the applicant because the B-2 zoning classification where the use is permitted, is envisioned for a larger scale business on a major road thoroughfare;
7. This property does not lie within a designated flood hazard area.

CONDITIONS

None.

Trotter states there were 49 letters mailed with one returned in favor with no comment.

Evanega Rieckhoff asks if there are questions from the Board for staff, seeing none she calls for a motion.

Leichtman makes a motion to approve 26-UV-16 and adopt the petitioner’s documents and presentation, together with the Staff’s finding of fact, as the Board’s findings of fact in the present petition; Second by Linley.

Leichtman – Yes
Linley – Yes
Evanega Rieckhoff – Yes

Motion carries.

STAFF ITEMS

Trotter states that, to address concerns brought up by Stephenson during this meeting, moving forward the Board Recording Secretary should document all calls received concerning a petition, even if they do not have comments or are not for or against a petition. Levendoski confirms.

ADJOURNMENT

Linley makes motion to adjourn; Second by Leichtman. All are in favor and meeting is adjourned.

President or Vice-President

Secretary

DRAFT

LEGAL NOTICE #26-BZA-10

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Details for LEGAL NOTICE #26-BZA-10

Jun 25, 2026

LEGAL NOTICE #26-BZA-10

Hearing on proposed Developmental Variance **#26-BZA-10**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Developmental Variance Petition **#26-BZA-10**.

Petitioner: SRE Indiana 1M, LLC

Request: To vary from Section 26.4.A.6, Fence Requirements, which states in part that, 'No fences, other than split rail, wrought iron, or open picket fences not to exceed four (4) feet in height, shall be permitted on any front yard or corner side yard' to allow for a seven (7) foot chain link fence (six (6) foot fence and one (1) foot 3-strand barbless wire fence) in the front yard, a variance of three (3) feet.

Location: 3008 Mobile Drive

Zoning: M-1, Limited Manufacturing District

This meeting can also be accessed via Teams.

To join, go to: [https://teams.microsoft.com/meet/256645390586576?p=](https://teams.microsoft.com/meet/256645390586576?p=o6J7lgxFRN35uwNEVV)

[o6J7lgxFRN35uwNEVV](https://teams.microsoft.com/meet/256645390586576?p=o6J7lgxFRN35uwNEVV), enter **256 645 390 586 576** as the meeting number and

"iA2W2Pv3" as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION:

TRACT I: A part of the East half of the Southwest Quarter of Section 20, Township 38 North, Range 5 East, situate in Osolo Township, Elkhart County, State of Indiana, and being more particularly described as follows:

Beginning at a stone at the Southeast corner of the Southwest Quarter of the aforementioned Section; thence due North along the East line of said Quarter Section, a distance of 1664 feet to the place of beginning of this description; thence North 89 degrees 35 minutes West, a distance of 639.28 feet to the East right of way line of Mobile Drive; thence South 0 degrees 3 minutes East along the East line of said Street, a distance of 309.23 feet to the Northwest corner of a tract of land heretofore conveyed to Cauffman Products, Inc., thence South 89 degrees 35 minutes East, 639.28 feet to the East line of the aforesaid Quarter Section; thence due North along the East line of said Quarter Section, a distance of 306.95 feet to the place of beginning. (Being 3008 Mobile Dr, Elkhart IN)

TRACT II: A part of the Southwest Quarter of Section 20, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, being more particularly described as follows:

Commencing at the Southeast corner of said Quarter Section; thence due North 922.97 feet; thence North 89 degrees 35 minutes West, 319.45 feet to the place of beginning of this description; thence continuing North 89 degrees 35 minutes West, 344.45 feet; thence North 0 degrees 3 minutes West 434 feet; thence South 89 degrees 35 minutes East, 344.82 feet; thence South 434 feet to the place of beginning.

ALSO Rights and benefits of an Easement for ingress and egress as set out in the Warranty Deed dated December 31, 1965 and recorded January 18, 1966 in Deed Record 265, page 381 in the Office of the Recorder of Elkhart County, Indiana. (Being 110 Windsor Avenue, Elkhart IN)

TRACT III: A part of the Southwest Quarter of Section 20, Township 38 North, Range 5 East, situate in Osolo Township, Elkhart County, State of Indiana, described as follows:



Commencing at a stone marking the Southeast corner of the Southwest Quarter of said Section 20; thence due North along the East line of the Southwest Quarter of said Section 20, a distance of 922.97 feet to a point in the centerline of Windsor Street, as the said street is known and designated on the recorded Plat of Lake Drive Subdivision; thence North 89 degrees 35 minutes West along the centerline of said Windsor Street extended Westwardly, a distance of 330.27 feet to a point, said point being the place of beginning of this description; thence continuing North 89 degrees 35 minutes West along the centerline of said Windsor Street extended Westwardly, a distance of 165.45 feet to a point; thence due South parallel with the East line of the Southwest Quarter of said Section 20, a distance of 263.1 feet to an iron stake; thence South 89 degrees 28 minutes East a distance of 165.46 feet to an iron stake; thence due North parallel with the East line of the Southwest Quarter of said Section 20, a distance of 263.44 feet to the place of beginning.

Also, a part of the Southwest Quarter of Section 20, Township 38 North, Range 5 East, situate in Osolo Township, Elkhart County, State of Indiana, described as follows:

Commencing at a stone marking the Southeast corner of the Southwest Quarter of said Section 20; thence due North along the East line of the Southwest Quarter of said Section 20, a distance of 922.97 feet to a point in the centerline of Windsor Street, as the said street is known and designated on the recorded Plat of Lake Drive Subdivision; thence North 89 degrees 35 minutes West along the centerline of said Windsor Street extended Westwardly, a distance of 495.72 feet to a point, said point being the place of beginning of this description; thence continuing North 89 degrees 35 minutes West along the centerline of said Windsor Street extended Westwardly, a distance of 168.17 feet to a point; thence South 0 degrees 3 minutes East, a distance of 262.76 feet to an iron stake; thence South 89 degrees 28 minute East, a distance of 167.94 feet to an iron stake; thence due North parallel with the East line of the Southwest Quarter of said Section 20, a distance of 263.1 feet to the place of beginning. (Being 103 East Windsor Ave, Elkhart IN).

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 24th day of June, 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026

LEGAL NOTICE #26-X-02

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Details for LEGAL NOTICE #26-X-02

Jun 25, 2026

LEGAL NOTICE #26-X-02

Hearing on proposed Special Exception **#26-X-02**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Special Exception Petition **#26-X-02**.

Petitioner: Donnie Greathouse/New Life in Christ Ministries

Request: Per Section 11.3, B-1, Neighborhood Business District, Special Exception Uses, (11.3.A) Churches to allow for the establishment of a new church at 1842 East Bristol Street.

Location: 1842 East Bristol Street

Zoning: B-1, Neighborhood Business District

This meeting can also be accessed via Teams.

To join, go to: [https://teams.microsoft.com/meet/256645390586576?](https://teams.microsoft.com/meet/256645390586576?p=o6J7IgxFRN35uwNEVV)

[p=o6J7IgxFRN35uwNEVV](https://teams.microsoft.com/meet/256645390586576?p=o6J7IgxFRN35uwNEVV), enter **256 645 390 586 576** as the meeting number and

"iA2W2Pv3" as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION:

Lot Numbered One (1) as shown on the Land of Schweinzger 1st addition, an addition to Osolo Township, Recorded December 9, 2025, in Plat Book 45, Page 15 and as instrument number 2025-21851 in the Office of the recorder of Elkhart County, Indiana.

Parcel 2: Intentionally deleted.

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 24th day of June, 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026



LEGAL NOTICE #26-UV-17

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Details for LEGAL NOTICE #26-UV-17

Jun 25, 2026

LEGAL NOTICE #26-UV-17

Hearing on proposed Use Variance **#26-UV-17**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Use Variance Petition **#26-UV-17**.

Petitioner: John Robinia

Request: To vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District to allow for a Dog Grooming Salon.

Location: 2603 Morton Avenue

Zoning: R-2, One-Family Dwelling District

This meeting can also be accessed via Teams.

To join, go to <https://teams.microsoft.com/meet/256645390586576?>

[p=06J7lgxFRN35uwNEVV](https://teams.microsoft.com/join/p=06J7lgxFRN35uwNEVV), enter **256 645 390 586 576** as the meeting number and **"iA2W2Pv3"** as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION:

Lot numbered 128 and the North half of lot numbered 127 as the said lots are known and designated on the recorded Plat of Mongers South Allendale, as per plat thereof recorded in Deed Record 115, page 411, in the Office of the Recorder of Elkhart County, Indiana.

Also known as street and number 2603 Morton Ave, Elkhart, IN, 46517.

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 24th day of June, 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026



LEGAL NOTICE #26-BZA-15

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Details for LEGAL NOTICE #26-BZA-15

Jun 25, 2026

LEGAL NOTICE #26-BZA-15

Hearing on proposed Developmental Variance **#26-BZA-15**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Developmental Variance Petition **#26-BZA-15**.

Petitioner: Kenneth A Knox and Wanda L Knox

Request: To vary from Section 26.1.B.8.a, which states in part, 'Accessory buildings on property occupied by a one- or two-family residential use shall be limited to a maximum floor area of seven hundred twenty (720) square feet for the largest structure, with a maximum total of eight hundred forty (840) square feet for all accessory buildings combined', to allow for the proposed accessory building at 1152 square feet, where the maximum for any one accessory structure is 720 square feet, a variance of 432 square feet. To also vary from the maximum total area for all accessory structures of 840 square feet to allow for a total area for all accessory structures of 1,568 square feet, a variance of 728 square feet.

Also:

To vary from Section 26.1.B.3, which states in part, 'An accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line', to allow for variance of three (3) feet to an interior side yard lot line and five (5) feet rear lot line for a zero (0) setback for both.

Location: 2901 Homer Avenue

Zoning: R-2, One-Family Dwelling District

This meeting can also be accessed via Teams.

To join, go to: <https://teams.microsoft.com/meet/256645390586576?>

[p=06J7lgxFRN35uwNEVV](https://teams.microsoft.com/join/p=06J7lgxFRN35uwNEVV), enter **256 645 390 586 576** as the meeting number and

"iA2W2Pv3" as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to

raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION:

Lot number Thirty (30) as the said Lot is known and designated on the recorded Plat of HUFFMAN'S HOWARD PLACE, an Addition to the City of Elkhart, Indiana; said Plat being recorded in Plat Book 2, page 83 in the Office of the Recorder of Elkhart County, Indiana.

ALSO:

Lot Number Eleven (11) as the said Lot is known and designated on the recorded Plat of OWNERSHIP ACRES SUBDIVISION, located in the Southeast Quarter (SE 1/4) of Section 16, Township 37 North, Range 5 East, Concord Township, a[sic] the same is known and designated on the recorded Plat thereof in Plat Book 17, page 37, of the Records in the Office of the Recorder of Elkhart County, Indiana.

ALSO:

Vacated alley between the two lots listed above and being more particularly described as follows:

Beginning at the Northeast corner of Lot #11 in Ownership Acres (Plat Book 17, page 37) and being in the West right-of-way line of Homer Avenue; thence North 89 degrees, 44 minutes, 00 seconds West along the North line of said Lot 11, a distance of 132.00 feet; thence due North a distance of 8.00 feet to the Southwest corner of Lot 30 in Huffman's



Howard Place (Plat Book 2, page 83); thence Southeast 89 degrees, 44 minutes, 00 seconds East along the South line of said Lot 30, a distance of 132.00 feet to the West right-of way line of Homer Avenue; thence due South along said right-of-way, a distance of 8.00 feet to the beginning.

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 24th day of June, 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026

LEGAL NOTICE #26-BZA-16

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Details for LEGAL NOTICE #26-BZA-16

Jun 25, 2026

LEGAL NOTICE #26-BZA-16

Hearing on proposed Developmental Variance **#26-BZA-16**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Developmental Variance Petition **#26-BZA-16**.

Petitioner: HMS Elkhart LLC

Request: The property owner wishes to replace an existing non-conforming six (6) foot fence with a new ten (10) foot fence. The request is - To vary from Section 26.4.D.1, Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part that, 'An opaque fence, a minimum of eight (8) feet in height, constructed of painted or treated wood, painted or textured block, or brick and set back fifteen (15) feet or more inside the lot lines.' And 'In a front or corner side yard the fence shall not project beyond the front façade of buildings located on adjacent lots on the same side of the street', to allow for a chain link fence (at the same location as the existing) beyond the front façade of the structure, at the property line with a zero (0) foot setback.

To also vary from Section 26.4.D.3.a, of Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part, 'A landscape strip shall be maintained between the fence and property line in the following yards: a. All front and corner side yards', to allow for the same replacement fence at a zero (0) foot setback with no landscape strip.

Location: 1514 W Lusher Avenue

Zoning: M-2, General Manufacturing District

This meeting can also be accessed via Teams.

To join, go to: <https://teams.microsoft.com/meet/256645390586576?>

[p=o6J7lgxFRN35uwNEVV](https://teams.microsoft.com/meet/256645390586576?), enter **256 645 390 586 576** as the meeting number and **"iA2W2Pv3"** as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION: 20-06-07-476-002.000-012

TRACT I: A portion of the East ½ of the Southeast Quarter of Section 7, Township 37 North, Range 5 East, Concord Township, Elkhart County, Indiana, more particularly described as follows: Commencing at the Northwest corner of Concord Avenue, and Fourteenth Street, said point being 50 feet Westwardly from the Southwest corner of Lot Number 118, Elliston Addition to the City of Elkhart, and marked by a ¾ inch iron pipe; thence North along the West line of said Fourteenth Street, a distance of 516.12 feet to a ½ inch iron pipe and the point of beginning; thence North 88 degrees 9 minutes 27 seconds West, a distance of 358.47 feet to a 1 inch iron pipe; thence North 0 degrees 1 minute 25 seconds East, a distance of 312.90 feet to a ¾ inch rebar with cap; thence North 1 degree 40 minutes 35 seconds West, a distance of 79.35 feet to a ¾ inch rebar with cap; thence North 5 degrees 40 minutes 35 seconds West, a distance of 135.45 feet to a ¾ inch rebar with cap; thence North 3 degrees 55 minutes 25 seconds East, a distance of 58.43 feet to a ¾ inch rebar with cap; thence North 75 degrees 2 minutes 21 seconds East, a distance of 114.03 feet to a ¾ inch rebar with cap; thence North 75 degrees 35 minutes 14 seconds East, a distance of 169.23 feet to a ¾ inch rebar with cap; thence South 0 degrees 16 minutes 0 seconds



West, a distance of 45.73 feet to a ¾ inch rebar with cap; thence South 89 degrees 44 minutes 0 seconds East, a distance of 96.78 feet to a 1 inch iron pipe, said point being on the West line of said Fourteenth Street; thence South 0 degrees 2 minutes 51 seconds West, along said West line, a distance of 625.27 feet to the point of beginning.

ALSO: Rights and benefits of an Ingress and Egress Easement as set out in Deed Record 172, page 481 in the Office of the Recorder of Elkhart County, Indiana. 20-06-07-429-007.000-012

TRACT VII: A part of the Southeast Quarter (SE 1/4) of Section Seven (7), Township Thirty-seven (37) North, Range Five (5) East, more particularly described as follows: Commencing at a point which is Seventeen hundred fifty-five (1755) feet North and Four hundred thirty-five (435) feet West of the Southeast corner of Section Seven (7), Township Thirty-seven (37) North, Range Five (5) East, which point is the Northeast corner of a certain parcel of land now owned by the New York Central Railroad Company; thence West Five hundred eighty-four and five tenths (584.5) feet; thence in a Northeastwardly direction at an angle of Forty-seven (47) degrees measured from East to Northeast from said South line, a distance of One hundred Forty-four (144) feet to a point; thence Northeastwardly in a straight line Two hundred (200) feet, more or less, to a point on the South line of the right-of-way of Lake Shore and Michigan Southern Railway (now New York Central Railroad Company) which point is Four hundred eighty-five (485) feet distant Northeastwardly from a point which is Seven hundred forty-nine and five tenths (749.5) feet Westwardly from the beginning point of this description, measured along the first above-described line produced Westwardly; thence Northeastwardly along the South line of said right of way to a point, which is Four hundred thirty-five (435) feet due North of the place of beginning; thence South Four hundred thirty-five (435) feet to the place of beginning.

TRACT 1

ALL THAT CERTAIN LOT, PIECE OR PARCELS OF LAND SITUATE IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON ADDITION, CITY OF ELKHART, STATE OF INDIANA; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET, ELEVEN HUNDRED FORTY-FIVE AND FIFTY-FIVE HUNDREDTHS (1145.55) FEET TO THE NORTH LINE OF WOLF AVENUE; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET FOUR AND THIRTY-NINE HUNDREDTHS (4.39) FEET TO AN IRON STAKE FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET SIXTY-EIGHT AND FIFTY-NINE HUNDREDTHS (68.59) FEET TO AN IRON STAKE; THENCE NORTH 89°44' WEST, SEVENTEEN AND TWO TENTHS (17.2) FEET TO A BRICK BUILDING; THENCE NORTH 89°44' WEST ALONG THE SOUTH LINE OF A THIRTEEN (13) INCH BRICK WALL SEVENTY-SIX AND FOUR HUNDREDTHS (76.04) FEET; THENCE SOUTH 00°16' WEST, SIX AND NINE TENTHS (6.09) FEET TO A CUT IN THE CONCRETE; THENCE NORTH 89°44' WEST, ONE HUNDRED FIFTY-SEVEN AND NINETY-FOUR HUNDREDTHS (157.94) FEET TO AN IRON STAKE WHICH IS TWO (2) FEET EAST OF THE GUAGE OF THE EAST RAIL OF A SWITCH TRACK; THENCE NORTH 06°20' WEST, SEVENTY-FIVE AND FIFTY-SIX HUNDREDTHS (75.56) FEET TO AN IRON STAKE, WHICH IS TWO (2) FEET EAST OF THE GUAGE OF THE EAST RAIL OF SAID SWITCH TRACK, SAID IRON STAKE BEING ON THE NORTH LINE OF THE FORMER SIDWAY PROPERTY; THENCE NORTH 74°27' EAST, ALONG THE NORTH LINE OF SAID FORMER SIDWAY PROPERTY, ONE HUNDRED SIXTY-NINE AND THREE TENTHS (169.3) FEET TO AN IRON STAKE; THENCE SOUTH 00°16' WEST, FORTY-FIVE AND SEVENTY-THREE HUNDREDTHS (45.73) FEET TO AN IRON STAKE; THENCE SOUTH 89°44' EAST, NINETY-SIX AND SEVENTY-EIGHT HUNDREDTHS (96.78) FEET TO THE PLACE OF BEGINNING.

TRACT 2

ALL THAT CERTAIN LOT, PIECE OR PARCELS OF LAND SITUATE IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE: AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON ADDITION, CITY OF ELKHART, STATE OF INDIANA; THENCE NORTH ALONG THE WEST LINE OF FOURTEENTH STREET, ONE THOUSAND SEVENTY-TWO AND FIFTY-SEVEN HUNDREDTHS (1072.57) FEET TO AN IRON STAKE FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH 89°44' WEST, NINETY-THREE AND TWENTY-FOUR HUNDREDTHS (93.24) FEET; THENCE SOUTH 00°16' WEST, THIRTEEN AND EIGHT TENTHS (13.8) FEET; THENCE SOUTH 89°44' EAST, NINETY-THREE AND THREE TENTHS (93.3) FEET TO THE WEST LINE OF FOURTEENTH STREET; THENCE NORTH ALONG THE WEST LINE OF FOURTEENTH STREET, THIRTEEN AND EIGHT TENTHS (13.8) FEET TO THE PLACE OF BEGINNING.

TRACT 3

ALL THAT CERTAIN LOT, PIECE OR PARCELS OF LAND SITUATE IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON FIRST ADDITION, CITY OF ELKHART, STATE OF INDIANA; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET ELEVEN HUNDRED FORTY-FIVE AND FIFTY-FIVE HUNDREDTHS (1145.55) FEET TO THE NORTH LINE OF WOLF AVENUE; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET FOUR AND THIRTY-NINE HUNDREDTHS (4.39) FEET TO AN IRON STAKE; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET SIXTY-EIGHT AND FIFTY-NINE HUNDREDTHS (68.59) FEET TO AN IRON STAKE; THENCE NORTH 89°44' WEST, SEVENTEEN AND TWO TENTHS (17.02) FEET TO A BRICK BUILDING; THENCE NORTH 89°44' WEST ALONG THE SOUTH LINE OF A THIRTEEN (13) INCH BRICK WALL, SEVENTY-FIVE AND FOUR HUNDREDTHS (75.04) FEET FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE SOUTH 00°16' WEST, THIRTEEN AND EIGHT TENTHS (13.8) FEET; THENCE NORTH 89°44' WEST, ONE HUNDRED AND FOURTEEN HUNDREDTHS (100.14) FEET; THENCE NORTH 00°16' EAST, FIVE AND EIGHT TENTHS (5.8) FEET; THENCE NORTH 89°18' WEST, FORTY-SEVEN (47) FEET; THENCE NORTH SEVEN AND SIXTY-FIVE HUNDREDTHS (7.65) FEET; THENCE EASTWARDLY TO THE PLACE OF BEGINNING.

TRACT 4

ALL THAT CERTAIN LOT, PIECE OR PARCELS OF LAND SITUATE IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON FIRST ADDITION, CITY OF ELKHART, STATE OF INDIANA; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET, ONE THOUSAND ONE HUNDRED FORTY-SEVEN AND SIXTEEN HUNDREDTHS (1147.16) FEET FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET, TWELVE (12) FEET; THENCE NORTH 89°44' WEST, NINETY-SIX AND SEVENTY-EIGHT HUNDREDTHS (96.78) FEET; THENCE NORTH 00°10' EAST, TWELVE (12) FEET; THENCE SOUTH 89°44' EAST, NINETY-SIX AND SEVENTY-EIGHT HUNDREDTHS (96.78) FEET TO THE PLACE OF BEGINNING.

TRACT 5

ALL THAT CERTAIN LOT, PIECE OR PARCELS OF LAND SITUATE IN THE CITY OF ELKHART, COUNTY OF ELKHART, STATE OF INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON FIRST ADDITION, CITY OF ELKHART, STATE OF INDIANA; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET ELEVEN HUNDRED FORTY-FIVE AND FIFTY-FIVE HUNDRETHS (1145.55) FEET TO THE NORTH LINE OF WOLF AVENUE; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET, FOUR AND THIRTY-NINE HUNDREDTHS (4.39) FEET TO AN IRON STAKE; THENCE SOUTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET SIXTY-EIGHT AND FIFTY-NINE HUNDREDTHS (68.59) FEET TO AN IRON STAKE; THENCE NORTH 89°44' WEST, SEVENTEEN AND TWO TENTHS (17.2) FEET TO A BRICK BUILDING FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH 89°44' WEST ALONG THE SOUTH LINE OF A THIRTEEN (13) INCH BRICK WALL SEVENTY-SIX AND FOUR HUNDREDTHS (76.04) FEET; THENCE NORTH 00°16' EAST, THIRTEEN (13) INCHES TO THE NORTH SIDE OF SAID WALL; THENCE SOUTH 89°44' EAST, ALONG THE NORTH LINE OF SAID WALL SEVENTY-SIX AND FOUR HUNDREDTHS (76.04) FEET; THENCE SOUTH 00°16' WEST, THIRTEEN (13) INCHES TO THE PLACE OF BEGINNING.

ALSO:

A PART OF THE SOUTHEAST QUARTER OF SECTION SEVEN (7), TOWNSHIP THIRTY--SEVEN (37) NORTH, RANGE FIVE (5) EAST, BEING ALL OF THAT CERTAIN LAND SITUATE IN THE CITY OF ELKHART, ELKHART COUNTY, INDIANA, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF CONCORD AVENUE AND FOURTEENTH STREET, SAID POINT BEING FIFTY (50) FEET WESTWARDLY FROM THE SOUTHWEST CORNER OF LOT NO. 118 ELLISTON FIRST ADDITION, CITY OF ELKHART, INDIANA; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET FIVE HUNDRED FIFTEEN AND FIFTY-NINE HUNDREDTHS (515.59) FEET FOR THE BEGINNING POINT OF THIS DESCRIPTION; THENCE NORTH ALONG THE WEST LINE OF SAID FOURTEENTH STREET, FIVE HUNDRED FORTY-THREE AND EIGHTEEN HUNDREDTHS (543.18) FEET; THENCE NORTH 89°44' WEST, NINETY-THREE AND THREE TENTHS (93.3) FEET; THENCE NORTH 00°16' EAST, SIX AND NINE TENTHS (6.9) FEET TO A CUT IN THE CONCRETE; THENCE NORTH 89°44' WEST, ONE HUNDRED FIFTY-SEVEN AND NINETY-FOUR HUNDREDTHS (157.94) FEET TO AN IRON STAKE; WHICH IS TWO (2) FEET EAST OF THE GAUGE OF THE EAST RAIL OF A SWITCH TRACK; THENCE NORTH 06°20' WEST, SEVENTY-FIVE AND FIFTY-SIX HUNDREDTHS (75.56) FEET TO AN IRON STAKE, WHICH IS TWO (2) FEET EAST OF THE GAUGE OF THE EAST LINE OF SAID SWITCH TRACK, SAID IRON STAKE BEING ON THE NORTH LINE OF THE FORMER SIDWAY PROPERTY; THENCE SOUTH 74°27' WEST ALONG THE NORTH LINE OF FORMER SIDWAY PROPERTY, TO A POINT WHICH IS THREE AND FIVE TENTHS (.35) FEET, NORTH 74°27' EAST FROM AN IRON STAKE AT THE NORTHWEST CORNER OF SAID FORMER SIDWAY PROPERTY; THENCE SOUTH 03°16' WEST, FIFTY-EIGHT AND FORTY-THREE HUNDREDTHS (58.43) FEET TO AN IRON STAKE; THENCE SOUTH 05°40' EAST, ONE HUNDRED THIRTY-FIVE AND FORTY-FIVE HUNDREDTHS (135.45) FEET TO AN IRON STAKE, THENCE SOUTH 01°40' EAST, SEVENTY-FIVE AND THIRTY-FIVE HUNDREDTHS (79.35) FEET; THENCE SOUTH 00°02' WEST, THREE HUNDRED TWELVE AND NINE TENTHS (312.9) FEET TO AN IRON STAKE; THENCE EASTWARDLY TO THE PLACE OF BEGINNING.

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 24th day of June, 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026

LEGAL NOTICE #26-BZA-17

Save

Share

Details for LEGAL NOTICE #26-BZA-17

Jun 25, 2026

LEGAL NOTICE #26-BZA-17

Hearing on proposed Developmental Variance **#26-BZA-17**

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, JULY 9, 2026, at 6:00 P.M.** concerning the following request:

A public hearing will be conducted on a Developmental Variance Petition **#26-BZA-17**.

Petitioner: Garrick and Tricia Lankford

Request: To vary from Section 4.4, Yard Requirements in the R-1, One Family Dwelling District, which requires rear setbacks located along a river or stream to be the established setback. The established setback at this location is 64'9" (current rear setback is 48'6"). The requested setback for the home after an addition is 36'6" feet in the rear, a variance of 28.3 feet.

Location: 12 Melrose Manor

Zoning: R-1, One-Family Dwelling District

This meeting can also be accessed via Teams.

To join, go to: <https://teams.microsoft.com/meet/256645390586576?>

[p=06J7lgxFRN35uwNEVV](https://teams.microsoft.com/join/p=06J7lgxFRN35uwNEVV), enter **256 645 390 586 576** as the meeting number and **"iA2W2Pv3"** as the password. Attendees may preregister or enter during the meeting.

Comments and questions may be submitted to raen.levendoski@cityofelkhartin.gov prior to the meeting.

LEGAL DESCRIPTION:

Lot Numbered 12 and the East Half of Lot Numbered 11, in Melrose Manor Addition, as per plat thereof, recorded in Plat Book 4, page 5, in the Office of the Recorder of Elkhart County, Indiana, together with the West 5-foot strip of land that lies between Lots 12 and 13 of Melrose Manor Addition.

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 24th day of June 2026, by the City of Elkhart, Board of Zoning Appeals.

Publication Date: June 26, 2026





City of Elkhart

Staff Report

Planning & Zoning

<u>Petition:</u>	26-X-02
<u>Petition Type:</u>	Special Exception
<u>Date:</u>	Plan Commission: July 6, 2026; Board of Zoning Appeals July 9, 2026
<u>Petitioner:</u>	New Life in Christ Ministries
<u>Site Location:</u>	1842 East Bristol Street
<u>Request:</u>	Per Section 11.3.A, Special Exception Uses in the B-1 Neighborhood Business District to allow for the establishment of a new church at 1842 East Bristol Street.
<u>Existing Zoning:</u>	B-1, Neighborhood Business District
<u>Size:</u>	+/- 0.65 acres
<u>Thoroughfares:</u>	East Bristol Street and Hastings Street and Berry Street
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available to site.

Surrounding Land Use & Zoning:

The property is surrounded by a mix of commercial and residential uses zoned B-1, Neighborhood Business District, B-2, Community Business District, OP, Office Park District and R-2, One-Family Dwelling District (Elkhart County).

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

The request is per 11.3, Special Exception Uses, (11.3 A) Churches to allow for the establishment of a new church at 1842 East Bristol Street.

The petitioner has purchased a commercial building with the intent of renovating the building to use as a church. This building was previously used as a bank, and the applicant is proposing some interior remodeling to open the floor plan to accommodate the new use as a place of worship.

The floor plans provided show several existing offices that will be removed to create a large gathering/congregation space. Some of the current office space will remain. At this time, no proposals were made for changes to the exterior of the building.

The site also has twenty parking spaces. Based on current parking requirements, the current parking configurations will accommodate around 100 people.

Recommendation

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;
2. The Special Exception **will not** reduce the values of other properties in its immediate vicinity because there will be no exterior changes to the existing building;
3. The Special Exception **shall** conform to the regulations of the zoning district in which it is to be located because it will not generate adverse effects on adjacent properties in the form of noise, smoke, or odor.

Conditions

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

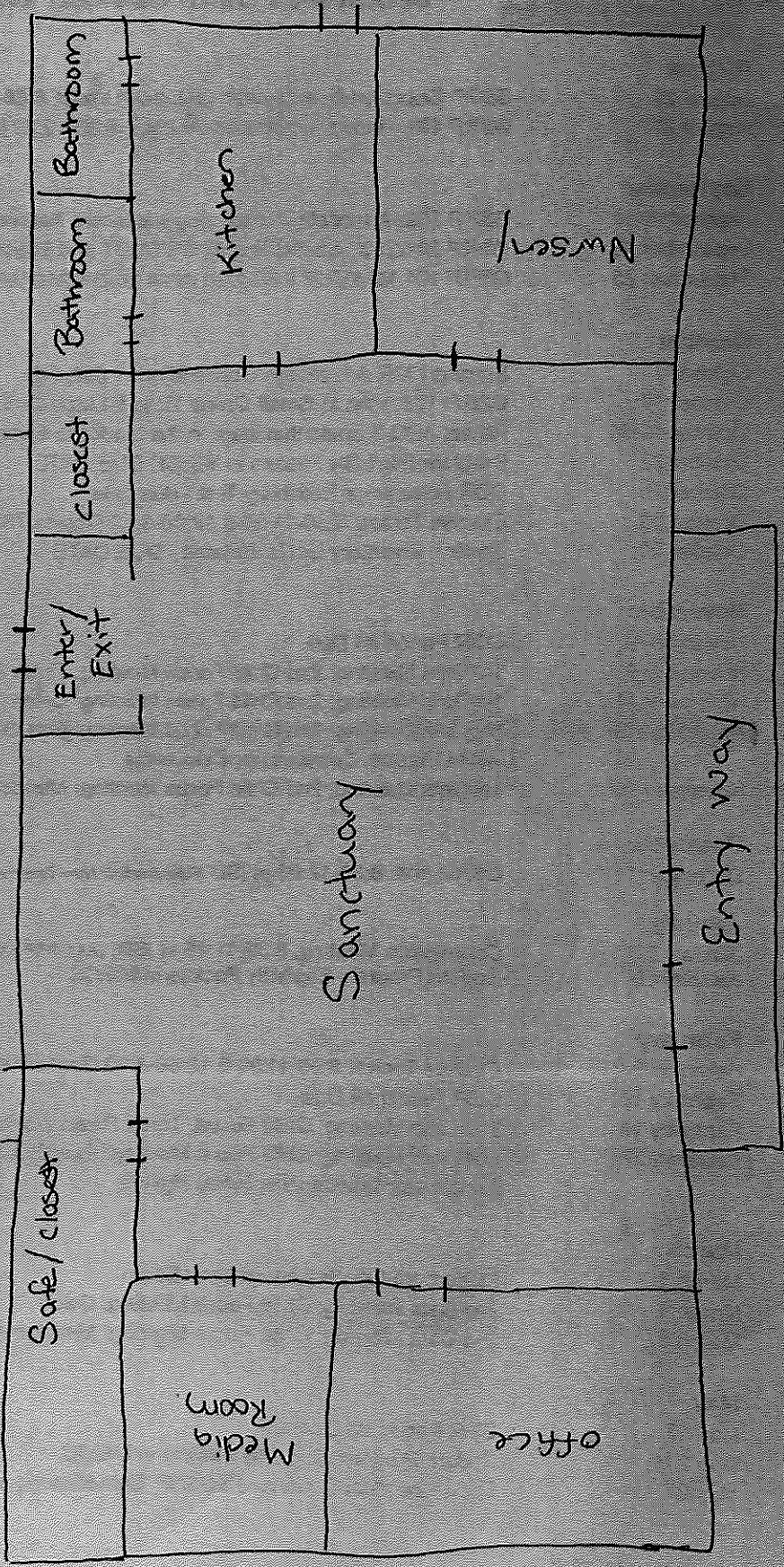
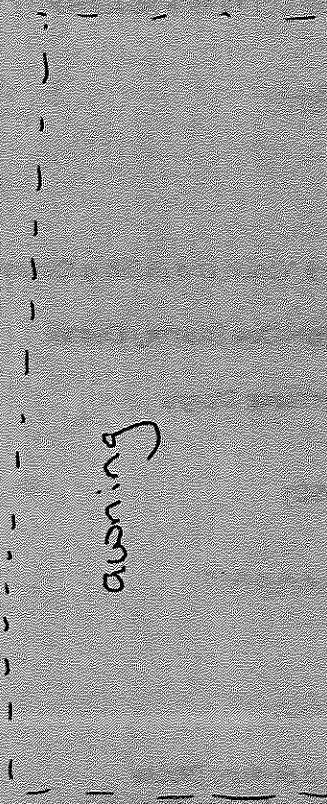
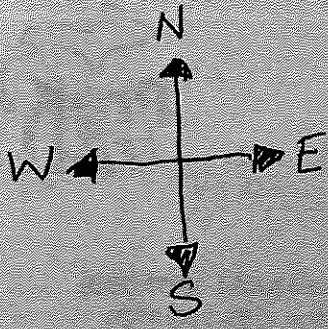
1. The petitioner shall submit project for a modified staff Technical Review to ensure all developmental requirements have been met.

Photos





E. Bristol St.



PETITION #: 26-X-02

FILING FEE: \$ 300

PETITION for APPEAL to the BOARD of ZONING APPEALS

PETITION TYPE: SPECIAL EXCEPTION

Property Owner(s): Donnie Greathouse / New Life in Christ Ministries

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Donnie Greathouse

Mailing Address: [REDACTED]

Phone #: " Email: "

Subject Property Address: 1842 E. Bristol St. Elkhart IN 46514

Zoning: B1

Present Use: vacant/previous bank Proposed Use: church

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): Donnie Greathouse

SIGNATURE(S): [Signature] DATE: 6/4/20

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: _____

To: Planning Commission & Board of Zoning Appeals City of Elkhart RE: Special Exception Request

The undersigned petitioner respectfully shows the Planning Commission & Board of Zoning Appeals:

1. I, Donnie Greathouse, am the owner of the following described real estate located within the City of Elkhart, Osolo Township, Elkhart County, State of Indiana, to-wit: Common address: 1842 E Bristol St. Elkhart IN 46514 Legal Description on: THE LAND OF SCHWEINZGER 1ST ADDITION LOT 1 Parcel Number: 20-02-33-284-010.000-027

2. The above-described real estate presently has a zoning classification on of B-1 Neighborhood Business District under the Zoning Ordinance of the City of Elkhart.

3. Petitioner presently occupies (or proposes to occupy) the above described property in the following manner: We propose to use the building for Sunday church services and other religious meetings/gatherings.

4. Petitioner desires a Special Exception on the property so the structure can be used for a church.

5. The Zoning Ordinance of the City of Elkhart requires proposed property and use to request a Special Exception under sec on 11.3. & sec 29.7.

6. This property is a prime location with the ability to reach locate residents that either live or work in the area. It is centrally located to varies areas of the city and county. Without the approval of the Special Exception, New Life in Christ Ministries will not be able to use the property/ building as needed/desired.

7. 1. Having a church at this location will not be injurious to the public health, safety, morals, and general welfare of the community. As a church, we want to be of service and a help and asset to the community.

2. By granting the Special Exception, this will not decrease the use or value of the area properties adjacent to the property. The building is not changing, just the use inside.

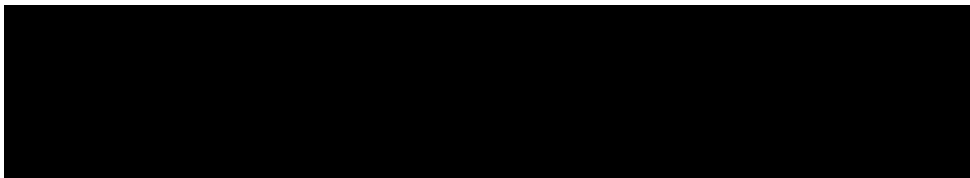
3. The Special Exception will allow this property to be used as desired and bring the property into compliance with the Elkhart City Ordinance. The ordinance states that a church would be considered for a Special Exception. This would not change the zoning of the property.

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

Signature of Property Owner: 

Printed Name: Donnie Greathouse

Contact Person: Donnie Greathouse





Osolo Road

Berry Street

East Bristol Street

Hastings Street

8.33 ft

175.96 ft

326.25 ft

1850 East Bristol Street

173.92 ft

48 ft

1842 East Bristol Street

45 ft

150.33 ft

182.25 ft

26 ft

58 ft



AFFIDAVIT IN SUPPORT OF SPECIAL EXCEPTION PETITION

I, Donnie Greathouse 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 special exception 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 1842 E. Bristol St. Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 5th day of June, 2026.

[Signature]

Printed: Donnie Greathouse

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.

[Signature]

Printed: Donnie Greathouse

STATE OF INDIANA)
COUNTY OF ELKHART)

) SS:



Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Donnie Greathouse Jr and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 5 day of June, 2026.

[Signature]

Printed: Jennifer Drllich

My Commission Expires:
9/27/2028

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



City of Elkhart

Staff Report

Planning & Zoning

<u>Petition:</u>	26-UV-17
<u>Petition Type:</u>	Use Variance
<u>Date:</u>	July 9, 2026
<u>Petitioner:</u>	John Robinia
<u>Site Location:</u>	2603 Morton Avenue
<u>Request:</u>	To vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District to allow for Dog Grooming Salon.
<u>Previous BZA Action:</u>	None
<u>Existing Zoning:</u>	R-2, One-Family Dwelling District
<u>Size:</u>	+/- 0.23 Acres
<u>Thoroughfares:</u>	Morton Avenue and Beveridge Avenue
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available and provided to the site.

Surrounding Land Use & Zoning:

The property is surrounded by low-density residential zoned R-2.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with low density residential uses.



Staff Analysis

The petitioner is requesting to vary from Section 5.2, Permitted Uses in the R-2, One-Family Dwelling District to allow the property at 2603 Morton Avenue to be used for a Dog Grooming Salon.

The homeowner is requesting board action to use a portion of their house as a dog grooming salon. Dog grooming is not listed by use or definition in the current zoning ordinance. Pet stores, animal hospitals and kennels are found in the B-3 and B-2 districts of the zoning ordinance respectively. Staff look at the pet grooming request as a service business; less intense than a pet store, kennel and animal hospital, all of which are located along busier streets and typically a higher volume business. The proposed grooming business is accessory to the primary use, which is a residential structure.

The petitioner is looking to downsize their business from 1227 East Bristol Street and move to their home. Business hours will be during the day with approximately four to five clients per day. Pick up and drop off parking will occur in the two driveways.

The petitioner assures staff that the animals that come to the business will be contained in the interior of the home. There will be no outdoor kenneling, no overnight boarding, and no exterior alterations changes to the residential appearance to the property. Based on assessor records, the house is 1,110 square feet, built in 1952.

The proposed use as dog grooming will be by appointment only. The property is not located on a major thoroughfare and surrounded by low density residential uses; a Dog Grooming Salon will have little to no impact on the adjacent residential properties.

Recommendation

The Staff recommends **approval** of the use variance for a Dog Grooming Salon 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 proposed use as a dog grooming salon is a low intensity use and will not have an impact to the surrounding neighborhood;
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner because the use is low impact that will not create any noise or odor and will have no substantive exterior changes to the house;
3. The strict application of the terms of this Ordinance **will not** constitute an unnecessary hardship if applied to the property for which the variance is sought because this use is low intensity and will not be a nuisance for surrounding properties in the form of noise, smoke or odor;
4. Special conditions and circumstances **do exist** which are particular to the land involved and which are not applicable to other lands or structures in the same district because without board action the use as a dog grooming salon on this parcel would not be permitted;
5. The strict application of the terms of this Ordinance **would not** result in practical difficulties in the use of the property because establishing a permitted R-2 use could be established on this site;
6. The special conditions and circumstances **do not** result from an action or inaction by the applicant as the use does not currently exist;
7. This property **does not** lie within a designated flood hazard area.

Conditions

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

1. Petitioner shall not board animals/pets overnight or extended periods of time.
2. Any interior modifications that are required to support the proposed dog grooming salon – the petitioner shall obtain the proper permits from the building department.
3. Any signage shall be limited to a temporary yard sign. Any permanent signage must be heard before this body as a developmental variance.

Photos





PETITION #: 26-UV-17

FILING FEE: \$ 200.⁰⁰

PETITION to the BOARD of ZONING APPEALS

PETITION TYPE: USE VARIANCE

Property Owner(s): John Robinia

Mailing Address: _____

Phone #: _____

Email: _____

Contact Person: Tracy Robinia

Mailing Address: _____

Phone #: _____

Email: _____

Subject Property Address: 2603 Morton Ave Elkhart IN 46517

Zoning: R-2 Single Family Residential district

Present Use: Residential

Proposed Use: Residential with variance for grooming

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): John Robinia

SIGNATURE(S): John Robinia

DATE: 5/27/2026

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): _____

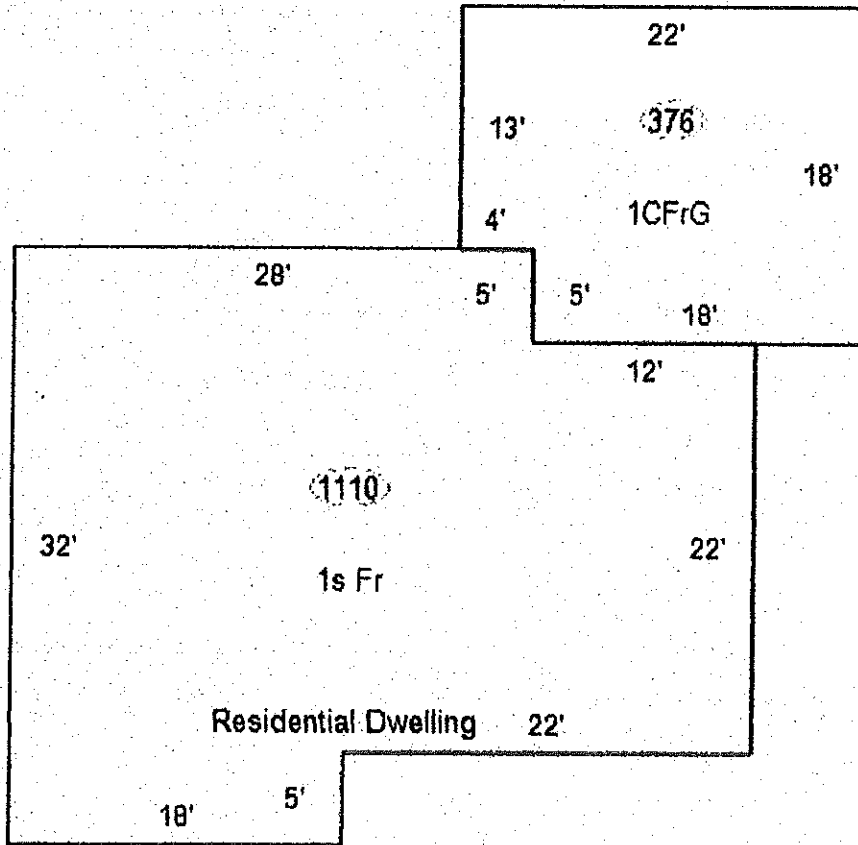
Map #: _____

Area: _____

RECEIVED BY: Raen Levendosky

DATE: 5/28/24

Alley



Beverage

Morton

John Robinia

2603 Morton Avenue
Elkhart, Indiana 46514

DATE: May 24, 2026

TO: Board of Zoning Appeals
City of Elkhart, Indiana

RE: Petition for Use Variance – 2603 Morton Avenue, Elkhart, Indiana 46514

Dear Members of the Board:

I, John Robinia, am the owner of the real estate located at 2603 Morton Avenue, Elkhart, Indiana 46514, located within the City of Elkhart, Elkhart County, Indiana. Attached is the legal description and common address of the property.

The property is presently zoned Residential: 1 Family Dwell – Platted Lot, Taxing District 012-EC Concord. The Legal Description is MONGERS SO ALLENDALE LOT 128 & N1/2 LOT 127 IN CONCORD TOWNSHIP in the neighborhood of 1250380-N: Lusher W: Hively E: Main W: Aurora. The property is currently used as a single-family residence.

I respectfully request a use variance to allow the operation of a small dog grooming business within a portion of my existing home. No additions or new structures are proposed. The grooming business would occupy only a limited area inside the existing residence and would remain secondary to the residential use of the property.

The proposed grooming business will operate on a small scale and primarily by appointment only. Business hours will generally occur during normal weekday business hours, with approximately four to five clients per day. Customers will utilize the existing driveway for off-street parking. The business will not create excessive traffic, noise, or disruption to the neighborhood. There will be no outdoor kenneling, no overnight boarding, and no exterior alterations changing the residential appearance of the property.

The strict application of the zoning ordinance creates an unnecessary hardship because the existing residential zoning prevents reasonable use of part of the home for a low-impact business activity that can operate compatibly within the surrounding neighborhood without altering the property or negatively affecting nearby residences.

Pursuant to Section 29.9 B of the City of Elkhart Zoning Ordinance, I respectfully address the required standards as follows:

1. The approval will not be injurious to the public health, safety, morals, or general welfare of the community.

The proposed grooming business will operate on a small scale inside the home and by appointment only, generally serving approximately four to five clients per day during normal weekday business hours. No structural additions are proposed, and the residential character of the property will remain unchanged. The business will

comply with applicable health and safety requirements and will not create hazardous conditions or excessive activity within the neighborhood.

2. The use and value of adjacent properties will not be affected in a substantially adverse manner.

The proposed use is limited in scope and designed to minimize impact on neighboring properties. There will be no outdoor activity associated with the business, no exterior storage, and no significant increase in traffic. Customers will park within the existing driveway area, reducing any impact on surrounding streets. Because the home will continue to appear and function primarily as a residence, nearby property values and neighborhood character should not be adversely affected.

3. The need for the variance arises from a condition peculiar to the property involved.

The property contains sufficient interior space to accommodate a small home-based grooming operation without requiring expansion or exterior modification. The request is specifically limited to use of existing interior space within the residence and is uniquely suited to this property configuration.

4. The strict application of the zoning ordinance constitutes an unnecessary hardship if applied to the property.

Strict enforcement of the ordinance would prevent reasonable and practical use of existing interior space for a low-impact service business that can operate compatibly within the neighborhood. The requested variance would allow productive use of the property while preserving its residential nature and avoiding the need for new construction or commercial expansion elsewhere.

5. The approval does not substantially interfere with the Comprehensive Plan.

The requested variance is consistent with maintaining stable residential neighborhoods while allowing limited, low-impact use of existing property. Because the business will remain small in scale, appointment-based, and entirely within the existing home, it should not conflict with the goals of the City's Comprehensive Plan.

WHEREFORE, the Petitioner respectfully requests that the Board of Zoning Appeals grant the requested use variance for operation of a small grooming business within the existing residence located at 2603 Morton Avenue, Elkhart, Indiana 46514.

Respectfully submitted,



John Robinia
2603 Morton Avenue
Elkhart, Indiana 46514

The property is located at 2603 Morton Ave, Elkhart, Elkhart County, Indiana, 46517 in Elkhart County and is legally described as the following: MONGERS SO ALLENDALE N1/2 LOT 127 AND MONGERS SO ALLENDALE LOT 128.

Lot numbered 128 and the North half of lot numbered 127 as the said lots are known and designated on the recorded Plat of Mongers South Allendale, as per plat thereof recorded in Deed Record 115 , page 411, in the Office of the Recorder of Elkhart County, Indiana.

Also known as street and number 2603 Morton Ave, Elkhart, IN, 46517

Tax Parcel ID# 20-06-16-261-015.000-012 and 20-06-16-261-0163.000-012.

Michiana Regional GIS Website

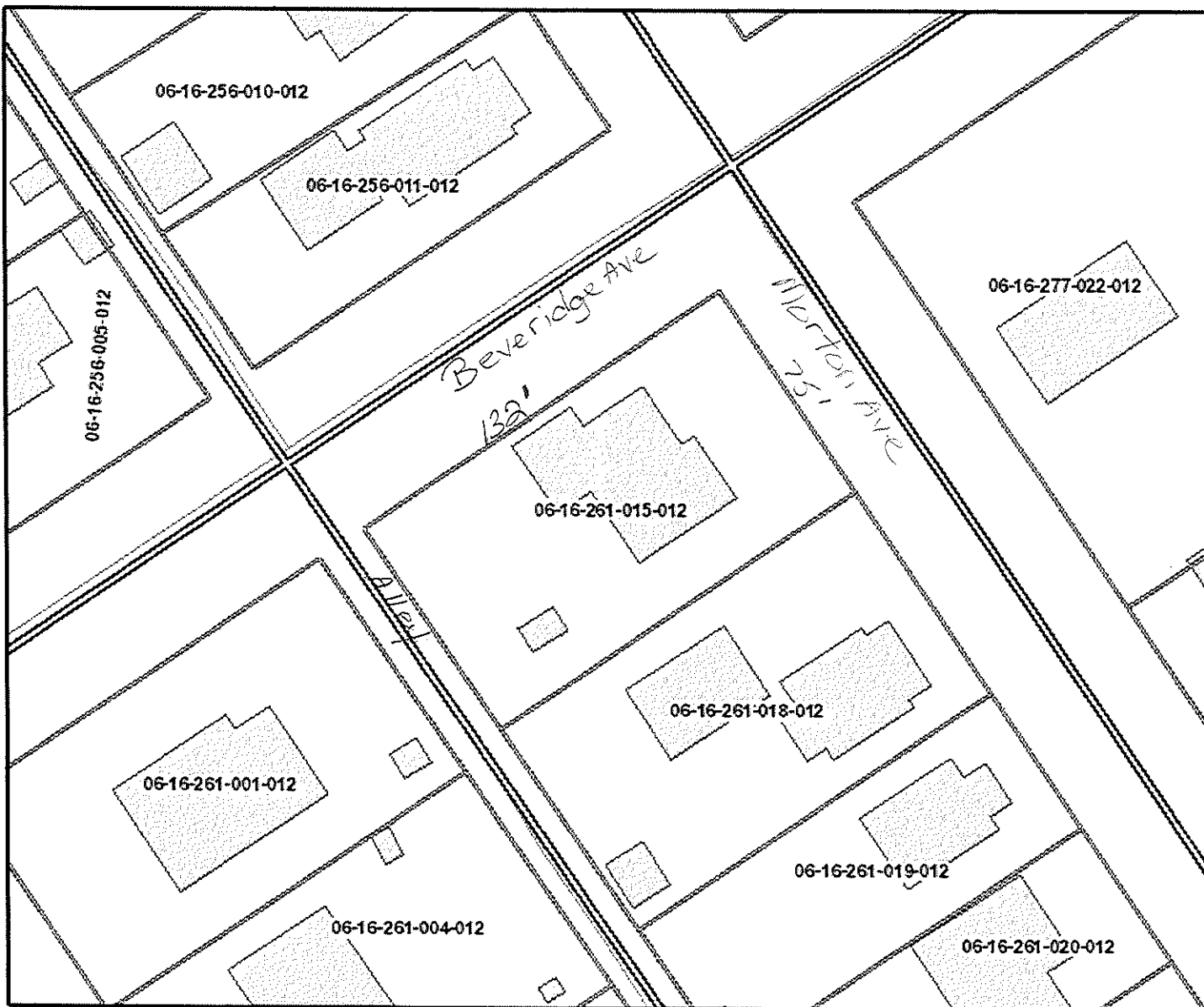
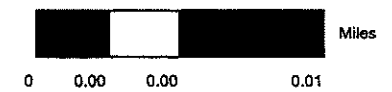
txtSubTitle

Legend

- SJC Parcel Dimensions
- SJC Parcels
- ELK Parcels
- SJC Street
- ELK Street
- Building Footprint
- Railroad
 - Railroad
 - Abandoned Railroad
- Road Centerline
 - Road Centerline
- Railroad Bridge
- Roadway Bridge
- Major Roads
 - 1
 - 10
- Primary Roads
- Secondary Roads
- Local Roads
- Rivers
- Local Roads



1 inch = 37.50 feet



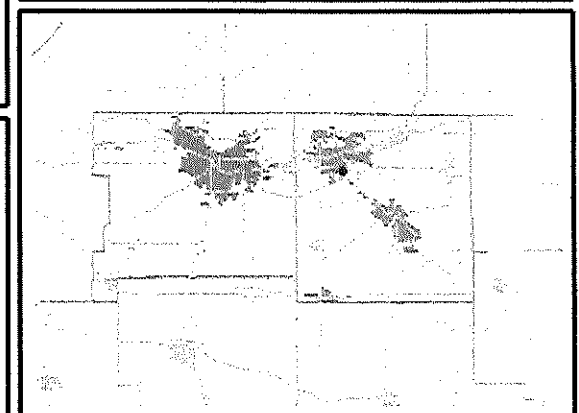
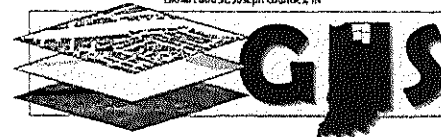
Date Printed: 5/24/2026

Map Generated By: Public

Coordinate grid is based on Indiana East State Plane Coordinate System 1983 North American Datum.

Information shown on this map is not warranted for accuracy or merchantability. Reproduction or distribution of this material is not authorized without the express written permission of MACOG.

Michiana Area Council of Governments | Geographic Information System
Elkhart and St. Joseph Counties, IN





Staff Report

Planning & Zoning

<u>Petition:</u>	26-BZA-15
<u>Petition Type:</u>	Developmental Variance
<u>Date:</u>	July 9, 2026
<u>Petitioner:</u>	Kenneth A Knox and Wanda L Knox
<u>Site Location:</u>	2901 Homer Avenue
<u>Request:</u>	<p>To vary from Section 26.1.B.8.a, which states in part, ‘Accessory buildings on property occupied by a one or two family residential use shall be limited to a maximum floor area of seven hundred twenty (720) square feet for the largest structure, with a maximum total of eight hundred forty (840) square feet for all accessory buildings combined’, to allow for the proposed accessory building at 1152 square feet, where the maximum for any one accessory structure is 720 square feet, a variance of 432 square feet. To also vary from the maximum total area for all accessory structures of 840 square feet to allow for a total area for all accessory structures of 1,568 square feet, a variance of 728 square feet.</p> <p>Also:</p> <p>To vary from Section 26.1.B.3, which states in part, ‘An accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line’, to allow for variance of three (3) feet to an interior side yard lot line and five (5) feet rear lot line for a zero (0) setback for both.</p>
<u>Existing Zoning:</u>	R-2, One-Family Dwelling District
<u>Size:</u>	+/- 0.36 Acre
<u>Thoroughfares:</u>	Homer Avenue
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available and provided to the site.

Surrounding Land Use & Zoning:

The property is surrounded by residential uses zoned R-2.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with a mix of low-density residential uses.



Staff Analysis

The petitioner is seeking to vary from Section 26.1.B.8.a, which states in part, ‘Accessory buildings on property occupied by a one or two family residential use shall be limited to a maximum floor area of seven hundred twenty (720) square feet for the largest structure, with a maximum total of eight hundred forty (840) square feet for all accessory buildings combined’, to allow for the proposed accessory building at 1152 square feet, where the maximum for any one accessory structure is 720 square feet, a variance of 432 square feet. To also vary from the maximum total area for all accessory structures of 840 square feet to allow for a total area for all accessory structures of 1,568 square feet, a variance of 728 square feet.

To vary from Section 26.1.B.3, which states in part, ‘An accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line’, to allow for variance of three (3) feet to an interior side yard lot line and five (5) feet rear lot line for a zero (0) setback for both.

The petitioner is proposing to rebuild an existing non-conforming garage. Based on conversations and photo evidence provided to staff from the homeowner, the garage structure that was torn down had extensive rot and the only viable option was to demolish the structure and rebuild new. The demolition of the garage structure occurred in January 2026. Permits to rebuild the garage were submitted on April 23, 2026. The following day

upon examination of the submitted material, staff let the applicant know the proposed garage did not meet development standards for size. The applicant filed with the board on June 3, 2026.

The petitioner's agent filed the variance material on behalf of the property owner. At the time the petition material was being completed, the agent did not have access to the survey. To err on the side of caution, the petition was filed requesting a 0-foot setback for the side and rear setback. Subsequent to the filing, the homeowner found the survey which indicated a 5.30-foot rear setback and a 10.20-foot side setback. This information will eliminate the need for the setback variance as the new garage structure could be built in the same location and be compliant.

The next part of the variance is the size of the proposed garage structure. What has been requested does not meet the current requirements in terms of area – 1,152 square feet. Staff has been able to locate the permit for the garage that was torn down – obtained in 1983. The dimensions referenced for the garage were – 24 x 46 = 1,104 square feet. It's reasonable to assume for the property owner that a permitted garage would be eligible for replacement with another permitted garage. Staff understand that thought process. However, regulations do change over time and in this case the size allowances are smaller for garages (accessory structure) currently.

Because the original garage was permitted and has not caused harm to surrounding properties, staff is willing to recommend in favor of replacing the garage structure with an area of 1,104 square feet. And based on the recommendation, the need for the third accessory structure will not be necessary as the petitioner will remove the third accessory structure.

Staff recommends approval of this variance.

Recommendation

The Staff recommends **approval** of the developmental variances to vary from the requirements found in Section 26.1.B.4 Accessory Structures in General Provisions which states in part, ‘Accessory buildings on property occupied by a one or two family residential use shall be limited to a maximum floor area of seven hundred twenty (720) square feet for the largest structure, with a maximum total of eight hundred forty (840) square feet for all accessory buildings combined’, to allow for the proposed accessory building at 1152 square feet, where the maximum for any one accessory structure is 720 square feet, a variance of 432 square feet. To also vary from Section 26.1.B.3, which states in part, ‘An accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line’, to allow for variance of three (3) feet to an interior side yard lot line and five (5) feet rear lot line for a zero (0) setback 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 garage will be constructed and inspected to ensure it is built to all applicable code requirements;
2. The use and value of the area adjacent to the property **will not be** affected in a substantially adverse manner because the garage will match the previously removed garage in height and size;
3. Granting the variance **would be** consistent with the intent and purpose of this Ordinance because a measure of relief is allowed when warranted;
4. Special conditions and circumstances **do** exist which are peculiar to the land involved and which are not applicable to other lands or structures in the same district because the garage is in the same location of the previous garage;
5. The strict application of the terms of this Ordinance **will** result in practical difficulties in the use of the property because without some measure of relief the size of the garage would not be permitted;
6. The special conditions and circumstances **do not** result from any action or inaction by the applicant because the property owner has not started construction;
7. This property **does not** lie within a designated flood area.

Photos



Front Elevation facing Homer Avenue-Google Maps, July 2019 (Previous garage in back yard)





**CITY OF ELKHART
ZONING CLEARANCE PERMIT**

Date 7-26-83

APPLICATION IS HEREBY REQUESTED FOR:

No 4181

New construction Sign Utility installation
 Building addition and/or remodeling Other, specify _____

Address of Property 2901 HOMER

Zoning district R-2 Page number 116

Owner GLEN LOONEY

Address SAME Phone XXXXXXXXXX

Contractor _____

Address _____ Phone _____

Legal description _____ Subdivision MILLS & BONNOS Acres _____

Zoning lot size: Width 231 Depth 762 Area 3.5 ~~Acres~~ sq. ft. of record _____

Conforming Non-conforming Through lot Reverse corner lot

I. ZONING REQUIREMENTS AND RESTRICTIONS:

Minimum lot size: Width 60 Area 7200 Max. floor area ratio _____

Maximum building coverage 40% Corner lot setback _____

Minimum required yards: Front 25 Side 3 Rear 5

Minimum required paved 9' x 19' parking spaces _____ Screening _____

Signs: Area _____ Projection _____ Height _____ Other *

II. PROPOSED CONSTRUCTION GARAGE & STORAGE SHED

Building size 24 x 46 Sq. ft. 1104 Height 15 Floors 1

Setbacks: Front 25 Sides 3 Rear 5 Dist. between bldgs. _____

Signs: Area _____ Projection _____ Height _____ Other _____

III. EXISTING CONSTRUCTION SPR & 2 ACCESSORY BLDGS.

Building size _____ Sq. ft. _____ Height _____ Floors _____

Setbacks: Front 16 Sides 8, 10 Rear 30 Dist. between bldgs. _____

Other _____

IV. EXISTING SERVICE AND LAND IMPROVEMENTS

Streets: Unpaved _____ Paved _____ Width _____ Sidewalks _____

Sewers Water Electric Plot plan attached

The applicant hereby agrees to abide by and comply with the aforementioned requirements and restrictions and understands that any deviation from proposed construction or use constitutes a violation; thereby rendering this application invalid and the issued certificate null and void.

* NOT FOR BUSINESS USE.

Glen Looney Owner
 Agent
 Contractor

The proposed building or structure and the use thereof or the proposed change in use, as stated in the above application, has been found to be in compliance with all the provisions of the zoning ordinance of the City of Elkhart, Indiana.

Issued by [Signature]

APPLICATION FOR BUILDING PERMIT

Address 2901 Homer Av.



CITY OF ELKHART
ELKHART, INDIANA

Permit No. D-3300

Date 7-26-83

DEPARTMENT OF BUILDINGS

TO THE COMMISSIONER OF BUILDINGS:

I hereby apply for a Permit to Erect Remodel Wreck Move Reside Build

Addition to Unfinished Double Garage

To be occupied as Garage & Storage Shed

Lot No. 231 Meters & Bounds Addition

Zone R-2

Type of Construction Frame/Siding

Floor Area 1104 total sq. ft. Volume _____ cu. ft.

Roofing Material asphalt

Builder's Name and Address Owner
Same

Estimated Cost \$ 1,800.⁰⁰

Permit Fee 16.⁵⁰

The undersigned hereby certifies that the statements contained herein are true and correct and in consideration of the granting of the permit, agrees to save the City of Elkhart harmless from any and all damages and agrees to perform the work covered by this Permit in conformity with the laws of the State of Indiana and the Ordinances of the City of Elkhart, Indiana.

Owner Allen D. Jones

Footing Inspection Date _____ Date _____ By _____
Framing Inspection Date _____ Date _____ By _____
Final Inspection Date _____ Date _____ By _____

White-Bldg. Dept.
Yellow-Inspector
Pink-Assessor

PETITION #: 26-BZA-15

FILING FEE: \$ 200.⁰⁰

PETITION to the BOARD of ZONING APPEALS

PETITION TYPE: DEVELOPMENTAL VARIANCE

Property Owner(s): Kenneth A Knox and Wanda L Knox

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Garry Potts

Mailing Address: 58171 Dragonfly Court Osceola IN 46561

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: 2901 Homer Ave Elkhart IN

Zoning: R-2

Present Use: residential property Proposed Use: same

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): KENNETH KNOX

SIGNATURE(S): Kenneth Knox DATE: 6-3-26

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: Ram Levendoski DATE: 6/3/26

June 3, 2026

TO: Board of Zoning Appeals
City of Elkhart, Indiana

RE: Developmental Variance
2901 Homer Avenue

The undersigned appellant respectfully shows the Board:

1. I, Kenneth A Knox and Wanda L Knox, owners of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

SEE ATTACHED

2. The above-described real estate presently has a zoning classification of R-2 District under the Zoning Ordinance of the City of Elkhart.
3. Appellant presently occupies the above-described property in the following manner: personal residence.
4. Appellant desires to replace the recently demolished garage like-for-like using the existing foundation, identified as a 3-car garage located at the Northwest corner of the property. It is approximately 1152 sq ft in floor area.
5. The Zoning Ordinance 26.1(B)8a of the City of Elkhart limits accessory buildings to 720 sq ft maximum floor area and 840 sq ft floor area of all accessory buildings combined. It also limits the number of accessory buildings to two (2). The proposed combined floor area of all accessory buildings would be 1,568 sq ft a variance of 728 sq ft. The 3-car garage would be the third accessory building on the property. If granted, the petitioner agrees to remove the small shed from the property, thereby eliminating the need for a variance for a 3rd accessory structure. The Zoning Ordinance 26.1(B)3 states an accessory structure shall not be located closer than three (3) feet to an interior side yard lot line and not closer than five (5) feet to the rear lot line. The garage would be at zero (0) feet from both, a 3-foot and 5-foot variance request.
6. Explain why strict adherence to the Zoning Ordinance requirements would create an unusual hardship. *Strict adherence to the current square footage limitations would force an artificial reduction of a residential amenity that has historically existed on this lot. The variance does not seek to introduce a new or disruptive scale of use to the neighborhood, but simply to replace an existing 3-car footprint that the property has relied upon for decades.*
7. Using the appropriate developmental standards from the previous page, address each standard. You cannot answer simply Yes or No; you must state why this is true (the reasons for your answer).

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community. *The approval would restore the site to the condition that existed for years without issue.*
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner. *The use and value of the area adjacent to the property will not be affected by the rebuilding of this structure.*
3. Granting the variance would be consistent with the intent and purpose of the Zoning Ordinance. *A primary intent of the Zoning Ordinance is to protect public safety and general welfare. The existing structure was severely dilapidated and posed an ongoing safety hazard. Granting this variance allows for the improvement of a blighted condition and ensures its replacement with a structurally sound, modern facility constructed to current building codes, thereby directly advancing the ordinance's safety objectives.*
4. Special conditions and circumstances exist which are peculiar to the land involved and which do not apply to other lands or structures in the same district. *The subject property is constrained by a legacy built environment that is peculiar to this specific parcel. Unlike a vacant lot where a designer has the flexibility to configure a compliant structure from the ground up, this land is already dictated by the historical placement of the primary residence, the established driveway infrastructure, and the existing garage footprint. These preexisting spatial*

conditions strictly limit where and how a functional accessory structure can be placed, a circumstance not generally shared by other, undeveloped or unconstrained lands in the district.

5. The strict application of the terms of this Ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance. (Financial considerations do not qualify). *The applicant is not seeking a new or unprecedented expansion, but rather the continuation of a right historically enjoyed by this specific property and commonly enjoyed by similar properties in the district: the use of a 3-car garage. Denying this variance would actively strip the property of its established functional capacity, placing the applicant at a distinct functional disadvantage compared to neighboring homeowners who are permitted to maintain their historically established accessory structures.*

6. The special conditions and circumstances do not result from any action or inaction by the applicant. *The necessity for this variance arises purely from the natural dilapidation and structural failure of the legacy building over time. The applicant did not intentionally damage or demolish a compliant structure to manufacture a hardship. Rather, the applicant is taking responsible, necessary action to remedy an unsafe, deteriorating condition that they inherited, utilizing the exact site constraints that have existed on this property for years.*

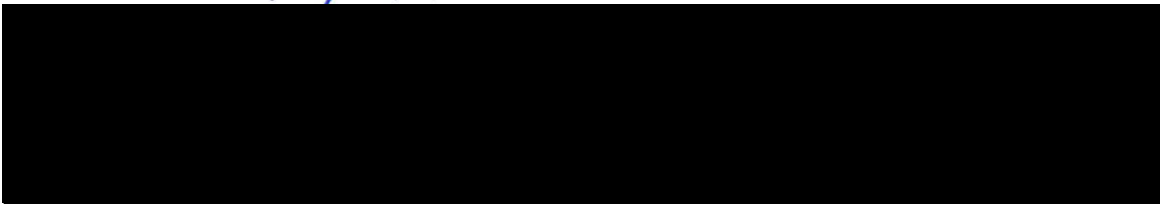
7. In designated flood hazard areas, the variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, or conflict with existing laws or ordinances. *Does not apply.*

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

Signature of Property Owner: Kenneth Knox

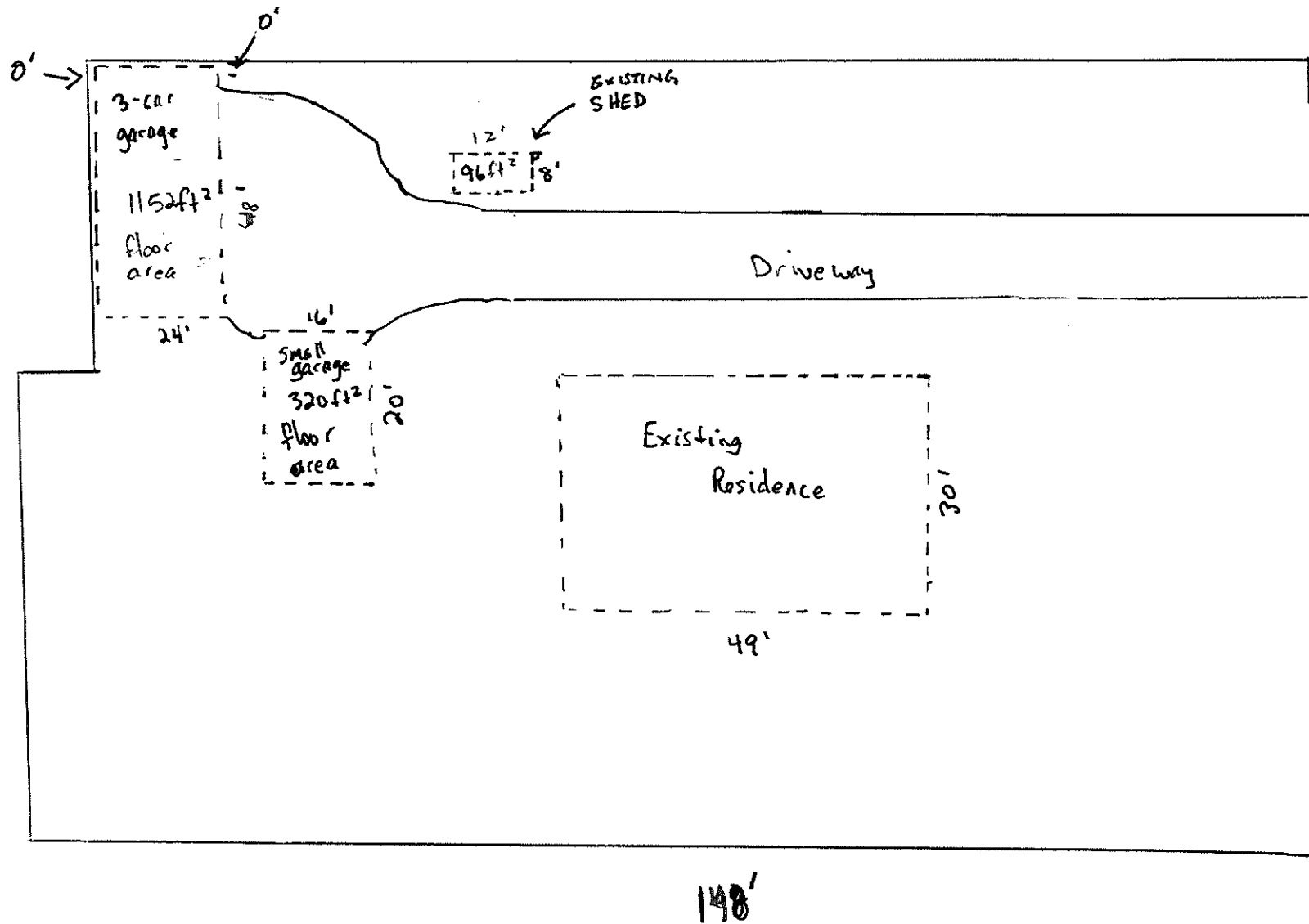
Printed Name: KENNETH KNOX

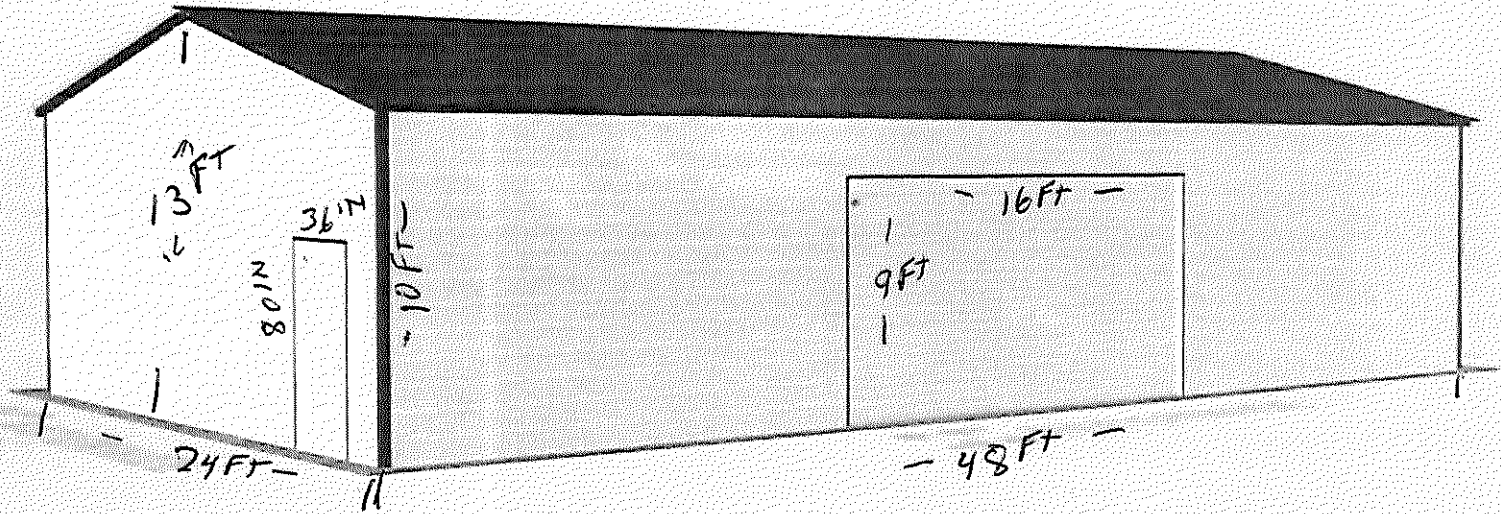
Contact Person: Gary Potts



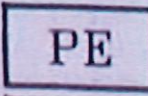
2901 Homer Avenue

↑ N





CERTIFICATE OF SURVEY

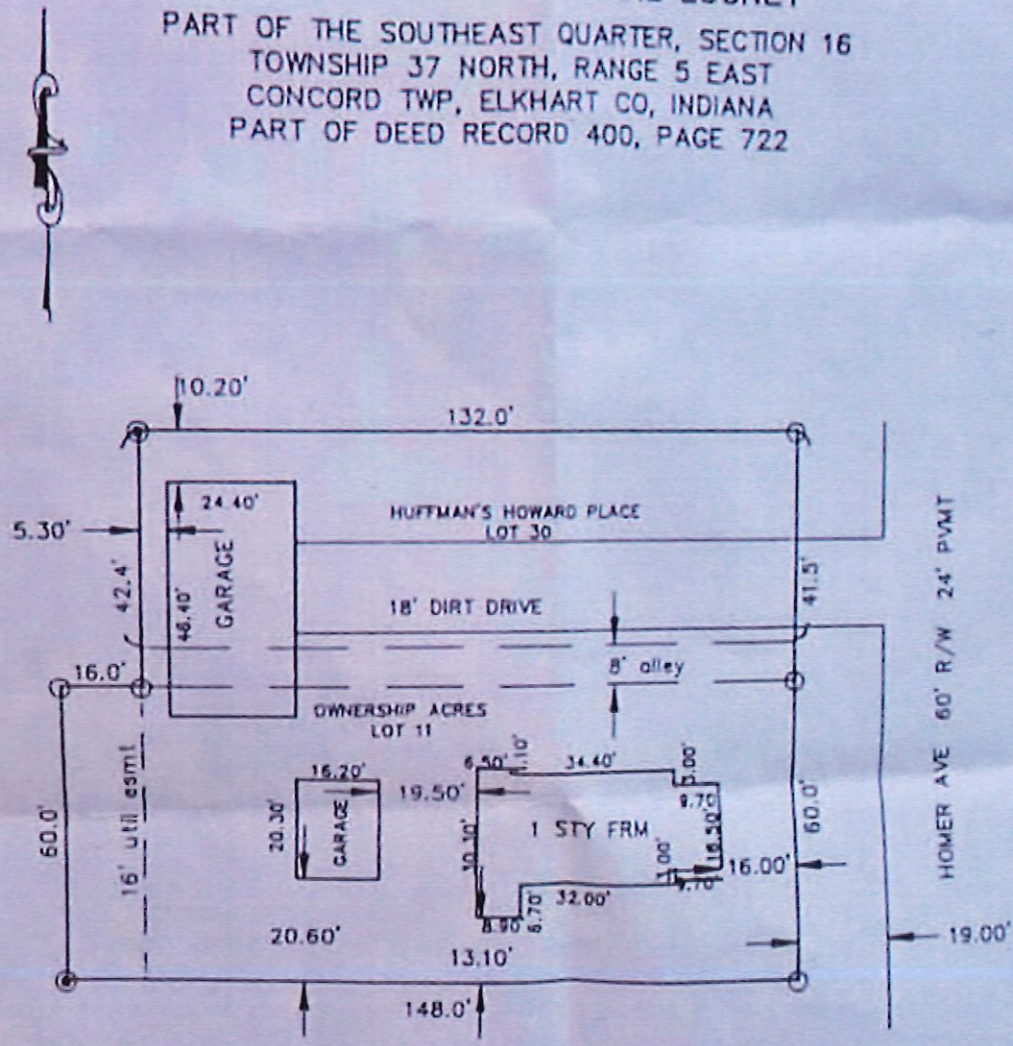


PROGRESSIVE ENGINEERING, INC.
 Architectural, Mechanical, and Structural Engineering

6800 State Road 18
 Concord, Indiana 46030
 Telephone (317) 833-0227

SURVEY ORDERED BY: DAVE MYERS	
JOB NO: 94-1219	DATE OF WORK: 3/2/95
DRAWN BY: DAJ	SCALE: 1"=30'

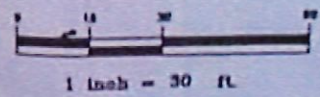
GLENDAIL & ANNIE PEARL LOONEY
 PART OF THE SOUTHEAST QUARTER, SECTION 16
 TOWNSHIP 37 NORTH, RANGE 5 EAST
 CONCORD TWP, ELKHART CO, INDIANA
 PART OF DEED RECORD 400, PAGE 722



LEGEND

- = Iron pipe found
- ⊙ = Rebar with cap set

GRAPHIC SCALE



THIS TRACT IS NOT LOCATED IN A DESIGNATED FLOOD ZONE AS SHOWN ON THE NATIONAL FLOOD INSURANCE RATE MAP (F.I.R.M. COMM-PANEL 180057 0005 C).

I, Dennis J. Gobble, hereby certify that I am a Registered Land Surveyor, licensed in compliance with the laws of the State of Indiana, and do hereby further certify that I have made a resurvey of the real estate depicted and described hereon. Corners are monumented as indicated and no encroachments existed, except as noted.



Dennis J. Gobble
 Dennis J. Gobble—R.L.S.

910000
 R.L.S. Number

3-10-95
 Date

AFFIDAVIT IN SUPPORT OF DEVELOPMENTAL VARIANCE PETITION

I, KENNETH KNOX 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 2901 HOMER AVE Elkhart, Indiana. 46517
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 03 day of 06, 2026.

Kenneth Knox
Printed: KENNETH KNOX

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.

Kenneth Knox
Printed: KENNETH KNOX

STATE OF INDIANA)
) SS:
COUNTY OF ELKHART)

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Kenneth Knox, and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 3rd day of June, 2026.



My Commission Expires:
12/13/2026

Airnee Louderback
Printed: Airnee Louderback

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

5-24-26

To Whom it concerns,

We are replacing our Garage not because we want to. Our old Garage was falling down, the walls were rotted and the roof falling in. We been here 26 years and have accumulated a lot of stuff. We have three vehicles, a huge air compressor wood splitter Riding lawn mower snow blower a Harley, huge tool boxes. So Please can we replace the Garage the same size as we had. As we have no where to put anything. also skid steer

Thank You
Wanda Knox
Kenneth Knox



Staff Report

Planning & Zoning

<u>Petition:</u>	26-BZA-16
<u>Petition Type:</u>	Developmental Variance
<u>Date:</u>	July 9, 2026
<u>Petitioner:</u>	HMS Elkhart LLC
<u>Site Location:</u>	1514 W Lusher Avenue
<u>Request:</u>	<p>The property owner wishes to replace an existing non-conforming six (6) foot fence with a new ten (10) foot fence. The request is - To vary from Section 26.4.D.1, Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part that, 'An opaque fence, a minimum of eight (8) feet in height, constructed of painted or treated wood, painted or textured block, or brick and set back fifteen (15) feet or more inside the lot lines.' And 'In a front or corner side yard the fence shall not project beyond the front façade of buildings located on adjacent lots on the same side of the street', to allow for a chain link fence (at the same location as the existing) beyond the front façade of the structure, at the property line with a zero (0) foot setback.</p> <p>To also vary from Section 26.4.D.3.a, of Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part, 'A landscape strip shall be maintained between the fence and property line in the following yards: a. All front and corner side yards', to allow for the same replacement fence at a zero (0) foot setback with no landscape strip.</p>
<u>Existing Zoning:</u>	M-2, General Manufacturing District
<u>Size:</u>	+/- 11.94 Acres
<u>Thoroughfares:</u>	14 th Street and West Wolf Avenue
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available and provided to the site.

Surrounding Land Use & Zoning:

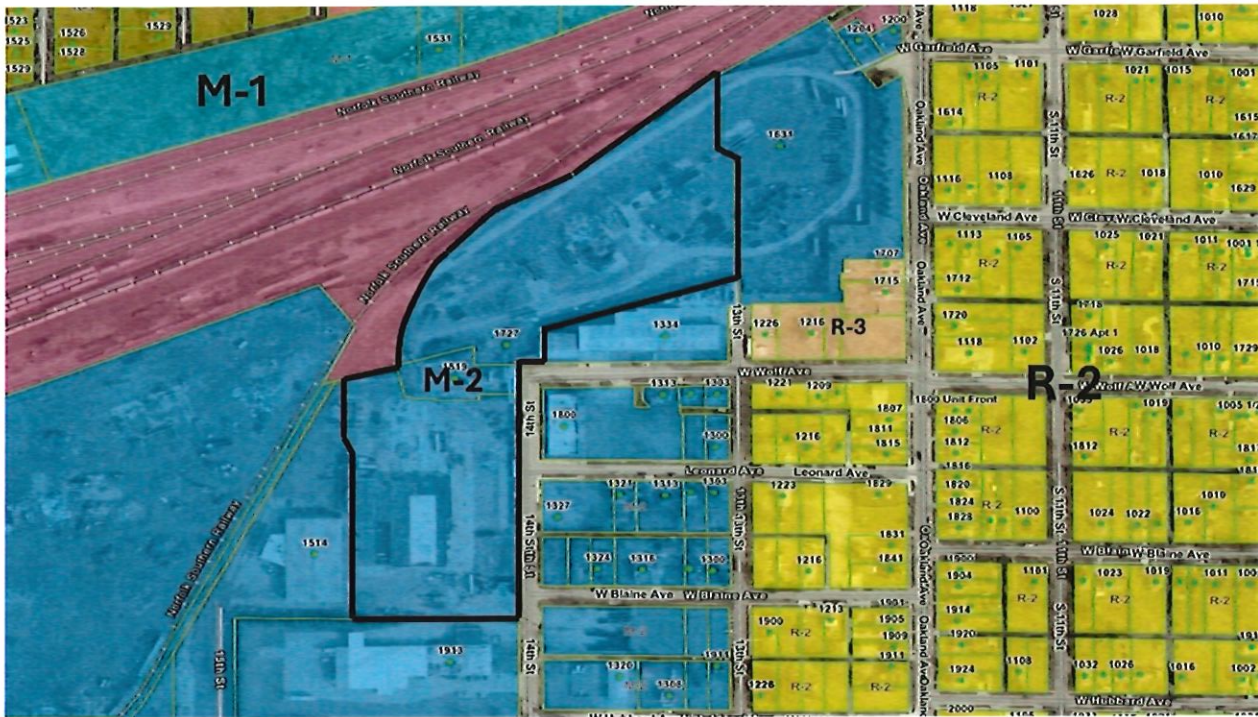
The property is surrounded by industrial uses of M-2, General Manufacturing District.

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

The petitioner is seeking to vary from Section 26.4.D.1, Fence Requirements for Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards, which states in part that, ‘An opaque fence, a minimum of eight (8) feet in height, constructed of painted or treated wood, painted or textured block, or brick and set back fifteen (15) feet or more inside the lot lines.’ And ‘In a front or corner side yard the fence shall not project beyond the front façade of buildings located on adjacent lots on the same side of the street’, to allow for a chain link fence (at the same location as the existing) beyond the front façade of the structure, at the property line with a zero (0) foot setback.

The petitioner has had numerous issues with people gaining entry to the property by cutting through the existing fence and stealing scrap material from inside the fenced campus. Currently, the petitioner has had to place large shipping containers directly inside the current fence to prevent entry onto the property.

The first part of the variance is for the location – placement at a zero (0) foot setback at the property line. The petitioner is requesting to replace an existing non-conforming 6-foot-tall chain link with a ten (10) foot solid metal fence along 14th Street and West Wolf Avenue. The facility is used as a scrap metal recycling center. A fence has existed on the site in the front yard since at least 1978 but found no previous board action for the fence. A Zoning Clearance was applied for on May 5th and was put on hold by staff on May 7th as it was determined a developmental variance was needed for the fence to be installed matching the request.

The second part of the variance is the requirement of a landscape strip between the property line and the security fence. Fences around Junk Yards, Motor Vehicle Impoundment Yards, Scrap or Recycling Yards or Motor Vehicle Wrecking Yards require that a landscape strip shall be maintained between the fence and property line in the front and corner side yards. This proposal will not allow for the required landscape strip.

The proposed fence will be solid metal; similar in appearance to the fence found along the Oakland Street frontage. The location request is limited by two significant existing conditions. There is a large retention pond just west of the fence location which limits the placement options and there is a large concrete pad that also makes the placement challenging. In light of these conditions existing for some time, that prevent an alternate placement, staff is in agreement with the petitioner's request for the new solid metal fence to be located in the same place, at a zero (0) foot setback, as the existing six (6) foot chain link fence.

Recommendation

The Staff recommends **approval** of the developmental variances 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 fence will be built and installed in a workmanlike manner;
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because a fence is a typical element found in industrial districts. The fences location should not affect the use and value of an adjacent property;
3. Granting the variance **would be** consistent with the intent and purpose of this Ordinance because a measure of relief is allowed when warranted;
4. Special conditions and circumstances **do exist** as the proposed fence is to be installed on the subject property at the property line because of the existing retention pond and concrete placed adjacent to the property line;
5. The strict application of the terms of this Ordinance **will** result in practical difficulties in the use of the property because without the proposed fence, which provides for some measure of security, the property owner would be limited by what he could store outside; therefore greatly limiting the viability of the property for the intended use;
6. The special conditions and circumstances **do not** result from an action or inaction by the applicant as the fence has not yet been installed;
7. This property **does not** lie within a designated flood hazard area.

Photos



14th Street



14th street



14th street



Corner of 14th street and West Wolf Avenue



West Wolf Avenue

PETITION #: 26 BZA 16

FILING FEE: \$ 300

PETITION to the BOARD of ZONING APPEALS

PETITION TYPE: DEVELOPMENTAL VARIANCE

Property Owner(s): HMS ELKHART LLC,

Mailing Address: _____

Phone #: _____ Email: _____

Contact Person: Crystal Welsh, Abonmarche Consultants

Mailing Address: _____

Phone #: _____ Email: _____

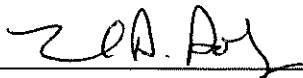
Subject Property Address: 1514 W Lusher Ave Elkhart, IN 46517-1422

Zoning: M-2

Present Use: Scrap Metal Recycling Center Proposed Use: Scrap Metal Recycling 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): Mark Dokey

SIGNATURE(S):  DATE: 5/21/26

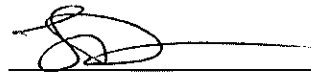
STAFF USE ONLY:

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: 6/5/2020

DATE: May 21, 2026

TO: Honorable Members of the Board of Zoning Appeals
City of Elkhart, Indiana

RE: Developmental Variance for 1514 W Lusher Ave, Elkhart, IN

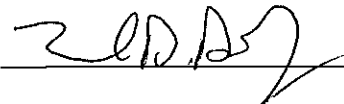
The undersigned petitioner respectfully shows the Board of Zoning Appeals:

- A. I, Mark Dokey, HMS ELKHART LLC, am the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:
1514 West Lusher (legal description provided in the attached deed)
20-06-07-429-007.000-012
20-06-07-429-003.000-012
20-06-07-476-002.000-012
- B. The above-described real estate presently has a zoning classification of M-2, General Manufacturing District under the Zoning Ordinance of the City of Elkhart.
- C. Petitioner presently occupies the above-described property for a scrap metal recycling center.
- D. Petitioner desires to replace the existing aged and damaged security fence in the current location.
- E. The Zoning Ordinance Sectio 26.4D1 – “in a front yard the fence shall not project beyond the front façade of the buildings...” but the owner wishes to replace the existing fence in the same location which is in front of the building façade. The variance would allow for the fence to be installed along the property line at a 0-foot setback or in the existing current fence location whichever is greater.
- F. Strict adherence to the Zoning Ordinance requirements would create an unusual hardship because:
 - a. This project is replacing an existing fence in the same location with the same fence type and size.
 - b. Moving the fence back to meet the city requirements would cause the fence to be installed in the existing stormwater retention area thus causing a functional issue with that system.

G. Standards for approval of a variance:

1. The approval will not be injurious to the public health, safety, morals and general welfare of the community as the fence will provide security to this facility and the neighborhood.
2. The use and value of the area adjacent to the property will not be affected in a substantially adverse manner as this is an existing fence surrounding and existing facilities that is property zoned.
3. Granting the variance would be consistent with the intent and purpose of the Zoning Ordinance as this is a manufacturing area surrounded by properties zoned manufacturing. The proposed fence will meet all other fencing requirements except the front yard setback.
4. Special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands or structures in the same district as this is the replacement of an existing fence in the same location of the same type.
5. The strict application of the terms of this Ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance as the fence is critical for the operations of the business which has been in the neighborhood for decades.
6. The special conditions and circumstances do not result from any action or inaction by the applicant as the fence was in place when the current owner acquired the property.
7. The property is not in a designated flood hazard area.

WHEREFORE, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Board of Zoning Appeals grant the requested developmental variance for the above-described parcel of land located in the City of Elkhart.

Signature of Property Owner:  _____

Printed: Mark Dokey, HMS ELKHART LLC,

Contact Person:

Name: Crystal Welsh, Abonmarche Consultants



May 21, 2026

Eric Trotter
Assistant Director of Planning & Zoning
City of Elkhart
201 S. Second Street
Elkhart, IN 46516

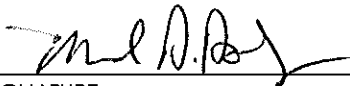
RE: Minor Subdivision
1514 W LUSHER AVENUE
ELKHART IN 46516
20-06-07-429-007.000-012
20-06-07-429-003.000-012
20-06-07-476-002.000-012

Dear Mr. Trotter:

This letter is to verify that HMS ELKHART LLC, currently owns the above referenced property and authorizes Abonmarche Consultants to prepare and submit to the City of Elkhart a Developmental Variance Petition and attend the required meetings, and any other matters relating to this project.

Thank you for your time and assistance with this matter.

Sincerely,



SIGNATURE

Mark Dokey
PRINTED NAME

AFFIDAVIT IN SUPPORT OF DEVELOPMENTAL VARIANCE PETITION

I, Mark Dokey, 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 1514 W Lusher Avenue Elkhart, Indiana.
4. FURTHER AFFIANT SAYETH NOT.


EXECUTED on the 22nd day of MAY, 2026.

Mark D. Dokey
Printed: Mark Dokey

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.

Mark D. Dokey
Printed: Mark Dokey

STATE OF INDIANA)
COUNTY OF ELKHART)

) SS:  **CODIE NICOLE GLUCHOWSKI, Notary Public**
Saint Joseph County, State of Indiana
Commission Number NP0692692
My Commission Expires October 30, 2032

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared Mark Dokey, and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 22nd day of MAY, 2026

Codie Gluchowski
Printed: Codie Gluchowski

My Commission Expires:
10/30/2032

Notary Public in and for the State of Indiana
Resident of St. Joseph County, Indiana



Staff Report

Planning & Zoning

Petition: 26-BZA-17

Petition Type: Developmental Variance

Date: July 9, 2026

Petitioner: Garrick and Tricia Lankford

Site Location: 12 Melrose Manor

Request: To vary from Section 4.4, Yard Requirements in the R-1, One Family Dwelling District, which requires rear setbacks located along a river or stream to be the established setback. The established setback at this location is 64'9" (current rear setback is 48'6"). The requested setback for the home after an addition is 36'6" feet in the rear, a variance of 28.3 feet.

Existing Zoning: R-1, One-Family Dwelling District

Size: +/- .35 Acres

Thoroughfares: Melrose Manor

School District: Elkhart Community Schools

Utilities: Available and provided to the site.

Surrounding Land Use & Zoning:

The subject property is surrounded by R-1 One-Family Dwelling District and the river to the north.

Applicable Sections of the Zoning Ordinance:

Enumerated in request.

Comprehensive Plan:

The Comprehensive Plan calls for this area to develop with low density residential.



Staff Analysis

The petitioner wishes to vary the requirements of Section 4.4, Yard Requirements in the R-1, One Family Dwelling District, which requires rear setbacks located along a river or stream to be the established setback. The established setback at this location is 64'9" (current rear setback is 48'6"). The requested setback for the home after an addition is 36'6" feet in the rear, a variance of 28.3 feet.

The petitioner is proposing to remove an existing deck and replace with a two-story addition on a river front lot. The proposed addition will extend the existing home 12 feet closer to the river, measuring from the attached deck.

To meet the setback requirements for the river frontage and because of the configuration of the home, a rear yard variance is required. This type of variance is not uncommon for lots in established neighborhoods where older homes are added on and updated to more contemporary layouts.

The lot, by the zoning ordinance development standards has two front yards – the street frontage and the river front side of the property. The ordinance requires the setbacks be calculated for the front and rear (for river front lots) be established by determining the average for that part of the street. This method for determining setbacks helps to protect the adjacent property owners' views of the river. Which is why most people live on the river – the view. Most times, the homeowner will want to maximize the view of the river and in order to also not block the view of other surrounding properties, some sort of variance is required.

The scale of the addition is not out of character for the neighborhood and surrounding properties. Given the constraints of the established setback, it will not allow an addition to be built without some measure of relief.

Recommendation

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 addition will be built in a workmanlike manner;
2. The use and value of the area adjacent to the property **will not** be affected in a substantially adverse manner because the proposed addition is as far away from the river as possible, and is replacing an existing porch;
3. Granting the variance **would be** consistent with the intent and purpose of this Ordinance because a measure of relief is allowed when warranted;
4. Special conditions and circumstances **do exist** which are peculiar to the land involved and which are not applicable to other lands or structures in the same district because the established rear setback would preclude an addition commonly built addition to the original structure located on the property;
5. The strict application of the terms of this Ordinance **will** result in practical difficulties in the use of the property because the established rear yard setback has existed for decades;
6. The special conditions and circumstances **do not** result from an action or inaction by the applicant because the setbacks were established by neighboring properties;
7. This property **does not** lie within a designated flood hazard area.

Photos



PETITION #: 26-BZA-17

FILING FEE: \$ 200

PETITION to the BOARD of ZONING APPEALS

PETITION TYPE: DEVELOPMENTAL VARIANCE

Property Owner(s): GARRICK AND TRICIA LANKFORD

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: GARRICK LANKFORD

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Subject Property Address: 12 MELROSE MNR.

Zoning: R-1

Present Use: RESIDENTIAL Proposed Use: RESIDENTIAL

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): GARRICK LANKFORD

SIGNATURE(S): [Signature] DATE: 6/5/2026

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: _____

DATE: June 5, 2026

TO: Board of Zoning Appeals
City of Elkhart, Indiana

RE: Developmental Variance

The undersigned petitioner respectfully shows the Board of Zoning Appeals:

1. We, Garrick and Tricia Lankford, are the owner of the following described real estate located within the City of Elkhart, Township, Elkhart County, State of Indiana, to-wit:

Lot Numbered 12 and the East Half of Lot Numbered 11, in Melrose Manor Addition, as per plat thereof, recorded in Plat Book 4, page 5, in the Office of the Recorder of Elkhart County, Indiana, together with the West 5 foot strip of land that lies between Lots 12 and 13 of Melrose Manor Addition.

2. The above described real estate presently has a zoning classification of R-1 District under the Zoning Ordinance of the City of Elkhart.

3. Petitioner presently occupies (or proposes to occupy) the above described property in the following manner: (The house is our current residence and the affected area of the structure was neglected before our purchase, resulting in long-standing leaks and significant decay to the lower floor porch ceiling and above deck structure. See Exhibit A showing existing floor plan with highlighted areas showing porch/deck area.

4. Petitioner desires to tear off decayed porch ceiling/above deck, remove supporting slab and replace with a 2 story addition with open decks having an overhead roof. While the addition will be 2 stories, the interior living space of is substantially equal to the setback for the existing 1-story porch/above deck that is being removed. However, the decks will extend closer to the waterfront than the existing 1-story porch/above deck that is being removed.

5. The Zoning Ordinance of the City of Elkhart requires Section 4.4 (Yard Requirements), rear yard setbacks are based on established setbacks if adjacent to a river or creek. The subject real estate is on the upper St. Joseph River, requiring the rear yard setback to be "established setbacks." The existing setback for 12 Melrose is 48' 6" to the water's edge (at the closest point). The Melrose Manor neighborhood consists of 5 other waterfront properties with the following measurements to the water's edge: 3226 Jackson = 57' 5"; 10 Melrose = 72' 5"; 13 Melrose = 54' 7"; 14 Melrose = 62' 2"; 15 Melrose = 77' 4". See Exhibit B for measurement locations. The average setback for Melrose Manor is 64' 9" (excluding 12 Melrose) or 62" (including 12 Melrose). The setback for the proposed addition would be 36' 6", which is 12' closer to the water than the existing porch/above deck. The property owners are asking for the decks to be 14' closer to the shoreline than the previous structure.

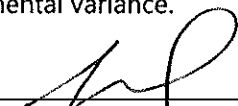
6. Explain why strict adherence to the Zoning Ordinance requirements would create an unusual hardship. To comply with the existing neighborhood setback of 48' 6", the porch portion of the addition would have to be built as an accessory structure under Section 26.1. Access from the living space to the deck (if built as an accessory structure) would be difficult to construct in a manner that ensures safe access under all conditions without violating the ordinance. This is further explained in the 4th bullet point below. *(Please note that the Board cannot consider financial hardship. The Light Co., Inc. v. Houghton et. al. 226 N.E. 2nd 341 (Ind. Ct. App. 1967).*

7. Using the **standards from page 3**, address each standard. You cannot answer simply "Yes" or "No"; you must state **why** this is true (the reasons for your answer).

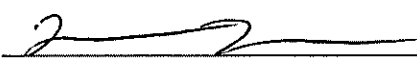
- The approval will not be injurious to the public health, safety, morals, and general welfare of the community.
 - The use of the property will remain as R-1 and is part of renovations consistent with waterfront property, and aesthetically appropriate for the neighborhood and style of the original house.
- The use and value of the area adjacent to the property will not be affected in a substantially adverse manner.
 - The decks are open and have minimal impact on adjacent properties. To the extent that any view for 10 Melrose is minimal, the curvature of the shoreline means that views of the water are not impacted, only some views of houses to the east. To the extent that any view for 13 Melrose is slightly impacted, the decks are open and sight lines to the river are still open.
- Granting the variance would be consistent with the intent and purpose of the Zoning Ordinance.
 - The use of the property will not change.
- Special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands or structures in the same district.

- The existing neighborhood setback is artificially inflated due to the steeply angled shoreline for three of the houses. For example, 15 Melrose measures 77' 4" in a direction parallel to the property lines, but is 57' 5" to the closest point to the water's edge on that property. The shoreline for the existing property is much flatter by comparison.
- The strict application of the terms of this Ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance. (Financial considerations do not qualify).
 - If the decks have to be built as an accessory structure, construction will be unnecessarily complicated and leak-prone with adjacent (but separate) roofing. Strict compliance would require constructing the decks as unattached to the principal structure but close enough to the principal structure for safe access, and any contact points between the decks and principal structure would violate this ordinance. Further, having the decks built as an accessory structure would require a gap between the living space and access to the decks, resulting in potentially dangerous gaps that may widen with temperature changes or naturally-occurring settling or unpredictable trip hazards from elevation shifts over time.
- The special conditions and circumstances do not result from any action or inaction by the applicant.
 - The special conditions are a result of the neighborhood and curvature of the waterline.
- In designated flood hazard areas, the variance will not increase flood heights, create additional threats to public safety, cause additional public expense, create nuisances, or conflict with existing laws or ordinances.
 - There is no impact to any flood hazard areas or create any threats to public safety, nuisance, expense, or conflict with existing laws or ordinances as this is simply an addition to an existing structure for private use.

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

Signature of Property Owner: 

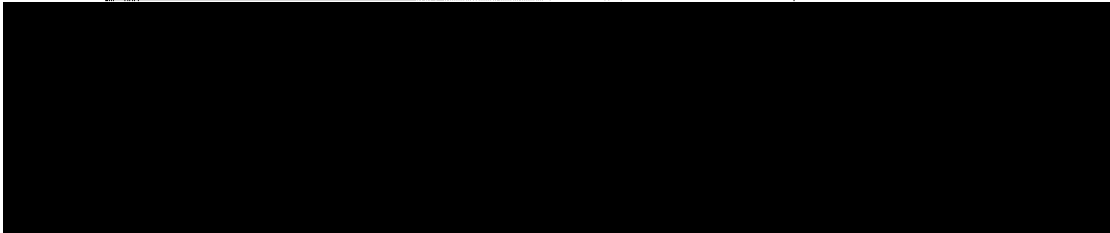
Printed Name: GARRICK LANKFORD

Second Property Owner: 

Printed Name: Tricia Lankford

Contact Person: GARRICK LANKFORD

Name: _____



ST. JOSEPH RIVER

0.9'± TO WATER

3.5'± T WATER

N84°30'09"E 104.42'

NOTCH IN SEAWALL

5/8" REB, 1" DEEP

60.62'

36.5'

40'

44.5'

48.5'

73.83'

0

ROCK STAIR 5.6'± W.

ROCK WALL
ROSSSES LINE

37.66'R

4.96'R

ROCK V 3.5'± W OF LINE

LOT 11

N06°43'43"E 80.81'

81.58'R

80.32'R

CONC. 0.5'± W. OF LINE

N00°39'05"W 80.95'

5'R

5'R

5'R

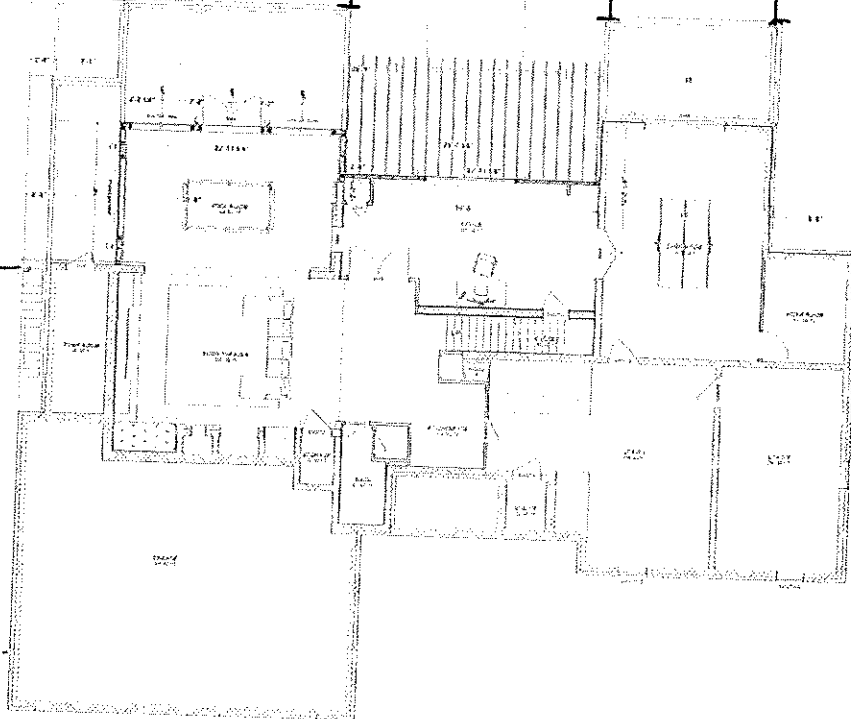
37.50'
S83°26'18"E

85.04'P

5/8" REBAR FL 1.75' WLY. OF

MELROSE MANOR

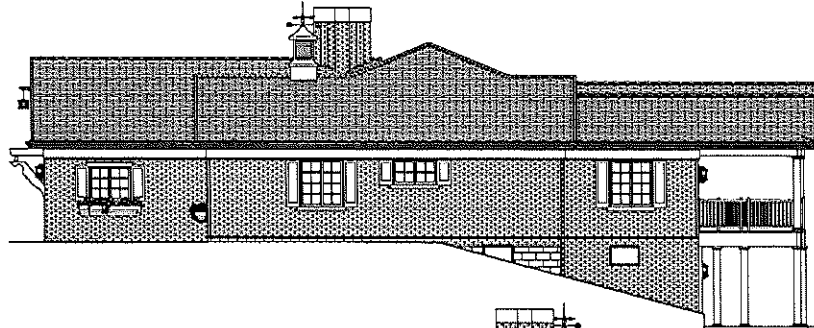
PROPOSED



15
 --- 57' 5" Diagonal
 14
 13
 10
 3226
 77' 4"
 62' 2"
 54' 7"
 72' 5"
 57' 5"



EXHIBIT B



- NOTES**
1. NEW SHINGLE ROOF AS SELECTED BY OWNER. SEE ROOF PLAN FOR NEW ROOF CONFIGURATION.
 2. REPAIR AND REPAINT ALL EXTERIOR TRIM.
 3. NEW EXTERIOR TRIM TO MATCH EXISTING.
 4. SHAKE SIDING IN GABLE WALLS.
 5. LIGHT FIXTURE SUPPLIED BY OWNER.
 6. NEW TRUSSES OVER GARAGE DOORS SUPPORTED BY EXISTING CORNELL.
 7. CONTINUE EXISTING FRIeze BOARD AND HOLDING ACROSS FRONT OF GARAGE.
 8. NEW LIGHT FIXTURES SUPPLIED BY OWNER.
 9. NEW FLOWER BOXES, SUPPLIED BY OWNER.
 10. NEW CUPOLA AS SHOWN.
 11. COMPOSITE ARCH TRIM BOARD (TYPICAL)
 12. NEW CARRIAGE DOOR HARDWARE ON OVERHEAD DOORS.
 13. 11 X 11 FIBERGLASS COLUMNS (TYPICAL)
 14. WHITE ALUMINUM RAILING (TYPICAL) NO INTERMEDIATE POSTS BETWEEN COLUMNS.
 15. COMPOSITE TRIM BOARD (TYPICAL)
 16. CLEAR AND PAINT EXPOSED BLOCK WALL.

- EXTERIOR DETAIL SPECIFICATIONS**
1. REMOVE CORNELL FROM EXISTING HOUSE
 2. PAINT GEMMA TRUSSES
 3. NEW GABLE FRAMED FLUSH WITH BRICK
 4. NEW CARRIAGE HOUSE STYLE HARDWARE ON GARAGE DOORS
 5. COMPOSITE OR PVC FLOWER BOX
 6. SLATED BOTTOM TO SET FLOWER POTS ON. OPEN FOR DRAINAGE
 7. STEEL SUPPORT BRACKET TAP-CONNECTED TO WALL.

THESE PLANS WERE DESIGNED BY A LICENSED ARCHITECT AND ARE TO BE USED ONLY AS SHOWN. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT DOES NOT WARRANT THAT THE INFORMATION IS COMPLETE, ACCURATE, OR UP-TO-DATE. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INCONSISTENCIES IN THESE PLANS. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY ALL INFORMATION AND TO OBTAIN NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

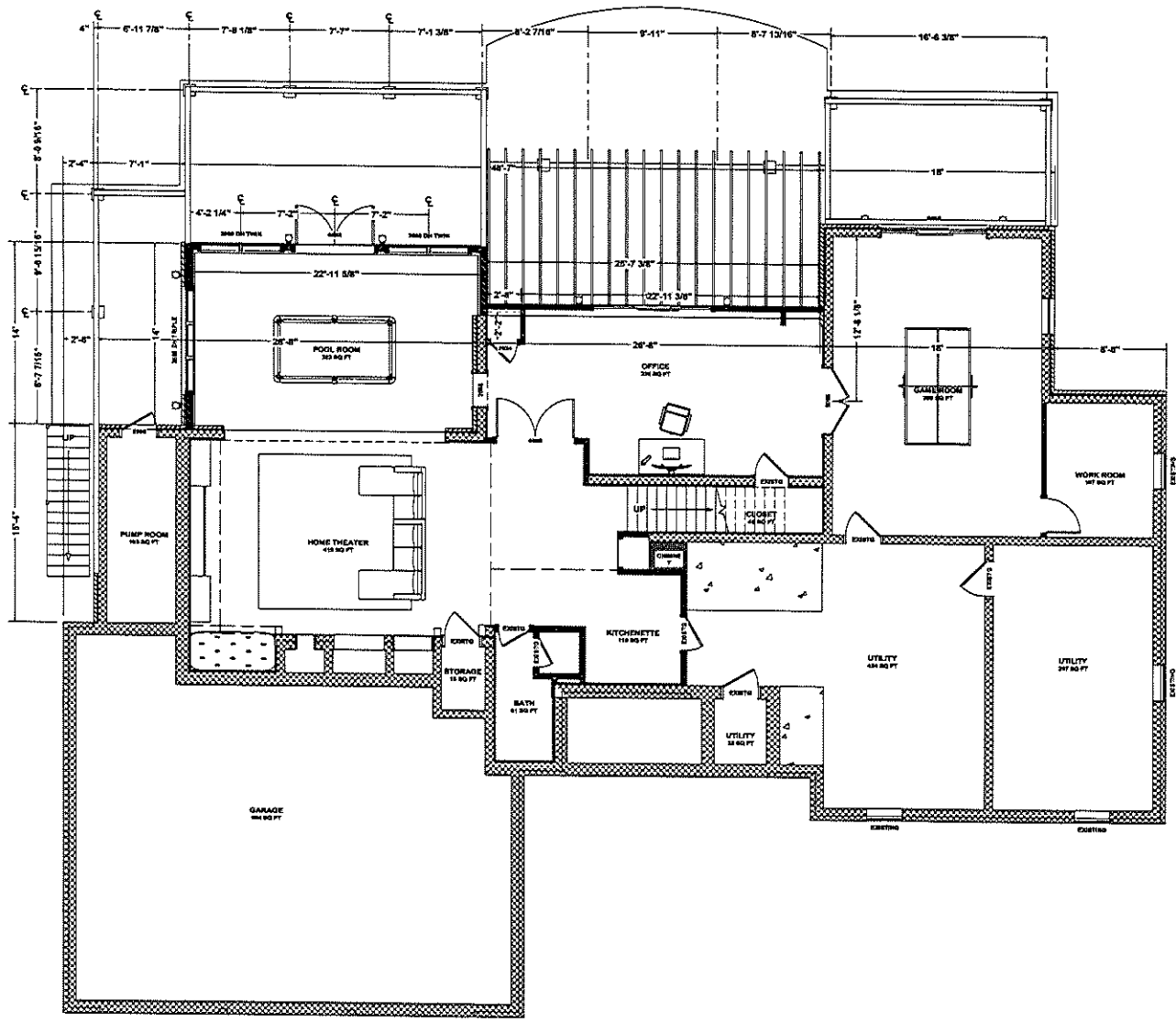
THESE ELEVATIONS ARE SHOWN ONLY TO GIVE THE BASIC APPEARANCE OF THE PROPOSED WORK AND ARE NOT TO BE USED FOR CONSTRUCTION. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT DOES NOT WARRANT THAT THE INFORMATION IS COMPLETE, ACCURATE, OR UP-TO-DATE. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY OMISSIONS, ERRORS, OR INCONSISTENCIES IN THESE PLANS. IT IS THE RESPONSIBILITY OF THE CLIENT TO VERIFY ALL INFORMATION AND TO OBTAIN NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

Exterior Elevations

Gurdak & Trida Lankford
 12 Monroe Manor
 Elkhart IN 46514



DATE: 9/9/2025
 SCALE: 3/16"=1'
 SHEET: A-2



ALL DIMENSIONS TO BE FIELD VERIFIED

VERIFY STRUCTURAL LOAD CONDITIONS AND
 SHOW AS NEEDED PRIOR TO DEMOLITION.
 REMOVE AND PRESERVE ALL LOW VOLTAGE
 WIRING DEVICES FOR FUTURE REUSE.
 REFER TO FLOOR PLANS FOR NEW LAYOUT,
 DOOR AND WINDOW SIZES AND DIMENSIONAL
 INFORMATION.

1. EXISTING RANCH STYLE HOME AND GARAGE WITH HALF-SISTY BAREMETT
2. APPROXIMATE REQUIRED RETRACK LINE
3. 2ND FLOOR ADDITION OVER EXISTING MAIN FLOOR
4. NEW ELUVATED DECK
5. NEW OPEN CONCRETE PATIO BELOW
6. NEW ONE STORY ADDITION WITH WALKOUT BASEMENT
7. NEW ELUVATED DECK WITH ROOF, OVER OPEN PORCH
8. NEW ELUVATED DECK WITH ROOF, OVER SCREENED PORCH
9. REMOVE EXISTING RETAINING WALL
10. RELOCATE A/C CONDENSER UNIT
11. GRADE NEW RAMP FROM FRONT YARD DOWN TO EXISTING REAR YARD ELEVATION
12. BUILD NEW RETAINING WALL ADJACENT AND PARALLEL TO PROPERTY LINE
13. EXISTING CONCRETE SIDEWALK AND DRIVEWAY TO REMAIN
14. EXISTING CONCRETE STAIRWAY TO REMAIN

1. CONCRETE PIER WITH FOOTING TO FRONT LINE, TOP OF PIER AT SAME HEIGHT AS PATIO SLAB, PIER AND FOOTING TO BE SIZED FOR LOADING AND SOIL TYPE.
2. NEW RETAINING WALL, VERIFY COMPANION WITH GENERAL CONTRACTOR.
3. IF THICK Poured CONCRETE FOUNDATION WALL WITH FOOTING TO FRONT LINE, PROVIDE 4" HIGH X 4" DEEP LEDGE ON INSIDE TO RECEIVE REBAR/RET FLOOR SLAB, INSULATE INSIDE OF WALL WITH MINIMUM 2" EXTRUDED POLYSTYRENE INSULATION.
4. FINISHED FLOOR HEIGHT TO MATCH EXISTING HOUSE.
5. PIER FOR POST TO SUPPORT CANTILEVERED FLOOR AND ROOF LOADS ABOVE.
6. PIER FOR POST TO SUPPORT LEDGER FOR DECK ABOVE.

THESE NOTES ARE SUPPLEMENTARY TO THE SPECIFICATIONS AND SHALL BE READ IN CONJUNCTION WITH THEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

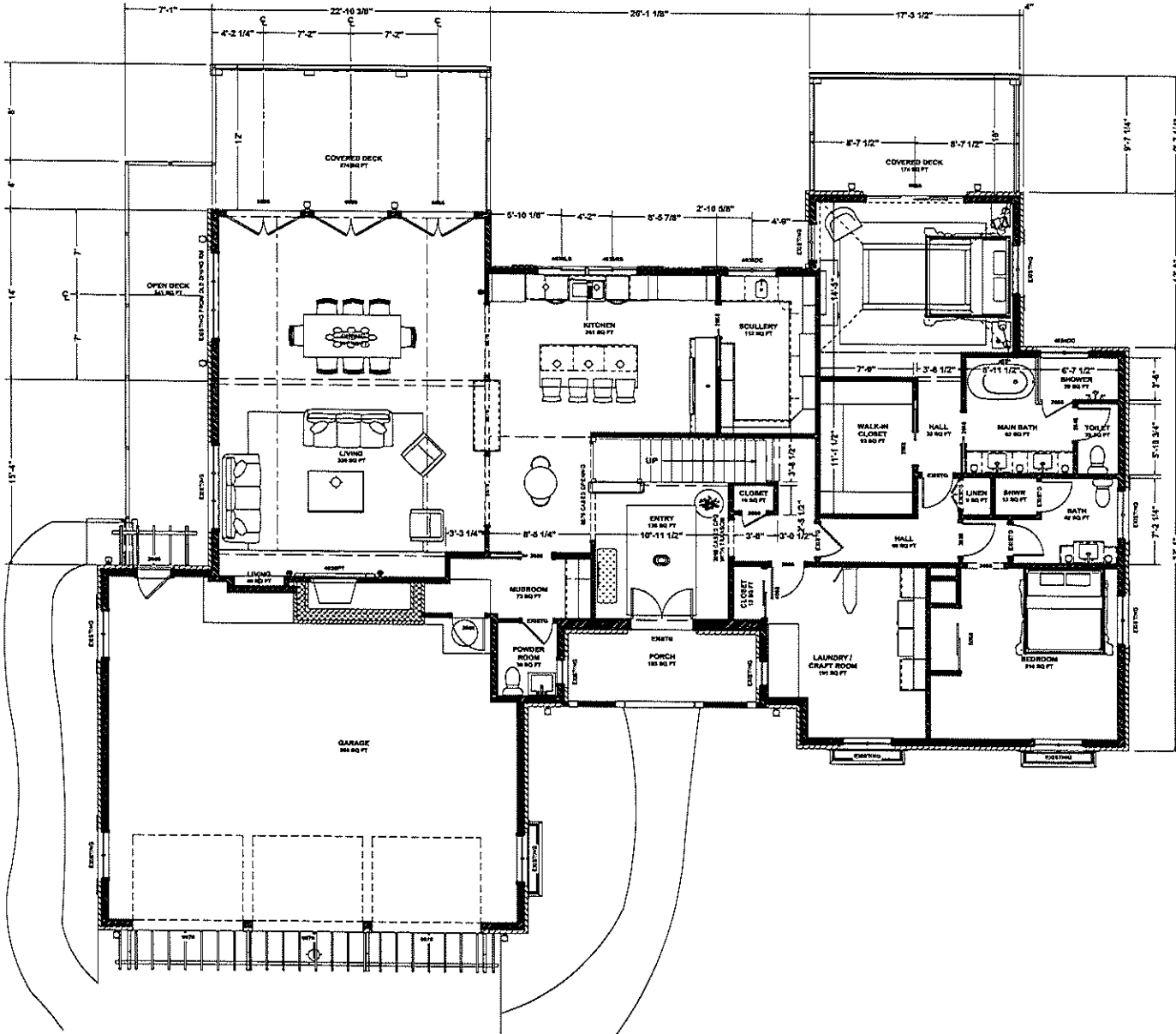
THIS PROJECT IS THE PROPERTY OF THE CLIENT. THE CLIENT HAS BEEN ADVISED THAT THE FOUNDATION PLAN IS NOT TO BE USED FOR ANY OTHER PROJECTS WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. ALL FLOOR SYSTEMS AND BEAMS ARE TO BE DESIGNED AND CONSTRUCTED BY AN ENGINEER LICENSED IN THE STATE OF CALIFORNIA.

PROJECT
Foundation Plan

PREPARED BY
Garrick & Tricia Lankford
 12 Melrose Manor
 Eureka IN 46514



DATE:
 9/9/2025
 SCALE:
 1/4"=1'
 SHEET:
 A-3



- NOTES**
1. EXISTING RANCH STYLE HOME AND GARAGE WITH WALKOUT BASEMENT
 2. APPROXIMATE REQUIRED RETRACTION LINE
 3. NEW ELONGATED DECK
 4. NEW OPEN CONCRETE PATIO BELOW
 5. NEW ONE STORY ADDITION WITH WALKOUT BASEMENT
 6. NEW ELONGATED DECK WITH ROOF, OVER OPEN PORCH
 7. REMOVE EXISTING RETAINING WALL
 8. RELOCATE A/C CONDENSER UNIT
 9. BRIDGE NEW RAMP FROM FRONT YARD DOWN TO EXISTING REAR YARD ELEVATION
 10. BUILD NEW RETAINING WALL ADJACENT AND PARALLEL TO PROPERTY LINE
 11. EXISTING CONCRETE SIDEWALK AND DRIVEWAY TO REMAIN
 12. EXISTING CONCRETE STAIRS TO REMAIN

ALL DIMENSIONS TO BE FIELD VERIFIED

VERIFY STRUCTURAL LOAD CONDITIONS AND BRACE AS NEEDED PRIOR TO DEMOLITION.

REMOVE AND PRESERVE ALL LOW-VOLTAGE WIRING DEVICES FOR FUTURE RE-USE.

REFER TO FLOOR PLANS FOR NEW LAYOUT, DOOR AND WINDOW SIZES AND DIMENSIONAL INFORMATION.

1. DEMOLISH EXISTING WALL
2. DEMOLISH EXISTING PORCH ROOF, RAILING AND DECK
3. DEMOLISH DECK OVER PUMP ROOM, INSTALL PATCH AND SEAL CONCRETE ROOF DECK AND INSTALL NEW WATERPROOF MEMBRANE FLASHED INTO BRICK WALL ABOVE.
4. DEMOLISH WINDOWS AND WALL, PROVIDE NEW FLUSH GARAGE DOOR FRAME TO SUPPORT EXISTING ROOF AND CEILING.
5. REMOVE AND DISPOSE OF 2 EXISTING WINDOWS, REPLACE WITH NEW UNITS AS SHOWN ON MAIN FLOOR PLAN
6. REMOVE DINING ROOM WINDOWS AND STOVE FOR REUSE IN NEW DINING ROOM.
7. BA
8. REMOVE AND SAVE DUMPSTER GARAGE AND LIFTING RESEARCH.
9. DEMOLISH AND REMOVE CHIMNEY FROM TOP ABOVE ROOF, DOWN TO JUST BELOW MAIN FLOOR SUB-FLOOR.
10. REMOVE WINDOWS AND RE-FRAME OPENING FOR NEW PATIO DOOR AS SHOWN ON MAIN FLOOR PLAN.
11. INSTALL COLLAR TIE AT 4" 18" ABOVE MAIN FLOOR, DEMOLISH CEILING AND CEILING JOISTS AS NECESSARY
12. INSTALL FLUSH HEADER TO SUPPORT CEILING JOISTS AS NECESSARY
13. REMOVE BATHROOM WINDOW AND REPLACE WITH VINYL OR FIBERGLASS UNIT SUITABLE FOR SHOWER LOCATION.
14. FRAME IN EXISTING DOOR OPENING.
15. REMOVE DOOR AND FRAMING CAUSED OPENING.
16. REMOVE PROTECTIVE GABLE OVER GARAGE DOOR, FRAME IN GAMBREL WALL ABOVE GARAGE DOOR WALL, FRAME NEW EYEBROW ROOF AND RAILE OVERHANG TO MATCH EXISTING HOUSE ROOF AND DETAILS.
17. PRESERVE WOOD CORBELS FOR LATER RE-USE.
18. N/A
19. REMOVE 3" WIDE X 8" DEEP SECTION OF FLOOR TO PROVIDE SPACE FOR DUMPSTER SHAFT HEAD OFF 2 X 18 FLOOR JOISTS AS NEEDED.

PLEASE REVIEW THE SELECTIONS FOR THE SPEC INTENT OF DESIGN. THERE HAS BEEN NO ATTEMPT TO REPRESENT ALL TRADE PROFITS.

RESISTANCE TO DESIGN, ALL ROOMS AND TO NOTIFY ALL DESIGNERS TO DESIGN, ALL TRADES ARE TO BE DESIGNED AND ALL FLOOR SYSTEMS AND BEAMS ARE TO BE DESIGNED AND CENTERED BY AN ENGINEER LICENSED IN THE STATE OF IOWA.

Project: **First Floor Plan**

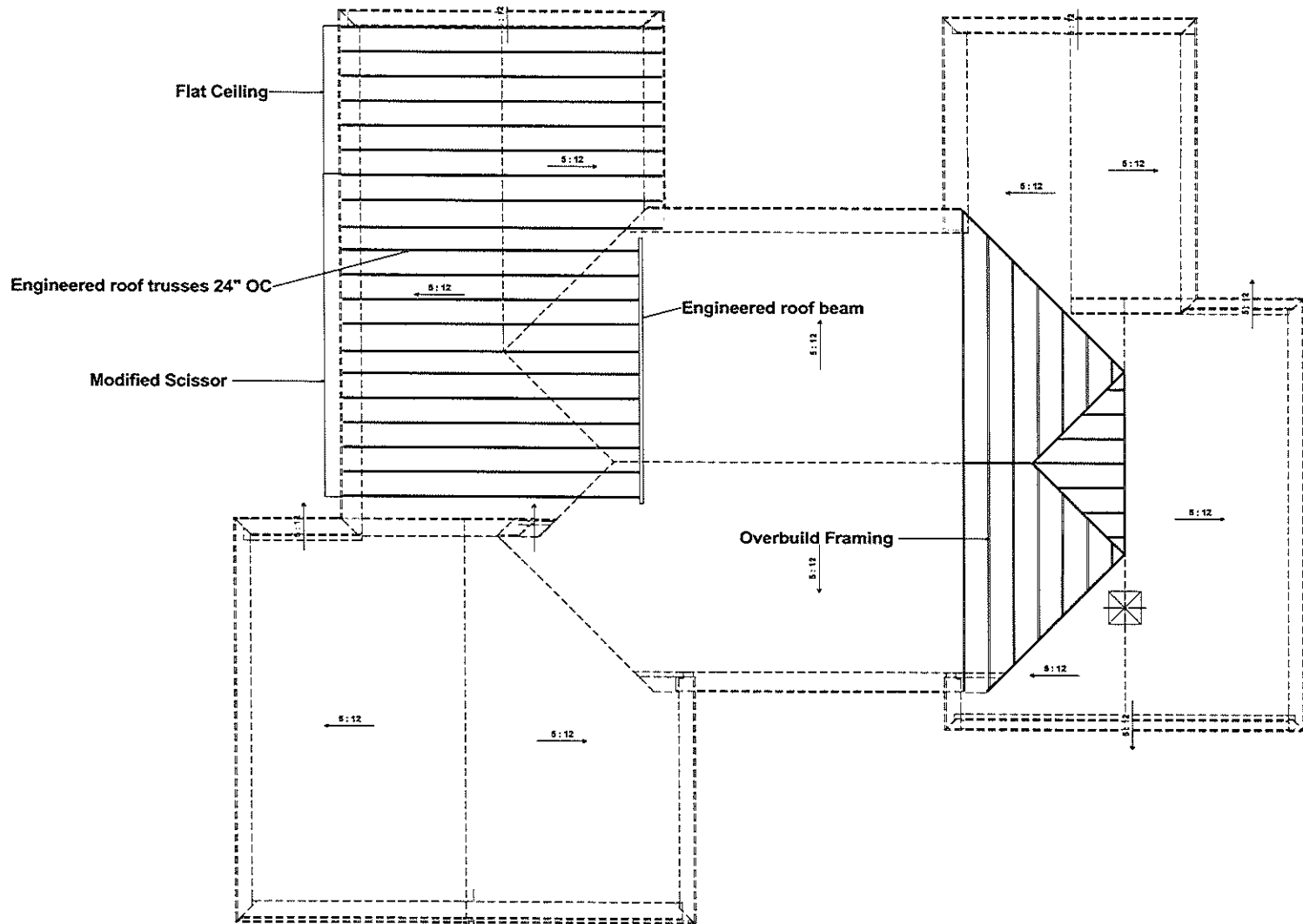
Client: **Garrick & Tricia Lankford**
12 Melrose Manor
Elkhart IN 46514

Architect: **Freedom Design**
 1234 Main St., Elkhart, IN 46514

DATE: **9/16/2025**

SCALE: **1/4" = 1'**

SHEET: **A-4**



NOTES

FULL WIDTH 8:12 ROOF OVERHANG ROOFS AT ALL GABLES. ALL EAVES TO BE SAME HEIGHT EXCEPT ABOVE FRONT PORCH. ALL OVERHANGS TO MATCH EXISTING HEIGHT. ALL GUTTERS AND GABLE TIES TO MATCH EXISTING HOUSE, AS CLOSELY AS POSSIBLE, SEE ELEVATIONS.

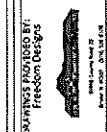
1. BRICK CHIMNEY TO BE DEMOLISHED. REMOVE DOWN TO JUST BELOW MAIN FLOOR LEVEL.
2. DEMOLISH ROOFING AND FRAMING OF EXISTING GABLE.
3. DEMOLISH ROOFING AND FRAMING AS NECESSARY TO EXTEND EAST SLOPE UP INTO HP AS SHOWN.
4. REMOVE EXISTING ROOFING MATERIALS TO SHEATHING LAYER. REPLACE AND REPAIR DAMAGED SHEATHING AS REQUIRED. REMOVE EXTRANEOUS JOCKING AND FRAMING AS NEEDED TO MEET NEW CONFIGURATION. BUILD NEW ROOF.
5. NEW ROOF SHEATHING AS SELECTED BY OWNER. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.
6. INSTALL NEW ROOF VENTS TO PROVIDE CODE-REQUIRED VENTILATION.
7. NEW GUTTERS AND DOWNSPOUTS AS NEEDED.

THESE PLANS AND SPECIFICATIONS SHALL BE CONSIDERED TO BE THE SOLE RESPONSIBILITY OF THE ARCHITECT. THE ARCHITECT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THAT ALL WORK IS IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE STRUCTURAL SOUNDNESS OF THE EXISTING STRUCTURE OR FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE ROOFING SYSTEM AS SHOWN ON THESE PLANS.

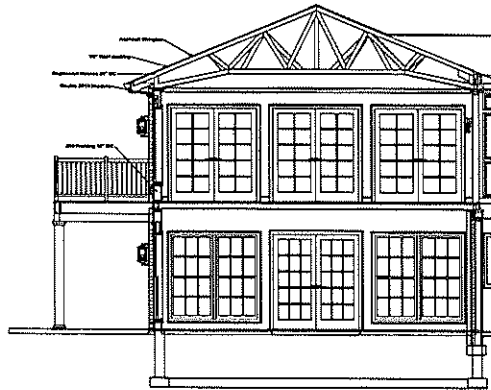
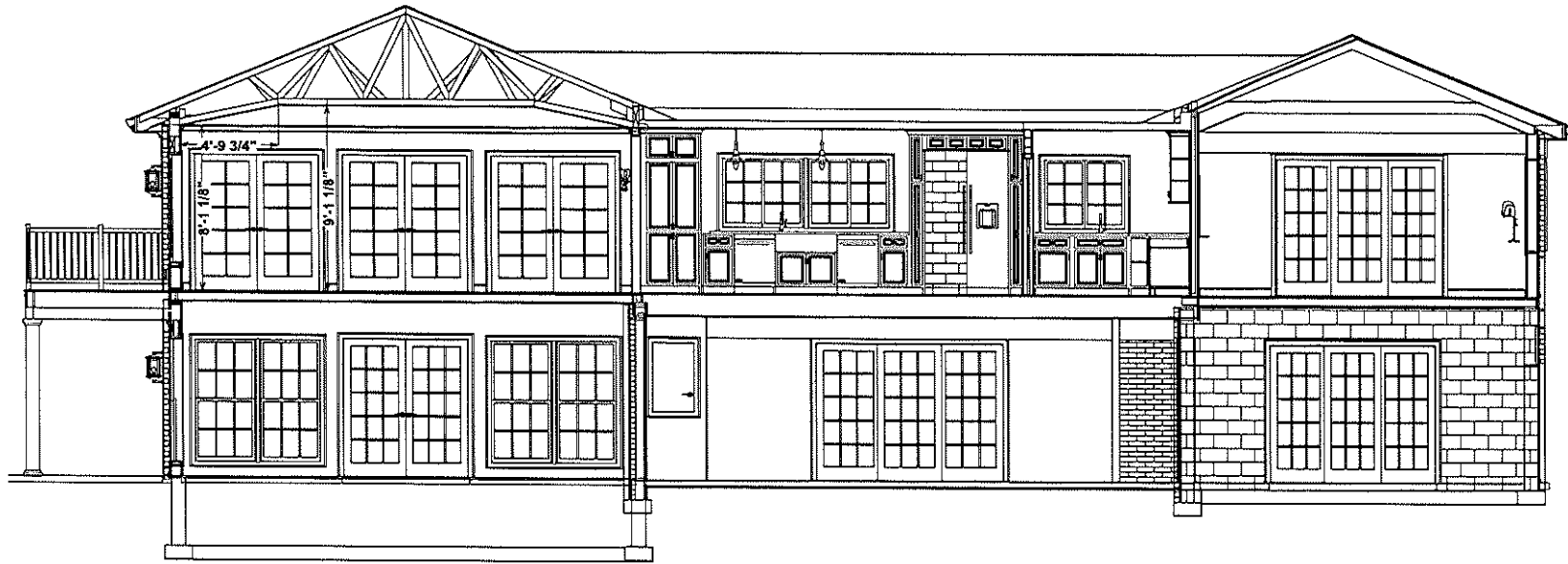
TRUSS PROFILES ARE SHOWN ONLY TO GIVE THE BASIC GENERAL IDEA OF THE TRUSS AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. ALL TRUSS PROFILES REPRESENTED IN THIS PLAN ARE TO BE DESIGNED AND MANUFACTURED BY AN ENGINEER LICENSED IN THE STATE OF INDIANA.

DRAWING PROVIDED BY:
 Freedom Design

Prepper
 Garrick & Trista Lankford
 12 Melrose Manor
 Elkhart IN 46514



DATE:
 9/16/2025
 SCALE:
 1/4"=1'
 SHEET:
 A-5



THESE DRAWINGS ARE PRELIMINARY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE BUILDING BEFORE CONSTRUCTION. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGES OR INJURIES RESULTING FROM THE USE OF THESE DRAWINGS.

TRUSS PROFILES ARE SHOWN ONLY TO GIVE THE BASIC REPRESENTATION OF THE TRUSS SYSTEM. ALL TRUSS PROFILES MUST BE APPROVED BY A TRUSS ENGINEER TO EFFECTUALLY BRACE AND TO NOTIFY ALL LOCAL JURISDICTIONS. ALL JOINTS AND CONNECTIONS MUST BE TO THE DESIGN AND CERTIFIED BY AN ENGINEER LICENSED IN THE STATE OF INDIANA.

Cross Section Views

Garlick & Tricia Lankford
12 Melissa Manor
Elkhart IN 46514



DATE: 9/9/2025
SCALE: 3/8"=1'
SHEET: A-6