

MAY 15, 2018

**BOARD OF ZONING APPEALS
CITY OF MISHAWAKA, INDIANA**

The regular meeting of the Mishawaka Board of Zoning Appeals will be held Tuesday, May 15, 2018, at 6:00 p.m. in the Council Chambers, City Hall, 600 East Third Street, Mishawaka, Indiana. Board members attending: Charles Krueger, Don McCampbell, Marcia Wells, and Larry Stillson. Absent: Charles Trippel. In addition to members of the public, the following were also in attendance: David Bent, Derek Spier, Christa Hill, and Kari Myers.

Mr. McCampbell explained the Rules of Procedure.

The Minutes of the April 10, 2018, meeting, were approved as distributed.

Conflict of Interest was not declared.

PUBLIC HEARING:

APPEAL #18-14 An appeal submitted by the Foundation for the Center for Hospice & Palliative Care, Inc. requesting various Developmental Variances for the southwest corner of Comfort Place and Cedar Street, Mishawaka, Indiana, to permit reduced front, side, rear yard setbacks and lot width.

Mike Wargo, Chief Operating Officer, Center for Hospice, said about five years ago in July Hospice opened a new campus across the river. He said one of the agreements they had with the City was Hospice would build a new residential home to sell at the corner of Comfort Place and Cedar Street. Mr. Wargo said they engaged the services of Helman Sechrist Architecture to design the homes and asked them to design something similar to other homes that sit along Cedar Street.

Mr. Wargo said most of the homes were built in the early 1920's and the goal was to create something that had been there. As part of that process, they looked at this and the site and the property they had to work with and concluded they could build two homes. Mr. Wargo said Helman Sechrist came up with two similar designs.

Chris Chockley, Jones Petrie Rafinski, 325 S. Lafayette Blvd, South Bend, said Lots A and B are for residential and Lot C is for the Hospice sign and landscaping. He said due to the interesting shape of the site, they are asking for several setback variances; front, side and rear.

Mr. McCampbell asked if the houses would be sold to anyone. Mr. Wargo said yes. The plan is to create flyers to get the information out and share with the real estate community. He said they would like to sell on their own, but would be willing to entertain any realtors. Mr. Wargo said they want to minimize the amount paid in commissions.

Mr. Wargo said they are looking at the \$320,000.00 price range. The homes will have all the modern amenities, finished basement, two-stall garage. He said they will be attractive, but the question will be whether they will have people who will step up and pay that amount.

Mr. Wargo said with the second home, which will be a ranch-style home, they hope to create an opportunity in the area for future development. He said they hope to upgrade the area and had a meeting with neighbors and made the proposal to them. Mr. Wargo said there have been a lot of homes in the area that have been selling for more than that just a few years ago.

Mr. Stillson asked if the house will be built in stages or at the same time. Mr. Wargo said the two-story home will be built first, and their plan is to use as a model home before building the ranch house.

Mr. McCampbell closed the Public Hearing on Appeal #18-14.

Staff Recommendation

The Staff recommends approval of the following variances to allow:

- 1. Front yard setback from 25' to 20';*
- 2. Side yard setback from 5' to 3' between Lot A and B;*
- 3. Rear yard setback from 25' to 12', if additional off-street parking can be provided nearby, or 18' if additional off-street parking is not provided; and*
- 4. Lot Width from 60' to 50'.*

This recommendation is based upon the following Findings of Fact:

- 1. Approval will not be injurious to the public health, safety, morals or general welfare of the community because the construction will be completed in accordance with all applicable state and local building codes, and will be professionally installed with quality materials;*
- 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 the improvements are meant to match the existing 45' wide lots in the area;*
- 3. Strict application of the terms of the On-Premise Sign Standards Ordinance will result in practical difficulty because this is an in fill project, the area to work with is limited.*

MOTION: Charles Krueger moved to approve Appeal #18-14. Larry Stillson seconded; motion carried with a vote of 4-0.

ADJOURNMENT: 6:12 p.m.

Kenneth B. Prince /s/
Kenneth B. Prince, City Planner

Kari Myers /s/
Kari Myers, Administrative Planner