AGENDA

April 8, 2013

Meetings of Standing Committees
Council Conference Room
6:45 P.M.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
COUNCIL CHAMBERS/CITY HALL
7:00 P.M.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of the Minutes of the Previous Regular Meeting**

   March 20, 2013

5. **Petitions, Communications, Remonstrance and Memorials**

   Appeal No. 2013-08 Use Variance to allow for (3) Uses on a C-1 General Commercial Property - 3508 LWE

   Appeal No. 2013-09 Use Variance to allow for Outdoor Vehicle Sales Event - University Park Mall (Gates Automotive)

   Appeal No. 2013-11 Use Variance to allow (2) Above Ground Diesel Fuel Storage Tanks - 1923 N. Home St.

   Appeal No. 2013-12 Use Variance to allow a Professional Office/Residential use with a 4'X7' Sign on a Residential Zoned Property - 4028 LWE

6. **Report of Special Committee**
7. **Ordinances on First Reading**
8. **Resolutions**
9. **Ordinances on Second Reading**
10. **Privilege of the Floor – Non-Agenda Items**
11. **Unfinished Business**
12. **New Business**
13. **Adjournment**

At this time I know of no other business to come before the Council.
Deborah S. Block, IAMC, MMC, City Clerk

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL

March 20, 2013

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Wednesday March 20, 2013 at 7:00 p.m. The meeting was called to order by President Mike Compton, and all were asked to stand for the Pledge of Allegiance.

Clerk Block's roll call showed the following:

Roll Call.
Present: Mr. Reisdorf, Mr. Banicki, Mrs. Voelker, Mr. Compton, Mr. Emmons, Mr. Mammolenti, Mr. Bellovich, Mr. Bilancio, Mr. Roggeman.

Others present; Mary Ellen Hazen Chief Deputy I, Linda Dotson, Chief Deputy II, and Council Attorney Mike Trippel

The minutes from March 4, 2013 meeting were approved as received from the Clerk's Office.

Clerk Block read a letter from the Board of Zoning Appeals Recommendations from their March 12, 2013 public hearing.

APPEAL No. 2013-07 An appeal submitted by Great Lakes Capital, LLC, requesting a Use Variance for 902 East University Drive (City Plaza North), Mishawaka, Indiana, to permit an oversized off-premise real estate development sign.
RECOMMENDED APPROVAL
with the following conditions:

1. The existing real estate development signs at City Plaza North must be removed when new sign is installed.
2. The sign must be removed after two (2) years

Clerk Block read **RESOLUTION NO. R2013-07** opening it for public hearing.

RESOLUTINON NO. R2013-07

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, APPROVING A PETITION OF THE MISHAWAKA BOARD OF ZONING APPEALS FOR THE PROPERTY LOCATED AT:

902 EAST UNIVERSITY DRIVE, MISHAWAKA, INDIANA
(Development and Use Variance to allow an Off-Premise Real Estate Sign – City Plaza North)

Douglas Merritt, 632 North Mason Street, said it was his pleasure to come before the Council as a life long resident. He said he has presented an application for a use variance for an off premise sign, the graphic detail would include the residences at Tuscana and the sign would be located at City Plaza. Mr. Merritt stated this was a 15 acre development and both properties are owned by Great Lakes Capital. He said he was seeking the Council's approval and support. Mr. Merritt said the Planning Department and the Board of Zoning Committee have been fantastic to work with and they have even been able to work out a resolution where all temporary signs would be removed from the property and this sign would only be around for about two years.

Question was called for at 7:58 p.m. **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9).

Yes: Mr. Reisdorf, Mr. Banicki, Mrs. Voelker, Mr. Compton, Mr. Emmons, Mr. Mammolenti, Mr. Bellovich, Mr. Bilancio, Mr. Roggeman.

PRIVILAGE OF THE FLOOR

Mayor Wood said he wanted to update Council on the Bay Cote site EPA was here early left prior to winter with their Phase I clean up and promised to come back in the spring for the Phase II clean up. He said they are back on site and mobilized they would be there for about six weeks to two months after that time the site should be much cleaner then it was the day of the incident.

NEW BUSINESS

Mr. Emmons said he wanted to remind everyone of his Thursday March 21, 2013 neighborhood meeting at 7:00 p.m. at St. Bavo. He said Mr. Watson, Street Commissioner would be there to speak on the summer street program.

Mr. Bellovich made a motion to move April 1st meeting to April 8th Monday with a second by Mr. Banicki the motion carried.

Mr. Roggeman said he attended a meeting with the County Commissioners regarding the possibility of going to voting centers in St. Joseph County. He said he was asked by Council President Compton to attend that meeting because there have been some pilot counties that have tried this concept. Mr. Roggeman said this committee would determine whether or not to go to vote centers. He went on to say they would be meeting once a month and on April 8th the Secretary of State would be having a workshop type meeting in Plymouth. Mr. Roggeman explained that with Mishawaka's population the minimum voting centers for our county would be 20 and would possibly looking at 25 and he would be keeping everyone up to date as they move ahead.

Clerk Block stated for clarification the election board has recommended to the Commissioners that St. Joseph County go to vote centers and they were looking toward

the committee to look at where the vote centers would be and how it would be implemented and she appreciates Councilman Roggeman being on that committee.

There being no further business to come before the Council, President Compton adjourned the meeting at 8:03 p.m.

Deborah S. Block _____/s/	S. Michael Compton_____
Deborah S. Block, IAMC, MMC	S. Michael Compton,
City Clerk,	Presiding Officer

RECEIVED
MAR 15 2013
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

AP 13-08

DATE: March 12, 2013

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. 1. I, Stuart Fahlbeck, am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to wit:

   W ½ LOT 16 & LOT 17 GEYERS 3RD SUB
   Parcel # 71-09-13-228-003.000-023
   3508 Lincolnway East
   Mishawaka, IN 46544

2. The above-described real estate presently has a zoning classification of C-1 General Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. Appellant presently occupies the above-described property in the following manner: We run and own our business called Twin Branch Pack and Ship, which is a FedEx authorized ship center, approved USPS Postal provider, DHL authorized ship center, Western Union, and Uhaul Dealer. These are all services that we offer through our Twin Branch Pack and Ship Store.

4. Appellant desires to continue to offer the service of Uhaul rental and to continue to operate as a Uhaul Dealer through our Twin Branch Pack and Ship store; which would require Uhaul trucks/trailers to be parked at our location as needed.

5. The Zoning Ordinance of the City of Mishawaka requires that the property is permitted to have only two (2) tenants because it is zoned C-1 General Commercial.

6. Strict adherence to the Ordinance requirements would create an unusual hardship in that it would significantly reduce our monthly income that we receive through our Uhaul rental service. Lack of income would definitely affect our ability to run our Twin Branch Pack and Ship store effectively and efficiently.

7. (1) Will approval be injurious to the public health, safety, morals, or general welfare of the community?

   NO. Public health, safety, morals, or general welfare do not seem to be a related issue, nor affected by this subject at hand.

   (2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

   NO. The value and use of the area adjacent to the property included will not be affected in a substantially adverse manner and has not been affected in the past.

RECEIVED
DEBORAH S. BLOCK, MMC
APR 02 2013
CITY CLERK
MISHAWAKA, IN

(3) Does the need for the variance arise from some condition peculiar to the property involved?

NO. The business is maintained and runs through our Twin Branch Pack and Ship store.

(4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought?

YES. The strict application of the terms would significantly reduce our services that we are able to offer to the community along with the reduction of our income.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?

NO. This would not in any way interfere with the Mishawaka 2000 Comprehensive Plan. In fact it would help to generate additional revenue to the community.

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

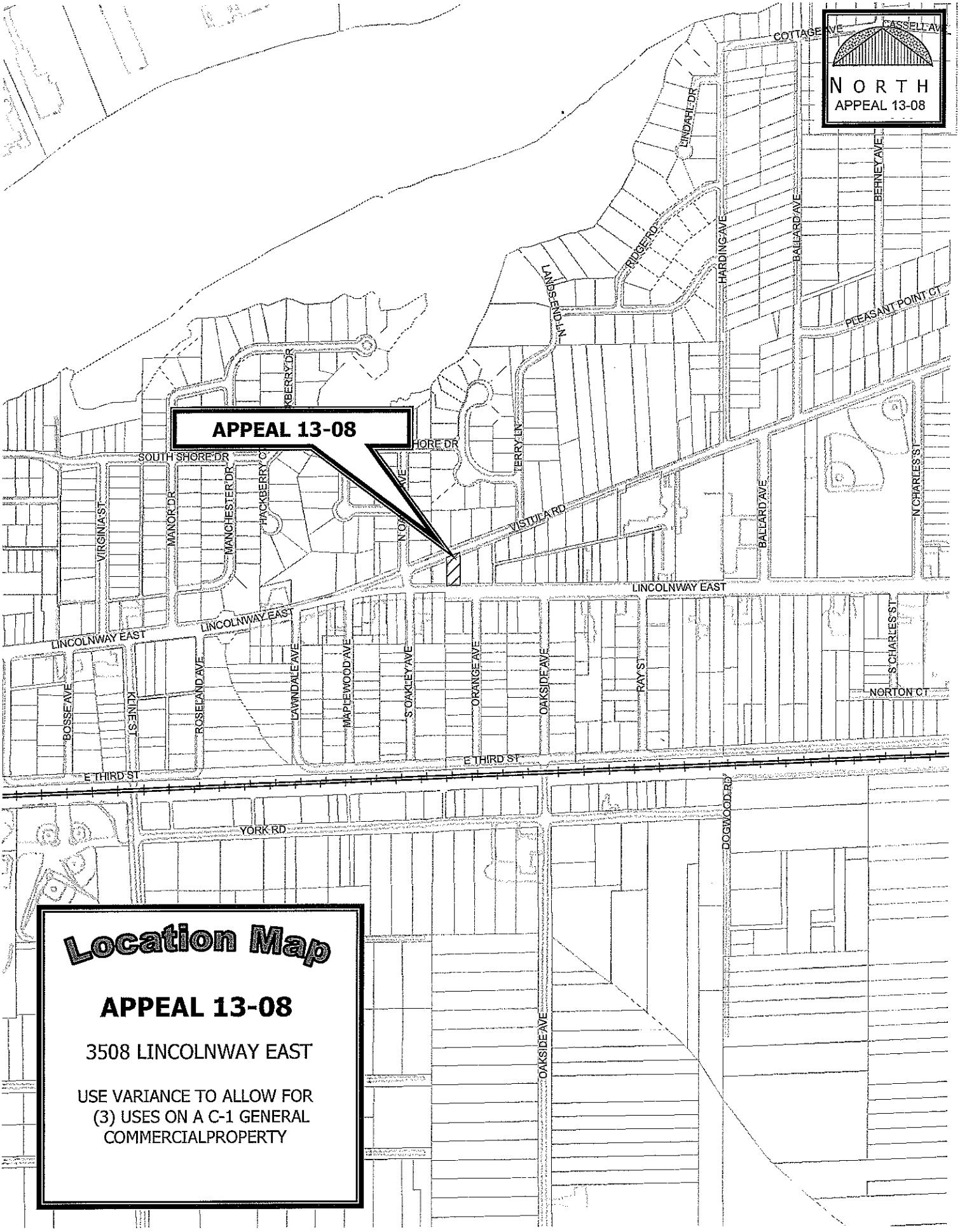
Signature of Property Owner/Title Holder

STUART D. FAHLBECK

Printed Name of Property Owner/Title Holder

CONTACT PERSON:

Stuart Fahlbeck
3508 Lincolnway East.
Mishawaka, IN 46544
574-320-6846 (Cell #)
574-257-3838 (Fax #)
Twinbranchpackandship@live.com



Location Map

APPEAL 13-08

3508 LINCOLNWAY EAST

USE VARIANCE TO ALLOW FOR (3) USES ON A C-1 GENERAL COMMERCIALPROPERTY

RECEIVED
DEBORAH S. BLOCK, MMC

APR 02 2013

CITY CLERK
MISHAWAKA, IN

RECEIVED
MAR 15 2013
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

AP 13-09

Date: 3/15/2013

To: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant, Gates Automotive group, Clint Emberton GSM, respectfully shows the board:

1. I, Clint Emberton, (appellant) on behalf of University Park Mall, (owner) am petitioner of the following described real estate located within the City of Mishawaka, Clay Township, St. Joseph County, State of Indiana, to wit:

   University Park Mall
   6501 Grape Road
   Legal Description

   Commencing at an Indiana Toll Road right-of-way monument at the intersection of the North right–of-way line of said Toll Road with the proposed West right-of-way line of Grape Road, said point also being the Principal Point and Place of Beginning and lying in and on the South line and 80.00 feet West of the East line of said Northwest Quarter of Section 28;

   thence South 89°37'13" West on and along the North right-of-way of the Indiana State Toll Road (said line also being the South line of the Northwest Quarter of Section 28), a distance of 723.71 feet to a point;

   thence North 35° 00' 00" West a distance of 382.67 feet to a point;

   thence North 55° 00' 00" East a distance of 41.50 feet to a point;

   thence North 35° 00' 00" West a distance of 459.50 feet to a point;

   thence North 60° 00' 00" West a distance of 430.30 feet to a point on the Easterly right-of-way line of Indiana State Route 23;

   thence on and along the said Easterly right-of-way line a distance of 64.24 feet along an arc to the right having a radius of 2821.79 feet and a chord of 64.24 feet bearing North 35° 22' 43.5" East to a point;

   thence South 50° 00' 00" East a distance of 385.71 feet to a point;

   thence North 30° 00' 00" East a distance of 31.50 feet to a point;

   thence South 60° 00' 00" East a distance of 83.08 feet to a point;

thence North 55° 00' 00" East a distance of 169.78 feet to a point;

thence North 30° 00' 00" East a distance of 101.13 feet to a point;

thence South 60° 00' 00" East a distance of 50.00 feet to a point;

thence North 30° 00' 00" East a distance of 55.00 feet to a point;

thence South 60° 00' 00" East a distance of 79.17 feet to a point;

thence North 30° 00' 00" East a distance of 198.00 feet to a point;

thence North 60° 00' 00" East a distance of 114.17 feet to a point;

thence North 30° 00' 00" East a distance of 75.07 feet to a point;

thence North 05° 00' 00" East a distance of 225.09 feet to a point;

thence North 60° 00' 00" West a distance of 358.49 feet to a point on the said Easterly right-of-way line of Indiana State Route 23;

thence North 37° 08' 02" East on and along the said Easterly right-of-way line a distance of 70.52 feet to a point;

thence 452.832 feet along an arc to the left having a radius of 1807.446 feet and a chord of 451.649 feet bearing North 29° 57' 23" East to a point;

thence North 89° 49' 12" East a distance of 312.93 feet to a point;

thence South 86° 33' 43.1" East a distance of 320.02 feet to a point on the proposed West right-of-way line of Grape Road;

thence South 01° 01' 41" East on and along the said West right-of-way- line of Grape Road a distance of 370.02 feet to a point;

thence South 00° 24' 32" East a Distance of 1484.91 feet to a point;

thence South 10° 04' 57" West a distance of 186.59 feet to a point;

thence South 00° 24' 32" East a distance of 320.00 feet to the Principal Point and Place of Beginning.

2. The above described real estate presently has a zoning classification of C-2, Shopping Center Commercial District under the Zoning Ordinance of the City of Mishawaka.

3. Appellant, on behalf of University Park Mall, presently occupies or proposes to occupy the North parking lot portion, Directly North of JC Penny retail store, and East to the SR 23 boundary of University Park Mall and West to the University Park Mall boundary at Grape Road of the above described property in the following manner:

4. The Gates Automotive Group desires to occupy the property on three separate occasions, 1.) A specific 10 day period in May to be named, 2.) a specific 10 day period on June to be named, and 3.) a specific 10 day period in August to be named for offsite Used Car Sale activities. These activities will be consistent with the previous activities that have been approved by the Board of Zoning Approval, City of Mishawaka, for the past three consecutive years. These events have been executed to the guidelines set forth without cause for internal review or discipline. The hours of operation shall be from 10 am until dusk. The property shall be used "As-Is" with no permanent changes to be made. Additionally, Gates Automotive Group, within the current Zoning Constraints of the City of Mishawaka, would request permission for (8) temporary signs consistent with previous approvals. Three portable tents will be erected to provide shade and shelter for customers and staff not to exceed 30' x 60'. One 12 x 60 powered mobile office facility for business transactions, consumer privacy compliance, and securing of valuables. Adequate temporary restroom facilities will be provided including but not limited to handicap accessible facilities and washing stations for sanitary concerns. Trash receptacles will be stationed in (8) eight locations through out the site emptied twice daily. As always, appropriate traffic control measures are the highest of priority. Safety cones, barricades, and safety banners will be used to provide clear and safe traffic patterns and parking for University Park Mall guest, offsite sale customers, employees of both the Mall and Gates Automotive Group.

4-1. The Gates Automotive Group request special consideration from the board. Our request for approval the past three years has gone virtually unopposed. The Board has been generous to grant our request. Additionally, the Council has been gracious to accept the Boards recommendation and grant our request. Gates values the time that the Members of the Board dedicate to our Community. We have petitioned your advice and made request of your services and time four consecutive years. We (Gates and University Park Mall) would like to request a comprehensive approval for the next three years. This approval would have to adhere to the guidelines as have been approved for the previous years. This approval could be withdrawn by either party, at any time with 90 days notice. The approval would expire on 10/1/2015. In the consideration of time, effort, and repetition of request, we pray that you carefully review this addition to the submitted request.

5. The Zoning Ordinance of the City of Mishawaka requires, (1) per section 157.14, Prohibit Signage in all Zoning Districts state; it shall be unlawful to erect or maintain temporary signs, except as permitted under 157.16 Temporary Freestanding Sign Permits. (2) The parking area of the University Park Mall in question is Zoned C-2, Shopping Center Commercial.

6. Strict adherence to the Ordinance requirements enforced would prohibit Gates from selling used vehicles from that location, and (2) Using banners, tents and other miscellaneous materials to promote our Used Car Sales Event.

7. Approval of this request will not be injurious to the public health, safety, morals, or general welfare of the community at large. Gates Automotive Group, having been a local family owned business for 85 years, is involved in and committed to the well being of the City of Mishawaka and the fine citizens who reside here. The use and the value of the area and the adjacent properties included in the variance will not be adversely affected. Quite to the contrary, this event has and will continue to stimulate revenues for the local community. Numerous local media outlets, employees of surrounding business enterprises, subcontractors and vendors involved in staging this event and certainly tax revenues for State and local Government will be positively impacted.

7-1. The need for the variance arises due to the fact that the property is located in the City of Mishawaka and is currently not being used for the same purpose as the request is being made. The property is also located in a very high visibility area with easy access, adequate customer and employee parking.

7-2. Strict application to the terms of this chapter constitutes an unnecessary hardship if applied to this property due to the fact that Gates Used Car Sales are successful in part because of the safe and festive atmosphere created by our marketing and executed by our well trained employees. The previous approvals graciously granted by the by The Board of Zoning Appeals in 2010, 2011, and 2012 were beneficial for Gates, the University Park mall, and the Community of Mishawaka as a whole. The events were organized in an effective, safe, and non-offensive manner to the community. Over the last three years, the State of Indiana has enjoyed tax revenues totaling over $1M dollars. Additionally, the payrolls, invoices, numerous hired vendors, and outsourced services have generated hundreds of thousands in revenue that stay in the local Community. We have driven nearly ten thousand curious and interested buyers to this market since inception which has been beneficial to the University Park Mall and other local businesses. We believe that the approval of the above request will in no manner fall short of our previous year's success and benefit to the Community at large. We strongly encourage the approval of our request and believe we can do our share to fan the flame of economic momentum. Restricting the use of this property will also limit the ability for Gates' to stimulate a vibrant market and promote an event that surrounding communities have come to expect and enjoy.

8. Approval will in no manner interfere with the Mishawaka 2000 Comprehensive Plan as the property is already defined as Commercial.

Wherefore the Gates Automotive Group prays and respectfully requests a hearing on this appeal and that after such a hearing, the Board grants the requested variance.

Property Owner Signature: See Attached Authorization

Property Owner Name: University Park Mall

Contact Person(s):

Clint A, Emberton
GSM, Gates Automotive Group
636 W. McKinley Avenue
Mishawaka, IN 46545
Phone: 574-340-0395
Fax: 574-291-6088
Email: cemberton@gatestoyota.com

UNIVERSITY PARK MALL | A Simon™ Mall

February 13, 2013

City of Mishawaka
600 East Third Street
Mishawaka, IN 46545

To Whom It May Concern:

This letter will serve as University Park Mall's authorization for Gates to utilize a designated portion of our parking lot to promote its line of vehicles during requested dates in 2012. The attached plot map details the placement of vehicles and tents in our north parking lot near JC Penney.

We have a good working relationship with Gates Automotive and the shows over the past three years were all well organized and professional. University Park Mall and its merchants benefit from these types of promotions by means of traffic and sales.

Please do not hesitate to contact me for clarification or if further information is needed.

Sincerely,

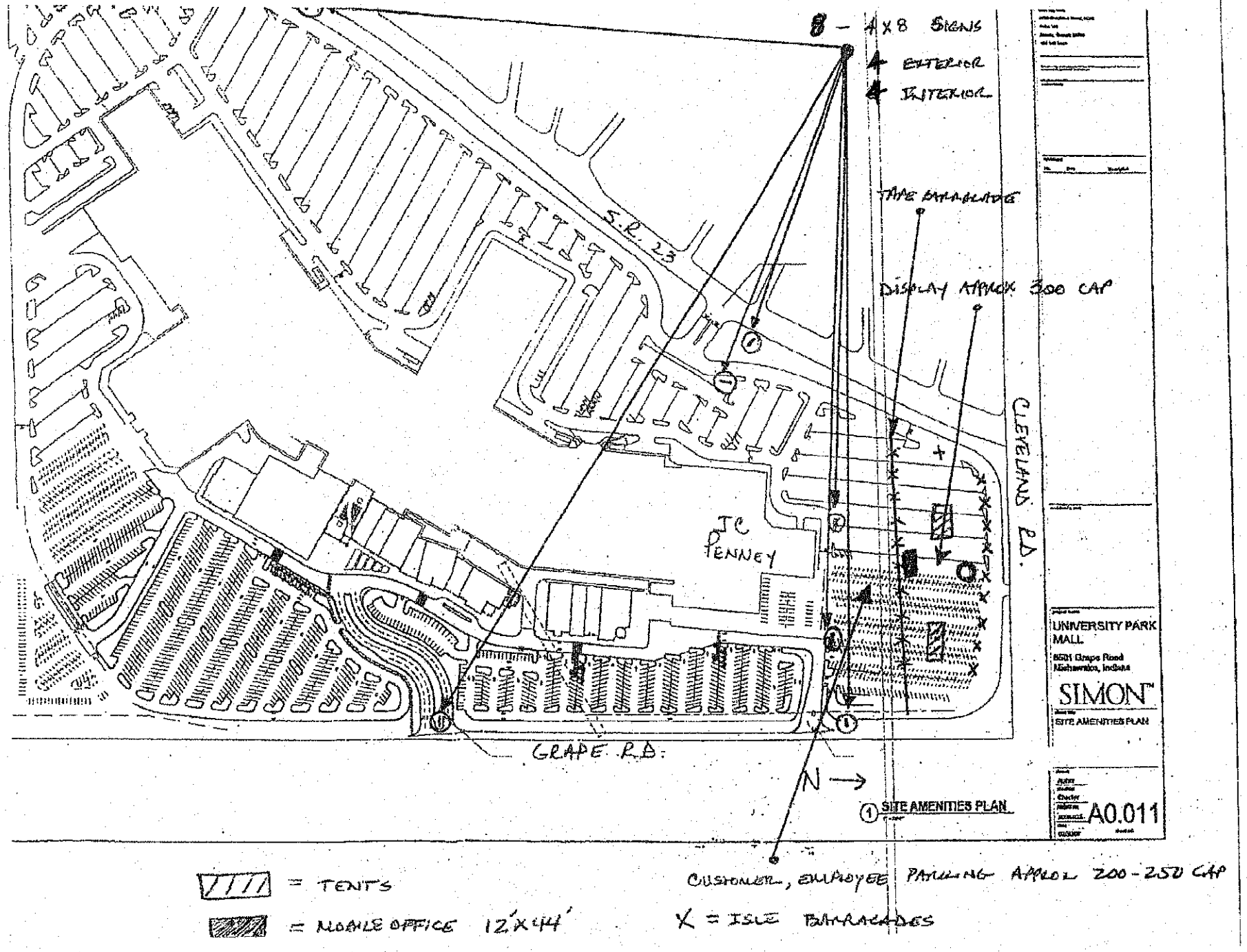
Irene McKiernan

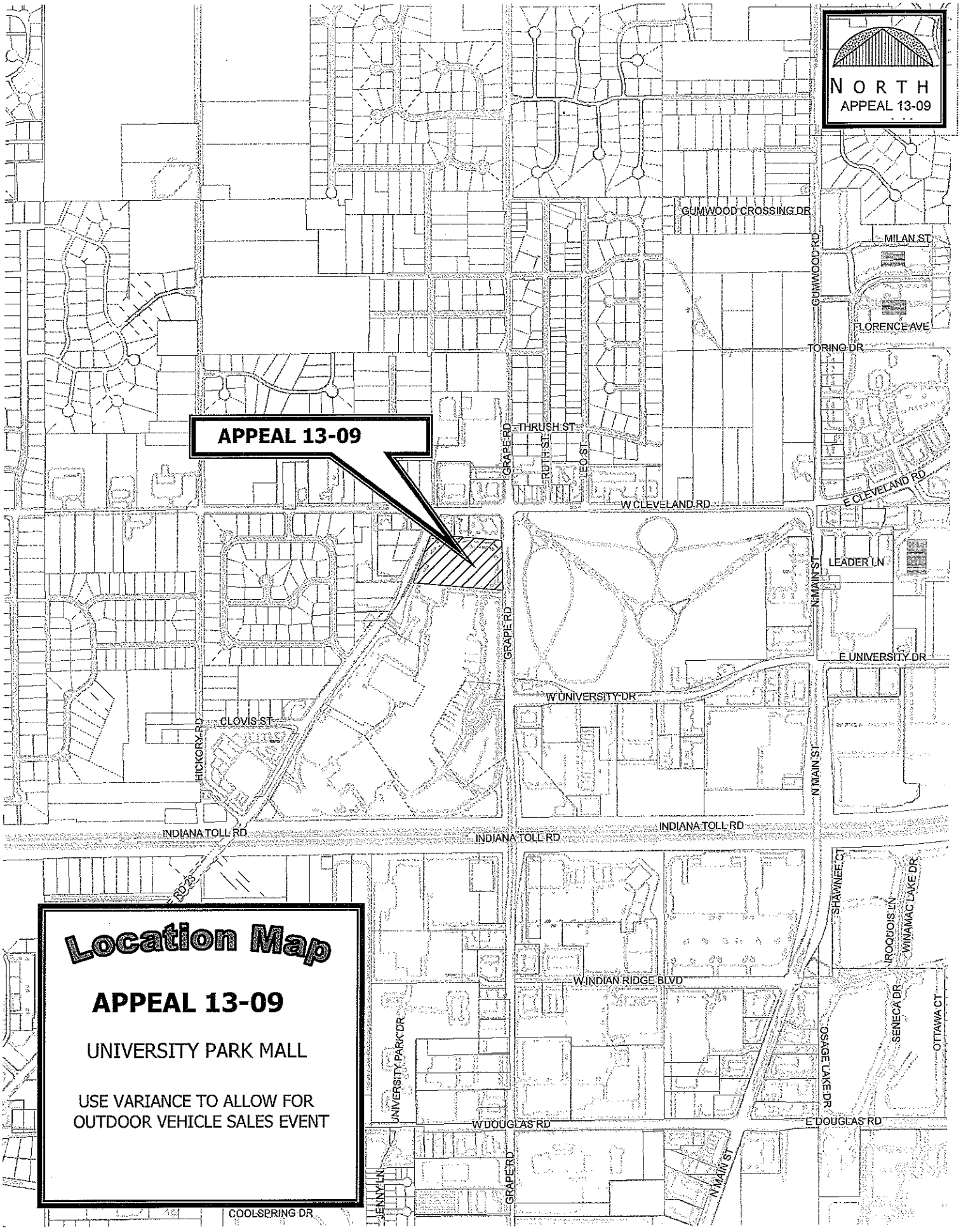
Irene McKiernan
Director of Marketing & Business Development
University Park Mall

cc: Austin Martin

smw/enclosure

Mar 04 11 04:36p Matt Helmkamp 574-258-7016 P.5





Location Map

APPEAL 13-09

UNIVERSITY PARK MALL

USE VARIANCE TO ALLOW FOR OUTDOOR VEHICLE SALES EVENT

L.L.Geans
CONSTRUCTION CO.

1923 N. HOME ST. MISHAWAKA, INDIANA 46545-7287
PHONE (574)255-9671 FAX:(574)255-8965 www.llgeans.com

Building your trust with solid service.

RECEIVED
DEBORAH S. BLOCK, MMC

APR 02 2013

CITY CLERK
MISHAWAKA, IN

RECEIVED
MAR 20 2013
BUILDING, PLANNING
COMMUNITY DEVELOPMENT
AP 13-11

DATE: March 20, 2013

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

1. I, Rocky R. Geans of Rocky R. Geans Real Estate LLC, am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit:

   Parcel Address – **1923 North Home Street**

   Legal Description – **BEG SE CORN LOT 104 CITIZEN HOMES CO 828.6' E&W X 150.0' N&S SEC 11 37 3E SPLIT OUT OF 27 1001 0455 WD3516**

2. The above-described real estate presently has a zoning classification of **I-2 Heavy Industrial** District under the Zoning Ordinance of the City of Mishawaka.

3. Appellant presently occupies the above-described property in the following manner:

   Office building and Warehouse

4. Appellant desires to:

   Install two above-ground storage tanks for diesel fuel.

5. The Zoning Ordinance of the City of Mishawaka requires under **Section 137-609.-Uses** that this installation falls under **(b) Conditional uses** and needs to be conditionally approved by the Board of Zoning appeals.

6. Strict adherence to the Ordinance requirements would create an unusual hardship because:

   In order to take care of our equipment and vehicles, we currently drive them to an off-site location for fuel. The time and cost to drive to/from this off-site location is compounded by the fact that many times we have to wait on others to finish fueling.

7. Answers for a USE VARIANCE:

   (1) Will approval be injurious to the public health, safety, morals or general welfare of the community?

   No, because the storage tanks are double-sided, will have a walled area for containment, the dispensing method will be locked when not in use, and the tanks will be 200' away from residential homes.

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner?

No, because there is no adverse effect from the above-ground diesel storage tanks.

(3) Does the need for the variance arise from some condition peculiar to the property involved?

No, because there are no peculiar conditions.

(4) Does strict application of the terms of this chapter constitute an unnecessary hardship if applied to the property for which the variance is sought?

Yes, because L.L.Geans' equipment and fleet of vehicles would be idle for a longer period than necessary (reference item #6 response). In order for L.L.Geans' to be more efficient and profitable, the equipment and fleet of vehicles must be in productive use as long as possible; having our own fuel storage capability would allow this to happen.

(5) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan?

No. There will be no adverse development. This is an existing business and there will be no environmental impact because measures are being taken to ensure no fuel will pollute the soils and/or water resources.

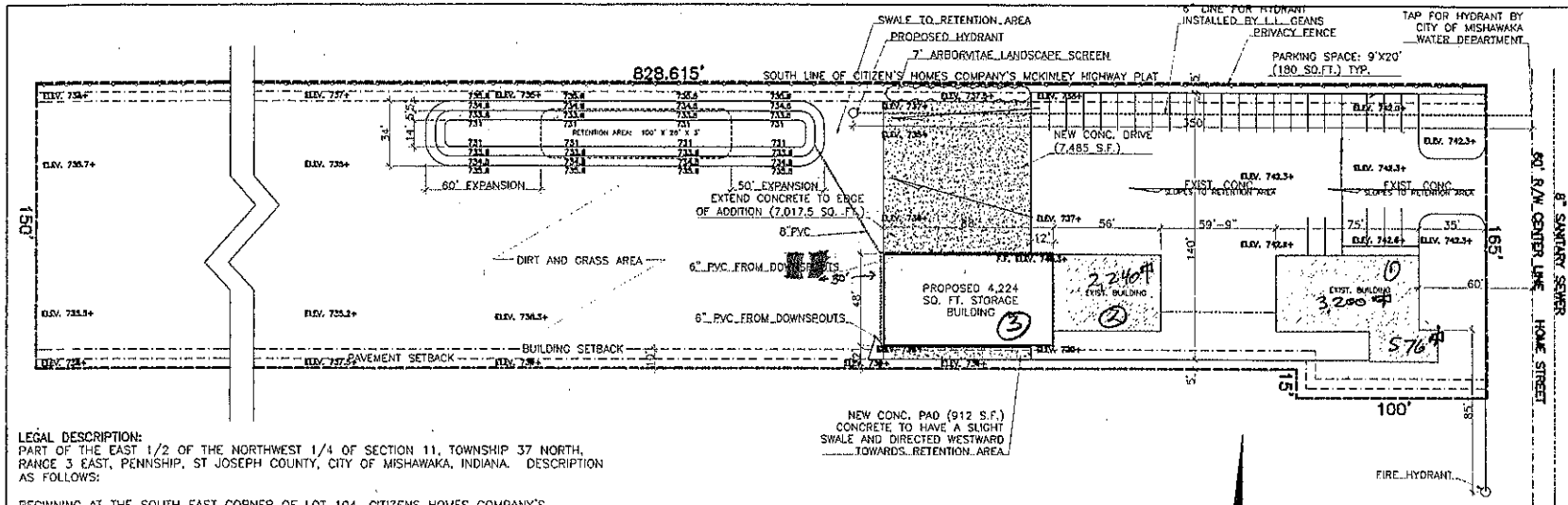
WHEREFORE, Appellant prays and respectfully requests a hearing on this appeal and that after such hearing, the Board grant the requested variance.

Rocky R. Geans, President

Rocky R. Geans Real Estate LLC
L. L. Geans Construction Company

CONTACT PERSON:

Name: Rocky R. Geans
Address: 1923 North Home Street, Mishawaka, IN 46545
Day Phone: (574) 255-9671
Fax Number: (574) 255-8965
Email: rocky@llgeans.com



LEGAL DESCRIPTION:
PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 37 NORTH, RANGE 3 EAST, PENNSHIP, ST JOSEPH COUNTY, CITY OF MISHAWAKA, INDIANA. DESCRIPTION AS FOLLOWS:

BEGINNING AT THE SOUTH EAST CORNER OF LOT 104, CITIZENS HOMES COMPANY'S MCKINLEY HIGHWAY PLAT, RECORDED IN DEED RECORD BOOK 17 PAGE C, IN THE OFFICE OF THE RECORDER OF ST. JOSEPH COUNTY, INDIANA, WHICH POINT IS ALSO THE PONT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OF HOME STREET WITH THE SOUTH LINE OF SAID CITIZEN'S HOMES COMPANY'S HIGHWAY PLAY; THENCE WESTERLY ON SAID SOUTH LINE A DISTANCE OF 828.615 FEET OF THE SOUTH WEST CORNER OF LOT 95, CITIZENS HOMES COMPANY'S MCKINLEY HIGHWAY PLAT; WHICH POINT IS ALSO THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MCKINGHT STREET WITH THE SOUTH LINE OF CITIZENS HOMES COMPANY'S MCKINLEY HIGHWAY PLAY; THENCE SOUTHERLY ON THE EAST RIGHT OF WAY LINE OF MCKIGHT STREET PRODUCED SOUTH, A DISTANCE 150.00 FEET; THENCE EASTERLY PARALLEL TO THE SOUTH LINE OF CITIZENS HOMES COMPANY'S MCKINLEY HIGHWAY PLAY, A DISTANCE OF 828.625 FEET TO THE WEST RIGHT OF WAY LINE OF THE HOME STREET; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE OF HOME STREET; THENCE NORTHERLY ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

SUBJECT OT LEGAL HIGHWAYS AND EASEMENTS OF RECORD

THE AREA OF THE DESCRIBED TRACT IS 2.853 ACRES MORE OR LESS.

LAND USAGE:

TOTAL	125,792.25
BUILDING	10.059.6
CONCRETE DRIVE	29,491.49
GRASS AND DRAINABLE AREA	86,041.16
CONC. SIDEWALK, APPROACHES	200

FLOOR AREA RATIO

OFFICE & RESTROOM	3,586.0
GARAGE, SHOP AREA	6,473.6

PARKING RATIO

1 SPACE PER EMPLOYEE	
TOTAL EMPLOYEES	25
NUMBER OF SPACES SHOWN	27

PROPERTY OWNER
ROCKY GEANS
1923 N. HOME ST.
MISHAWAKA, IN 46545
PHONE: 1-(219)-255-9671
FAX: 1-(219)-255-8965

DOCUMENTED HEIGHT MAY NOT EXCEED 60'
HEIGHT OF BUILDING: 23'

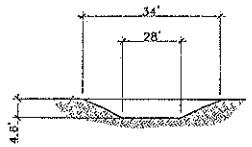
BUILDING USE DESCRIPTION:
THIS 4,224 SQUARE FOOT ADDITION WILL BE USED ONLY FOR STORAGE OF TOOLS AND/OR MATERIALS WHICH ARE NOT SUITED TO BE IN AN UNSHELTERED ENVIRONMENT. BUILDING DOES NOT REQUIRE AND WILL NOT HAVE: INSULATION, HEATING/COOLING SYSTEM AND PLUMBING. ELECTRICAL WILL BE INSTALLED AS SHOWN ON A1.

DRAINAGE:
NEW DEVELOPEMENT

BUILDING	4224 S.F.
PAVEMENT	8392 S.F.
TOTAL	12616 S.F. HARD SURFACE AREA =.29 AC

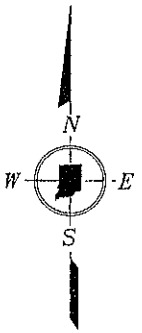
RETENTION
100 YR 24 HR STORM I = .234 C=1.0
Q=ACI
=(.29)(1.0)(.234)
=.68 CFS
24HR STORM=.136 AC-FT
=5924 CU. FT. RETENTION

RETENTION PROVIDED
EXTENSION OF EXISTING RETENTION AREA
EXPANDED SECTION AREA=110'X107.2 S.F.



TYPICAL SECTION AREA=107.2 S.F.

SITE PLAN
0 15' 30' 60' 120'
SCALE: 1" = 60'



3,200
576
OFFICE TOTAL 3,776

BLDG No1 BUILT IN: 1995 - STEEL BLDG 13' EAVE SHOP TOTAL 4,224
BLDG No2 BUILT IN: 1998 - POLE BLDG 11' EAVE 2,240
BLDG No 3 BUILT IN: 2001 - POLE BLDG 15' EAVE 6,464

L.L.Geans CONSTRUCTION CO.
1923 North Home Street
Mishawaka, Indiana 46545-7287
Telephone (219)255-9671 FAX (219)255-8965

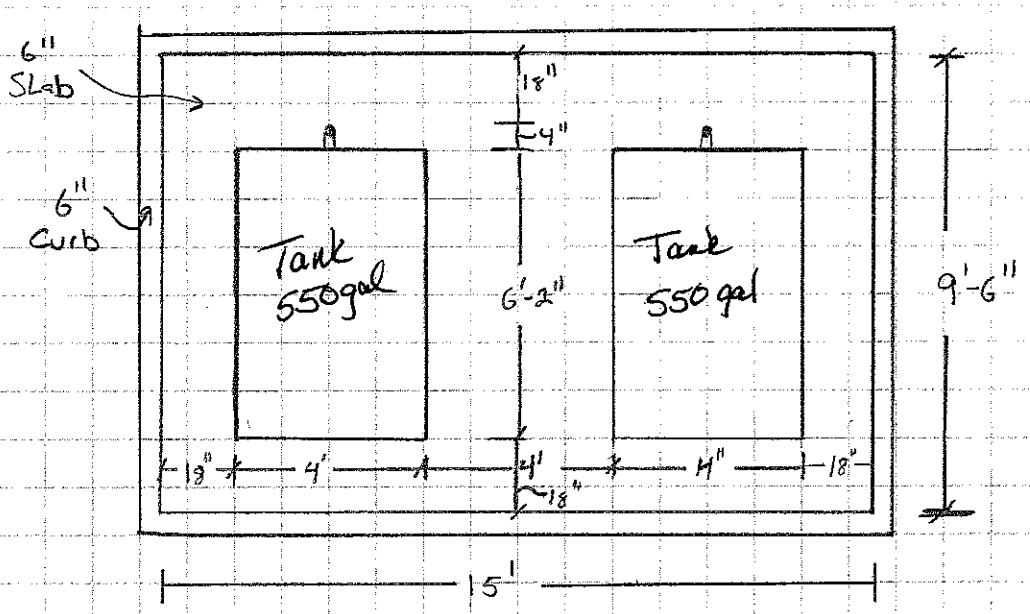
Issue -	9/18/2001
Rev. -	10/02/2001
Rev. -	
Rev. -	
Rev. -	
Rev. -	
Rev. -	

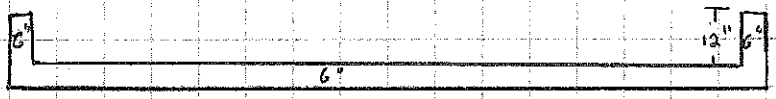
L. L. GEANS CONSTRUCTION

SITE PLAN

Job No. 2819

Sheet
S1





Notes:

1. Curb will have pipe with threaded cap for rain water drainage

2. Floor will slope to drain pipe.

Required volume: 550 gallons = 73.5243 cubic feet

Calculated volume of containment area:

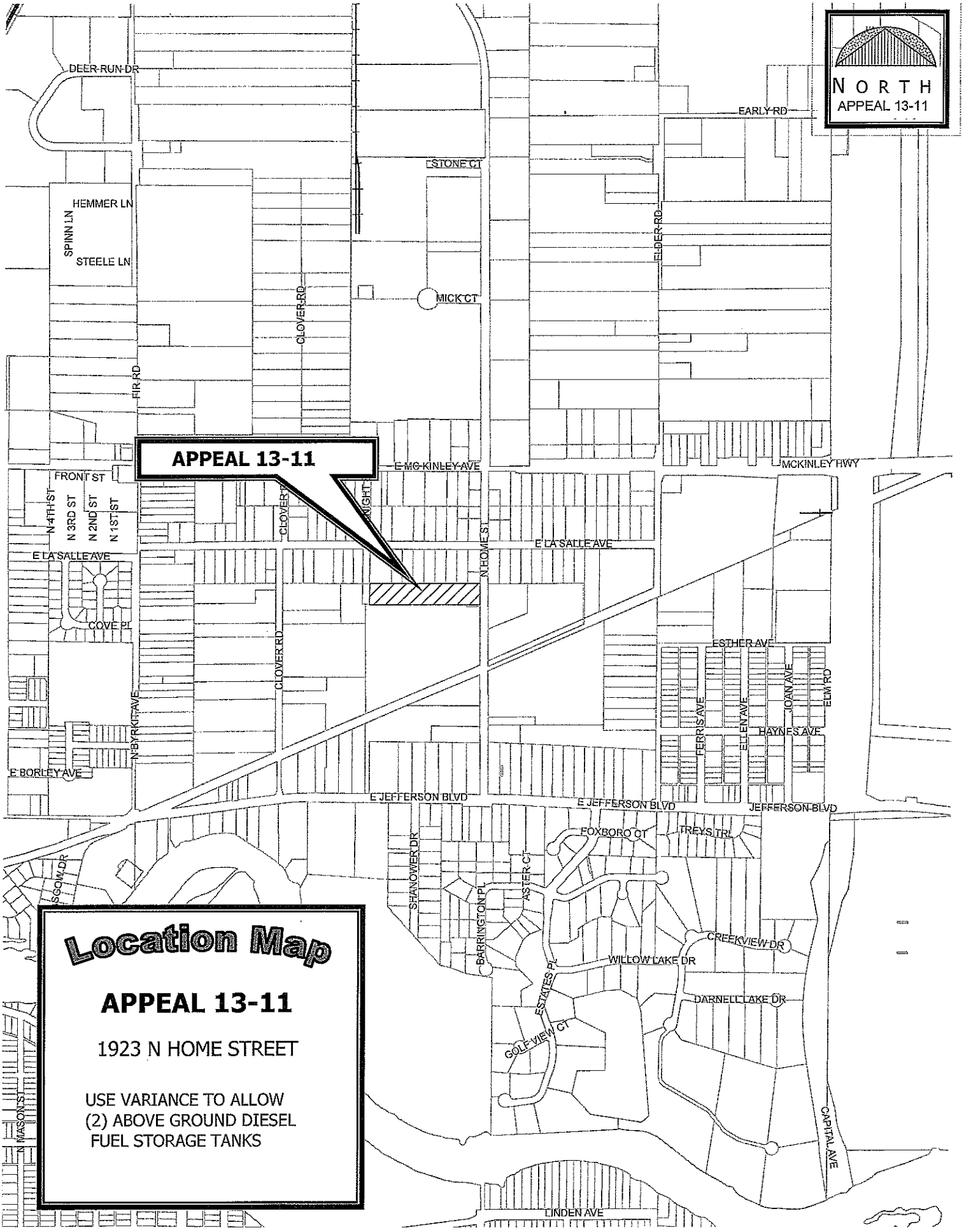
15' x 9'-6" x 12" = 142.5 cubic Feet

L.L. Geans CONSTRUCTION CO.

Foundations & floor slabs
Machine pits & bases
Containment pits
Loading docks (new & repair)
Concrete parking lots & walks
Crack & joint repair

Decorative concrete
Trench drains
Truck docks
Dock levelers
Masonry (new & repair)
Structural steel & wood

Light bases
Excavation & demolition
Ramps & ADA ramps
Protection posts
Overhead/service door prep
No job is too large or too difficult



Location Map

APPEAL 13-11

1923 N HOME STREET

USE VARIANCE TO ALLOW
(2) ABOVE GROUND DIESEL
FUEL STORAGE TANKS

RECEIVED
DEBORAH S. BLOCK, MMC
APR 02 2013
CITY CLERK
MISHAWAKA, IN

RECEIVED
MAR 20 2013
BUILDING, PLANNING
COMMUNITY DEVELOPMENT

AP 13-12

March 18,2013

To: Board of Zoning Appeals
City of Mishawaka, IN

The undersigned appellant respectfully shows the Board:

1. I, Brent W VanderZwaag (2-BE's Properties LLC), am the owner of the following described real estate located within the City of Mishawaka, Penn Township, St Joseph County, State of Indiana, towit:

4028 Lincolnway East, Mishawaka, IN 46544
ID 016-1094-3791
Bet Vistula Rd & LWE & Adj Barrows S Sub Tax lot 22 Wards Sub 18 31 4E Ex Pts Sold

2. The above-described real estate presently has a zoning classification of R-1 Single Family Residential under the Zoning Ordinance of the City of Mishawaka.

3. Appellant presently occupies the above-described property in the following manner: Currently vacant

4. Appellant desires to use the residence as a professional business office and Residential with a sign in front yard. The business will see about 3-7 people a week (the majority of my clients are seen in their homes). It is a financial services business with ample parking for the amount of client traffic that will be visiting the business. The garage will be the parking place for myself or my office staff. Along with the driveway that will hold 3 additional cars. The sign will be approximately 4 ft x 7 ft including posts.

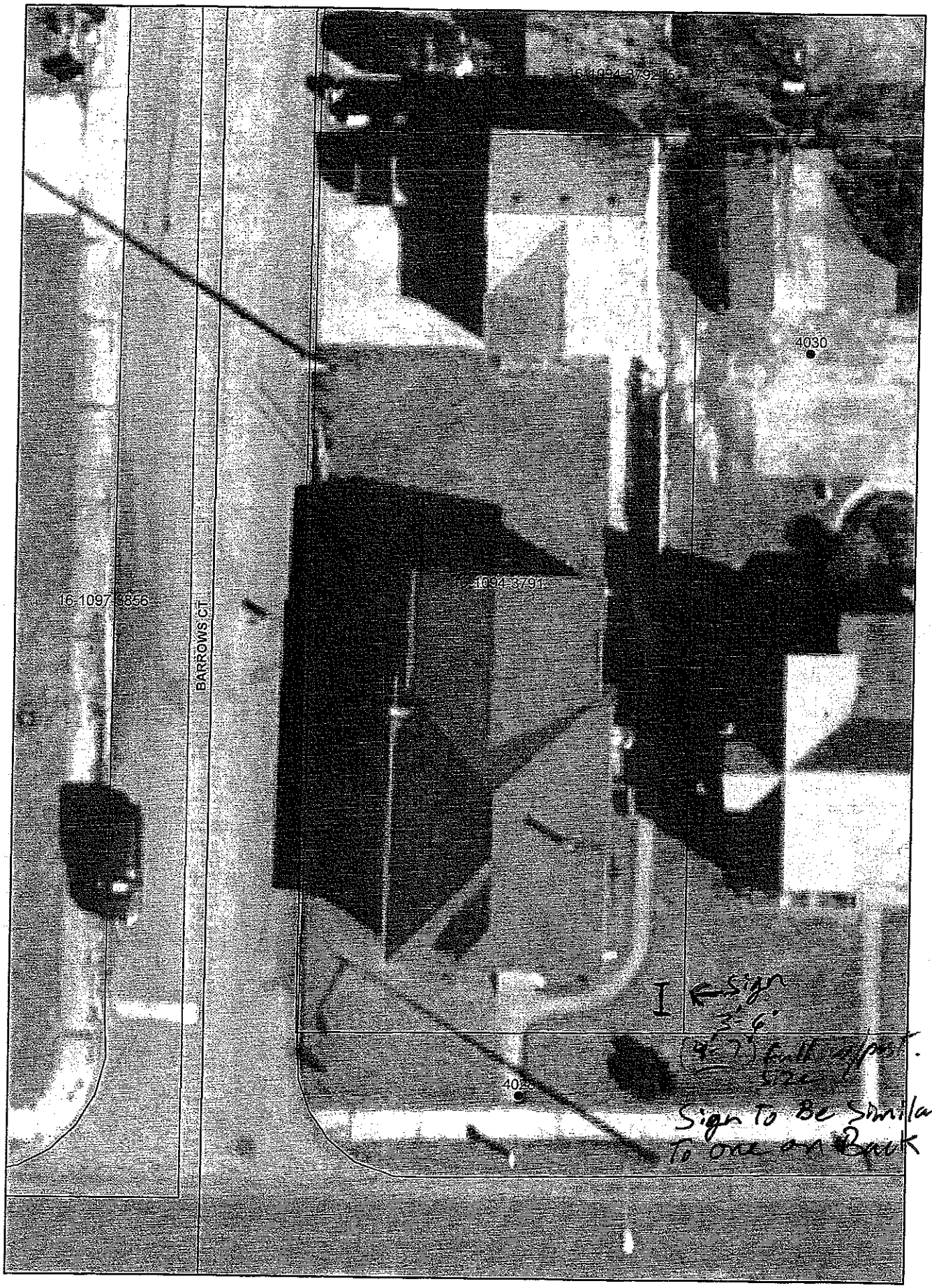
5. The Zone Ordinance of the City of Mishawaka does not allow Residential and Business as it is zoned Residential 1.

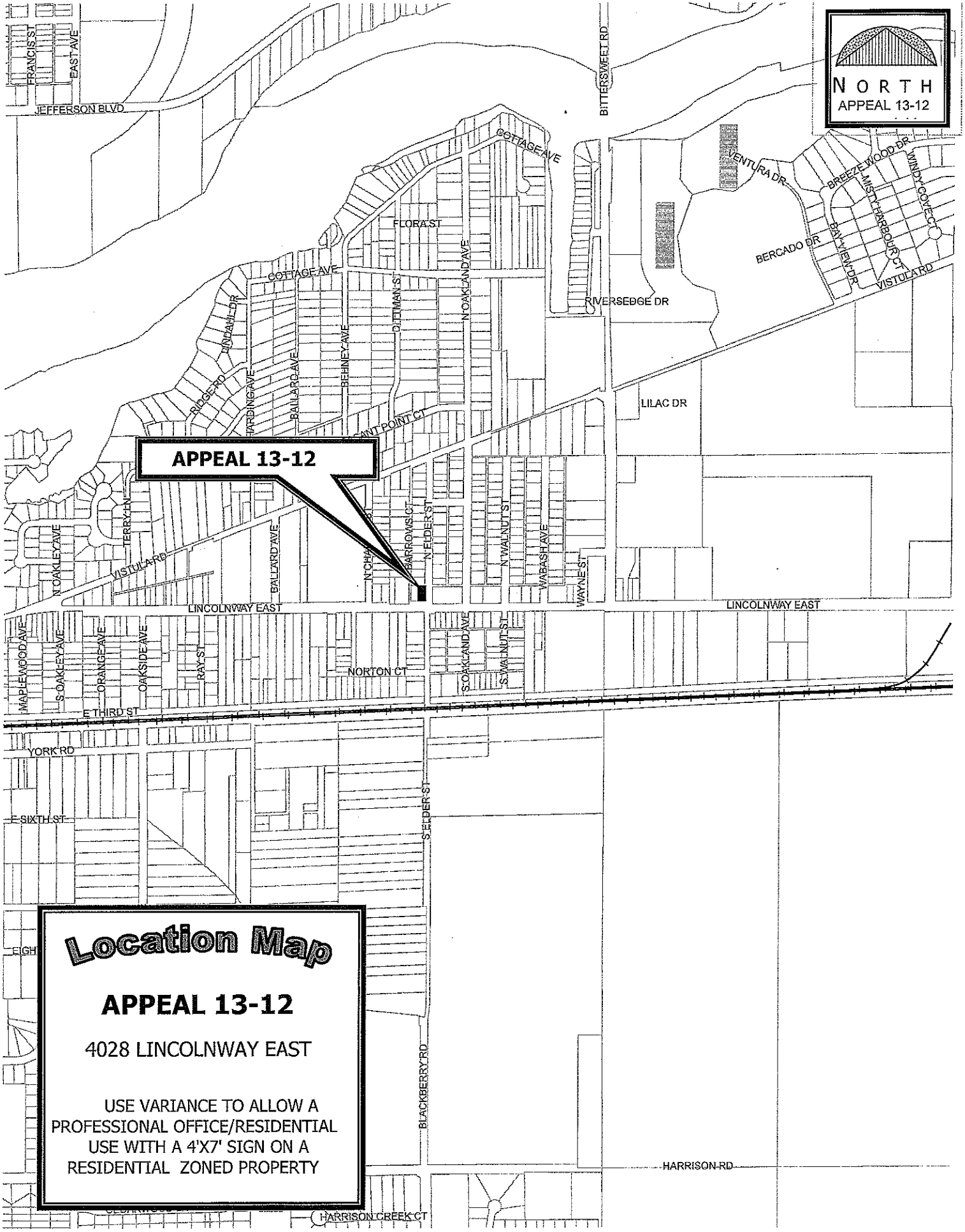
6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship. I would not be able to do my business.

7. Use Variance:

(1) Will approval be injurious to the public health, safety, morals or general welfare of the community? No, I will be using it as light office use and residential.

(2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? No, the property to the east side is already a rental property, the west side of the property is Barrows Ct., the property to the north is blocked by the garage (as far as the view to our property is concerned).


16-1094-3792
4030
16-1094-3791
16-1097-3856
BARROWS CT
4028
I ← Sign
3'-6'
(4'-7') Full w/post size
Sign To Be Similar
To one on Back



Location Map

APPEAL 13-12

4028 LINCOLNWAY EAST

USE VARIANCE TO ALLOW A PROFESSIONAL OFFICE/RESIDENTIAL USE WITH A 4'X7' SIGN ON A RESIDENTIAL ZONED PROPERTY