

AGENDA

Monday, August 19, 2019

Introduction of New Superintendent of Mishawaka Schools

Wayne Barker

6:15PM

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**

August 5, 2019

5. Petitions, Communications, Remonstrance and Memorials

A letter from the Board of Zoning Appeals regarding recommendations from their August 13, 2019 meeting.

Approval of the Justice Assistance Grant (JAG) for 2019 \$11,553.00

6. Report of Special Committee

7. Ordinances on First Reading

P.O. NO. 2019-21 Elected Officials Salary Ordinance for 2020

P.O. NO. 2019-22 City Employees Salary Ordinance for 2020

8. Resolutions

R2019-21 Use Variance to Permit Micro-blading &/or Permanent Makeup 228 W. Edison Rd. Suite 600

R2019-22 Use Variance to allow Wholesale Landscape Material Sales (Top Soil) 2320 Douglas Rd. - Lot 3 of Juday Creek Business Park

R2019-23 Use Variance to allow Existing House and 1,500 sq ft Accessory Structure to be used as Home Business (Zoned: I-1) 903 E. 5th St.

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

The City of Mishawaka acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, and amanuenses) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact Geoffrey Spiess, ADA Coordinator, at (574) 258-1615.

REGULAR MEETING OF THE MISHAWAKA COMMON COUNCIL
August 05, 2019

Be it remembered that the Common Council of the City of Mishawaka, Indiana met in the Council Chambers of the Mishawaka City Hall on Monday August 05, 2019, at 7:00 p.m. The meeting was called to order by President Dale “Woody” Emmons all were asked to stand for the Pledge of Allegiance.

 Roll Call.

Present: Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

Others Present: Clerk Block, Deputy Clerk Raven Boston, Council Attorney Michael Trippel.

Minutes of the Regular Meeting of July 15, 2019 was approved as received from the Clerks Office.

Clerk Block read the following appeals to the council who referred them to the Board of Zoning Appeals for their recommendations.

APPEAL NO. 2019-28 Use Variance to Permit Micro-blading &/or
Permanent Makeup 228 W. Edison Rd. Suite 600

APPEAL NO. 2019-33 Use Variance to allow Wholesale Landscape Material Sales
(Top Soil) 2320 Douglas Rd – Lot3 of Juday Creek Business Park

APPEAL NO. 2019-35 Use Variance to allow Existing House and 1,500 SQ. Ft Accessory
Structure to be used as a Home Business (zoned: I-1)903 E 5th St

Clerk Block read the following proposed ordinance by title and was opened for public hearing.

PROPOSED ORDINANCE NO. 2019-19

**AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL
CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME
AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF
THE CITY OF MISHAWAKA, INDIANA.**

(PUD Amd 6910 N. Main St. units 25 & 26- Microblading/ Semi Permanent Makeup)
(Assigned to the Land Use Planning Committee)

Jack Schoenthaler, owner of Inside Out Salon and Spa said his business currently offered hair, nail and massage services and he would like to add microblading to the list of services. He continued to say there were surrounding business providing the service. Mr. Schoenthaler mention he has been to the health department for approvals and certification, the council’s approval for the variance was the next step.

Question was called for at 7:08 P.M. for **PROPOSED ORDINANCE NO. 2019-19**  **Vote:** Motion carried by unanimous roll call vote (**summary: Yes = 9**). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5662**

PROPOSED ORDINANCE NO. 2019-20

AN ORDINANCE AMENDING CHAPTER 137, OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF THE CITY OF MISHAWAKA, INDIANA.

(Rez from C-1 to R-1 426 W. 6th Street)
(Assigned to the Land Use Planning Committee)

Rachel Stanfield, owner of proposed property explained one side of the building was zoned residential and the other side was commercial. She said she was requesting to remove the commercial variance from the property. Mrs. Stanfield said she was renovating the building to make it all look residential by adding siding and remove the old Motorola sign on the building. She mentioned a surveyor come out to see where the property ends.

Mrs. Voelker asked would Mrs. Stanfield reside on the property and question the removal of the concrete in the front yard. Mrs. Stanfield replied yes. She said they were taking out all the asphalt to add portion of concrete to match the sidewalk for a driveway, the remainder would be the backyard. She explained depending on the surveyor's assessment; they would like to remove the concrete in the front on 6th street to make a front yard. Mrs. Voelker also asked would she leave the door at an angle. Mrs. Stanfield replied yes, it would be expensive to close it off and figure out where to put a new door.

Mr. Compton and Mr. Emmons expressed their appreciation taking an old family business that sat vacant to make it into a home.

Question was called for at 7:15 P.M. for **PROPOSED ORDINANCE NO. 2019-20**  **Vote:** Motion carried by unanimous roll call vote (**summary: Yes = 9**). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons. Thus, it becomes **ORDINANCE NO. 5663**

PRIVILEGE OF THE FLOOR

Victor Lawson, 1402 Bennington Dr. wanted to make the council aware of the missing section of sidewalk between 1410 and 1420 Bennington Dr. He said in the two years he has resided on Bennington Dr., he has watch children walk in the street until they could walk on side walk again. Mr. Lawson said it was 50 to 75 yards of missing sidewalk on the northside.

Ms. Petko Reisdorf asked was it the undeveloped section of Bennington. Mr. Lawson replied no, the last empty lot on Bennington was built in the spring of 2018. He said there were no more empty lots, but there was retention ditch.

Mr. Mammolenti made the comment he drove down Bennington Dr. often. He asked were they utilizing the drive used for a construction entrance to go back to the villas. Mr. Lawson explained it was going to be a street off of Darien Court.

Mrs. Voelker asked has anyone made the Engineering Department aware. Mr. Lawson replied no, not that he knew of.

Sandra Brody, 51331 Windsor Manor asked to speak in regard to the proposed Menards. Mr. Emmons said it was an agenda item, no comments would be taken at this time.

UNFINISHED BUSINESS

Clerk Block read the following proposed ordinance by title and was opened for public hearing.

PROPOSED ORDINANCE NO. 2019-17

AN ORDINANCE AMENDING CHAPTER 137 OF THE MUNICIPAL CODE OF THE CITY OF MISHAWAKA, INDIANA, AS FROM TIME TO TIME AMENDED, COMMONLY KNOWN AS “THE ZONING ORDINANCE OF 1966” OF THE CITY OF MISHAWAKA, INDIANA.

(Grandview PUD Amd- W. side of N. Gumwood, S. by Cleveland Rd. (SR23)
(Assigned to the Land Use Planning Committee)

Petitioner requested postponement until the September 03, 2019 meeting

Mr. Banicki reported the Land Use Planning Committee recommended this proposed ordinance should be continued to the September 03, 2019 meeting. This is signed by the entire committee upon a second by Mr. Tanner motion carried.

Debbie Perri 15736 Arbor Crossings Dr. Granger wanted to clarify how the meeting would be conducted for the proposed Menards. Mr. Emmons explained on September 03, 2019 the public would have the opportunity to speak for or against the proposed ordinance, the council would have they're input and vote in favor or against.

Ken Prince, City Planner added by state law, action by the council had to be taken within 90 days from the Plan Commission meeting. He continued to say the Plan Commission made a favorable recommendation on June 12, 2019, the council's deadline to take action would be by September 12, 2019. Mr. Prince said because the regular council meetings in September did not fell efore or after the 12th, the council could call for a special meeting at the September 03, 2019 meeting for the proposed Menards, if more time was needed. He also stated by state law, if the council did not take action by the deadline, the amendment would automatically take effect due to the favorable recommendation from the Plan Commission.

Doris Collins 15736 Field Crest Court questioned whether to public could speak on the proposed Menards under privilege of floor at the next council meeting on August 19, 2019, since it would not be an agenda item at that time. She also asked would the public be able to see the changes the petitioners were proposing to make before the September 03, 2019 meeting and would the petitioners hold another information meeting for the residence. Mr. Emmons replied yes, the

public could express their concerns at the September 3rd meeting. He asked the public to not repeat their comments and concerns.

Mr. Tanner added in his opinion it would behoove the developer and the engineering consultant to release the information to the residence at which time they think would most benefit the response and the give and take with residence in the surrounding area for a more favorable response at the September meeting, but it was not legally required for the information to be release before the September 3rd meeting. He continued to say the information meeting held on July 29, 2019 by the petitioner was at the councils request to be good neighbors, but by law it was not required for the petitioner to have held the meeting or to have another one. Mrs. Collins expressed it did not seem fair or neighborly the public would not be able to receive any information before the September 3rd meeting to analyze what the impact would be on the surrounding neighborhoods.

Clerk Block read the following resolutions by title and was opened for public hearing.

RESOLUTION NO. 2019-20

A RESOLUTION OF THE CITY OF MISHAWAKA PLAN COMMISSION APPROVING AN AMENDMENT TO A DECLARATORY RESOLUTION APPROVED AND ADOPTED BY THE CITY OF MISHAWAKA REDEVELOPMENT COMMISSION

(Liberty Mutual/ City Hall)

(Assigned to the Budget and Finance & Land Use Planning Committees)

Mrs. Voelker reported the Land Use Planning Committee recommended this proposed ordinance should be presented to the council as a whole. This is signed by the entire committee upon a second by Mr. Compton motion carried.

Mr. Compton reported the Budget and Finance Committee recommended this proposed ordinance should be adopted. This is signed by the entire committee upon a second by Mr. Tanner motion carried.

Mayor Wood stated this was a momentous point in Mishawaka's future. He continued to say they had a very unique opportunity to acquire two and a third of city blocks in the heart of downtown. Mayor Wood said this opportunity came at the right time, they were looking to replacing one, if not two or three of city buildings. He continued to say they were beginning to start the planning phases of the Mishawaka Utility Business Office. Mayor Wood mentioned planning for the replacement of the Utility Office began 10 years ago when he first took office. He went on to say they have been looking to replace the current city hall. Mayor Wood believed the current building served its purpose, it has been a great city hall, but they have out grown the building, the city was operating inefficiently in the classroom style offices. He also mentioned the Police Department was in need of substantial investment in the roof, parking lot and the HVAC system, which all needed to be replaced. Mayor Wood said they could put millions of dollars into the Police Department but a large addition to the building would need to be added to accommodate the way the department operated today and for the growing diversity for more women in the department. He went on to discuss the Liberty Mutual Building. He said Liberty

Mutual announced they were vacating the building and allowing their employees to work from home. Mayor Wood continued to say a 90,000 square foot building was now going to be vacant in downtown, right on the corner of Main Street and Lincoln way. He said downtown had a tremendous amount of momentum downtown with transformation. Mayor Wood believed the city should be apart of the transformation with their own investment in downtown. He continued to say they were interested in the building because it made since for city hall, they could make great use of the building and more. Mayor Wood said this would give the city more opportunity to serve the growth of downtown, it would give the city the ability to provide more parking for the businesses downtown at night and during the day. He mentioned there was a possibility the city could acquire lots they have been trying to acquire for some time on First Street, Mill Street and Spring Street. Mayor Wood said if they did not acquire the property, it would slow down other for profit taxable development. He continued to say this acquisition would solve a lot of problems. Mayor Wood said they were fearful, their consultant said a building that size, in that configuration, could not affordably be subdivided and would probably viable in the market place. He said like Liberty Mutual, offices were operating in less space. Mayor Wood continued to say experts expressed there was not a market for the proposed building. He said they were most fearful of having the same thing happen to the proposed building as it did to the 100 Center. Mayor Wood said the 100 Center was believed to be a great opportunity for development. He continued to say the building sat for years with very little maintenance and it now had fines totaling up to 50,000 dollars in code violations. Mayor Wood went on to say they held several public meetings, not many citizens came out to speak during the meetings but when he was out in public he would hear from the public and so far, he had overwhelming encouragement and he believed people realized it made since for the city. He continued to say the city could integrate downtown like Liberty Mutual never did, such as going out supporting the local businesses and be there as a great anchor with a building that would be open to downtown and the public. Mayor Wood said this building would better serve the public with better services, with services that would grow with technology and 24 hour a day public access service. He mentioned the possibility of having Kiosk to pay utility bills. Mayor Wood said the city business model was stuck in the 1970's because of the constraints of the building, which was also not ADA compliant. He went on to ask for the council support based on their studies and good faith dealings, and the purchasing of the building at a bargain price which was negotiated with their consultants. Mayor Wood mentioned there was come concerns of marketing the building to any potential interest. He said the administration was not opposed to marketing the building, but they could not market a building the city did not own. Mayor Wood stated once the city takes possession of the building, which would potentially be March, he would make the commitment to market the building until the city was ready to bid out for construction. He said if someone was interested in the building, the city would be interested in having them downtown regardless if he made the commitment or not, he was willing to have the conversation. Mayor Wood said the administration wanted the best interest for the citizens of Mishawaka, the City of Mishawaka, and downtown. He went on to say once they get the purchase agreement and approvals from the Plan Commission on August 19th, they were moving full speed toward construction documents and getting prepared for bidding as soon as they take possession. Mayor Wood concluded by asking for favorable recommendation. He thanked City Planner and also Deputy Mayor Ken Prince. Mayor Wood said he knew Mr. Prince could handle it and take on a project of this magnitude. He also thanked all department heads involved in the planning and the council for being professional through the process, he hoped they would join the journey.

Members of the council thanked Mr. Prince for the thorough presentations.

Clerk Block expressed she was speaking in favor of the proposed resolution. She said she helped moved from the old city hall in 1986. Clerk Block continued to say departments were moved several times around to different offices to fit their needs and to be able to work somewhat efficiently. She expressed she did not think the Building Department should be on the second floor in a corner, it was inconvenient for the residence. Clerk Block also expressed having the Utility Business Office in city hall made since. She continued to say the utility building was not in the best shape when she began working for the city in 1979, it was not ADA assessible and it was a wasted space. Clerk Block said while she was still working with the city, she would like to see city employees given the opportunity to get back into downtown and give back to downtown like they did when they were in the old city hall. She went on to say she could see the future growth downtown with all of the positive things that were happening downtown, and she could see all the employees giving business to the downtown. Clerk Block expressed her appreciation for any consideration the council would have for the city to move forward.

Richard Doolittle, Cressy Commercial expressed he was a lifelong resident of Mishawaka, he has watched the evolution of the downtown. He mentioned he was very involved in the Uniroyal redevelopment when it started. Mr. Doolittle continued to say the Uniroyal site was envisioned to be great, it was slow, but it was successful. He went on to say the loss from Liberty Mutual in tax roll which he believed was estimated at 220,000 dollars annually, would easily be replaced with development that would take place in the vacation of the Police Station. Mr. Doolittle said the value of The Mill Apartments was estimated around 56 million dollars. He said they would have never thought they would get new assessed valuation from that development when they tore down Uniroyal. Mr. Doolittle said when his company did the redevelopment of the National Steel building, which was 125,000 Square feet in Edison Lakes, Mishawaka Federal bought the building and occupied 1/3 of the building and used it as a single purpose building much like Liberty Mutual. He said they were charged to develop multi-tenant on two floors of the building. Mr. Doolittle said it took 5 ½ years to fill. He continued to say there was going to be a vacancy of Class A. office space at the size of 250,00 square feet in 2 years. Mr. Doolittle listed Bare, half of the Troyer building, Barnes & Thornburg was vacating and relocating, and Mishawaka Hospital to name a few business that were vacated or soon to be vacating. He went on to say to have a vacant 90,000 square foot building downtown Mishawaka would be the worst thing that could happen to the momentum going on downtown. Mr. Doolittle said taking the Utility Office and Police Department down and vacating First Street from Church Street to Race Street would be a phenomenal developmental property; it would do more than replace the property taxes that would be vacated by Liberty Mutual. He added if the Liberty Mutual building sat vacant for several years, the assessed value would drop.

Mr. Hixenbaugh expressed he always appreciated Mr. Doolittle's comments. He said he agreed this would potentially open the door for exciting developmental opportunities. Mr. Hixenbaugh pointed out key points Mr. Prince made consistent in his presentations which was the development opportunity opened up by the vacation of the Liberty Mutual Space which could have and extended time frame before they would see it come to fruition. He asked did Mr. Doolittle agree there would not be an immediate fix. Mr. Doolittle replied absolutely. He continued to say when Mayor Beutter started the Uniroyal Project, he came to Cressy Commercial to be the developer for the site, Cressy Commercial declined the offer because they

would not make any money off of the property and it would take too much time but they told Beutter if they waited they would get the right fit and return on the taxes.

David Chaudor 204 Concept Dr. Granger spoke in opposition to resolution. He believed the city should work harder to market the building to get more commercial downtown. Mr. Chaudor said the city should evaluate the needs for a new city hall and consider building a new.

Mrs. Voelker recommended Mr. Chaudor to read Mr. Prince presentation which was available on the city website. She continued to say Mr. Prince did an excellent job providing information that would answer Mr. Chaudor's questions. Mr. Chaudor said he reviewed the presentation.

Mr. Tanner expressed he believed for a longtime this was a great idea for the City of Mishawaka, and to merge Utilities and the Police Department made since. He said he believed Liberty Mutual would be a great fit and seeing the development opportunities of two and a third partial of city blocks downtown justified the city acquiring the property. Mr. Tanner went on to say he has not been shy when it came to the financing for the building. He said he was advised it was at best a legal grey area for the use of the utility bond for areas which went beyond utility purposes. Mr. Tanner said at worst it was not appropriate and potentially illegal. He continued to say he did not think it was going to be the case that was jockeyed about between the council and the city but thought a legal concern was worth considering moving forward. Mr. Tanner went on to say while a tremendous amount of effort went into providing a breakdown of the proportion of utility department services provided by city departments and what was paid out of the utility budget for those positions within the departments. He said there was also a breakdown for the use for the Liberty Mutual Building for Mishawaka Utility Business Office uses and the kiosk the Mayor presented but they still did not know what proportion of the building was for utility purposes, there was at least two thirds of the overall cost of the project coming from the utilities bond. Mr. Tanner expressed he was still in support of purchasing the property, but he looks to the administration to continue to clarify moving forward. He said if there was a legal precedent for it that could be shown, he would be more than happy to accept it in full face value.

Members of the council thanked Mayor Wood, Ken Prince, the administration and department heads for putting a tremendous amount of work to answer questions and concerns of the council and citizens. They said they initially had some concerns but throughout the meetings and presentations their potential objections were addressed. They expressed their appreciation for the Mayor willing to market the Liberty Mutual building for a short amount of time of 30 to 60 days to see if there was a big interest to bring in jobs. They went on to say he believed the strength of a downtown was security, there was nothing more secure than having city hall be the anchor of downtown. They expressed excitement for future development opportunities and their support for the resolution.

Question was called for at 8:17 P.M. for **RESOLUTION NO. 2019-20**  **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 9). **Yes:** Mrs. Voelker, Mr. Compton, Mr. Tanner, Mr. Mammolenti, Mr. Banicki, Mrs. Petko Reisdorf, Mr. Bellovich, Mr. Hixenbaugh, Mr. Emmons.

NEW BUSINESS

Mr. Tanner announced Neighborhood Night Out at Central Park would be August 6, 2019 at 5:30P.M.

Ms. Petko Reisdorf announced the Twin Branch National Night Out would be also August 6, 2019 5:30 P.M.

Mayor Wood also announced Hillis Hans would host their National Night Out August 6, 2019 at 6:00 P.M.

Mr. Emmons announced the 1st District neighborhood meeting would be September 15, 2019 at St. Bavos at 7:00 P.M., Speaker would be new School City Superintendent Wayne Baker.

ADJOURNMENT 8:21 P.M.

Deborah S. Block /s/
Deborah S. Block, IAMC, MMC, City Clerk

Dale “Woody” Emmons /s/
Dale “Woody” Emmons, President



City of Mishawaka

DAVID A. WOOD, MAYOR

DEPARTMENT OF CITY PLANNING

August 14, 2019

Honorable Members of the Common Council
City of Mishawaka, Indiana

RE: Board of Zoning Appeals Recommendation
August 13, 2019, Public Hearing

Honorable Members:

A regular meeting of the Mishawaka Board of Zoning Appeals was held on the above referenced date at which time the following Use Variances were considered:

APPEAL #19-28 An appeal submitted by Jay Frederickson requesting a Use Variance for **228 West Edison Road**, Suite 600, to permit microblading and/or permanent make up.

The Board, with a vote of 3-0, recommended approval.

APPEAL #19-33 An appeal submitted by L & B Penn LLC & PJT Penn LLC requesting a Use Variance at **2320 Douglas Road** to allow wholesale landscape material sales.

The Board, with a vote of 3-0, recommended approval subject to the following conditions:

1. The sale of wholesale landscape materials shall be limited to only top soil for a period not to exceed three (3) years.
2. The access drive improvements along Veteran's Parkway shall be reviewed and implemented as determined by the City of Mishawaka Engineering Department.

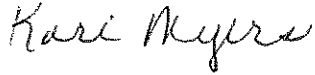
APPEAL #19-35 An appeal submitted by Patricia A. Skelton requesting a Use Variance for **903 East Fifth Street** to allow an existing house and 1,500 sqft accessory structure to be used as a home-based business in I-1 Light Industrial zoning district.

The Board, with a vote of 3-0, recommended approval subject to the following conditions:

1. All business operations shall occur completely within the accessory structure.
2. No outside storage of raw materials or finished product is permitted.
3. No person shall be employed on the premises other than a member of the immediate family residing on the premises.
4. No signage shall be permitted other than a nameplate of no more than one square foot in area flush mounted to an outside wall.
5. No commodity shall be sold on the premises.

6. No mechanical equipment is used except for basic hand tools and an air compressor.
7. The exterior of the accessory structure shall not be painted or constructed to indicate from the exterior that the structure is being utilized for any purpose other than that of a detached residential accessory building.

Respectfully,

A handwritten signature in cursive script that reads "Kari Myers".

Kari Myers, Administrative Planner
Secretary, Board of Zoning Appeals

cc: Lindsay Bowerman
Bernie Feeney
Norm Vandermee

STAFF REPORT

Location: 228 W. Edison Road, Suite 600

Date: August 13, 2019

Appeal: 19 28

Prepared By: km

GENERAL INFORMATION

Applicant: Jay Frederickson/Lindsay Bowerman

Status: Property Owner / Authorized Representative & Contingent Tenant

Request: Use Variance to allow a tattoo establishment within a multi-tenant commercial building.

Zoning Classification: C-2 Shopping Center Commercial District

Lot Size: 1.14 acres

Applicable Regulations: Section 137-326 (a) Commercial C-2 District Uses &
Section 137-43 (7) / Board of Zoning Appeals – Conditional Use

SPECIAL INFORMATION

Area Development Pattern: North: C-4 Automobile Oriented Commercial (car sales)
South: S-2 Planned Unit Development (radio station)
East: C-2 Shopping Center Commercial (multi-tenant commercial building)
West: C-4 Automobile Oriented Commercial (car sales)

Thoroughfare: West Edison Road

School District: South Bend Community School Corporation

Township: Clay

Public Utilities: Available and Existing

Comprehensive Plan: General Commercial

ANALYSIS

The Appellant is requesting a Use Variance to allow microblading and/or permanent make up services within a multi-tenant commercial building at 228 W. Edison Road. The building is located on the north side of Edison Road, between Grape Road and Main Street. ***It should be noted that while microblading is a service that can be found in a spa or beauty salon, it is a form of tattoo and not specifically permitted within the C-2 zoning district.***

The proposed use, Michiana Microblading, is commercial in nature and would be located in an existing multi-tenant commercial building and adjacent to other commercial uses. Microblading is a form of semi-permanent makeup that provides a means to partially or fully camouflage missing eyebrow hair with the appearance of simulated hair using fine deposits of cosmetic tattoo pigments. The Use Variance will not

prevent the uses permitted in the C-2 Shopping Center Commercial District from occupying other units within the center.

All pertinent City Departments have reviewed and approved the request.

RECOMMENDATION

The Staff recommends **approval** of Appeal 19-28 for a Use Variance to allow microblading/permanent make-up services within an existing multi-tenant commercial building at 228 W. Edison Road. This recommendation is based on the following findings of fact:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because the business will be located within an existing commercial plaza.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because the business will be located in a building that is surrounded by various commercial uses.
3. The need for the variance arises from some condition peculiar to the property involved in that the C-2 zoning does not permit microblading/permanent tattoo services, but does allow the salon where the process is taking place, thus requiring the Use Variance for the proposed use.
4. Since the business establishment is moving into an existing commercial center there are proper utilities, drainage, paved access roads, landscape, buffering, fencing, leakproof dikes, and safety precautions to minimize traffic congestion.
5. The granting of the Use Variance is in the best interest for the community because this location is in one of the areas where multiple commercial businesses already exist and the orientation of the building provides that the microblading/permanent make up services will not be visible from the street.

ATTACHMENTS

Appeal, Photograph, Aerial, Location Map



View of 228 W Edison

STAFF REPORT

Location: 2320 Douglas Road west of Veterans Pkwy.
Lot 3 of Juday Creek Business Park (Plat 19-08)

Date: August 13, 2019

Appeal: 19 - 33

Prepared By: DJS

GENERAL INFORMATION

Applicant: L & B Penn LLC and PJT Penn LLC / Plymouth Land Surveying & Design, Inc.

Status: Property Owners / Agent and Surveyor

Request: Use variance to allow wholesale landscape material sales on Lot 3 of Juday Creek Business Park

Zoning Classification: S-2 Planned Unit Development with permitted used as identified in the C-1 General Commercial, C-5 Neighborhood Commercial, C-6 Linear Office Commercial, C-7 Auto Oriented Restaurant Commercial, and C-8 High Density Suburban Commercial Districts

Lot Size: 57.06 acres

Applicable Regulations: Section 137-42 / (4) Board of Zoning Appeals – Variance of Use; Permitted Uses per Ordinance #5340 & 5341 (Annexation & Rezoning Petitions 11-28 & 11-29)

SPECIAL INFORMATION

Area Development Pattern: North: S-2 Planned Unit Development (Recreation/Juday Creek Golf Course & Public Use/Future Municipal Wellfield and Water Production Facilities) & Juday Creek

South: Unincorporated St. Joseph County (Single Family Residential) & C-1 General Commercial (Single Family Residential & Vacant)

East: Veterans Parkway (Under Construction) & S-2 Planned Unit Development with Commercial Permitted Uses (Vacant/Agricultural)

West: S-2 Planned Unit Development (Recreation/Juday Creek Golf Course & Public Use/Future Municipal Wellfield), Unincorporated St. Joseph County (Single Family Residential)

Thoroughfare: Douglas Road

School District: Penn-Harris-Madison School Corporation

Township: Harris

Public Utilities: All utilities are available

Comprehensive Plan: Area in not within the boundaries of the Mishawaka 2000 Comprehensive Plan

ANALYSIS

The appellants are requesting a use variance to allow wholesale landscape material sales on Lot 3 of the Juday Creek Business Park. The lot is currently vacant excluding three accessory buildings.

The Planned Unit Development, approved in March 2012 (Petitions 11-28 & 11-29), limits permitted uses on the subject lot to those identified in the C-1 General Commercial, C-5 Neighborhood Commercial, C-6 Linear Office Commercial, C-7 Auto Oriented Restaurant Commercial, and C-8 High Density Suburban Commercial Districts. The PUD only established a range of permitted uses as no specific development plans or uses were considered when the property was annexed and zoned.

A "building material storage yard" or "contractor storage yard" with outside storage, which are similar uses to wholesale landscape material sales, are not currently permitted. These uses are expressly identified as permitted in the I-2 Heavy Industrial District, thus requiring a use variance.

The appellant desires the ability to continue selling wholesale top soil at the property with a future sole access from Veteran's Parkway. This road, which is under construction, is located along the east property line of the lot. A common use construction access is present on Douglas Road. This is the only access currently provided and is used by contractors and those purchasing top soil. The Douglas Road access will be removed and shall not be used once Veteran's Parkway is open to traffic this fall. The Veteran's Parkway access shall be improved as described in the below Engineering comments. No additional or future access will be permitted on Douglas Road for the proposed use.

The petition requests that continued operation of wholesale soil sales be permitted until current quantities are depleted. Staff recommends that the use variance, if approved, be limited to a maximum of three (3) years.

All pertinent City Departments have reviewed and approved the use variance request.

The Engineering Department provided the following comments:

1. Details for the new access along Veteran's Parkway shall be provided. The access shall include a minimum of 50' HMA (hot mix asphalt) for the approach plus a minimum 100' aggregate stone (No. 2's) construction entrance.
2. The construction entrance shall be maintained to prevent sediment from leaving the site and being tracked onto the adjacent public right-of-way. Alternate BMPs (best management practices such as track out plats, steel panels, etc.) will be considered.
3. The approach on Douglas Road will be removed as a part of the City's project.

RECOMMENDATION

The Planning Staff recommends approval of Appeal 19-33 to allow a use variance for wholesale landscape material sales on Lot 3 of Juday Creek Business Park subject to the following conditions:

1. The sale of wholesale landscape materials shall be limited to only top soil for a period not to exceed three (3) years.
2. The access drive improvements along Veteran's Parkway shall reviewed and implemented as determined by the City of Mishawaka Engineering Department.

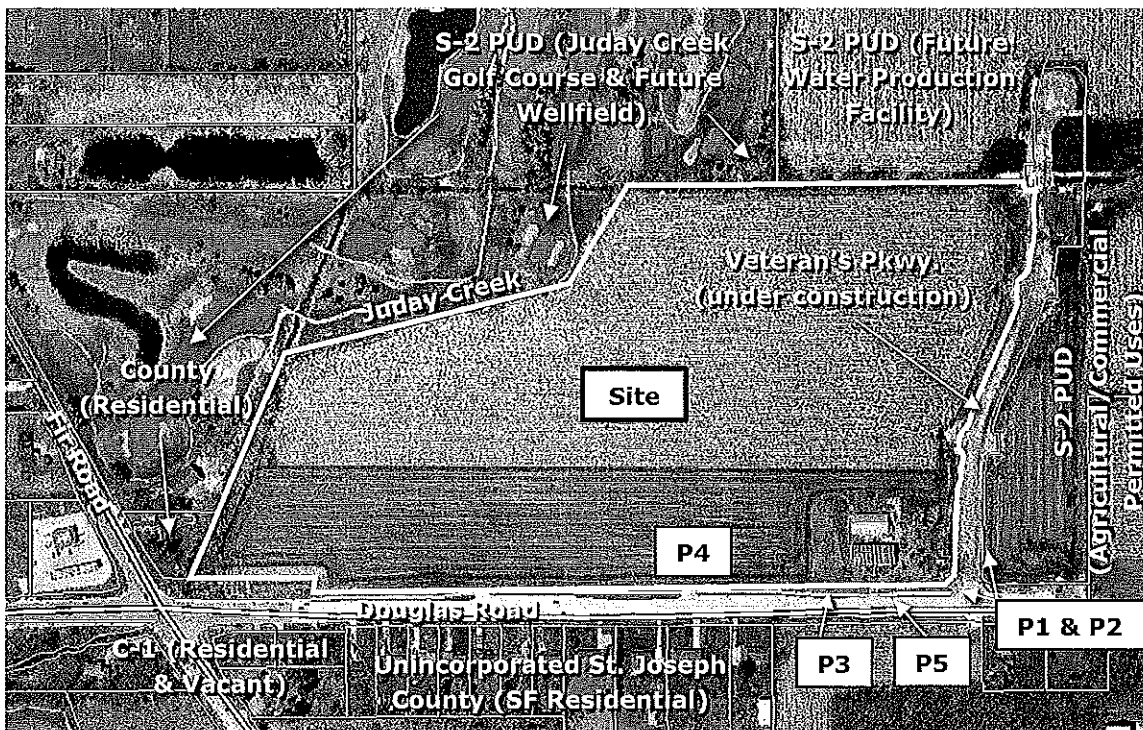
This recommendation is based upon the following findings of fact:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The sale of wholesale landscaping materials will continue to operate in a similar manner as the current operations. A new access drive with proper erosion control measures will be located along Veteran's Parkway reducing both potential traffic conflicts and sedimentation being tracked onto the adjacent public rights-of-way.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The current use of the property will continue as is with only modifications to the current access.
3. The need for the variance arises from some condition peculiar to the property. A surplus of excavation materials have been deposited on the property as a result of the Douglas Road construction. Thus, a use variance is required to allow the continued sale and removal of the unneeded and unwanted materials.
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. Current uses permitted on the property do not allow for wholesale landscape material sales.
5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. Although the property is not located within the boundary of the plan, the continued use of the site for wholesale landscape material sales will be temporary in nature. Future development of the property is anticipated.

ATTACHMENTS

Photographs, Appeal, Aerial Photograph (Staff Prepared), Plat, Location Map



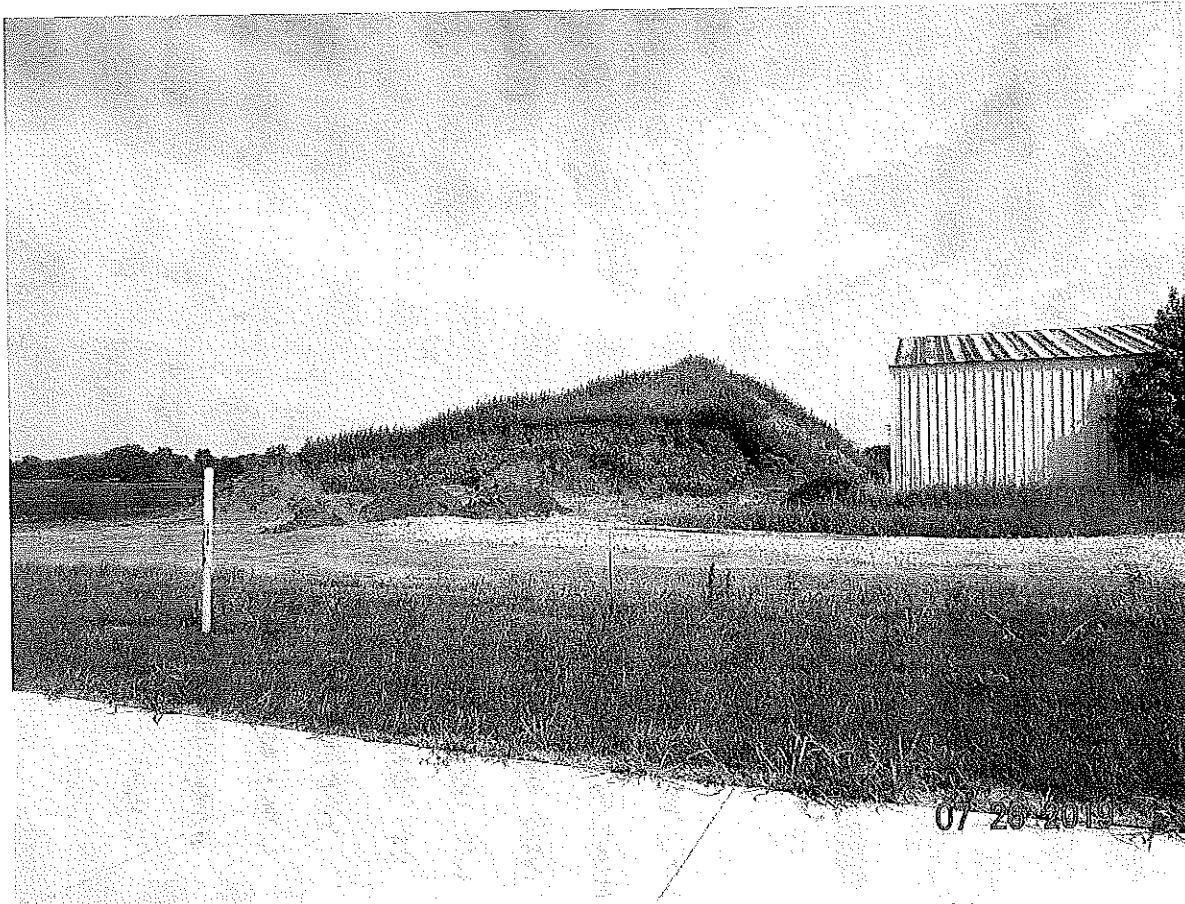
Aerial Photograph
2320 Douglas Road west of Veteran's Parkway
Lot 3 of Juday Creek Business Park



P1. Looking westerly toward the site and existing accessory buildings from Veteran's Pkwy.



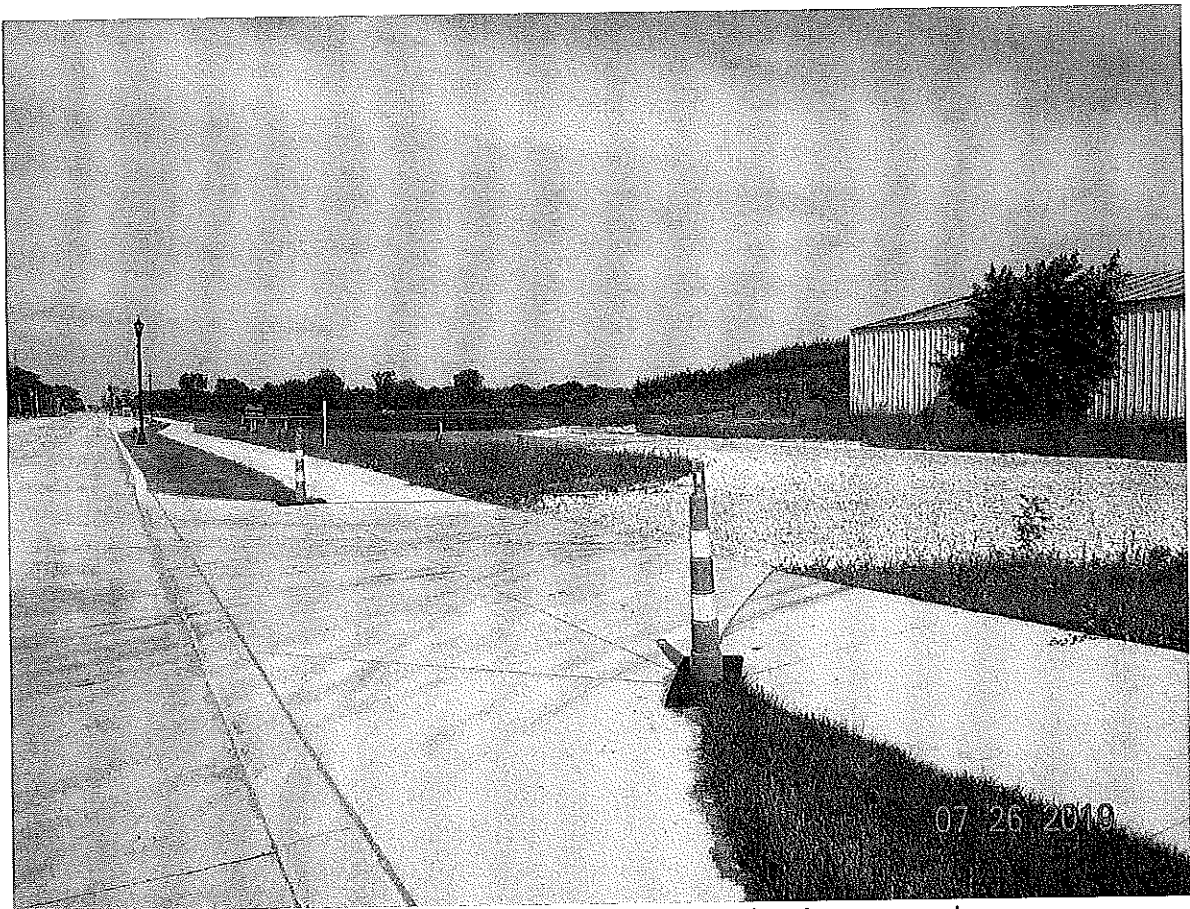
P2. Looking northerly along the east property line and Veteran's Parkway under construction.



P3. Looking northerly from west of the existing access drive along Douglas Road toward the soil stockpile.



P4. Current sign advertising wholesale top soil.



P5. Existing access from Douglas Road to be removed.

STAFF REPORTLocation: 903 E. 5th Street

Date: August 13, 2019

Appeal: 19 - 35

Prepared By: DJS

GENERAL INFORMATION

Applicant: Norm Vandermee & Patricia Vandermee (née Skelton)

Status: Property Owners

Request: Use variance to allow an existing non-conforming single family residence to remain and add a machine shop (home occupation) within a new 1,500 sq. ft. accessory structure

Zoning Classification: I-1 Light Industrial District

Lot Size: 0.20 acres

Applicable Regulations: Section 137-42 / (4) Board of Zoning Appeals – Variance of Use; Section 137-585 thru 137-587 / I-1 Light Industrial District; Section 137-69 / Change of Nonconforming Use; & Section 137-4 / Definitions – Home Occupation

SPECIAL INFORMATION

Area Development Pattern: North: I-1 Light Industrial (Residential) & R-1 Single Family Residential (Residential)
South: R-1 Single Family Residential (Residential)
East: I-1 Light Industrial (Industrial/Storage)
West: R-1 Single Family Residential (Residential)

Thoroughfare: E. 5th Street & S. Merrifield Avenue

School District: School City of Mishawaka

Township: Penn

Public Utilities: All utilities are available and currently serve the property

Comprehensive Plan: Mishawaka 2000 Comprehensive Plan identifies a preferred or planned use of this property as Low Density Residential (Single Family Homes)

ANALYSIS

The appellants, Norm and Patricia Vandermee, are requesting a use variance to allow an existing non-conforming single family residence to remain and add a machine shop (home occupation) within a new 1,500 sq. ft. accessory structure. The property is located at the southeast corner of E. 5th Street and S. Merrifield Avenue. Surrounding properties are zoned I-1 Light Industrial and R-1 Single Family Residential to the north, R-1 Single Family Residential to the west and south, and I-1 Light Industrial to the east.

The property includes a 1,792 sq. ft. two-story home and a 400 sq. ft. detached garage proposed to be razed and replaced with a 1,500 sq. ft. accessory structure. The existing garage has been used as a business designing and machining composite molds for the last 30 years. Basic hand tools for grinding, sanding, polishing, and buffing, and air compressor for cleaning will be used. The new structure will allow for all business operations to continue and be located on the property. Due to limited room, the appellant has previously leased building space at other industrially-zoned property in the City.

A use variance is required because the zoning ordinance does not permit single-family residential in the I-1 Light Industrial District (Section 137-586 (a)) or allow for the expansion of any non-conforming use (Section 137-69). The use variance will also allow for the addition of a home occupation (machine shop) on the property. The business will operate entirely within the new detached accessory structure. If approved, the home occupation is subject to all the below conditions.

All pertinent City Departments have reviewed and approved the use variance request.

The Engineering Department confirmed with the appellant that sanitary sewer and water are not required for the new structure. If needed in the future, the structure shall utilize the existing utilities.

RECOMMENDATION

The Planning Staff recommends approval of Appeal 19-35 to allow an existing non-conforming single family residence to remain and add a machine shop (home occupation) within a new 1,500 sq. ft. accessory structure subject to the following conditions:

1. All business operations shall occur completely within the accessory structure.
2. No outside storage of raw materials or finished product is permitted.
3. No person shall be employed on the premises other than a member of the immediate family residing on the premises.
4. No signage shall be permitted other than a nameplate of no more than one square foot in area flush mounted to an outside wall.
5. No commodity shall be sold on the premises.
6. No mechanical equipment is used except for basic hand tools and an air compressor.
7. The exterior of the accessory structure shall not be painted or constructed to indicate from the exterior that the structure is being utilized for any purpose other than that of a detached residential accessory building.

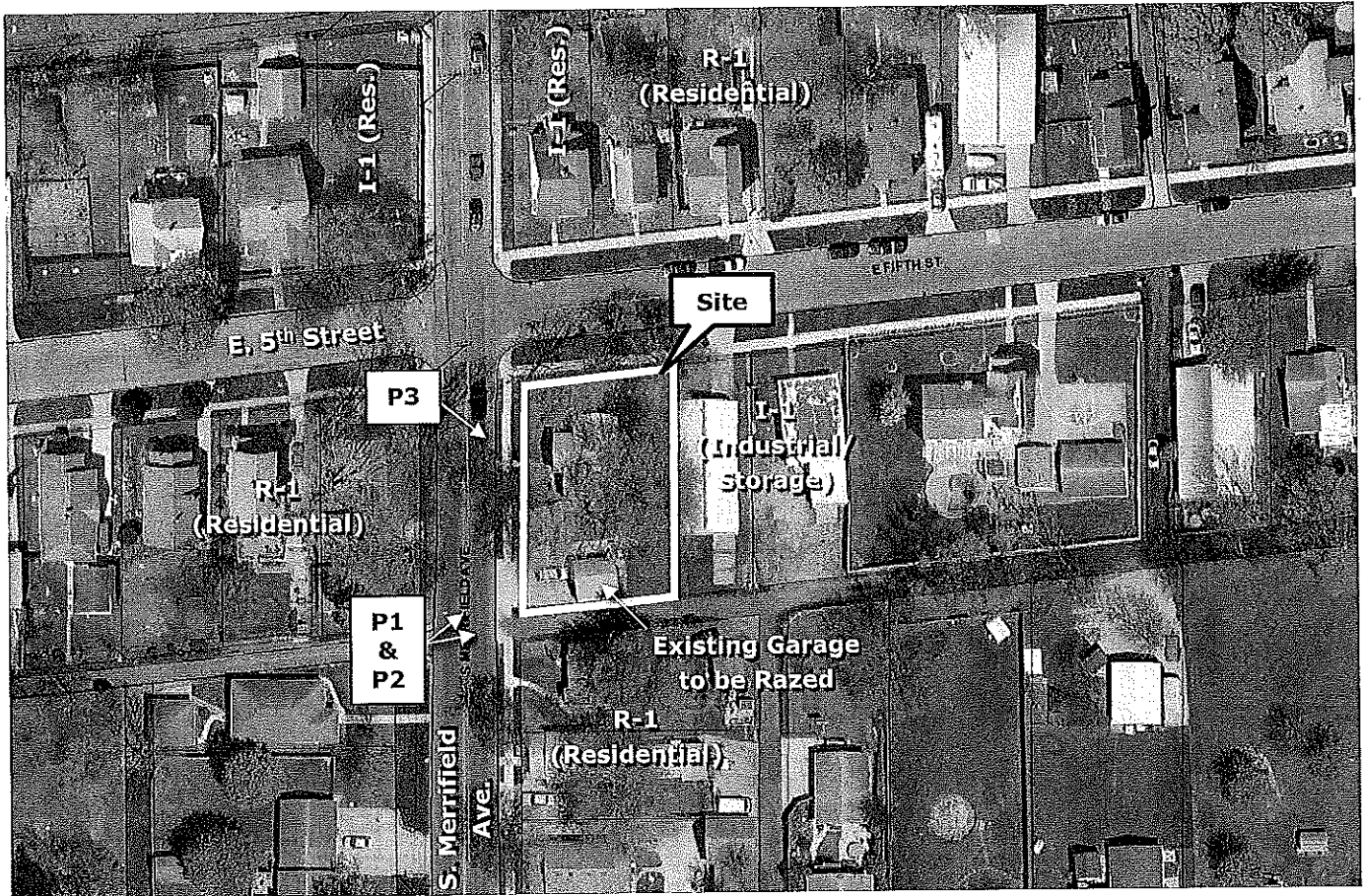
This recommendation is based upon the following findings of fact:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The property has been occupied with a single family home since the late 1800's with business operations occurring in a detached garage over the last 30 years. The new structure will be utilized as a home occupation in a same manner that the existing structure has operated in the past.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The current use of the property will continue as is with a home occupation to be located in a new accessory structure. Adjacent land uses include both existing single-family residences and industrial uses.
3. The need for the variance arises from some condition peculiar to the property. The zoning ordinance does not permit a single-family residential use in the I-1 Light Industrial District or allow for the expansion of a non-conforming use. The use variance will allow for the continued use as a residence with a home based occupation.
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. Without the use variance, the business will not be able to expand as necessary.

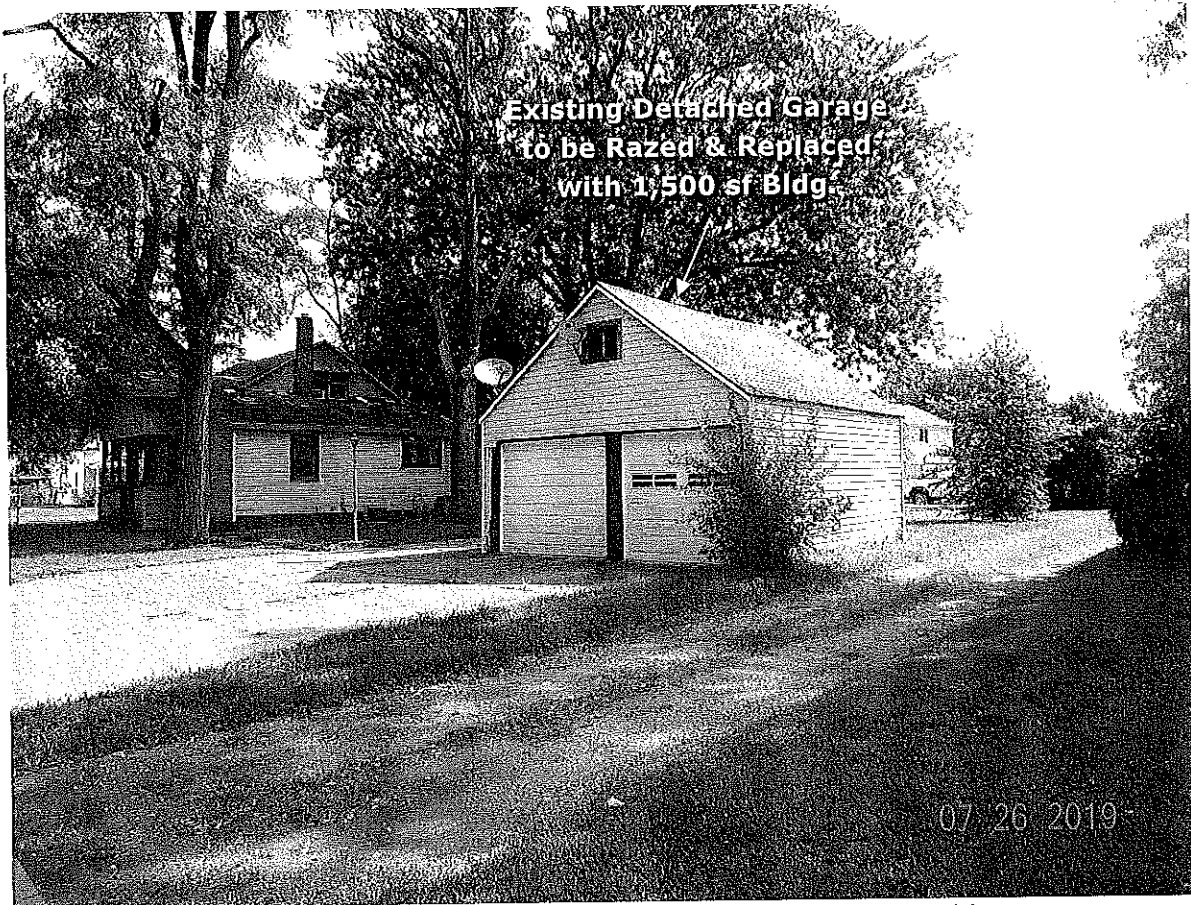
5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The property will continue to be occupied as is. The new structure will have no physical appearance, except for a small sign, if desired, that indicates it being utilized for any other purposes than that of a detached residential accessory building.

ATTACHMENTS

Aerial, Photographs, Appeal, Site Plan, Location Map



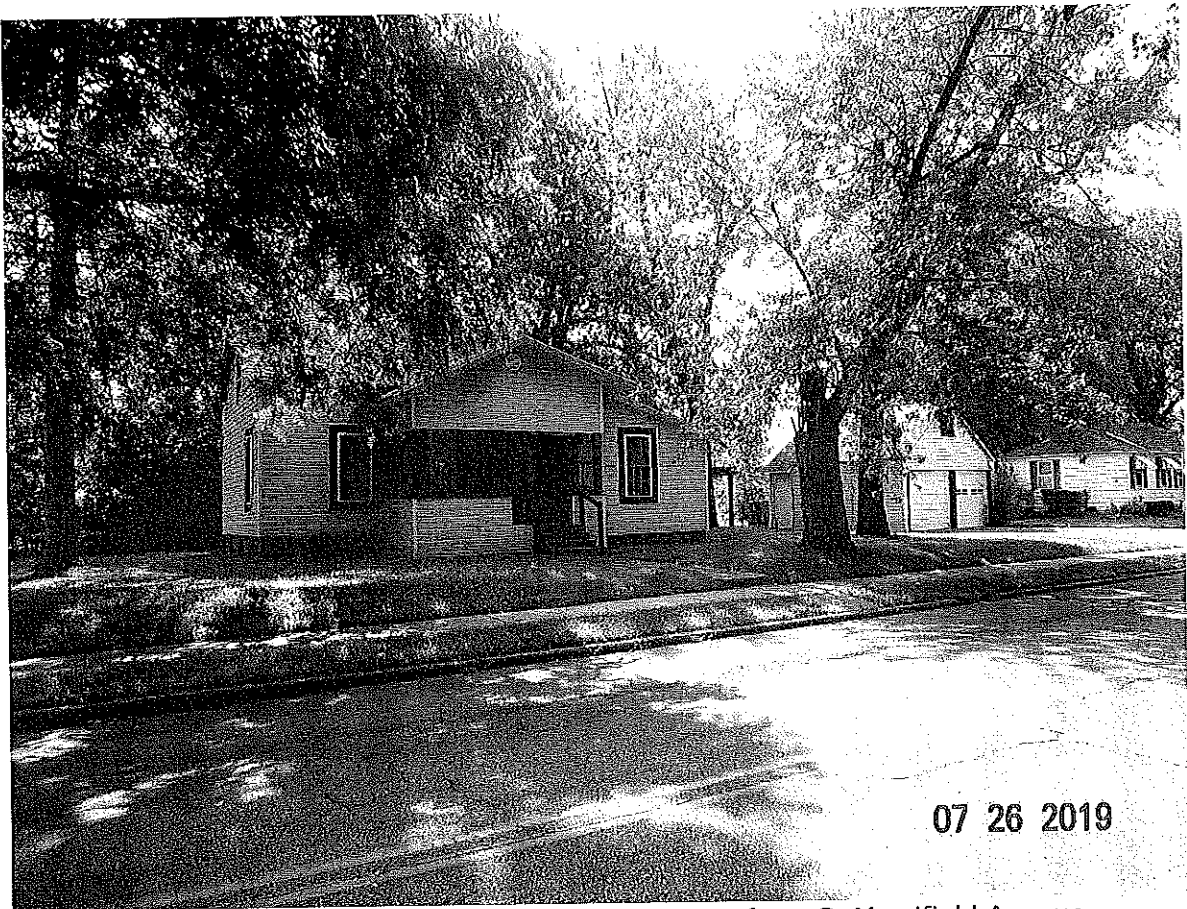
Aerial Photograph
903 E. 5th Street
Existing Single-Family Home & Detached Garage
Zoned I-1 Light Industrial



P1. Looking northeasterly toward the property from S. Merrifield Avenue.



P2. Looking easterly down the alley south of the property.



P3. Looking southeasterly toward the property from S. Merrifield Avenue.



CITY OF MISHAWAKA



200 N. Church St.
Mishawaka, IN 46544

Police Department
Kenneth L. Witkowski, Chief
David A. Wood, Mayor

August 19, 2019

Mayor David Wood
Honorable Council Members
Rebecca Miller, Controller
Budget/Finance Committee

Re: US Department of Justice, Justice Assistance Grant (JAG) 2019 Application 2019-H3610-IN-DJ,
Award 2019-DJ-BX-0095 **Non-matching Grant**

Dear Mayor Wood and Honorable Council Members:

The Mishawaka Police Department was awarded a 2019 Department of Justice Grant, Justice Assistance Grant (hereby referred to as JAG) award of \$11,553.00 for police equipment. As part of the requirements, an administrative review/advisory process is required for the awarding of this grant.

The JAG is a non-matching grant. We are planning on using the funds to purchase equipment. We have determined the best uses of these funds are for E-Ticket Units, and cameras.

If you have any questions, please feel free to contact me. Thank you for your time and consideration.

Respectfully,

Kenneth L. Witkowski
Chief of Police

KLW:dcw

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 08 2019

CITY CLERK
MISHAWAKA, IN

EMERGENCY 911
FRONT DESK (574) 258-1678
DETECTIVE BUREAU (574) 258-1684
RECORDS (574) 258-1681

CHIEF (574) 258-1683
UNIFORM CHIEF (574) 258-1688
TRAFFIC DIVISION (574) 259-2966
FAX (574) 258-1690



CITY OF MISHAWAKA

DAVID A. WOOD, MAYOR

DEPARTMENT OF FINANCE
Rebecca S. Miller, Controller
Kurtis D. Vardaman, Deputy Controller

Date: August 15, 2019
To: Honorable Members of the Common Council
From: Rebecca Miller
Re: City and Elected Officials salary ordinances

I am requesting first reading on these salary ordinances covering all employees except park and utilities.

All full-time employees will receive a 1 ½% increase and an additional \$500.

Please contact me with any questions.

c: David A. Wood, Mayor
Geoff Spiess, HR Director/Corporation Counsel

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2019

CITY CLERK
MISHAWAKA, IN

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2019

CITY CLERK
MISHAWAKA, IN

1st Reading 8-19-19
2nd Reading
Passed
Failed
Continued To

PROPOSED ORDINANCE NO. 2019- 21

ORDINANCE NO. -

AN ORDINANCE FIXING THE SALARIES
OF CERTAIN ELECTED OFFICIALS OF THE CITY OF MISHAWAKA
FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
MISHAWAKA, INDIANA, THAT:

Section 1. The biweekly salaries of the following elected officials of the City of Mishawaka, Indiana, for the fiscal year beginning January 1, 2020 shall be payable in 26 equal biweekly pay periods beginning January 10, 2019 in the following amounts:

	Biweekly salary
Mayor	\$ 3,103.62
Clerk	2,197.42
Council member	443.34

Section 2. Any prior ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect from and after its publication, passage, signing and due attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on
this ____ day of _____, 2019, at ____ o'clock, ____m.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME to the Mayor this _____ day of _____ 2019, at
____ o'clock, ____m.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019, at _____ o'clock, ____m.

David A. Wood, Mayor

1st Reading 8-19-19
2nd Reading
Passed
Failed
Continued To

RECEIVED
DEBORAH S. BLOCK, MMC

AUG 15 2019

PROPOSED ORDINANCE NO. 2019 - 22

CITY CLERK
MISHAWAKA, IN

ORDINANCE NO. _____

AN ORDINANCE THE FIXING THE SALARIES OF ALL EMPLOYEES OF THE CITY OF MISHAWAKA EXCEPT, MISHAWAKA PARK DEPARTMENT, ELECTED OFFICIALS AND THE MISHAWAKA UTILITIES FOR THE CITY OF MISHAWAKA, INDIANA, FOR THE YEAR BEGINNING JANUARY 1, 2020.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, THAT:

Section 1. The biweekly salaries of all employees of the City of Mishawaka except the Mishawaka Park Department, Elected Officials and the Mishawaka Utilities for the year beginning January 1, 2020 and shall be payable in 26 bi-weekly pay periods commencing on January 10, 2020.

BIWEEKLY SALARY

MAYOR'S ADMINISTRATIVE ASSISTANT	1,614.11
MAYOR'S EXECUTIVE SECRETARY	1,368.44
CONTROLLER	3,026.60
DEPUTY CONTROLLER	2,076.32
ACCOUNTANT	1,652.25
PAYROLL CLERK	1,506.36
BOOKKEEPER A	1,542.43
BOOKKEEPER B	1,339.28
BOOKKEEPER C	1,253.94
PURCHASING AGENT	1,558.48
CPA CERTIFICATION FT	192.31
CHIEF DEPUTY CLERK I	1,596.58
CHIEF DEPUTY CLERK II	1,548.56
HR DIRECTOR	2,221.39
ASST DIRECTOR	1,557.78
HR OFFICE MANAGER	1,357.20
HR CERTIFICATION	19.23
DIRECTOR OF IT	2,560.52
SYSTEM SPECIALIST IV	2,114.62
SYSTEM SPECIALIST III	1,796.65
SYSTEM SPECIALIST II	1,711.86
SYSTEM SPECIALIST I	1,580.77
CORPORATE COUNSEL/HR DIRECTOR	2,294.94
1 st DEPUTY CITY ATTORNEY	2,402.96
2 nd DEPUTY ASST CITY ATTORNEY	672.75
PART TIME SECRETARY	288.46
COUNCIL ATTORNEY	672.75
DIRECTOR OF ENGINEERING	3,026.60

ASSISTANT DIRECTOR	2,512.85
TRAFFIC MANAGER	2,076.79
PROJECT MANAGER	2,129.85
CONSTRUCTION COORDINATOR	1,867.74
TECHNICIAN	1,855.60
GIS COORDINATOR	2,077.10
PROJECT COORDINATOR	1,547.78
LOCATOR/INSPECTOR	1,588.30
OFFICE MANAGER	1,357.20
PE BONUS FT	192.31
IDEM REVIEW BOARD BONUS	153.85
DIRECTOR OF CODE ENFORCEMENT	2,287.87
OFFICE MANAGER	1,357.20
CODE ENF OFFICER A	1,862.98
CODE ENF OFFICER B	1,564.06
BUILDING COMMISSIONER	2,340.81
ASSISTANT BUILDING COMMISSIONER	2,206.09
OFFICE ADMINISTRATOR	1,376.87
OFFICE MANAGER	1,357.20
INSPECTOR A	2,242.90
INSPECTOR B	2,037.32
FIRE CHIEF	3,019.10
ASSISTANT CHIEF	2,802.83
CHIEF FIRE PREVENTION	2,457.22
BATTALION CHIEF	2,550.99
CAPTAINS	2,428.72
LIEUTENANT	2,362.94
FIRE INSPECTOR	2,362.94
DRIVER OPERATOR	2,298.61
1 st CLASS FIREFIGHTER	2,276.67
MASTER FIREFIGHTER	2,188.75
PROBATION - FF/EMT	1,993.21
FIRE EXECUTIVE SECRETARY	1,368.44
FIRE OFFICE MANAGER	1,357.20
POLICE CHIEF	3,036.86
ASSISTANT CHIEF	2,820.55
CAPTAIN	2,405.30
LIEUTENANT	2,360.13
SERGEANT	2,316.37
1 st CLASS OFFICER	2,286.55
2 nd CLASS OFFICER	Pre 01/01/18 hire: 2,206.52 Post: 2,064.26
PROBATION	Pre 01/01/18 hire: 2,009.80 Post: 1,875.18
2 ND SHIFT DIFFERENTIAL	13.46
3 RD SHIFT DIFFERENTIAL	26.92
POLICE RECRUIT	1,638.44
PROPERTY MANAGER	1,502.46
EXECUTIVE SECRETARY	1,368.44
ADMINISTRATIVE SECRETARY	1,357.20
SERVICES ADMINISTRATOR	1,550.94
PROPERTY CLERK	1,325.50
SECRETARY	1,339.43

PARKING PERSONNEL	1,339.43
CROSSING GUARDS	21 pays@ 359.04
CITY PLANNER	3,026.60
SENIOR PLANNER/ECON DEVEL SPLIST	2,067.15
SENIOR PLANNER	1,883.40
ASSOCIATE PLANNER	1,788.14
ADMINISTRATIVE PLANNER	1,596.89
OFFICE MANAGER	1,357.20
DIRECTOR COMMUNITY DEVELOPMENT	2,569.77
TIF CONSTRUCTION MANAGER	2,435.40
PROGRAM CONSTRUCTION MANAGER	2,211.01
PROGRAM COORDINATOR	1,566.21
GRANT MANAGER	2,027.60
GRANT SPECIALIST	1,381.83
CENTRAL SERVICES ASSISTANT	2,077.53
STREET COMMISSIONER	2,461.71
OFFICE ADMINISTRATOR	1,376.87
OFFICE MANAGER	1,357.20
SECRETARY	1,339.43

BIWEEKLY HOURLY

PART-TIME HELP	7.25-30.00
CENTRAL SERVICES: FLEET MAINTENANCE TECHNICIAN	21.66
CENTRAL SERVICES/MVH: GROUP 1	20.58
GROUP 2	19.52
GROUP 3	18.71
NIGHT BONUS/SHIFT DIFFERENTIAL	.55/.60
PROJECT COORDINATOR	1.00

ANNUAL/MISC

FIRE:		
SPECIALTY PAY:		
	<u>TIER1</u>	<u>TIER 2</u>
ADVANCED EMT	1,000	3,000
PARAMEDIC	2,000	4,000
LEAD PARAMEDIC	4,000	50/shift
WATER RESCUE/RECOVERY LEADER	1,050	
WATER DIVE/RESCUE TEAM		
MEMBER	950	
SELF-CONTAINED BREATHING		
APPARATUS TEAM TECHNICIAN	1,000	
MECHANIC	2,500	
INFORMATION TECHNOLOGY	1,500	
UNIFORM ALLOWANCE		1,250
POLICE:		
IDACS SPECIALIST		370
PARKING PERSONNEL CLOTHING		600
CROSSING GUARD SUBSTITUTE		20 per day

SUMMER SCHOOL CROSS GUARD	20 per day
UNIFORM ALLOWANCE	2,050
EQUIPMENT MAINT ALLOWANCE	680
PLAN COMMISSION	600
BZA MEMBER	375
INSURANCE STIPEND: ASST CITY ATTORNEY & COUNCIL ATTORNEY	500 per month

Section 2. The City will contribute the employee portion of 3% to the Public Employees Retirement fund for all employees eligible for participation in the Public Employees Retirement Fund.

Section 3. The City will contribute 3% of the employee portion to the 1977 Fire Pension for all employees eligible for participation in the 1977 Fire Pension Fund.

Section 4. The City will contribute 2% of the employee portion to the 1977 Police Pension for all employees eligible for participation in the 1977 Police Pension Fund.

Section 5. The City will contribute a match of 100% of the employee's contribution not to exceed 1% of the employee's base biweekly pay for all employees eligible for participation in the State's 457B plan. Employees under the FOP collective bargaining agreement are exempt from this match.

Section 6. Longevity Bonus will be provided annually to the Central Service and Motor Vehicle Highway Teamster employees (as amended). The Longevity Bonus will be offered to the employees as additional pay. The Longevity Bonus shall be payable annually on the first paycheck following each employee's anniversary date with the regular payroll. The annual Longevity Bonus will be based on the following schedule. Said schedule is based upon completed years of service.

<u>Years of Service</u>	<u>Annual Increments</u>	<u>Bonus</u>
5	0	150
6	75	225
7	75	300
8	75	375
9	75	450
10	75	525

An additional \$80.00 will be added for each year of service after the 10th year.

Section 7. The Administration may pay up to 15% less than annual salaries listed to new employees during the first twelve-month period, except for those public safety salaries which have been negotiated by the Common Council and all other salaries negotiated as part of a Collective Bargaining Agreement.

Section 8. This ordinance shall be in full force and effect from and after its signing and attestation.

PASSED BY THE COMMON COUNCIL of the City of Mishawaka, Indiana, on
this _____ day of _____ 2019, at _____ o'clock, _____.m.

Dale "Woody" Emmons, President

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED BY ME, to the Mayor on this _____ day of _____ 2019, at _____ o'clock, _____.m.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED BY ME this _____ day of _____, 2019, at _____ o'clock, _____.m.

David A. Wood, Mayor

AUG 14 2019

APPEAL #19-28

RESOLUTION NO. 2019- 21

CITY CLERK
MISHAWAKA, IN

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:

228 West Edison Road, Suite 600, Mishawaka, Indiana

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located at **228 West Edison Road, Suite 600, Mishawaka, Indiana**, more particularly known and described as follows:

Situate in St. Joseph County, in the State of Indiana: Beginning at a point on the North line of Edison Road (60 foot right of way), 622.89 feet East of the West line of the Southeast ¼ of Section 33, Township 38 North, Range 3 East, City of Mishawaka, Penn Township, St. Joseph County, Indiana; thence North parallel with said West line of the Southeast ¼ of Section 33 a distance of 383.67 feet to the centerline of the Indiana and Michigan Electric Company easement (100 foot width); thence Easterly along said centerline of easement 129.50 feet to a point 572.55 feet West of the East line of the Southwest ¼ of the Southeast ¼ of said Section 33; thence South parallel with said East line of the Southwest ¼ of the Southeast ¼ a distance of 383.27 feet to the North line of Edison Road; thence Westerly along said North line of Edison Road 129.50 feet to the place of beginning.

The Use Variance will allow microblading and/or permanent make up services within a multi-tenant commercial building.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended

by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

Section III. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community because the business will be located within an existing commercial plaza.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because the business will be located in a building that is surrounded by various commercial uses.
3. The need for the variance arises from some condition peculiar to the property involved in that the C-2 zoning does not permit microblading/permanent tattoo services, but does allow the salon where the process is taking place, thus requiring the Use Variance for the proposed use.
4. Since the business establishment is moving into an existing commercial center there are proper utilities, drainage, paved access roads, landscape, buffering, fencing, leakproof dikes, and safety precautions to minimize traffic congestion.
5. The granting of the Use Variance is in the best interest for the community because this location is in one of the areas where multiple commercial businesses already exist and the orientation of the building provides that the microblading/permanent make up services will not be visible from the street.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2019, at _____ o'clock _____ .m.

Presiding Officer

RESOLUTION #2019- 21
228 West Edison Road, Suite 600
Page 3 of 3

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

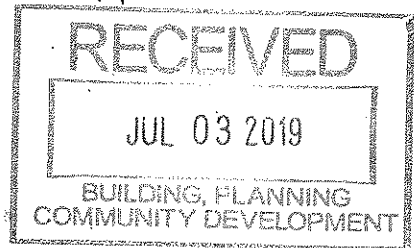
PRESENTED by me to the Mayor this _____ day of _____ 2019,
at _____ o'clock ____m.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at
_____ o'clock ____m.

David A. Wood, Mayor

AP 19-28



Date: June 10th, 2019

To: Board of Zoning Appeals
City of Mishawaka, Indiana

The undersigned appellant respectfully shows the Board:

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

(129.5' X 383.67' BEG 573.05" W OF SE COR SEC)
228 West Edison Road; Suite 600
Mishawka, IN 46545

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 presently occupies the above-described property in the following manner:
Multi Tenant Commercial Strip Development.

4. Appellant desires to rent a tenant space to Michiana Microblading which is provide microblading and/or permanent makeup.

5. The Zoning Ordinance of the City of Mishawaka does not permit the proposed use in the C-2 Shopping Center Commercial District (Section 137-326 (a)).

6. The permitted uses in the C-2 District does not allow for the proposed use which is of a similar intensity and comparable to other permitted uses in the district.

7. 1) Will approval be injurious to the public health, safety, morals or general welfare of the community? YES OR NO and explain your reason why.

No, Michiana Microblading has been offering these services for years and has had substantial training to provide these services to the public.

- 2) Will the use and value of the area adjacent to the property included in the variance be affected in a substantially adverse manner? YES OR NO and explain your reason why.

No, Michiana Microblading has already been zoned and properly inspected by the health department in another location and will not adversely affect anyone or anything.

- 3) Does the need for the variance arise from some condition peculiar to the property involved? YES OR NO and explain your reason why.

Yes, Michiana Microblading provides a safe and sanitary environment for permanent make up to the public.

- 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 OR NO and explain your reason why.

RECEIVED
DEBORAH S. BLOCK, MMC

JUL 31 2019

CITY CLERK
MISHAWAKA, IN

Yes, having strict conditions limits licensed beauty professionals to practice their passion and limits how they can impact the community in a positive way. Permanent makeup services changes peoples lives and impacts their confidence greatly.

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

No.

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

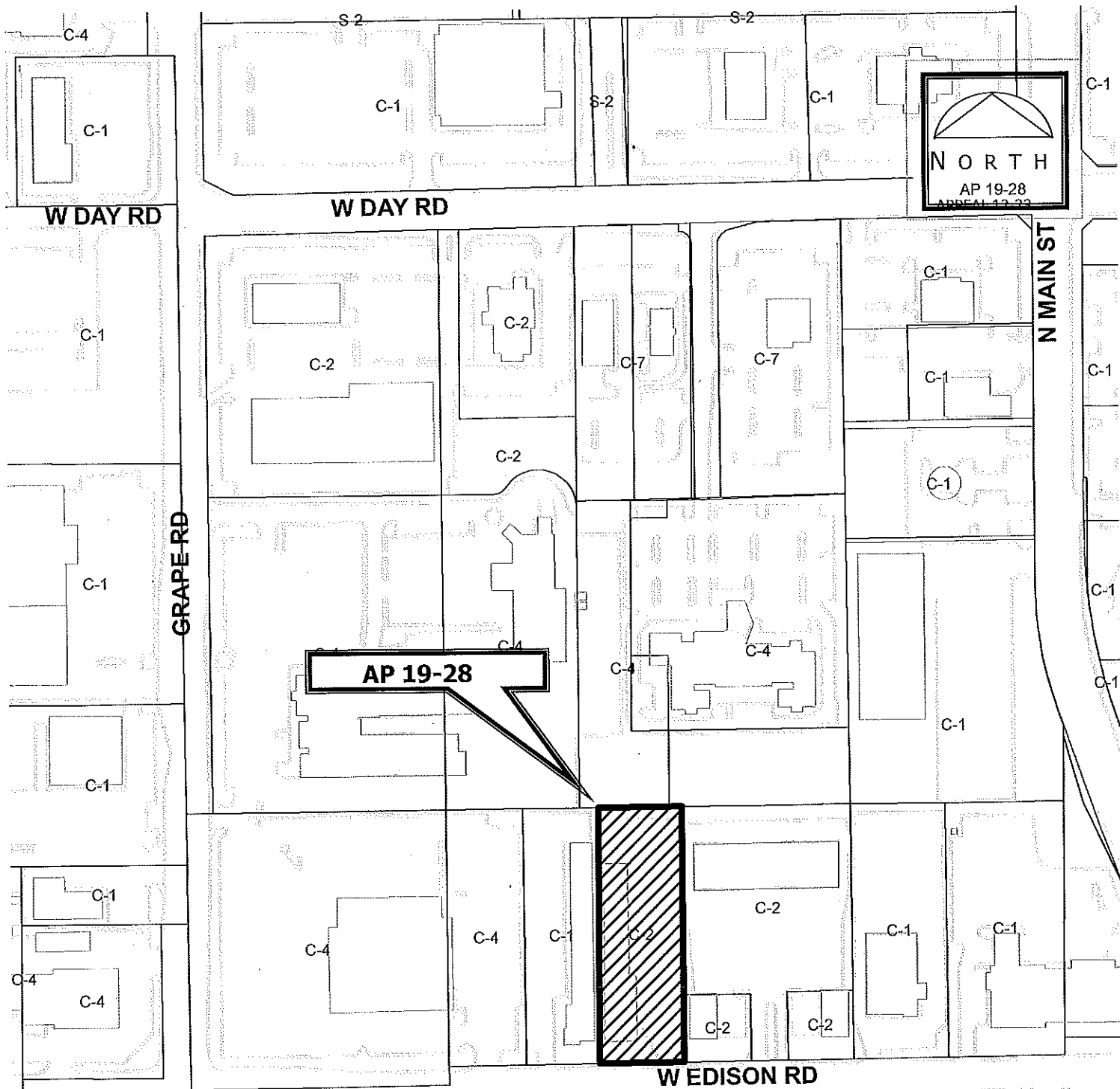
Jay Frederickson
Print Name Here

[Signature]
Sign Name Here

Contact Person:
Lindsay Bowerman
228 West Edison Road, Suite 600
Mishawaka, IN 46545
547-304-2906
574

MAILING ADDRESS
15495 Kerlin Drive
Granger, IN 46530

Michlana Microblading@gmail.com



Location Map

APPEAL 19-28

LINDSAY BOWERMAN (TENANT) &
JAY FREDERICKSON (OWNER)

228 W. EDISON ROAD, SUITE 600

USE VARIANCE TO PERMIT MICRO-
BLADING &/OR PERMANENT MAKEUP

AUG 14 2019

APPEAL #19-33

RESOLUTION NO. 2019- 22

CITY CLERK
MISHAWAKA, IN

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:

2320 Douglas Road, Mishawaka, Indiana

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located at **2320 Douglas Road, Mishawaka, Indiana**, more particularly known and described as follows:

Lot 3 of Juday Creek Business Park as recorded under Instrument #1811362 in the Office of St. Joseph County Recorder

The Use Variance will allow wholesale landscape materials sales subject to the following conditions:

1. The sale of wholesale landscape materials shall be limited to only top soil for a period not to exceed three (3) years.
2. The access drive improvements along Veteran's Parkway shall be reviewed and implemented as determined by the City of Mishawaka Engineering Department.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

Section III. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The sale of wholesale landscaping materials will continue to operate in a similar manner as the current operations. A new access drive with proper erosion control measures will be located along Veteran's Parkway reducing both potential traffic conflicts and sedimentation being tracked onto the adjacent public rights-of-way.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The current use of the property will continue as is with only modifications to the current access.
3. The need for the variance arises from some condition peculiar to the property. A surplus of excavation materials have been deposited on the property as a result of the Douglas Road construction. Thus, a use variance is required to allow the continued sale and removal of the unneeded and unwanted materials.
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. Current uses permitted on the property do not allow for wholesale landscape material sales.
5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. Although the property is not located within the boundary of the plan, the continued use of the site for wholesale landscape material sales will be temporary in nature. Future development of the property is anticipated.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____ day of _____, 2019, at _____ o'clock _____ .m.

Presiding Officer

RESOLUTION #2019-`22
2320 Douglas Road
Page 3 of 3
ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____ 2019,
at _____ o'clock ____m.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at
_____ o'clock ____m.

David A. Wood, Mayor

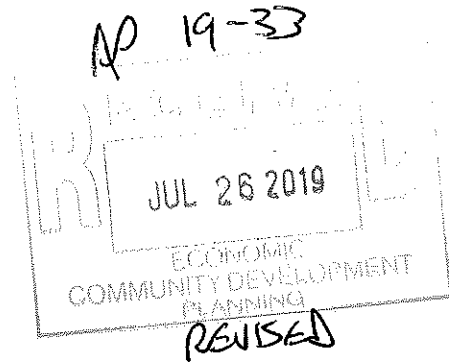
RECEIVED
DEBORAH S. BLOCK, MMC

JUL 31 2019

DATE: 7/24/2019

CITY CLERK
MISHAWAKA, IN

TO: Board of Zoning Appeals
City of Mishawaka, Indiana

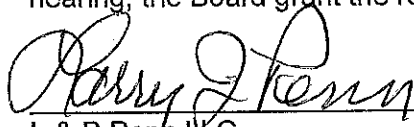


The undersigned appellant respectfully shows the Board:

1. I, L & B Penn LLC & PJT Penn LLC, are the owner of the following described real estate located within the City of Mishawaka, Penn Township, St. Joseph County, State of Indiana, to-wit: Lot 3 of Juday Creek Business Park as recorded under Instrument # 1811362 in the Office of St. Joseph County Recorder.
2. The above described real estate presently has a zoning classification of ~~Agricultural District~~ ^{S-2 PUD} under the Zoning Ordinance of the City of Mishawaka.
3. Appellant presently occupies (or proposes to occupy) the above described property in the following manner: Wholesale Landscape Materials Sales
4. Appellant desires to be able to sell wholesale top soil at property and to have entrance off Veteran's Highway with stone from the approach through the site. Willing to abandon common use construction entrance onto Douglas. Erosion control if/when needed for a strictly wholesale operation.
5. The Zoning Ordinance of the City of Mishawaka requires: (explain ordinance requirements and note section number of the ordinance) Scope of approved PUD does not include sales of dirt (i.e. land scape operations) such as the operations currently in place at this location. The Owners seek this variance to allow continued operation of their wholesale dirt sales until such time as current quantities have been depleted. All situated in Section 26, Township 38 North, Range 3 East.
6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship. The quantities of material that exist have far exceeded the normal demand for such product. The owners are asking to be able to continue this operation until it is used up. This design allows for the most applicable use of the area.
7. Answer the following necessary questions for a USE VARAINCE:
 - 1.) Will approval be injurious to the public health, safety, morals or general welfare of the community? No, continuation of current operations.
 - 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

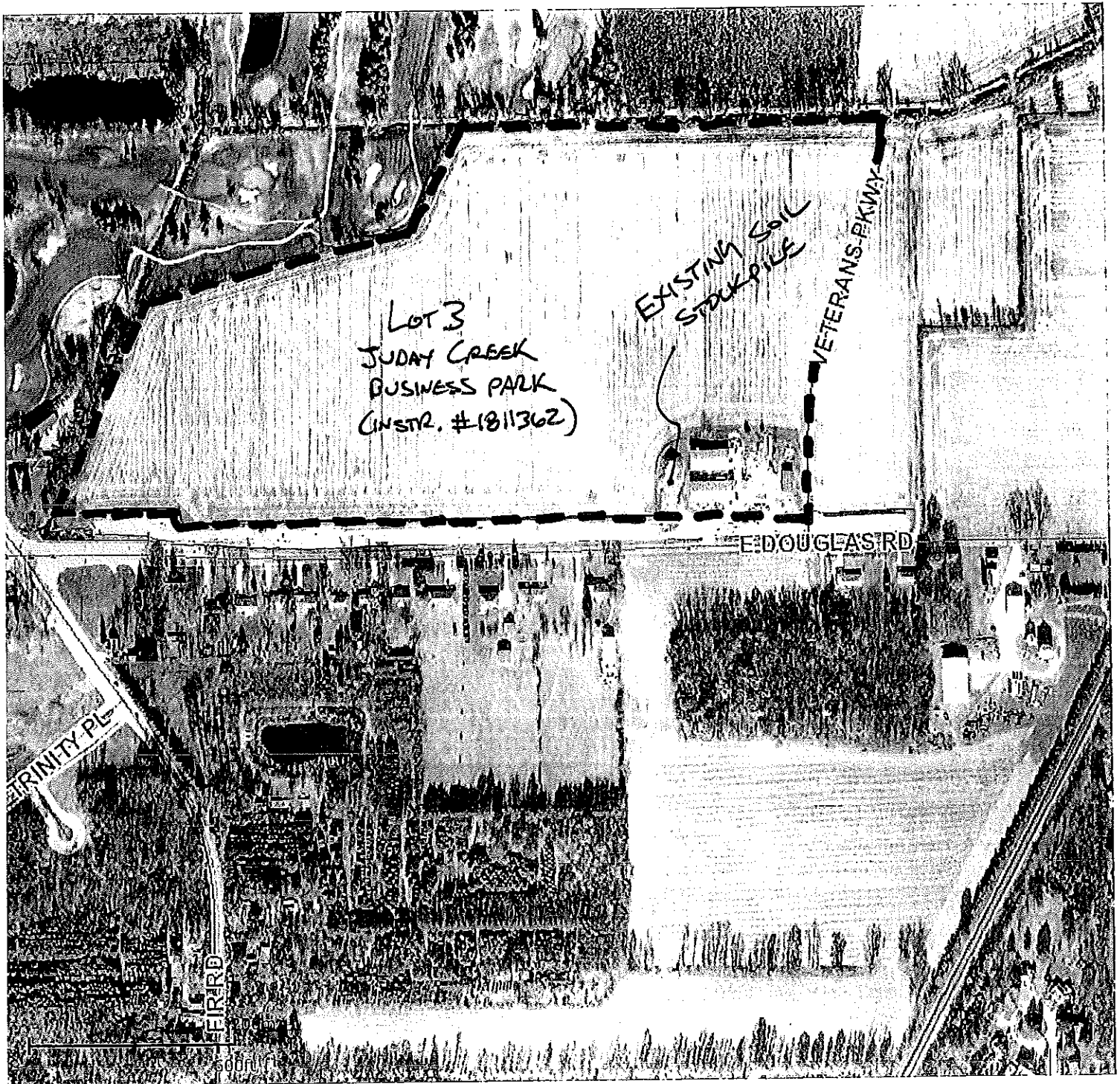
5. The Zoning Ordinance of the City of Mishawaka requires: (explain ordinance requirements and note section number of the ordinance) Scope of approved PUD does not include sales of dirt (i.e. land scape operations) such as the operations currently in place at this location. The Owners seek this variance to allow continued operation of their wholesale dirt sales until such time as current quantities have been depleted. All situated in Section 26, Township 38 North, Range 3 East.
6. Explain why strict adherence to the Ordinance requirements would create an unusual hardship. The quantities of material that exist have far exceeded the normal demand for such product. The owners are asking to be able to continue this operation until it is used up. This design allows for the most applicable use of the area.
7. Answer the following necessary questions for a USE VARIANCE:
 - 1.) Will approval be injurious to the public health, safety, morals or general welfare of the community? No, continuation of current operations.
 - 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
 - 3.) Does the need for the variance arise from some condition peculiar to the property involved? Yes, a large amount of surplus excavation materials has been deposited onto property as a result of construction of Douglas Road.
 - 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
 - 5.) Will approval interfere substantially with the Mishawaka 2000 Comprehensive Plan? Yes

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

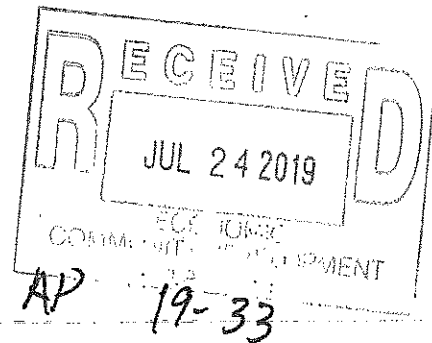

L & B Penn LLC
Larry Penn, Member


PJT Penn LLC
Paul Penn, Member

Contact Person:
Plymouth Land Surveying & Design, Inc.
J. Bernard Feeney
1405 N. Michigan Rd.
Plymouth, IN. 46563
(574)936-3469



FALL 2017 AERIAL



EXISTING
SOIL
STACKPILE

2320

VETERANS PKWY

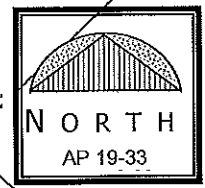
E DOUGLAS RD

100ft
50m

FALL 2017 AERIAL

R	RECEIVED	D
	JUL 24 2019	
EPCOR COMMUNITY DEVELOPMENT EPCOR		

AP 19-33



S-2

AP 19-33

S-2

S-2

S-2

VETERANS PKWY

E DOUGLAS RD

**APPROX.
LOCATION OF
EXISTING SOIL
STOCKPILE**

Location Map

APPEAL 19-33

L&B PENN LLC & PJT PENN LLC

2320 DOUGLAS RD. - LOT 3
OF JUDAY CREEK BUSINESS PARK

USE VARIANCE TO ALLOW
WHOLESALE LANDSCAPE
MATERIAL SALES (TOP SOIL)

AUG 14 2019

APPEAL #19-35

RESOLUTION NO. 2019- 23

CITY CLERK
MISHAWAKA, IN

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:

903 East Fifth Street, Mishawaka, Indiana

WHEREAS, the Indiana Code requires the Common Council to give notice of its intention to consider Petitions from the Board of Zoning Appeals for approval or disapproval; and

WHEREAS, the Common Council must take action within sixty (60) days after the Board of Zoning Appeals makes its recommendation to the Council; and

WHEREAS, the Common Council is required to make a determination in writing on such requests; and

WHEREAS, the Mishawaka Board of Zoning Appeals has made a favorable recommendation, pursuant to applicable state law, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MISHAWAKA, INDIANA, as follows:

Section I. The Common Council has provided notice of the hearing on the Petition from the Board of Zoning Appeals pursuant to Indiana Code requesting that a Use Variance for property located at **903 East Fifth Street, Mishawaka, Indiana**, more particularly known and described as follows:

Lot 78 & Part of Lot 77 in Ward's Addition, City of Mishawaka, Penn Township, St. Joseph County, State of Indiana

The Use Variance will allow an existing house and 1,500 sqft accessory structure to be used as a home-based business in I-1 Light Industrial zoning district subject to the following conditions:

1. All business operations shall occur completely within the accessory structure.
2. No outside storage of raw materials or finished product is permitted.
3. No person shall be employed on the premises other than a member of the immediate family residing on the premises.
4. No signage shall be permitted other than a nameplate of no more than one square foot in area flush mounted to an outside wall.
5. No commodity shall be sold on the premises.
6. No mechanical equipment is used except for basic hand tools and an air compressor.

7. The exterior of the accessory structure shall not be painted or constructed to indicate from the exterior that the structure is being utilized for any purpose other than that of a detached residential accessory building.

Section II. Following a presentation by the Petitioner, and after proper public hearing, the Common Council hereby approves the Petition as recommended by the Mishawaka Board of Zoning Appeals, including the imposition of reasonable conditions, to wit, the recommendations of the Department of City Planning, a copy of which is on file in the Office of the City Clerk.

Section III. The Common Council of the City of Mishawaka, Indiana, hereby finds that:

1. Approval will not be injurious to the public health, safety, morals and general welfare of the community. The property has been occupied with a single family home since the late 1800's with business operations occurring in a detached garage over the last 30 years. The new structure will be utilized as a home occupation in a same manner that the existing structure has operated in the past.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner. The current use of the property will continue as is with a home occupation to be located in a new accessory structure. Adjacent land uses include both existing single-family residences and industrial uses.
3. The need for the variance arises from some condition peculiar to the property. The zoning ordinance does not permit a single-family residential use in the I-1 Light Industrial District or allow for the expansion of a non-conforming use. The use variance will allow for the continued use as a residence with a home based occupation.
4. Strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought. Without the use variance, the business will not be able to expand as necessary.
5. The approval will not substantially interfere with the Mishawaka 2000 Comprehensive Plan. The property will continue to be occupied as is. The new structure will have no physical appearance, except for a small sign, if desired, that indicates it being utilized for any other purposes than that of a detached residential accessory building.

Section IV. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Mishawaka, Indiana, this _____
day of _____, 2019, at _____ o'clock _____ .m.

Presiding Officer

ATTEST:

Deborah S. Block, IAMC, MMC, City Clerk

PRESENTED by me to the Mayor this _____ day of _____ 2019,
at _____ o'clock _____ m.

Deborah S. Block, IAMC, MMC, City Clerk

APPROVED by me this _____ day of _____, 2019, at
_____ o'clock _____ .m.

David A. Wood, Mayor

JUL 31 2019

CITY CLERK
MISHAWAKA, IN

Use Variance Petition Application

07-24-2019

for an existing Home Based business

Patricia A Skelton is the owner of real estate within the City of Mishawaka, St Joe county state of Indiana Lot 77 excluding the east 40' and all of Lot 78 in Ward's Addition - 903 east 5th street Mishawaka In 46544 which presently is zoned I-1 light Industrial District under the Zoning Ordinance of the City of Mishawaka.

Appellant presently occupies the described property as a single-family residential home. Though has been using the detached 400sq ft garage as a business designing and machining composite molds for the last 30 yrs while maintaining a good neighborly environment. USING BASIC HAND TOOLS, AIR COMPRESSOR, GRINDING AND SANDERS TO POLISH, BUFF, AND CLEAN

Appellant desires to demolish an existing detached garage and construct a new 1500 sq ft accessory structure. A use variance is required to allow the existing non-conforming single-family residence to remain on the property and add a home occupation (machine shop) within the new accessory structure.

The Zoning Ordinance of the City of Mishawaka does not permit single-family residential in the Light Industrial District I-1 (section 137-586 (a)) or allow expansion of any non-conforming use. Furthermore, the use variance will allow for the addition of a home occupation on the property.

Explain why strict adherence to the ordinance would create an unusual hardship:

Having a small business in the 400sq ft garage for the last 30 yrs has been a burden with no room to grow. Need the extra space to maneuver and build new product or simply end the business all together, which would result in a financial loss.

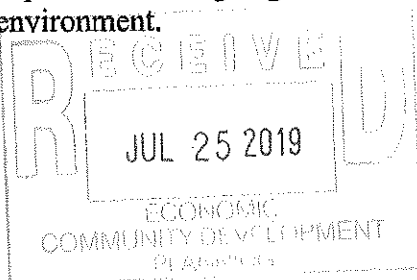
Approval of the use variance would not harm the public health, safety, morals or general welfare of the community. As this is just a small expansion of a ongoing enterprise that has already existed here for the last 30 yrs without any community backlash.

Adjacent property would not be affected in a substantially adverse manner at all, as there would be no effect differently as to what has already been in operation for the last 30 yrs. While being able to improve the residence to the betterment of the community as a whole.

The need for the variance is peculiar to the property as it is already zoned for Light Industrial while having a single family-residence in place. Which is necessary for the small expansion of the garage.

Yes strict application of the terms of this chapter will create a unnecessary hardship to the property. Without a use variance the business as it is will not be able to expand and therefore will have to end. Thus unable to make improvements to the residence which would add cosmetically to the neighborhood.

Approval of the variance will have no negative effect on the overall Mishawaka Comprehensive Plan as the expansion of the garage is minimal doing no damage to the surrounding area while increasing a healthy business environment.

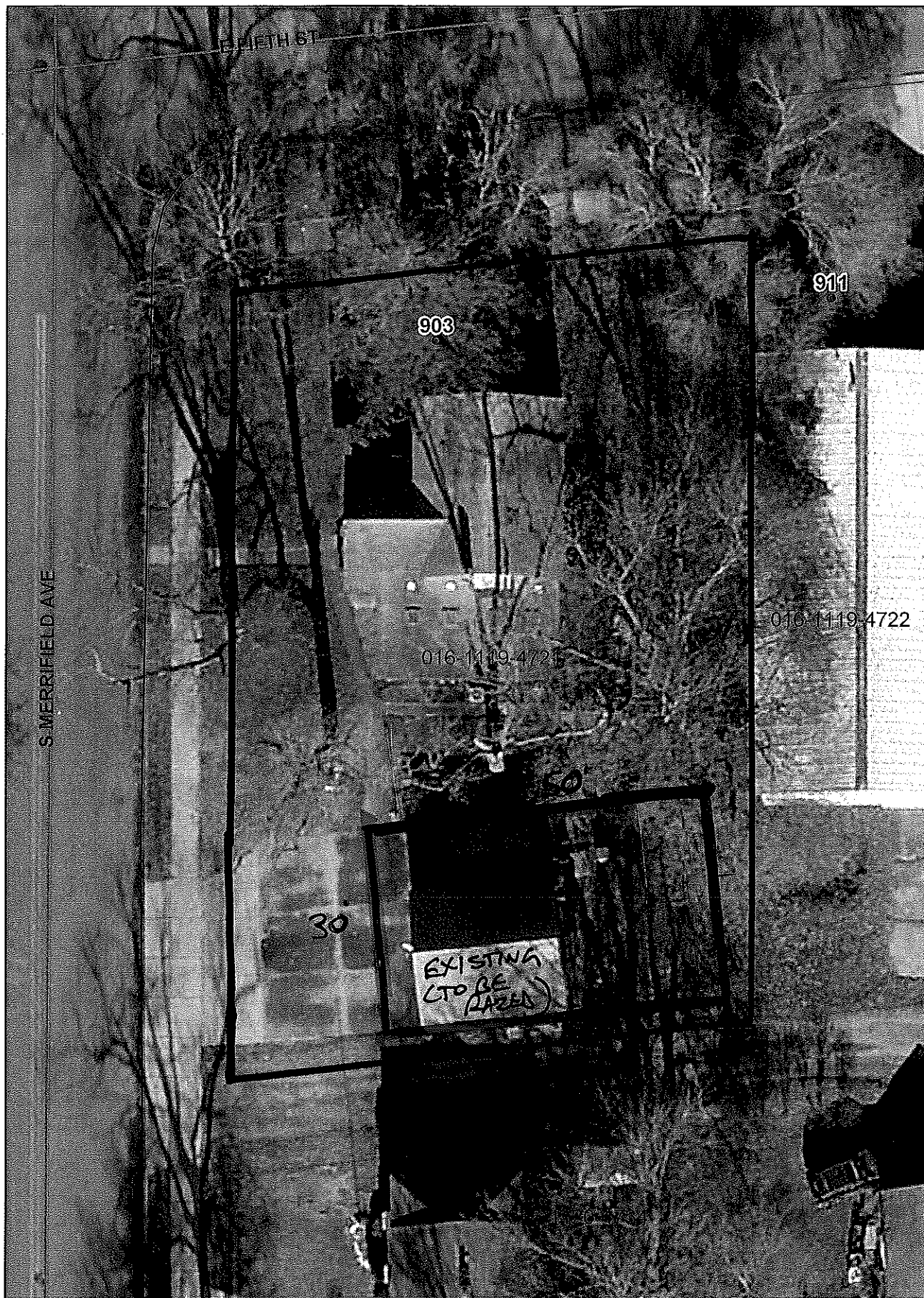


AP 19-35

Thank you very much for your consideration:
Patricia A Skelton , aka Patricia Vandermee

CONTACT:
NORM
VANDERMEER

Patricia Vandermeer
574-329-4007
can
NORM VANDERMEER @ EBCGLOBAL.NET
Patricia Skelton

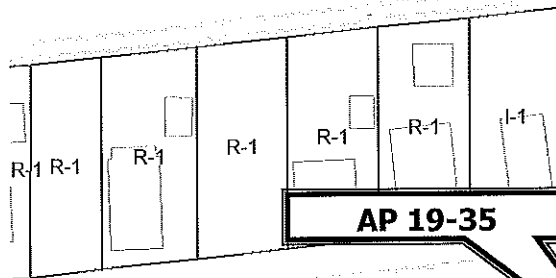
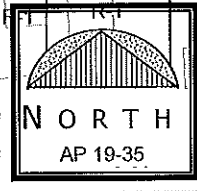
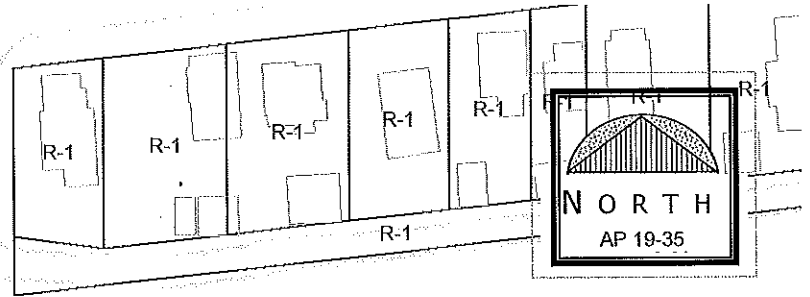
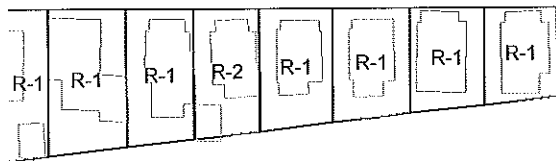


NEW 1,500 SQ. FT.
30' x 50' ACCESSORY STRUCTURE
FOR HOME BASED BUSINESS

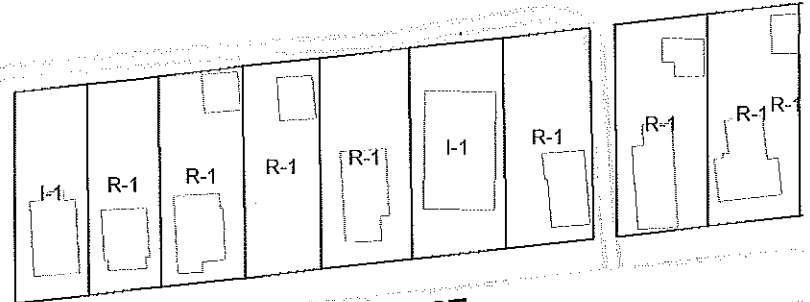
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N



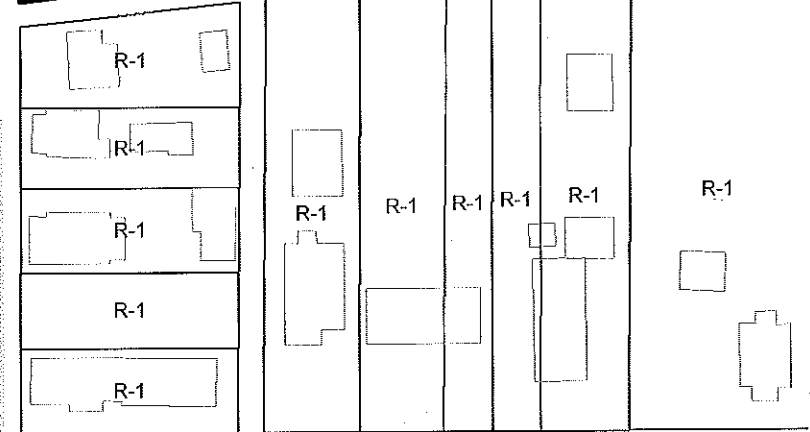
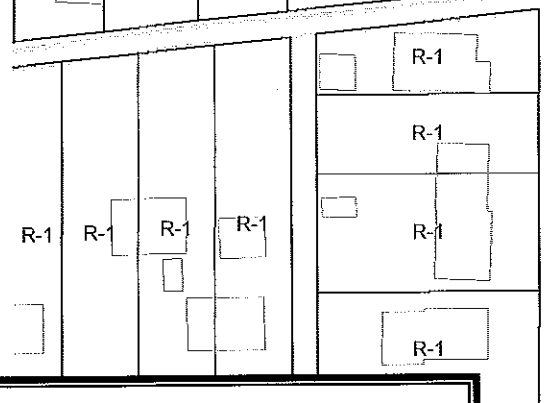
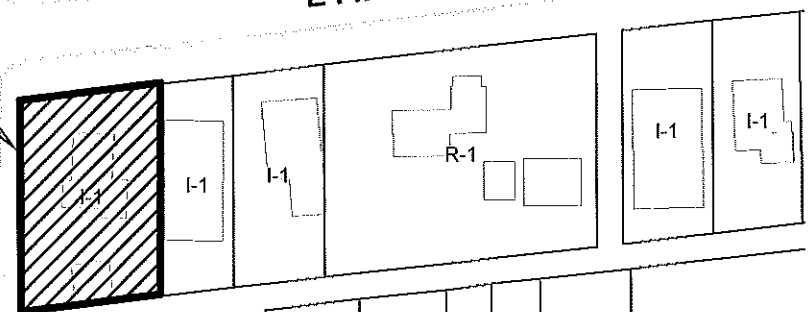
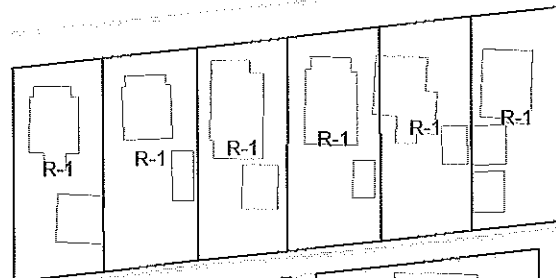
E FOURTH ST



AP 19-35

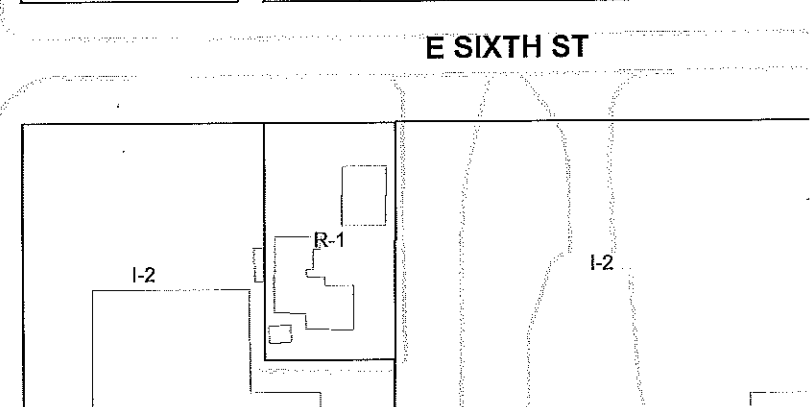


E FIFTH ST



S MERRIFIELD AVE

Location Map
APPEAL 19-35
 PATRICIA VANDERMEE (NEE SKELTON)
 & NORM VANDERMEE (SPOUSE)
 903 E. 5TH STREET - LOT 78 & PART
 OF LOT 77 IN WARD'S ADDITION
 USE VARIANCE TO ALLOW AN EXISTING
 HOUSE AND 1,500 SQ. FT. ACCESSORY
 STRUCTURE TO BE USED AS A HOME
 BASED BUSINESS (ZONED: I-1)



E SIXTH ST