

**AREA BOARD OF ZONING APPEALS  
ST. JOSEPH COUNTY, INDIANA**

**MINUTES**

Wednesday, April 11, 2018  
1:30 p.m.

4th Floor, Council Chambers  
County-City Building, South Bend, IN

**MEMBERS PRESENT:**

Michael Urbanski  
Kathy Schuth  
John Leszczynski  
Brendan Crumlish

**MEMBERS ABSENT:**

Robert Hawley  
Randy Matthys  
Jack Young

**ALSO PRESENT:**

Brandie Ecker  
Jennifer Henthorn  
Angela Smith

**PUBLIC HEARINGS:**

- 1 The petition of VELDMAN ENTERPRISES INC seeking the following variance(s):  
1) from the maximum allowed 100 sq. ft. for a freestanding sign to 215 sq. ft.; 2)  
from the maximum allowed 25' height for a freestanding sign to 26' and 3) from  
the required 5' setback to 0', property located at 5222 W WESTERN AVE, Portage  
Township. Zoned CB Community Business District.**

**PETITIONER**

**KEVIN PACZKOWSKI:** Kevin Paczkowski, 58472 Eastwood Drive, South Bend 46619. I am an employee of Veldman Service Center and am here to petition on behalf of the sign that we are looking for a variance on. It is a free-standing sign that has been there for 26 years. As you can see, all we are trying to do is change out the existing panels. We are not changing the size of the sign whatsoever. The twenty-five years that it has been in, it has certainly seen its share of wear and tear. We are trying to upgrade it along with some other remodeling that is being done at our corner, which is right at the beginning of the corridor at Western and Mayflower. Very simple changes. We've changed our logo and we are just trying to upgrade. We do have some existing funding that is coming from NAPA, which will allow to help pay for a lot of the sign structure that we are trying to do. What we basically want to do and what we are asking for is for the existing sign frame etc. to stand as it is and continue to be the way it is except changing out the existing panels. So, that is going from the 25 ft. to 26 ft. which is the exact size of the pole is right now. The panels themselves will be replaced with a little bit different size of each panel but the total existing panels will be reduced. We have eliminated the bottom and you'll see on the after side, that last 3 ft. at the bottom, we are not going to have that. So what we're looking for is about 175 sq. ft. It will be the Veldman Auto Center sign, the All Secure Self Storage sign, the Veldman's Hybrid and the NAPA is what we're asking for at that point. Again, the sign placement has not changed and it is in the setback, the 5 ft. requirement. We're asking for 0 ft., basically keeping it exactly where it is right now.

**KATHY SCHUTH:** Kevin, just to be clear, your suggesting a 175 sq. ft. proposed sign?

**KEVIN PACZKOWSKI:** Right. We have 215 ft. up there now that has been there forever. We are asking for 175 sq. ft.

**KATHY SCHUTH:** Right. Okay.

**KEVIN PACZKOWSKI:** We were asking for 215 sq. ft. We are now asking for 175 sq. ft.

**KATHY SCHUTH:** Dropping off the changeable letter as part of the sign.

KEVIN PACZKOWSKI: That is correct.

ANGELA SMITH: By my calculation that would be 150 sq. ft. If they remove the bottom cabinet, the 3 ft on the bottom cabinet, the 12 ft. by 12 ft. 6 inches would be 150 sq. ft.

MICHAEL URBANSKI: And the limit is 140 sq. ft.? Correct?

ANGELA SMITH: Correct.

MICHAEL URBANSKI: Driving by the area and looking at it, looking at the full sign, I have no problem especially with taking that bottom cabinet out. It's probably going to hurt them because a message board probably would be an ideal place there.

KEVIN PACZKOWSKI: That was a concession.

MICHAEL URBANSKI: Right. Especially with that, I see nothing wrong with it.

BRENDAN CRUMLISH: The sign is internally illuminated?

KEVIN PACZKOWSKI: It is not.

BRENDAN CRUMLISH: It is not?

KEVIN PACZKOWSKI: Oh, I am sorry. It will be.

BRENDAN CRUMLISH: It will be.

LOREN VELDMAN: Loren Veldman, 26668 Boulder Bay Drive, South Bend, Indiana. The sign is illuminated. It just doesn't work right now. That will be fixed when we redo it.

BRENDAN CRUMLISH: So it will be lit when it is replaced?

LOREN VELDMAN: Yes.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

ANGELA SMITH: Their change to remove the bottom 3 ft. of the panels certainly brings it closer to conformance with the ordinance. Our concern and our initial staff comment prior to the meeting was that the legal non-conforming status is there because over time you are supposed to come into conformance. It's not designed to encourage a continuation of something and do a variance by legalizing it. I think that their concession to remove that, I know they said 175 sq. ft. but I calculate 150 sq. ft., I think it is a reasonable request. I will change our comments.

After careful consideration, the following action was taken:

Upon a motion by John Leszczynski, being seconded by Michael Urbanski and unanimously carried, a petition by VELDMAN ENTERPRISES INC seeking the following variances: 1) from the maximum allowed 100 sq. ft. for a freestanding sign to 150 sq. ft. as amended; 2) from the maximum allowed 25' height for a freestanding sign to 26' and 3) from the required 5' setback to 0' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young – Absent

- 2 The petition of AARON M & CAROLINA WARKENTIN seeking the following variance(s): 1) from the maximum allowed 2,584 sq. ft. for an accessory structure to 4,116 sq. ft. and 2) from the maximum allowed height of 19' for an accessory structure to 24', property located at 23335 ADAMS RD, German Township. Zoned R: Single Family District.**

PETITIONER

CAROLINA WARKENTIN: I am Carolina Warkentin and I live at 23335 Adams Rd, South Bend, Indiana 46628. My husband, Aaron, couldn't be here today. Unfortunately, he had a business trip he couldn't get out of. I am here as the family representation. I don't know quite what to say about it other than what you probably have in front of you. Our intention is to build an out building, pole barn that would house our family's personal collection of automobiles. We are hobbyists. My husband works for the Studebaker Museum as a curator there and he likes to work on cars. We also have family. All of our family lives a long way away. My in-laws like to come and visit and they have a fifth wheel. Part of the reason for the length of the building is to accommodate their RV when they come to visit. I will answer questions.

KATHY SCHUTH: Since we only have a rectangle to go from, it sounds like your description is of a pole barn but attached to it would be a slab with a covered area, roughly 800 sq. ft. of that area?

CAROLINA WARKENTIN: Yes.

KATHY SCHUTH: How tall is that covered area?

JOHN LESZCZYNSKI: It says 24 ft.

KATHY SCHUTH: I assume that is the ridge of the pole barn.

CAROLINA WARKENTIN: Yeah, I am looking at the map the of the contractor that we consulted with.

KATHY SCHUTH: I am wondering is that an area where the fifth wheel would be pulling into and parking?

CAROLINA WARKENTIN: Yes.

KATHY SCHUTH: So it is pretty tall?

CAROLINA WARKENTIN: The numbers, if I am interpreting this correctly, calling it a 24-ft. porch. A covered porch area.

KATHY SCHUTH: Okay, that is 24-ft.

BRENDAN CRUMLISH: May I ask what the practical difficulty would be if we were not to approve this variance?

CAROLINA WARKENTIN: Well, it would limit what we can put in it. We have a car trailer, truck and car trailer which wouldn't be able to fit inside. To protect the vehicles and the equipment we would like them to be inside out of the elements.

BRENDAN CRUMLISH: Are they currently sitting outside right now?

CAROLINA WARKENTIN: Yes.

MICHAEL URBANSKI: I struggle with buildings, especially of this size, in residential areas. I can live with the additional square footage. I don't like it. I can live with it. I realize you got a lot of trees around there. I really struggle with that extra 5 ft. going up to 24 ft. Nineteen and looking at most motor homes, I realize if you put it inside the building that's low enough through the door. I'm calling it a lean to, your calling it a porch, okay. Nineteen feet should not, in my opinion, should not be that much of a difficulty. I can live with the extra square footage but I really struggle with the 24 ft.

BRENDAN CRUMLISH: Mike, I agree. At 24 sq. ft. that is a two-story building. I mean this is enormous.

MICHAEL URBANSKI: Yes, and what you just described me went in it, if you had a big class A motorhome and have them put that door up there then I understand having to go up higher. What you have just described I see no sense in that 5 ft. I realize there is not response from Area Plan. Would it be something you could consider lowering to 19 ft.?

CAROLINA WARKENTIN: I'm sure there are options. I have to admit I am kind of at a disadvantage here because I wasn't part of the initial conversation with the contractor who drew up some plans. I think it has, I am not sure exactly where they came up with that number. I think part of it was for aesthetics. We were trying to come up with something that didn't look.....

MICHAEL URBANSKI: Well, that looks kind of ridiculous.

CAROLINA WARKENTIN: But my understanding is the height of the garage door to accommodate an RV, that would be the main consideration. I would imagine there is probably other ways to work around that.

MICHAEL URBANSKI: Just to let you know because this is a four-person board as our Chairman spoke at the beginning. If you get turned down you have to wait six months.

BRENDAN CRUMLISH: To re-petition.

MICHAEL URBANSKI: I suggest that you would ask to continue this on to the May meeting so you can get more information from your builder or from whoever else is involved. I hate to say it this way, a vote right now would turn you down and I am trying to tell you to save you the hassle.

BRENDAN CRUMLISH: Well, you speak for yourself.

BRENDAN CRUMLISH: A split vote would automatically table it. That's right. I'm not saying we would positively deny it at this moment.

MICHAEL URBANSKI: I'm just saying, I would deny it.

CAROLINA WARKENTIN: Okay, I appreciate your forthrightness there. Where we are located, most of our neighbors do have out buildings of various sizes. We're in a very secluded area. The property itself is long and narrow. It's almost 4 acres. It really wouldn't even be visible from the street most likely. Obviously, we will respect your decision but at this point we didn't really feel like it would be harming anybody.

ANGELA SMITH: Mrs. Warkentin, my question is the location. Would it be behind the evergreen trees we see there next to the building?

CAROLINA WARKENTIN: Yes.

ANGELA SMITH: Are those proposed to stay?

CAROLINA WARKENTIN: Yes. Behind that cluster of evergreen trees is a long, basically vacant land. There is a corn field that is no longer farmed. The previous tenant rented out that field to a local farmer. The land itself is not being used. One of our purposes in buying the property was to build a structure similar to this, something like this. We don't have a lot of other plans for the property at the moment except maybe to get some goats to help take care of all the weeds and stuff. The land itself is not really being used at the moment.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

BRENDAN CRUMLISH: I would like to say this. I think my concern, and Mike might share this, this is such a large building. It could easily encourage some commercial venture at some point. I'm not saying this particular owner is intent on doing that but the property could be sold in a few years and then the property turns into a machine shop or an auto repair shop pretty well hidden and it just becomes a little cottage industry that is not allowed. I am quite concerned that this is such a large building, height and size. I think I share Mike's opinion. I don't really support this large of a building at this time. Does anyone else have any comments?

MICHAEL URBANSKI: I have one comment. It's something that I said earlier if it gets turned down now, you have to wait 6 months. You have the option to bring it back at the May meeting after discussing it with whoever is involved with you. At that time there might be 7 members here. It might be a horse of a different color but that's a crap roll that your playing right now. Excuse me how I said that.

BRENDAN CRUMLISH: It's a roll of the dice

MICHAEL URBANSKI: So all you would have to do is request to have it tabled for a month before the vote.

BRENDAN CRUMLISH: We're giving you a choice here.

CAROLINA WARKENTIN: I'd be happy to table it for the next month. Does that require reissuing new variance request or new paperwork?

ANGELA SMITH: No. There is no additional paperwork. There would not be any new advertisements because the public hearing was heard. You will get a letter letting you know that you need to attend, but there are no additional requirements by you.

KATHY SCHUTH: I would appreciate, if possible, a little more information on how the building looks. A front view of it so we have a better sense of it.

ANGELA SMITH: If you are able to submit those ahead of time we will make sure the board has them before the meeting.

CAROLINA WARKENTIN: Okay. I will request that to be tabled for May.

JOHN LESZCZYNSKI: I suggest you show the height of the trees and the density around it so we can see in relation to all the property around there.

MICHAEL URBANKSI: You can't bring too much information is what we're trying to say.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by Kathy Schuth and unanimously carried, a petition by AARON M AND CAROLINA WARKENTIN seeking the following variances: 1) from the maximum allowed 2,584 sq. ft. for an accessory structure to 4,116 sq. ft. and 2) from the maximum allowed height of 19' for an accessory structure to 24' was tabled as presented.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young - Absent

**3 The petition of GW SOUTH BEND IN LLC seeking the following variance(s): 1) from the minimum 15' front parking setback to 0', property located at 206 W IRELAND RD, Centre Township. Zoned CB Community Business District.**

PETITIONER

MITCH GOLTZ: My name is Mitch Goltz. I live at 755 Grove Street, Illinois. I'm with my architect, Mark Degansee from Design Studio 24. Yes, I am the owner of GW South Bend, LLC as well as the former Aunt Millie's property. We purchased this property late last year for retail development. We have proposed a three-tenant building, which is two thirds leased already. With that plan we have Aspen Dental on one endcap, T-Mobile on the other and we are talking to various restaurants and other retail users for that middle space. We are in front of you today seeking a parking variance in the front. Our position on this is, I guess several years ago the property line went into the middle of Ireland Road and in the last few years the road portion was deeded to the city and the property line then moved to that dash line that is shown on the site plan. The front yard setback then had been moved inward from where we show the current parking. Our plan, we designed this very carefully, around the existing condition of the neighboring building with Chipotle and ATI Physical Therapy where we maintain a double row of parking on one side, a single row on the west and a double row in the back. This site is on somewhat of an island with the Chipotle. There is a large retaining wall in the back of the property that falls on the side. When we designed this we wanted the parking in front to be accessible to the customers and all the patrons that come to the property. It turned out in the permitting process that we were needing to seek a variance because our parking is at the front of the new property line. If the property had not been deeded to the county or to the city we would not be in front of you guys today. The property to the right of us was the same situation but it's my understanding from speaking with the village that they have not yet deeded their portion of Ireland Road to the city. That condition, our property, our parking is actually further from the street than what the neighboring property has. We are not the owners of that but it is my understanding that their property line is actually half-way into Ireland Road. Where as ours has been deeded from the prior owner to the city. We are in front of you today seeking this variance. We want to have the most successful project that we can and the most parking for our customers. While the application stipulates that we have more parking than code, I will say a couple of things: 1) we haven't yet identified a tenant for the middle space and outside of what village and municipal codes for parking requirements, all the retail tenants that we work with nowadays want more parking than code particularly restaurant tenants such as a Chipotle, a Jimmy Johns or a Potbellies. That is the type of tenant we are seeking to get here. By not getting this variance, we would effectively lose 11 parking spaces in front of

the building available for customers and potentially be detrimental to prospective users to fill up this project. We are unable to move the building back because we need the parking in the rear for employees and as I said there is a retaining wall and easements going through the property that dictate where this building can be. We'd appreciate having this variance so that we can maintain the best project for us and for the village and community. We are happy to answer any questions.

MICHAEL URBANSKI: Question. From looking at it, what you call tenant space T-1. Is T-1 and T-3 the two that are committed to already?

MITCH GOLTZ: Correct. Yes.

MICHAEL URBANSKI: On either side, right?

MITCH GOLTZ: The left space, the one that is larger, is Aspen Dental. The one on the right is T-Mobile. The middle space is 2,500 sq. ft. and we have not yet identified that user yet.

MICHAEL URBANSKI: If I tend to go with what Area Plan said, I get if it was a restaurant or something major. Afdent I would not think that that many patients, people come and the same thing with T-Mobile. In the front you got two handicap and three, four handicap whatever it is.

MITCH GOLTZ: The users we are talking to, most of them are food users that would command more parking for customers. It is as much the location of these parking spaces that are in question as it is the quantity. Aspen Dental has ten or twelve employees, they have seven to ten customers at a given time. They themselves can require, I own several other Aspen Dentals, they on their own can require 25 spaces. We have stipulations in our leases that dictate how many spaces we need to maintain. T-Mobile, I would agree with you, they do not need much parking but it is more so that having parking is only a benefit to the project, the users and the customers. This variance request, as I believe, is a technicality from a standpoint that just a couple of years ago the lot line would have been in the middle of the street and we would have built this building without the need for a variance. We believe the location of these parking spaces, 11 spaces along the street, will be further from the street than the property immediately next to us which we want to coincide with as there is cross access. That is why we it's so sensitive to us right now.

MICHAEL URBANSKI: Just a question. Afdent, is that the one that is on Main Street in front of Menards?

MITCH GOLTZ: There is a Lowe's and Wal-Mart behind.

ANGELA SMITH: No, I believe he is asking about the other location.

MICHAEL URBANSKI: The other location.

MITCH GOLTZ: Oh, I'm sorry. The other location for who?

MICHAEL URBANSKI: Afdent.

ANGELA SMITH: Your client.

MITCH GOLTZ: I'm not familiar with that. Their a national dental clinic.

MICHAEL URBANSKI: I'm aware of that. Driving around Main Street along when you go to Menards, there are hardly any cars there. You said employees but you have 22 spaces in the rear not counting the westside of the building.

MITCH GOLTZ: That's correct. We also have to look at the long term by building this project. Right now we have those tenants but if the tenants were to ever leave, we want to make sure we have adequate parking to accommodate a myriad of users that are allowed under the current zoning which could mean another restaurant or another medical user. We believe they will be successful long term but losing parking spaces in front does not benefit any of the tenants.

KATHY SCHUTH: At what point was the front 25 feet deeded to the city? Was it before you purchased the property or after?

MITCH GOLTZ: Yes, it was before. Our survey showed old plat lines. I think it was in the last couple of years. When we were developing this we looked at what was approved and built immediately next to us as an inspiration as to what we wanted to show. It wasn't until we were in for permits where this became noted that this would become a variance because of the lot line.

KATHY SCHUTH: Right. It does make sense to me that you logically looked at the property next door to see how that would fit. But you would have known already that your property line was 25 ft. behind theirs. Is that correct?

MITCH GOLTZ: I guess you could say that is correct. We looked at that and assumed that the lot line for the neighboring lot, which is only a few years old, would've been the same line given that it is sharing access.

MARK DEGANSEE: My name is Mark Degensee. I'm with Design Studio 24, 2211 N. Elston Avenue, Chicago, Illinois. Again, part of a site this small is your traffic flow. We purposely tried to line up everything with the easements, being cross over easements which are documented, we tried to make sure that the traffic can flow over each site. They use our property to get through and we use their property. Lining up the parking and trying to make the buildings line up is very integral.

MITCH GOLTZ: But the size of that, you brought up a good point. We did not think this was going to be a variance because our interpretation of the code was that if you look behind the white lines, our parking area is no further to the street than the current parking area. While it was interpreted by the Village that it was a drive aisle, that's a parking area. We're not changing the asphalt pavement lines so we interpret it as it's currently a parking area and it's going to be changed to a parking area based on new striping. We are not extending it further in any direction closer to the street. As I said, that came down to interpretation. We interpreted it one way and the staff, I suppose, interpreted it another.

JOHN LESZCZYNSKI: I have a couple comments. Mike, I kind of disagree with you. I think it's very important that they have the parking in the front. I've seen a lot of issues in that neighborhood. Fiesta Cancun has one row of parking in front of it and the place looks like there is no parking and yet, they are almost empty. Now they've got three properties there. Afdent is the closest one. If there is just a couple people in there, the patrons are going to pass it by because they have to park all the way around the side of the building and walk through the rain or something to get there. I think it just causes a lot of grief for that. I drive that every day and have seen a lot of issues with some of the businesses that don't have this double parking in front.

MITCH GOLTZ: Furthermore, just to be clear, the entrances for the businesses will all be facing the street so parking behind the building is very much an afterthought. Both for safety and convenience, tenants do not want to be telling their customers to park behind the building and frankly even to the side to an extent. That parking in front, those 11 spaces, is more than half the parking we have in front right now.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

BRENDAN CRUMLISH: Staff, can you shed some light on some of these comments?

ANGELA SMITH: Sure. As presented, this is an interpretation issue. There was a question as to whether or not the existing parking is legal nonconforming. In this case, it doesn't meet the interpretation by the Zoning Administrator that it is legal nonconforming so that is why it came up. It

was during plan review that that was identified. I can say that we have worked with the petitioner since this has been presented and as of yesterday reviewed a landscape plan that is compliant and will probably need Board of Public Works approval for a tree or a couple shrubs that encroaches the right of way. It's essentially compliant, which was one of our main concerns. That parking in front, they do have over twice what is required by the code and we generally have a pretty generous parking calculation. We don't frequently get people in here asking for more.

BRENDAN CRUMLISH: Yeah, effectively this is granting a variance to exceed the minimum.

ANGELA SMITH: Yes. The variance is just for the setback, how they arrange it or however many they have on the side. If they eliminate the back parking spaces, it's not like the variance would change. You will still need the same variance for the setback. It all has to do with the front of the property there. We weren't able to uncover why Chipotle's property was not deeded and theirs was. All we know is that when it comes in to us for plan review we have to look at the property line as it exists and what they have today.

BRENDAN CRUMLISH: The presumption would be that the land was exchanged for a monetary arrangement and the value of that land was decreased at the time that was surrendered.

ANGELA SMITH: The roads were build, probably, five plus years ago.

BRENDAN CRUMLISH: Ten.

ANGELA SMITH: Ten? Yeah, it has been a long time. It was prior to my involvement here. I am not really sure how long ago or at what point that transaction took place. We can only respond to the property lines as they exist today.

BRENDAN CRUMLISH: Is that area of 11 spaces striped for parking today? Is it used?

ANGELA SMITH: No. It is a drive aisle. Aunt Millie's only has parking abutting the building. They only have one row of parking abutting their building right now.

KATHY SCHUTH: I think they are pushed much farther towards the street. You can see the existing building there that is closer to Ireland Road.

MITCH GOLTZ: Aunt Millie's has parking against the building. It is my understanding that they want to put the parking, reverse it, they could. From our standpoint and our developmental experience this would be considered pavement. It's striped the way it is now and we are not changing the way, I mean we are changing the pavement as part of the project but not changing the.....

MARK DEGANSEE: We're not taking away the landscape that exists in front of the parking lot. It's maintaining. There will be a lot more landscaping under the plan we propose.

MITCH GOLTZ: Right.

ANGELA SMITH: Are you removing the existing pavement to put down new pavement?

MITCH GOLTZ: Actually, we may. It's in poor condition so if we take it out, it's going to be replaced.

BRENDAN CRUMLISH: So then it's gone.

ANGELA SMITH: That was what part of what made it move into legal nonconforming. When you remove the structure, or destroy it by more than 50 percent, that's part of what loses it, but also the orientation. So even if they don't take it out, it still was interpreted that it is not a parking area now.

MITCH GOLTZ: That was a technicality. I suppose I can tell my contractor to leave that pavement in the front but aesthetically it would not work.

MARK DEGANSEE: Which wouldn't happen in reality because you are bringing in new sewer, new water and making the site proper detention and drainage. You would be hacking it up even if you were

leaving it to a point that you wouldn't just patch it, no. You would resurface it no matter what, as anyone would do, if they are bringing new surfaces even into an existing building.

KATHY SCHUTH: I appreciate your presentation. I think I am kind of won over to this. I initially thought there were lots of other options. You could just remove the parking, but in studying it and knowing that in a sense, in the future, we'll probably have an existing nonconforming just to the east of you. However, that does present practical difficulties if we strictly apply the setback because of the alignment of the driveways. I also agree that parking in front of the building along Ireland is very important to the success of that retail. I would move that we would accept the petition as presented.

After careful consideration, the following action was taken:

Upon a motion by Kathy Schuth, being seconded by John Leszczynski and unanimously carried, a petition by GW SOUTH BEND IN LLC seeking the following variances: 1) from the minimum 15' front parking setback to 0' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young - Absent

**4 The petition of SISTERS OF THE HOLY CROSS seeking the following variance(s): 1) from the required 40' front yard and building setback adjacent to the Toll Road ramp to 10', property located at 53993 SR 933 HWY, Clay Township. Zoned C: Commercial District.**

PETITIONER

DAVID ALBERS: Good afternoon. My name is David Albers 3419 Manatee Trail, Michigan City, Indiana 46360. I am a project manager for Holladay Construction representing our team here. We are seeking to build a 12' by 20' storage building on the property that houses the Inn at St. Mary's Hilton Garden Inn Gillespie Convention Center. This is a masonry structure that will be built in order to support the operations of the property. They are in need of additional storage for seasonal items and other décor to support the operations of Gillespie and the hotel as well. The setback is currently at 40 feet and putting the structure at the location would put it into, it would impede vehicular traffic and the parking lot which is why we are requesting it be reduced to 10 feet. This storage shed will be at the back end of the property on the north side. It abuts the Indiana Toll Road access. I will take any other questions.

IN FAVOR

There was no one present to speak in favor of this petition.

REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

BRENDAN CRUMLISH: I would like to introduce that we did receive a letter in support from the Sisters of the Holy Cross. Sister M. Veronique (Wiedower), President saying they support this.

KATHY SCHUTH: It is pretty straightforward to me and very inconspicuous. I would move that we grant this petition as requested.

After careful consideration, the following action was taken:

Upon a motion by Kathy Schuth, being seconded by Michael Urbanski and unanimously carried, a petition by SISTERS OF THE HOLY CROSS seeking the following variances: 1) from the required 40' front yard and building setback adjacent to the Toll Road ramp to 10' was approved as presented, and will issue written

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young – Absent

**5 The petition of DAVID C & CARMEN E MACHARASCHWILI seeking the following variance(s): 1) from the maximum allowed 17' height for an accessory structure to 25', property located at 1331 E SUNNYMEDE AVE, Portage Township. Zoned SF2 Single Family & Two-Family District.**

PETITIONER

CARMEN MACHARASCHWILI: I am Carmen Macharaschwili, 1331 Sunnymede Avenue in South Bend.

DAVE MACHARASCHWILI: I am Dave Macharaschwili, 1331 Sunnymede Avenue in South Bend.

DAVE MACHARASCHWILI: We are looking for a height variance to a new garage that we are planning to put in the back of our home. We want to increase the height from 17 ft. to 25 ft. The reason is we need additional storage. Sunnymede, I don't know if anyone ever lived in the Sunnymede area, has a high-water table. Over the past eighteen months we've had several issues with water. We've lived at the house for eighteen years. Recently, with the amount of rain that has hit our area we've had water in our basement, up to eight to ten inches worth. This has created a bit of a stress, trauma if you will. We can't keep or have any furniture or anything we want extra down in the basement. We have to get it out of there. That is the reason why we are looking for a height variance. We've lived there for 18 years and plan on living there, hopefully, another 18 years. The garage itself is a twenty by twenty structure. We are going to increase it, not much. We're going to make it six feet wider and five feet deeper. By adding that second height it will allow us to go up and down the stairs without any issues. It will allow us to put our furniture, our antiques, artwork, patio furniture and things that we can put inside and keep safe. There is no plumbing. There is no water to the building. It will not be used for anything other than storage.

MICHAEL URBANSKI: Will that be heated storage?

DAVE MACHARASCHWILI: Yes. My plan is to have heat in there, yes.

MICHAEL URBANSKI: I'm sorry, I just was confused when I was looking at the aerial. You own the lot next door.

DAVE MACHARASCHWILI: Yes.

MICHAEL URBANSKI: That is where you are putting it?

DAVE MACHARASCHWILI: No. If you see at the top left there, you'll see the existing structure and then you'll see a dotted line. That is where the new structure will be. I didn't want something that was going to be too large for the area. We have a two-car garage now but it is a very small two-car garage, twenty by twenty. You can't get into one side of the car door without trying to squeeze yourself in. What we wanted to do is expand it so that you can go into the garage, if my kid is going to the garage they can actually get in the car door, sit in the garage and pull out of it. The garage itself will be on my property.

ANGELA SMITH: Mike, I think the confusion is the lot line used to extend due north. They recently came in for a replat, since they own both properties, to move that lot line so that they wouldn't encroach on, or cross, or get too close to the property line. That has been shifted. I have talked to the petitioner. If approved today, they know that they will have to take care of the utility easement. They will have to get permission from AEP. I believe there are some lines they plan on burying. Once they do that they will be able to release that easement. They're aware that will have to happen. The lot lines were moved to accommodate some drainage and address the fact that the existing garage is already so close to the property line.

DAVE MACHARASCHWILI: That whole area in front of the garage. I've got documentation if you would to see pictures of it. This last couple weeks ago, you know, three or four inches underwater. It's no fun.

KATHY SCHUTH: It sounds like you want a good amount of space for stable storage, heated and full height. At this height you'd be looking at a normal eight ft. ceiling, something like that, the whole way across. Doing something on the eaves just wouldn't be enough?

DAVID MACHARASCHWILI: Yes, so I don't have to crawl in there, right. I don't want to crawl in the area and crawl back out.

CARMEN MACHARASCHWILI: We want to be able to walk up and down the stairs and be able to lug our furniture. My great grandmother left me some antiques. I just want them safe. We feel like we can't use our basement. We're scared of the water that comes in.

DAVE MACHARASCHWILI: It's coming from the ground. It's not coming from the window wells or anything else.

CARMEN MACHARASCHWILI: Just want peace of mind.

MICHAEL URBANSKI: Just one last question. Your garage doors will then be on the westside?

DAVE MACHARASCHWILI: No. They'll be facing south, where they currently face.

MICHAEL URBANSKI: Oh, okay. I see the drive coming in.

#### IN FAVOR

There was no one present to speak in favor of this petition.

PATRICK J. FURLONG: I live at 1320 Sunnymede. I have a question. I'm having trouble with the drawing. How close to the new property line will this structure be. It looks like it's right on the property line, I'm not quite sure of that.

DAVE MACHARASCHWILI: It will be 5 feet off the back property line.

ANGELA SMITH: Per the ordinance it would have to be 5 feet from the north property line and ten percent of the lot width for the property line, about five and a half to six feet.

BRENDAN CRUMLISH: What is that south property line become a side lot? I mean, it looks as though this dash rectangle actually goes east of that corner stake.

ANGELA SMITH: Right, because the new lot B is south of this. The Lot A goes up and kind of L's behind it.

BRENDAN CRUMLISH: It's not a front setback.

ANGELA SMITH: It's all side because you have a side rear. Essentially, you have a front, you have a rear and then you have a left side.

BRENDAN CRUMLISH: It's an all side. Got it.

MICHAEL URBANSKI: It's Lot A and Lot B. Primary structures will combine the lots. Does secondary structure as a garage combine the lots?

ANGELA SMITH: The secondary structure won't cross the lot lines. They've reconfigured the lot lines so it wouldn't. The new line for B goes across here and then comes back this direction. They now have like a kind of L shaped property.

MICHAEL URBANSKI: Basically, B is where the house sits south of the property.

ANGELA SMITH: Correct. B is the other house that they don't reside in.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by Kathy Schuth and unanimously carried, a petition by DAVID C AND CARMEN E MACHARASCHWILI seeking the following variances: 1) from the maximum allowed 17' height for an accessory structure to 25' was approved as presented, and

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young – Absent

- 6 The petition of BRIAN S HENRY seeking the following variance(s): 1) from the minimum 5' side yard setback for a detached accessory structure to 1' and 2) from the minimum 5' rear yard setback for a detached accessory structure to 3', property located at 1614 E CEDAR ST, Portage Township. Zoned SF1 Single Family & Two-Family District.**

PETITIONER

BRIAN HENRY: My name is Brian Henry, 1614 Cedar Street South, Bend, Indiana 46617. I purchased this property almost two years ago. At the time of purchase the only concern I had with it was the garage. It's a single stall. It's older and it probably needs to be replaced here in the next year anyways regardless if I build a two stall and push it back or not. All I am really looking to do is move it straight back, then upgrade to a two-stall garage and just being able to keep as much of the yard as possible. Allow for a wide enough drive way leading up to it to have sufficient room to swing into the stall.

BRENDAN CRUMLISH: You will be removing that existing garage completely?

BRIAN HENRY: Correct.

BRENDAN CRUMLISH: That might become part of the new driveway?

BRIAN HENRY: Correct.

KATHY SCHUT: I guess I am not particularly seeing why your so behelded to the 1ft. and the 3 ft. What keeps you from.....

BRENDAN CRUMLISH: What's the practical difficulty in just putting it where it's supposed to be?

BRIAN HENRY: The problem with moving it off or not moving it off that 5 ft. sideline easement is just the space. The distance between the back of the house and then the front of the new garage, the further you move it into the lot the more of a wide swing you are going to have. That driveway is already up against that side over there. I'm not going to be able to move into the house any further with that driveway. Then it just becomes a function of making a hard left turn into the property and a hard right turn back and swinging around into it.

MICHAEL URBANSKI: By the looks of it, you're going to have a little bit, but by a slight curve coming around you said you were going to make a sharp left and a sharp right. I guess I don't see that as a major problem. Are you aware by doing this the west side and possibly south side you are going to have to put fire wall in on the garage? Is that correct?

ANGELA SMITH: Yes. If the wall is closer than, I believe, 4 ft. from the property line it requires a fire protected wall.

BRENDAN CRUMLISH: That's the demand of Mr. Bulot. How big is this garage that you are doing to build?

BRIAN HENRY: Right now the idea is to have a two and a half stall garage to have a little bit of storage out there. I am kind of in early negotiations with the contractor and I wanted to see what we got into as far as that side lot setback. If I can't get that less than 5 ft. then I don't know if I want to have a two and a half stall garage back there and essentially reduce by more than half the backyard.

MICHAEL URBANSKI: Two and a half stall you are looking at 30 ft. wide

BRIAN HENRY: The neighbor has a two and a half stall garage. It is not a full two and a half but his is 26 ft. wide which is more of what I was looking for.

MICHAEL URBANSKI: Is there an alley behind you? Please understand that I am trying to help you with this along the way. It will require an easement agreement from the people to the south and to the west.

ANGELA SMITH: 3 ft. is generally what we say. If they don't have at least 3 ft. we recommend they get that easement. They are showing 3 ft. on the south property line. I will point out something that I discovered as we were exploring this. This is not a scaled drawing.

MICHAEL URBANSKI: I realize that.

BRENDAN CRUMLISH: I was just looking at this.

ANGELA SMITH: If this was a scaled drawing and each one of the little boxes was 5 ft. that would make the garage about a 10 ft. deep garage. I think it's a little bit skewed.

BRENDAN CRUMLISH: It looks like there is a lot more room between the garage and the house.

ANGELA SMITH: Than there would be if it was actually constructed. Yeah. If you look to the house to the west you can kind of get a sense of how much tighter it might be than it appears on this illustration. They have a two-stall garage immediately to the west. My pointer is not working so let me show you.

BRENDAN CRUMLISH: Pardon me, the yellow arrow is pointing at this property.

ANGELA SMITH: (at the projector screen) This is the petitioner's property. This is the property to the west that we are referring to as having a two-stall garage. If this were similar, it would likely be closer in to here than what is illustrated.

BRIAN HENRY: The neighbor to the east as well has a two-stall garage.

ANGELA SMITH: His is a lot smaller

BRIAN HENRY: Yes, his is smaller. In conversation with both of them that was kind of two things, lessons learned I guess you could say.

MICHAEL URBANSKI: Were we going to recommend that you have to get the easement in the back of site. Would you consider moving the side to 3 ft. as you have with the south?

BRIAN HENRY: Yes.

MICHAEL URBANSKI: That is one less step that you have to go through.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by Kathy Schuth and unanimously carried, a petition by BRIAN S HENRY seeking the following variances: 1) from the minimum 5' side yard setback for a detached accessory structure to 3', as amended and 2) from the minimum 5' rear yard setback for a detached accessory structure to 3' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes

Michael Urbanski - Yes

Jack Young - Absent

- 7 The petition of WHARF PARTNERS, LLC seeking the following variance(s): 1) from the maximum 15' front building setback to 175'; 2) from the minimum 5' side yard setback to 3' and 3) from the minimum 15' front parking setback to 5', property located at the SOUTH SIDE OF COLFAX BETWEEN THE ST. JOSEPH RIVER AND THE EAST RACE, Portage Township. Zoned CBD Central Business**

PETITIONER

PHIL PANZICA: Good afternoon. I'm Phil Panzica, architect with Panzica Building Corporation here to represent Wharf Partners today. My address is 416 East Monroe, South Bend. The variances requested are necessary for Phase One of a multi-phase development of what is considered the Wharf site. Phase One is a 78,000 sq. ft. seven story structure, the building on the lower right. Variance number one is relief from a 15 ft. maximum setback along Colfax Avenue to be 175 ft. from Colfax Avenue. This is a requirement because it's a multi building development. Phase One will be set back from the street, however, Phase Two and Phase Three will be in full compliance with the entire site and full compliance with the setback requirements. We looked at options. There is no other city street next to us. Everyone believes the alley way or driveway to the right, the east side of the site, is a public way. It is not. I'll address the issue on that in a moment. Number two we are requesting relief from a side yard setback of 5 ft. down to 3 ft. on the east property line. What is going on there is currently the property line goes to the center line of the driveway. Wharf Partners is giving up 12 ft. of that driveway to the City of South Bend and then that driveway will become, not a public drive, but a park driveway. It's not going to be dedicated as a street. That driveway will be used for the parking by Stephenson Mill in the parking lot to the south of that building. It will also allow access to Seitz Park for maintenance in the park and improvements to the park. It is not a public drive. We are requesting that 5 ft. setback be reduced to 3 ft. What also impacts that is the Wharf Partners has given up 10 ft. of width all the way along the riverfront, 400 ft. plus, to allow for improvements of the riverfront walk. That's kind of constricted the site down and we are requesting this 2 ft. reduction. The last item number 3 is reduction of parking setback along Colfax from 15 ft. to 5 ft. If you go back to the development plan the main entry drive coming in between the buildings, this is an urban site, there is quite a bit of retail development as requested by the City. Parking is important so we are showing the setback of those two cars being 5 ft. from the property line. It will be a high level of development, high aesthetics. The screening that will be put in will be very well done. We do not think it will be detrimental. Based upon that we respectfully request approval.

MICHAEL URBANSKI: Is this pretty close to what you presented a couple, three years ago?

PHIL PANZICA: Diametrically different. That particular project was based upon solely residential.

MICHAEL URBANSKI: Because one building sat behind another if I recall.

PHIL PANZICA: There was a variance requested at that time for height. Of course, that has all been resolved now. The heights have been increased in this area.

MICHAEL URBANSKI: You hoping to start this year?

PHIL PANZICA: We are hoping to start this month.

KATHY SCHUTH: Are Phase Two and Phase Three contingent on sales?

PHIL PANZICA: No. There is interest in the development without marketing. I have 17 units, 10 are committed.

KATHY SCHUTH: Okay. What would be the timeline for the additional phases?

PHIL PANZICA: For the additional phases there's a development agreement with the City and, I believe, Phase Two by 2020 will be started. That would be the second building to the left.

KATHY SCHUTH: My only concern is that if we are going for the 175 ft. setback, which makes sense in the total development, but if that's the only building that ever gets built that's not ideal. I am kind of looking for some kind of assurance that this is definitely going to go forward with Phase Two and Phase Three.

PHIL PANZICA: The only way I can answer that is to tell you that we all know this is a very critical piece of our downtown. It is a very high value piece of land and it will be developed. One way or another it will be completed. There is no doubt this particular phase, as Mike had asked several years ago, is all residential. In working with the City the past couple of years, it has been developed to be straight retail front. Our company came to the City with visions of lighting the river, that was done. We came to the City with visions of improving the riverfront walkway, that's underway with J.J.R. doing design work. Your starting to see an idea of what that riverfront may look like. The first level of the development will basically be restaurant. Restaurant, Bistro or Coffee Shop. To take advantage of the riverfront, make it a people place. You can go there on a Saturday afternoon and enjoy a walk, get a sandwich and enjoy yourself. There are six stories of condominium living above that. Three condos per floor.

BRENDAN CRUMLISH: I have one concern. It's regarding the two parking spaces that you need the setback variance there on Colfax. It's just two, correct?

PHIL PANZICA: Yes, sir.

BRENDAN CRUMLISH: I'm concerned that if we give that variance and Phase Two or Three don't happen like this then you would be free at a later date to change it and park a whole row of cars along there, correct?

ANGELA SMITH: Correct. One way you can do it is if it was approved as presented, it would be limited to essentially the layout here.

BRENDAN CRUMLISH: As presented, just those two.

ANGELA SMITH: Then if there was something proposed different that may have impacted your decision, it would have to come back to you.

BRENDAN CRUMLISH: Okay. I'm not saying that's what is going to happen, Phil. But you know who knows what's going to happen three, five years from now. Next thing you know we got a row of cars or buses parked there. I think that would kind of strip away the intent of this CBD. As long as we could consider it in that fashion.

MICHAEL URBANSKI: I would like to make one comment. Phil, I believe and really like the difference that you've done now as it was proposed in the past.

PHIL PANZICA: The difference? The differences, Mike, is that the previous proposal did not see retail as being viable and having to be a destination. That particular project had parking at grade within the building and then six floors of housing above that parking with no retail. Since that time we've gone back with the City's work reconsidering this whole key parcel of the downtown river front and creating the walkways and the riverfront now it seems viable to put the retail in. There is some risk there. We have below grade parking for 36 cars. Then the first floor which is at grade will be about 10,000 sq. ft. of retail and then the residential is above. The real change, Mike, is the retail component and working with the City to reconfigure this whole riverfront.

MICHAEL URBANSKI: The whole looks of it, there were three buildings if I remember they kind of set in a row somehow. Anyway, it does look very good.

PHIL PANZICA: Thank you.

MICHAEL URBANSKI: One last question. I notice some other development that is within a block of yours was approved many years back, I can't tell you when. It is in a partial frame now. Do you intend to continue on with this? You've got your funds and all your ducks in a row?

PHIL PANZICA: I can't speak for the other developer or what happened on their project. This particular project has strong support and 10 of the 17 units are committed for. Financing is in line, construction documents are finalizing ready to start construction.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by John Leszczynski and unanimously carried, a petition by WHARF PARTNERS, LLC seeking the following variances: 1) from the maximum 15' front building setback to 175'; 2) from the minimum 5' side yard setback to 3' and 3) from the minimum 15' front parking setback to 5' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young - Absent

- 8 The petition of DONALD R AND DARCY J TROYER 1/2INT AND EUGENE B ALLEN 1/2INT seeking the following variance(s): 1) from the required 30' minimum rear yard setback to 15', property located at 14551 KELLY RD, Penn Township. Zoned A: Agricultural District.**

#### PETITIONER

DON TROYER: Hi, my name is Don Troyer. I live at 14551 Kelly Road, Mishawaka, Indiana 46544. My wife and I bought the property six years ago. At the time we were advised to split the property in half for purchasing purposes. My father-in-law passed away about two years ago so we are now caregivers to his wife on our property. She does not want to be put into a nursing home so we are now caregivers to her. In order to accommodate everything with her being there, we are extending on the back of the property, a four season room. We are hoping to do some major remodeling in that area. We are asking for a 15 ft. setback instead of the 30 ft. It goes strictly back from the corner of the house out 16ft. The length of the structure is 24 ft.

KATHY SCHUTH: I just want to make sure I understand. What is on the other side of that rear property line?

DON TROYER: There is another house. There are two houses on the property. We own the whole property.

KATHY SCHUTH: You own both of these parcels? And both of these homes?

DON TROYER: Yes.

KATHY SCHUTH: One on each parcel.

DON TROYER: Yes.

ANGELA SMITH: That's why they were advised to split it. You cannot have two homes on one property so they managed to split the two properties in order to do that.

BRENDAN CRUMLISH: So there's two properties of at least 20 acres each?

ANGELA SMITH: No. I don't know if the south one is 20 acres, I am not sure. They went through a proper subdivision. If they are less than 20 acres they would have received the variances at that time but they had to split them.

BRENDAN CRUMLISH: He's made the statement this is on 20 acres. I am just going on that statement.

MICHAEL URBANSKI: The only other alternative was to move that property line behind him.

ANGELA SMITH: I believe the property lines behind them were set in order to make sure they both met side setbacks at the time. The houses are fairly close together here. Under common ownership there is really no way to move the lines without creating a variance for one property or the other.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by John Leszczynski and unanimously carried, a petition by DONALD R AND DARCY J TROYER 1/2 INT AND EUGENE B ALLEN 1/2 INT seeking the following variances: 1) from the required 30' minimum rear yard setback to 15' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes

Robert Hawley - Absent

John Leszczynski - Yes

Randy Matthys - Absent

Kathy Schuth - Yes

Michael Urbanski - Yes

Jack Young - Absent

- 9 The petition of SBCC Development Corp seeking the following variance(s): 1) from the maximum allowed 64 sq. ft. for a monument sign to 120 sq. ft. and 2) from the maximum allowed 8' high monument to 13', property located at 22965 US 20 HWY, German Township. Zoned LI Light Industrial District.**

PETITIONER

MARIO PALMISANO: Mr. Tarner was unable to be here today so I will be representing. Mario Palmisano, address is 13747 North Red Bud Trail, Buchanan, MI. What this is for is a sign that is actually a temporary sign. It's going to be a project coming soon for the large scale project he has planned for this property which is part of several parcels that are going to be put into a PUD that they are currently working on right now. He wanted to get the sign going and drum up interest and support for the business opportunities that this will afford. The property now consists of parcels that are both in the county and the city. My understanding is that this will all be annexed into the city when this is all done with the PUD. The property itself is unique with several restrictions not common to most in the city. Some of those are flight path height restrictions due to the airport. There are INDOT right-a-way setbacks because of the ramp of the highway. Where my truck is parked, you can kind of see an indentation, which is actually INDOT property. We have setbacks where we couldn't put it there. The property drops severely. It is hard to see with the snow. Where the sign is proposed to go it drops quite severely there, about four, five, six feet down. With the ramp, the traffic we are trying to reach is what is coming into South Bend. That is another lane over when you factor in the ramp going to the bypass. By the time you are in that lane looking over here the sign, if we were to put it as it's allowed now, would be hidden from view down in the ditch. That's our reasoning for going for what we did. We couldn't go for a temporary sign because that was only allowed for thirty days. This is a project that will probably be a year in the making. We were hoping to keep the sign up during the duration of the project until it is completed. The freestanding sign will allow us the height but it would require it to be 10 ft. off the ground. He is planning to put an info box down there so when people pull up they can get the packets. That was going to be mounted right on the sign. That was the purpose for keeping it below the 10 ft. The only other option we had was to go for the monument sign. Of course we had to get it up high enough to be seen and big enough to be seen due to the highway signage. That sign there is about a 12'x12' I believe, the highway sign there to give you an idea of what we're looking at. I gave you two different pictures in the packet there. The first one shows what is allowed and the second one shows you what we are proposing. You can see from that distance the.....

BRENDAN CRUMLISH: I'm sorry. We only have one picture in our packet.

ANGELA SMITH: You only turned in one picture. You only turned in this picture. If you would like to circulate the other one.

MARIO PALMISANO: I apologize. I thought we had included both of those. This is a very large scale project which will have huge economic benefits to the community. It's requiring a sign visible enough to drum up the support.

MICHAEL URBANSKI: As far as setting it up, it's very similar somewhere down in Granger for that either a dentist or eye care. I think it's on the corner of Cherry Road and State Road 23. The north side of the road where it dropped way low.

ANGELA SMITH: Oh, where they got a height variance?

MICHAEL URBANSKI: Yes. With the drop off, that's going to be very similar to that, right?

ANGELA SMITH: I'm not sure what the grade difference is. The situation here is they don't meet the definition of a temporary sign. What we told people is they don't want to stay with the time limit, go with what you're allowed in terms of a permanent sign. The challenge with the permanent sign is the definition of a pole sign, which they would be allowed a 25 ft. tall pole sign, requires a minimum of 10 ft. clearance. So that's where the height issue comes in. It comes into a definition of monument versus pole. The particular property you're thinking of is in the county so it's different.

MICHAEL URBANSKI: Okay. This is half city, half county. It doesn't define where the property sits.

ANGELA SMITH: This particular property that they are placing it on is in the city, so the city rules apply. He is correct if this development goes forward it will require a PUD because there is no zoning district in the city that allows for bison, residential, commercial, museum and the full mix of uses that Mr. Turner is proposing. At that time they will develop their own sign regulations but until then they are limited to what is allowed per the city ordinance.

MICHAEL URBANSKI: By limiting the height to 25 ft.

ANGELA SMITH: They are asking for 13 ft.

MICHAEL URBANSKI: For 13 ft. We're okay on that. We're looking at 20 sq. ft. difference in the size of it. Okay, don't you have 120 and they're asking for....

ANGELA SMITH: They're asking for 120. They are allowed 64.

BRENDAN CRUMLISH: This is twice what they're allowed.

MICHAEL URBANSKI: It shouldn't be to much to drop that sign back down 20 ft.

BRENDAN CRUMLISH: How much? 20 sq.ft?

MICHAEL URBANSKI: 20 sq. ft., yeah. I said 20 ft. Sorry.

ANGELA SMITH: Your suggesting it should be 100 sq. ft. instead of 120 sq. ft.?

MICHAEL URBANSKI: That was your recommendation.

ANGELA SMITH: No, I think your looking at another item. Your looking at Number 10.

MICHAEL URBANSKI: I'm sorry. I apologize.

ANGELA SMITH: Your on a different petition. That's okay.

MICHAEL URBANSKI: Your okay with this? This square footage?

ANGELA SMITH: We have no comment on this.

BRENDAN CRUMLISH: Do you have a slide of the site plan? That's different, that's quite different from the one we have in our package. I'm struggling with all the lines on this drawing here. Is this an on premise or off premise sign.

ANGELA SMITH: This is an on-premise sign. If you look at the site plan they presented, you see where the word sign is? In the middle? That red line that goes around denotes the different property lines. They own the one it's on, which comes over quite a distance, so right where it's at is where it's proposed. This particular parcel actually comes all the way this way and comes down this way (pointing to power point). They also own this parcel, this parcel, this parcel, this parcel and I believe those parcels. They own significantly more than what's presented. This particular parcel and everything to the right of the blue line, which is the city limit line, is zoned LI Light Industrial.

BRENDAN CRUMLISH: That's what I wanted to know. What's the blue line?

ANGELA SMITH: That's the city boundary.

BRENDAN CRUMLISH: Okay, that's not a line for US 20 or something like that?

ANGELA SMITH: That's the city boundary line. Everything to the east is in the city limits of South Bend which was annexed in a few years ago when the airport transferred property to the city. Everything to the west is in the county, some of which is zoned subject to a final site plan, hence why we'll have to rezone and annex to make it all one big nice looking project.

BRENDAN CRUMLISH: So it is an on premise monument sign and the distance to the property line is not in question here?

ANGELA SMITH: No. The setback requirement is like 5 ft. That's not a problem.

BRENDAN CRUMLISH: Okay.

ANGELA SMITH: The weird request for it to be a monument sign on two poles has to do with the definition of monument versus pole. The size requirement, you can't take in the full frontage of what they have, you just have different parcels going on here. It's an unusual situation.

KATHY SCHUTH: My only concern really is for traffic safety since its in alignment with the ramp signage. If that's a good place to put a sign that's large enough to catch the eye. I'm struggling with it because I see that you don't have a lot of options as far as where else to put it. Your property doesn't go that much further. Your hitting setbacks correctly. I don't love it and I don't love making something larger there to catch the eye. And yet, I don't really see an alternative location as far as trying to get somebody to turn in there and get some information.

MARIO PALMISANO: It actually gets worse if we go further back from that sign, too. It drops further down.

ANGELA SMITH: The point where they wanted it, I don't know if you can see it in this picture. You see where the drive way turn in is.

KATHY SCHUTH: Yes, I do. That would be ideal.

ANGELA SMITH: Ideally they wanted it there, however, that is State owned right-of-way. It can't go there without permission from INDOT.

BRENDAN CRUMLISH: And it would be in the county.

MARIO PALMISANO: We exhausted that.

ANGELA SMITH: That would be owned by the State.

BRENDAN CRUMLISH: There is a little red line a little further over on that drawing. Looks like the driveway to this car lot.

ANGELA SMITH: It's in the county portion adjacent to the state right-of-way. It's owned by the State but adjacent to the county properties. It's a jumbled mess out there.

KATHY SCHUTH: It sounds like, indeed, you've exhausted all your other options. I don't have any initial questions.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

After careful consideration, the following action was taken:

Upon a motion by John Leszczynski, being seconded by Michael Urbanski and unanimously carried, a petition by SBCC Development Corp seeking the following variances: 1) from the maximum allowed 64 sq. ft. for a monument sign to 120 sq. ft. and 2) from the maximum allowed 8' high monument to 13' was approved as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young - Absent

**10 The petition of ALDI LP seeking the following variance(s): 1) from the minimum 30' front setback for an off-premise sign to 0', property located at 202 E IRELAND RD, Centre Township. Zoned CB Community Business District.**

PETITIONER

RODNEY WEKKIN: Menard, Inc. 5101 Menard Drive, Eau Claire, WI 54703. Thank you for your time this afternoon as it relates to our variance request. We have come a long way on the project. From rezoning the properties to getting site plans approved and now we are requesting a 200 sq. ft. sign on property that will be 0 ft. setback off premises as opposed to the minimum required 30 ft. setback. This is an improvement from the existing K-mart sign which is within the right of way. We've run into some challenges on exactly where this sign can be located because of the design of the existing Aldi on there. As we slide the sign to meet the 30 ft. requirement the sign would actually be in a stone water retention pond of Aldi which they don't want and we don't want. We want to keep the sign close to where the electricity is currently ran for the K-mart sign. As a retailer, signage is of the utmost importance especially when you're doing redevelopment and your offset from Ireland Drive. It is why we feel this is an important sign to the redevelopment of the project. I can answer any questions related to the request.

ANGELA SMITH: Mr. Crumlish, I will provide some insight on this. The existing sign that was previously used for the K-mart is in the public right of way. The Board of Public Works, I believe, was asked if they could improve this sign. If it had stayed in the right-of-way we would have had no say over it because our zoning only extends to the property line. When approached and asked whether or not they could place it in a sign easement on the Aldi property it then essentially becomes an off-premise sign by definition, what you guys would commonly know as a billboard. Although that is not what they are proposing, it's how the ordinance looks at it. That is permitted in the CB Community Business District, which is what Aldi is zoned. It will not affect the Aldi sign in that their sign is considered on-premise, which is a different type of sign than what the petitioner is requesting. As an off-premise sign they would be allowed 300 sq. ft., which is why they are not asking for a size variance. It is simply a setback variance, which is why the staff is making the recommendation that we are. If granted, the Board consider it similar to what you would give Aldi or Gates or any other business along there in terms of limiting its height and area. Just to clarify, the site plan you have, there are two signs shown. The sign in question would be the lower sign, sign 3. The other sign is permitted and would be located closer to the off ramp of the bypass.

BRENDAN CRUMLISH: So the smaller sign is what they're wishing to place on this lot?

ANGELA SMITH: On the Aldi property.

BRENDAN CRUMLISH: On the Aldi property? As an off-premise sign?

ANGELA SMITH: Correct.

BRENDAN CRUMLISH: It is larger or equal to a permitted off premise sign?

ANGELA SMITH: It is larger than what is permitted. Oh, for an off-premise?

BRENDAN CRUMLISH: For an off-premise.

ANGELA SMITH: For an off-premise it is smaller than what is permitted.

BRENDAN CUMLISH: But it is larger than an on-premise sign.

ANGELA SMITH: Correct. It is twice the square footage and another 5 ft. in height.

BRENDAN CRUMLISH: So, Aldi could not put a sign that large on their property.

ANGELA SMITH: Correct.

BRENDAN CRUMLISH: Or Gates or the fellows across the street. So this puts Menards at a tremendous advantage visually.

ANGELA SMITH: Say for instance, their property actually extended along St. Joseph and they were allowed to put a sign there that wasn't right of way, they would be allowed 100 sq. ft. and 25 ft. in height.

BRENDAN CRUMLISH: As an on-premise sign, right.

KATHY SCHUTH: Do you know how tall the existing K-mart sign is?

RODNEY WEKKIN: I do not. No.

KATHY SCHUTH: It looks like it would be about the same.

ANGELA SMITH: It's a big sign.

KATHY SCHUTH: It's a big sign. It looks like it would be about the same or even taller. I mean just to understand and get what the visual impact of this is going to be in that location.

ANGELA SMITH: I don't know whether or not the question of refacing that sign came up with the Board of Public Works. If that was a legal nonconforming sign, they'd be allowed to reface it without any approvals. I don't know how that is affected by the fact that it is actually in the right-of-way right now.

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

BRENDAN CRUMLISH: Do we have some discussion or comments? I concur with staff. I think we should treat this as a limited to an on-premise sign. I think this is just going to be a large obstruction. Very large at 30 ft. high. That's my opinion.

MICHAEL URBANSKI: It's awful quiet in here.

BRENDAN CRUMLISH: I can't make the motion.

MICHAEL URBANSKI: I know you can't. I make a motion to accept as proposed.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by John Leszczynski the motion failed due to lack of votes.

Brendan Crumlish - No  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes

Michael Urbanski - Yes  
Jack Young – Absent

BRENDAN CRUMLISH: Boy, I even told you guys I didn't like this.

MICHAEL URBANSKI: We put the pressure on you, don't we?

BRENDAN CRUMLISH: You sure do.

MICHAEL URBANSKI: It's part of the job.

BRENDAN CRUMLISH: I'm still against this so I am going to say No. The motion cannot carry. I can ask for another motion or we table it then until next month.

MICHAEL URBANSKI: Is it permissible at this point that he can table it?

ANGELA SMITH: Yes.

MICHAEL URBANSKI: Do you understand what we are talking about, sir?

RODNEY WEKKIN: Sure.

ANGELA SMITH: Since the motion did not carry, the option would be to either make another motion, which considering the vote would probably not carry, he would then automatically be tabled or he could ask for it to be tabled. At this point you could accept his request to table until the next meeting where hopefully there will be more than four members present.

MICHAEL URBANSKI: You were here earlier when I suggested that to another petitioner.

RODNEY WEKKIN: I would just say that we would be willing to reduce it to 25 ft. We do feel that the 200 sq. ft. panel size is what we would like to see out here because of the series of signs along Ireland and because of our setbacks from Ireland but if that is not what we will get to today we will table it until next month.

ANGELA SMITH: The sign setback is at 0 ft. correct?

RODNEY WEKKIN: Correct.

BRENDAN CRUMLISH: So are you requesting it be tabled?

RODNEY WEKKIN: Yes.

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by John Leszczynski and carried, a petition by ALDI LP seeking the following variances: 1) from the minimum 30' front setback for an off-premise sign to 0' was tabled as presented, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young – Absent

**11 The petition of BH INVESTMENTS LLC seeking a Special Exception Use to allow a two-family dwelling, and seeking the following variance(s): 1) from the minimum 4 required off street parking spaces to 1, property located at 122 MILTON ST, Portage Township. Zoned SF2 Single Family & Two-Family District.**

PETITIONER

BRIAN HOROWITZ: My name is Brian Horowitz with BH Investments. This is pretty simple. I would like to convert this into a duplex. At one time it appears to have been a duplex. In the upstairs there is a kitchen and a door, like an exit door, but that got sided over. With this property I'd like to split it into two units. I realize there is not enough of the required parking. Parking is not a real issue on the street. Across from this house, I think you can see on the map, there's a couple of empty areas over there. There's not a parking issue. I think that's all I have until your questions.

KATHY SCHUTH: Brian, there's a driveway on this site?

BRIAN HOROWITZ: Yeah. Where that snow is you can see the garage there. That is a driveway up to that garage.

KATHY SCHUTH: There is only room for one car?

BRIAN HOROWITZ: Yes, it's just a one car.

KATHY SCHUTH: Is there room in the garage? I am wondering why there aren't considered two parking spots there because it looks like there would be one in the garage and one on the driveway.

BRIAN HOROWITZ: You could do that.

ANGELA SMITH: They have to be unobstructed. You can't count both of them if this car blocked this car, you can't count this as a parking space. Unfortunately for the current ordinance we also cannot count what was on the street.

BRENDAN CRUMLISH: That would be permissible for a single-family home.

ANGELA SMITH: A single-family home only requires one.

BRENDAN CRUMLISH: Well, okay. But you block yourself in.

ANGELA SMITH: Single Family homes is only required one. A duplex suddenly requires four.

MICHAEL URBANSKI: Please repeat that. I'm sorry, I lost you.

ANGELA SMITH: A single-family home requires one. If you put a single-family home next to it, that requires one. As soon as you adjoin those and it becomes a duplex it suddenly requires two per unit which is four. One of the many things in the South Bend Ordinance that is under review and currently being redrafted is that kind of thing. As well as the fact that you can't count off street parking.

BRENDAN CRUMLISH: This is not a rezoning changing this to a multi.

ANGELA SMITH: This is strictly a special exception.

MICHAEL URBANSKI: Send it to the City Council, Common Council.

ANGELA SMITH: One of the other fun things about our ordinance in the district is called single family and two-family district. Two family is a special exception which goes to the City Council for their final vote so your decision on the parking would end here. Your recommendation on the use of a two-family would be a recommendation to the City Council.

BRENDAN CRUMLISH: So we have both of those in front of us.

ANGELA SMITH: Yes, there are two items in front of you.

KATHY SCHUTH: The special use and the variance. Is this an upstairs downstairs?

BRIAN HOROWITZ: Yes. At some point it turned into a single unit again. There is stairs inside of it and there is also two kitchens. One up and one down.

BRENDAN CRUMLISH: Has that been verified? Building Department?

ANGELA SMITH: We did not go back to verify that. When we went out to the property there was evidence that there might have been more than one unit in here before.

BRENDAN CRUMLISH: Evidence?

KATHY SCHUTH: Like two meters?

ANGELA SMITH: You can kind of see what was left of two meters. There are none left anymore. There was that and some of the addresses were kind of funny. The way the doors are at the back of the property which you can't see from this image. It looks like there might have been a separate entrance in there. A lot of these things you can't substantiate that it's in existence or hasn't lapsed for 12 months and then kicks it back in for responsibility of the property owners (inaudible)

#### IN FAVOR

There was no one present to speak in favor of this petition.

#### REMONSTRANCE

There was no one present to speak in remonstrance of this petition.

MICHAEL URBANSKI: I'll make a motion to send it to the City of South Bend Common Council with no recommendation.

ANGELA SMITH: No recommendation? I would encourage you to try to at least come to a recommendation first.

MICHAEL URBANSKI: Okay.

BRENDAN CRUMLISH: Make that motion first.

ANGELA SMITH: Right. We usually advise the Boards to at least try to pass it one way or the other. It's your task with making a recommendation. You should try to make a recommendation before you decide not to make one.

KATHY SCHUTH: Mike, can you speak to why you feel like it should be no recommendation?

MICHAEL URBANKSI: No, I don't have an answer. I'm sorry.

KATHY SCHUTH: Sounds like you're not sold on it.

MICHAEL URBANSKI: I'm not totally, yes. I'm not sold on it.

BRENDAN CRUMLISH: I'm not so sure we need to create a duplex in this neighborhood.

BRIAN HOROWITZ: On one hand, your right. In order to make an investment in the community, this house is pretty run down, by turning it into a duplex it will be a more profitable investment.

BRENDAN CRUMLISH: I'm sorry. We're not allowed to consider financial hardship. Whether you can make more money off the property is not our concern.

BRIAN HOROWITZ: Okay. I apologize.

BRENDAN CRUMLISH: That is a State law that we have to follow.

ANGELA SMITH: If it helps you to understand why we recommended favorably is because there has been continued discussion at the City about the value of increasing density. Especially in neighborhoods where they're struggling to see single family investment that sometimes, in order to afford affordable housing, they are looking at how they can encourage things such as duplexes where it's available. I

know that there is a trend and consideration. We do discuss this on the city staff when we look at these at our staff meeting and talk to them about it. In this particular area it's close to commercial, it's not high density already. They were kind of....

BRENDAN CRUMLISH: I didn't hear anybody from the city here to speak in favor of this.

ANGELA SMITH: We're tasked with....

BRENDAN CRUMLISH: I'm not asking you. There are other people from community development.

MICHAEL URBANSKI: Let me tell you the other thing. It wasn't that many years back that they were just the opposite. Maybe the old administration. I shouldn't have said that statement. What I am saying is, I sat up here at times when it was just the opposite.

ANGELA SMITH: Right. What we have kind of seen in the past is, what you find is in the more affluent areas they are more concerned about duplexes. In areas they want to see investment they are less concerned. Ultimately you are just making a recommendation. It falls to the city council to decide. We just ask you to look at the criteria in front of you to make the recommendation.

MICHAEL URBANSKI: If you recall in the past, this is probably the only time in the last 20 years that I have said with no recommendation. Usually I feel it is our responsibility to give a recommendation.

KATHY SCHUTH: That's right. I could tell your hesitation.

BRENDAN CRUMLISH: You are hesitant.

KATHY SCHUTH: My own hesitation, in the fact that I am generally in favor of duplexes, in SF2 Zoning entirely. I do want us to consider cases like this where it is single family homes being broken up into units versus a duplex that's built as a duplex. I do know that single family homes that are broken up into units are sometimes an issue if not maintained well, or not taken care of well.

BRENDAN CRUMLISH: Parking is really quadrupling it now. The potential for two families living there with two cars.

ANGELA SMITH: I just know that I am going to be asked by the Council as to how the vote was placed and why it didn't come with a recommendation. That is why we ask that you try.

MICHAEL URBANSKI: May I add something which might be relevant, might not be relevant? It is just something that I believe. Is the fact that we are looking at a development for something proposed by someone from San Francisco, California. It's not local and I'm just concerned about the upkeep of it and what's going to happen to it six months, a year or five years? Is it going to be well maintained? Is it going to be a rental property, a duplex rental property that is going to be flipped? If local ownership, I would feel more comfortable with it. What we should do or shouldn't do, I don't know if that is in the state law I can't say. That's how I feel.

ANGELA SMITH: I do know that the city landlord registration is the city's attempt to avoid that. They do have the landlord registration that they passed just a few years ago. It actually might have been last year. It requires them to register so they can get a hold of them and there are code violations issues. I understand your point.

MICHAEL URBANSKI: I drove by there yesterday.

ANGELA SMITH: You can see the block (inaudible). There are several homes that been demolished. I assume at one point there were homes on all of these lots. I think this is one of the areas that we have seen a lot of demolition. Probably part of the 1000 homes in 1000 days project.

BRIAN HOROWITZ: Can I say anything else? I do have a lot of experience in South Bend. I do live in San Francisco but I come here once a month. I have a property manager. I take care of all my properties. I have owned properties here for six years.

MICHAEL URBANSKI: How many?

BRIAN HOROWITZ: Right now I have about 15 under BH investments. I have a couple under my name as well. I have a lot of experience with it. I also own the house at 135 Milton which is across the street and one over there. I'd like to make South Bend a nicer place to live and I think this is a good way to do it. I think it is feasible to have a two unit there and it already has the kitchen up and kitchen down. I'm just kind of going with that. If it wasn't like that already I wouldn't do it.

MICHAEL URBANSKI: Upstairs would it be a one bedroom or two bedroom?

BRIAN HOROWITZ: Upstairs is a two bedroom and downstairs would be a one bedroom.

MICHAEL URBANSKI: Full Bath up and down I am assuming?

BRIAN HOROWITZ: Yes.

KATHY SCHUTH: We might end up with a non-recommendation. I'd like to move that.....

BRENDAN CRUMLISH: You have to speak to the variances first.

KATHY SCHUTH: Do I?

ANGELA SMITH: It doesn't matter what order you go in.

BRENDAN CRUMLISH: Oh, okay.

KATHY SCHUTH: That we move forward with a favorable recommendation to the council.

MICHAEL URBANSKI: I will back down on my first motion.

ANGELA SMITH: Ms. Schuth are you making a motion that is favorably?

KATHY SCHUTH: Correct.

ANGELA SMITH: Is there a second?

JOHN LESZCZYNSKI: I'll second.

NOTE: A motion was made by Kathy Schuth and seconded by John Leszczynski to send the petitions for a Special Exception Use to the Common Council with a favorable recommendation, however it failed to carry due to lack of vote.

Brendan Crumlish – No  
Robert Hawley – Absent  
John Leszczynski – Yes  
Randall Matthys – Absent  
Kathy Schuth – Yes  
Michael Urbanski – Yes  
Jack Young - Absent

After careful consideration, the following action was taken:

Upon a motion by Michael Urbanski, being seconded by Kathy Schuth and unanimously carried, a petition by BH INVESTMENTS LLC seeking a Special Use for a two-family dwelling for property located at 122 MILTON ST, City of South Bend, was sent to the Council with no recommendation, and will issue written Findings Of Fact.

Brendan Crumlish – Yes  
Robert Hawley – Absent  
John Leszczynski – Yes  
Randall Matthys – Absent  
Kathy Schuth – Yes  
Michael Urbanski – Yes  
Jack Young - Absent

Upon a motion by Kathy Schuth, being seconded by Michael Urbanski and unanimously carried, a petition by BH INVESTMENTS LLC seeking the following variances: 1) from the minimum 4 required off street parking spaces to 1 was approved as presented, subject to the approval of the Special Exception Use by the Common Council, and will issue written Findings of Fact.

Brendan Crumlish - Yes  
Robert Hawley - Absent  
John Leszczynski - Yes  
Randy Matthys - Absent  
Kathy Schuth - Yes  
Michael Urbanski - Yes  
Jack Young - Absent

ITEMS NOT REQUIRING A PUBLIC HEARING

1. Findings of Fact

A. Findings of Fact for March 14, 2018

ANGELA SMITH: I will let you know we do not have Findings of Fact. I am still struggling with the technicalities of the database. Mr. Crumlish was all prepared to bring them forward to you and noticed that the action was not showing up.

2. Minutes

Approval of the minutes from the March 14, 2018 meeting of the Area Board of Zoning Appeals.

After careful consideration, the following action was taken:

Upon a motion by John Leszczynski, being seconded by Kathy Schuth and carried, the minutes from the March 14, 2018 meeting of the Area Board of Zoning Appeals were APPROVED.

The meeting was adjourned at 3: 45 p.m.

ATTESTED:

  
Lawrence P. Magliozzi,  
Secretary of the Board

RESPECTFULLY SUBMITTED:

  
Brendan Crumlish,  
Chairman of the Board 5/9/18