

**MAY 12, 2015**

**BOARD OF ZONING APPEALS  
MISHAWAKA, INDIANA**

A regular meeting of the Mishawaka Board of Zoning Appeals was held Tuesday, May 12, 2015, at 6:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Board members attending: Charles Krueger, Don McCampbell, and Marcia Wells. Absent: Charles Trippel and Ross Portolese. In addition to members of the public, the following were also in attendance: David Bent, Ken Prince, Greg Shearon, Christa Hill, and Kari Myers.

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Mr. McCampbell explained the Rules of Procedure.

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The Minutes of the April 14, 2015, meeting, were approved as distributed.

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Conflict of Interest was not declared.

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**PUBLIC HEARING:  
APPEAL #15-19**

An appeal submitted by Vanessa Jackson requesting a Use Variance for **1026 Dodge Avenue** to permit a daycare center/pre-school/community center on R-2 Two Family Residential zoned property.

Vanessa Jackson, 407 W. 6<sup>th</sup> Street, Mishawaka, presented the Appeal. She said she's seeking a Use Variance to open a preschool in the former Salvation Army building. Her business will be named "Young Minds Development Center."

Ms. Jackson said she's an elementary teacher in Elkhart and has been teaching for six years. She said she's taught in Indianapolis and Kentucky. She moved here in 2006 and has a Master's in Education from IUSB. She's also the mother of two children.

Ms. Jackson said she went thru the City's First Time Homebuyer program and loves her home and neighborhood.

Ms. Jackson said she wants to make a positive difference and outlined what she wants to do with the building and gave an in-depth presentation on the programs which are geared to children ages 2 thru 12.

Ms. Jackson said she has removed the outdated playground equipment, cut the grass, removed and cleaned up old shrubbery around the building. She said she wants the community to know her passion is real. She said she'll also repair and renovate the sidewalks, will replace and repaint the parking lot, updating fire control, and will paint the exterior of the building.

Ms. Jackson said in May she will be doing interior and exterior painting, repair sidewalk, and install new playground equipment. In June, she'll partner with Work One to work on hiring

qualified teachers, and fulfill licensing requirements. In July she'll complete the finishing touches and hold a community picnic.

Mr. Krueger asked if she was aware of the conditions of approval. Ms. Jackson said yes, and they will be done.

Mr. McCampbell closed the Public Hearing.

**Staff Recommendation**

*The Staff recommends in favor of Appeal 15-19, a use variance for daycare/pre-school/community center at 1026 Dodge Street, subject to the following conditions:*

- 1. A site plan shall be submitted to the Department of City Planning showing proposed parking layout in regards provided parking space per use;*
- 2. Temporary signage is limited to flush mounted to wall.*

*This recommendation is based on the following reasons:*

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because the proposed use will occupy a previously vacant site.*
- 2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because of the construction and past use of this building as a community center.*
- 3. The need for a variance arises from the history of the site, a former Salvation Army. A use variance would allow those types of uses to take place, without while still protecting the surrounding residential from more commercial uses.*
- 4. The strict application of the terms of this chapter will result in practical difficulties in the use of the property because the current R-2 Two-Family zoning would not allow for the proposed daycare/pre-school/community center.*
- 5. The approval will not interfere substantially with the Mishawaka 2000 Plan because the plan identifies other surrounding areas as residential and the property will remain zoned residential. The approval is consistent with the goals and objectives of the Comprehensive Plan.*

**MOTION:** Charles Krueger moved to forward Appeal #15-19 to the Common Council with a favorable recommendation. Marcia Wells seconded; motion carried with a vote of 3-0.

**ADJOURNMENT:** 6:21 p.m.

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Kenneth B. Prince, City Planner

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Kari Myers, Administrative Planner