

**THE AREA PLAN COMMISSION
OF ST. JOSEPH COUNTY, IN**

AGENDA

Tuesday, December 15, 2015
3:30 p.m.

Fourth-Floor Council Chambers
County-City Building, South Bend, IN

PUBLIC HEARINGS:

Rezoning:

- A. A combined public hearing on a proposed ordinance of DAFIR Realty, LLC to zone from R: Single Family District to C: Commercial District and seeking the following three variances: 1) from the required Type 2: full screening landscaping of side and rear yards abutting residential districts to no landscaping on the rear and no landscaping on the south for the first 200' east of Fir Road, Type 1: open landscaping on the north starting at a point 400' east of Fir Road, and Type 1: open landscaping on the south starting at a point 700' east of Fir Road and continuing along the property that runs parallel to Fir Road; 2) from the required 40 parking spaces to 5; and 3) from the required foundation landscaping to none along the western facades of the storage buildings, property located at 54486 Fir Road, St. Joseph County, AS Tabled, Tabled to 1/19/16- [APC# 2760-15](#).
- B. A proposed ordinance of Mark and Sandra Cracco to zone from C: Commercial District to R: Single Family District, property located at 52031 State Road 933, St. Joseph County - [APC# 2767-15](#)
- C. A combined public hearing on a proposed ordinance of Sonora Properties of Indiana LLC to zone from LB Local Business District to OB Office Buffer District, seeking a special exception use to allow for personal services, and seeking the following two variances: 1) from the required landscaping of required perimeter yards and residential bufferyards for the northernmost 90' of the west property line to the existing landscaping; and 2) from the required off-street parking area screening to none along the north, east, and west parking lot boundaries, property located at 3055 Edison Road, City of South Bend - [APC# 2768-15](#).

ITEMS NOT REQUIRING A PUBLIC HEARING

- 1. Miscellaneous:
 - A. Alternate Development Standards – Ameriplex at Interstate 80/90, Area C, southeast quadrant of Adams Road and US 31 – [APC #2306-05](#)
 - B. Findings of Facts for Granting of Variances for property located at 1637 and 1641 Portage Avenue, City of South Bend – [APC #2759-15](#)
- 2. Executive Director's Report:
- 3. Minutes and Expenditures:
- 4. Adjournment:

Staff Report

12/4/2015

APC # 2760-15
Owner: DAFIR Realty, LLC
Location: 54486 Fir Road
Jurisdiction: St. Joseph County
Public Hearing Date: 12/15/2015

Requested Action:

The petitioner is requesting a zone change from R: Single Family District to C: Commercial District, and seeking 3 variances from the development standards.

Land Uses and Zoning:

- On site: On site is a vacant lot.
- North: To the north is a single family home zoned R: Single Family District.
- East: To the east across the rail line are single family homes zoned R: Single Family District.
- South: To the south is a church zoned R: Single Family District.
- West: To the west across Fir Road are single family homes zoned R: Single Family District.

District Uses and Development Standards:

The C: Commercial District is established to provide a location for those retail sales and service functions whose operations are typically characterized by: outdoor display or sales of merchandise; major repair of motor vehicles; commercial amusement and recreational activities; or, activities or operations conducted in structures which are not completely enclosed. The types of uses found in the C: Commercial District are often brightly lighted and noisy. Permitted uses contained in this district are such that this district may be used to form a grouping of similar uses along certain portions of major commercial thoroughfares. Special attention should be paid to buffering whenever this district is located adjacent to any residential district or residential uses.

Site Plan Description:

The site consists of two parcels totaling approximately 9.7 acres. On site are 10 proposed storage buildings and an office building. The required Type 2: full screening landscaping, which is intended to screen the commercial activities of the site from surrounding residential properties, would only be applied to approximately 375' of the 1758' north property line and approximately 500' of the 1670' south property line. The rest of the north lot would be lined by security fencing. No development plans have been submitted for the southern lot.

Zoning and Land Use History And Trends:

No rezoning history exists for this area.

Traffic and Transportation Considerations:

Fir Road has two lanes.

Utilities:

The site will be served by a future connection to Mishawaka municipal water and on-site septic.

Agency Comments:

County Surveyor recommends approval. County engineer recommends approval, subject to the approval of a drainage and stormwater management plan, and to obtaining an approved driveway permit for access from Fir Road. County Health Department recommends the petition be tabled, since no soil borings have been submitted, and the location of the septic system has not been identified.

Commitments:

The petitioner is proposing a written commitment that the site only be used as a storage and warehousing facility, and that the sign be limited to a monument style sign.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

The petition is not consistent with Comprehensive Plan for South Bend and St. Joseph County, Indiana (April 2002): Goal 2: Objective C: Policy v: Automobile traffic generated from commercial uses should not travel through residential areas.

Land Use Plan:

The future land use map identifies this area for residential and agricultural growth.

Plan Implementation/Other Plans:

No other plans exist for this area.

2. Current Conditions and Character:

Fir Road between Douglas Road and Day Road is characterized by deep residential lots with single family homes. With the exception of a small commercial node at the corner of Fir and Day, the area is strictly residential in nature.

3. Most Desirable Use:

The most desirable use is one that maintains the rural residential character of the area and preserves as much of the natural landscape as possible.

4. Conservation of Property Values:

The value of surrounding properties would likely be negatively impacted by the placement of a commercial district at this location.

5. Responsible Development And Growth:

It is not responsible development and growth to allow this rural property to be spot-zoned for commercial.

Staff Comments:

This is a combined public hearing procedure, which includes a rezoning and 3 variances from the development standards. The Commission will forward the rezoning to the County Council with or without a recommendation and either approve or deny the variances.

The variances are as follows:

- 1) from the required Type 2: full screening landscaping of side and rear yards abutting residential districts to no landscaping on the rear and no landscaping on the south for the first 200' east of Fir Road, Type 1: open landscaping on the north starting at a point 400' east of Fir Road, and Type 1: open landscaping on the south starting at a point 700' east of Fir Road and continuing along the property that runs parallel to Fir Road;
- 2) from the required 40 parking spaces to 5; and
- 3) from the required foundation landscaping to none along the western facades of the storage buildings.

State statutes and the St. Joseph County Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

Increased traffic to a commercial site located within a residential area may pose safety issues for pedestrians, cyclists, and other motorists.

- (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 value of surrounding properties would likely be impacted in a negative manner by the placement of a commercial district at this location.

- (3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

The strict application of landscape requirements would not pose a practical difficulty for this currently undeveloped site.

This site, under the C: Commercial District would be allowed a sign of over 350 square feet in area and 45' in height. Off-premise signs (billboards) would also be allowed on site.

Recommendation:

Based on information available prior to the public hearing, the staff recommends the rezoning petition be sent to the County Council with an unfavorable recommendation. Staff recommends denial of all 3 variances.

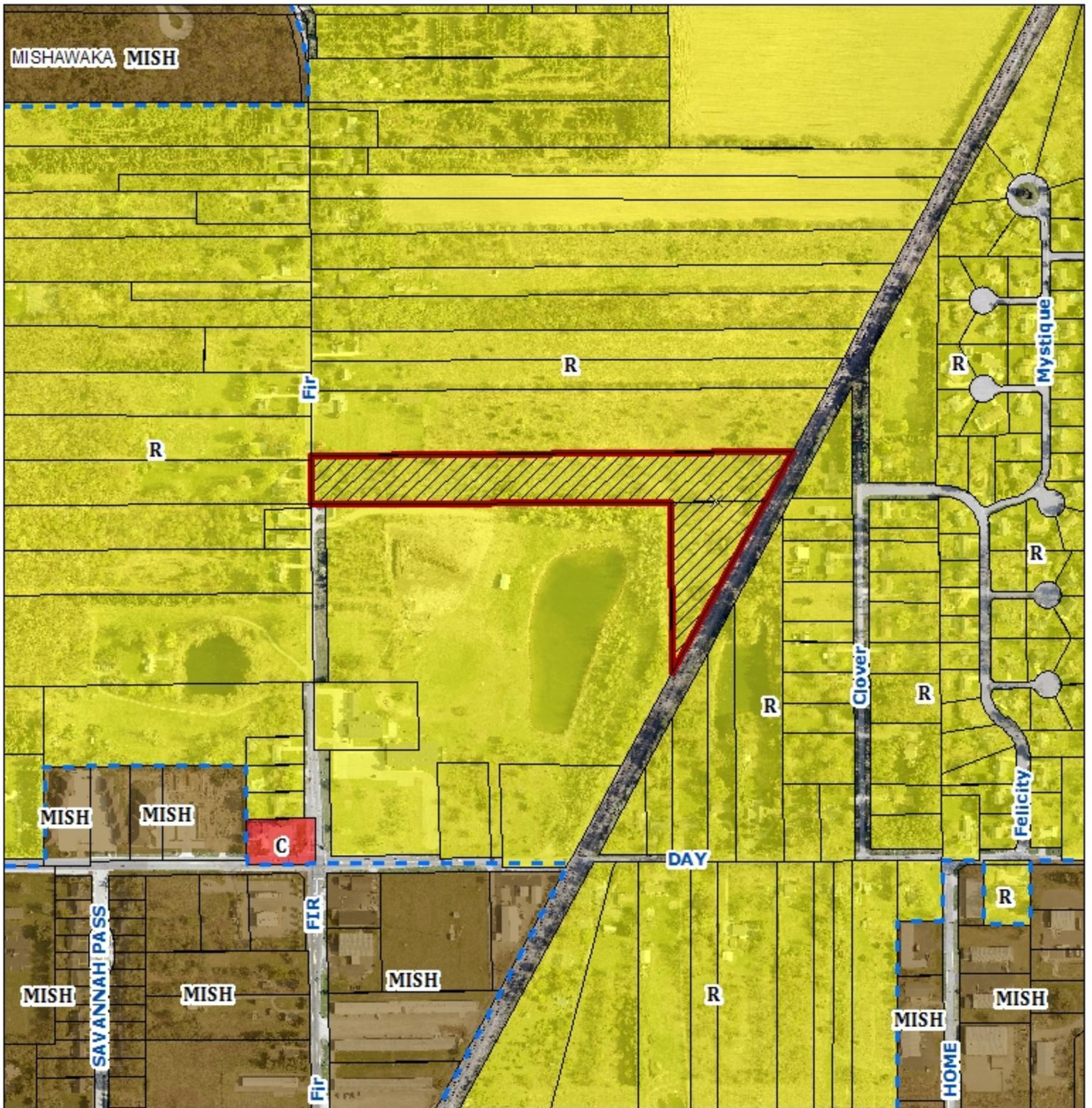
Analysis:

Indiana state statues identify 5 criteria for which plan commissions and legislative bodies must "pay reasonable regard to", as outlined in IC 36-7-4-603. Of the five criteria, as listed above, this rezoning petition meets none. Rezoning of this property to C: Commercial District would allow uses which would be detrimental to the character of the area, and would not constitute good land-use planning.



1 inch = 500 feet
PENN TOWNSHIP

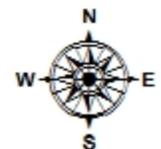




**Rezoning from:
"R" SINGLE FAMILY DISTRICT to
"C" COMMERCIAL DISTRICT**

MASTER ZONING KEY

- COUNTY "R" SINGLE FAMILY DISTRICT
- COUNTY "C" COMMERCIAL DISTRICT
- MISHAWAKA



1 inch = 500 feet

APC # 2760-15

Staff Report

12/3/2015

APC # 2767-15
Owner: Mark and Sandra Cracco
Location: 52031 State Road 933
Jurisdiction: St. Joseph County
Public Hearing Date: 12/15/2015

Requested Action:

The petitioner is requesting a zone change from C: Commercial District to R: Single Family District.

Land Uses and Zoning:

- On site: On site is an existing single family house.
- North: To the north is a multi-tenant shopping plaza zoned C: Commercial District.
- East: To the east across SR 933 is a car sales lot zoned C: Commercial District.
- South: To the south is a vacant lot owned and an auto body repair shop zoned C: Commercial District.
- West: To the west is the undeveloped portion of the lot to the north zoned C: Commercial District.

District Uses and Development Standards:

The R: Single Family Districts are established to protect, promote and maintain the development of single family dwellings as well as provide for other limited residential, public and institutional uses that are compatible with residential development located at the periphery of an urban area.

Site Plan Description:

Rezoning and petitions to R: Single Family District do not require a site plan.

Zoning and Land Use History And Trends:

This site and the adjacent properties have been zoned C: Commercial since 1984. Prior to 1984, the site was zoned B Business. The car lot to the east was zoned from R: Single Family and C: Commercial to C: Commercial in 2014 to allow the commercial portion of the site to be expanded to the east.

Traffic and Transportation Considerations:

State Road 933 has four lanes and a center turn lane.

Utilities:

The site will continue to be served by private well and septic.

Agency Comments:

County Surveyor, County Engineer, and County Health Department recommend approval.

Commitments:

The petitioner is not proposing any written commitments.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

The petition is not consistent with the Comprehensive Plan for South Bend and St. Joseph County, Indiana (April 2002), however, changes in lending underwriting guidelines have required property owners to rezone their property in order to maintain long established residential uses.

Land Use Plan:

The future land use map identifies this area as commercial.

Plan Implementation/Other Plans:

No other plans exist for this area.

2. Current Conditions and Character:

State Road 933 is a heavily travelled commercial corridor with a mix of retail and residential.

3. Most Desirable Use:

The most desirable use for this site is one that is compatible with the mixed-use nature of the area.

4. Conservation of Property Values:

Surrounding property values should not be adversely affected due to the low-impact nature of a single family residence.

5. Responsible Development And Growth:

It is responsible development and growth to allow this property to be zoned to a residential district, which would reflect its original use.

Staff Comments:

The staff has no additional comments.

Recommendation:

Based on information available prior to the public hearing, staff recommends the rezoning petition be sent to the County Council with a favorable recommendation.

Analysis:

This rezoning will allow a home, which was in existence prior to the adoption of the current zoning map, to remain in place as a permitted use.



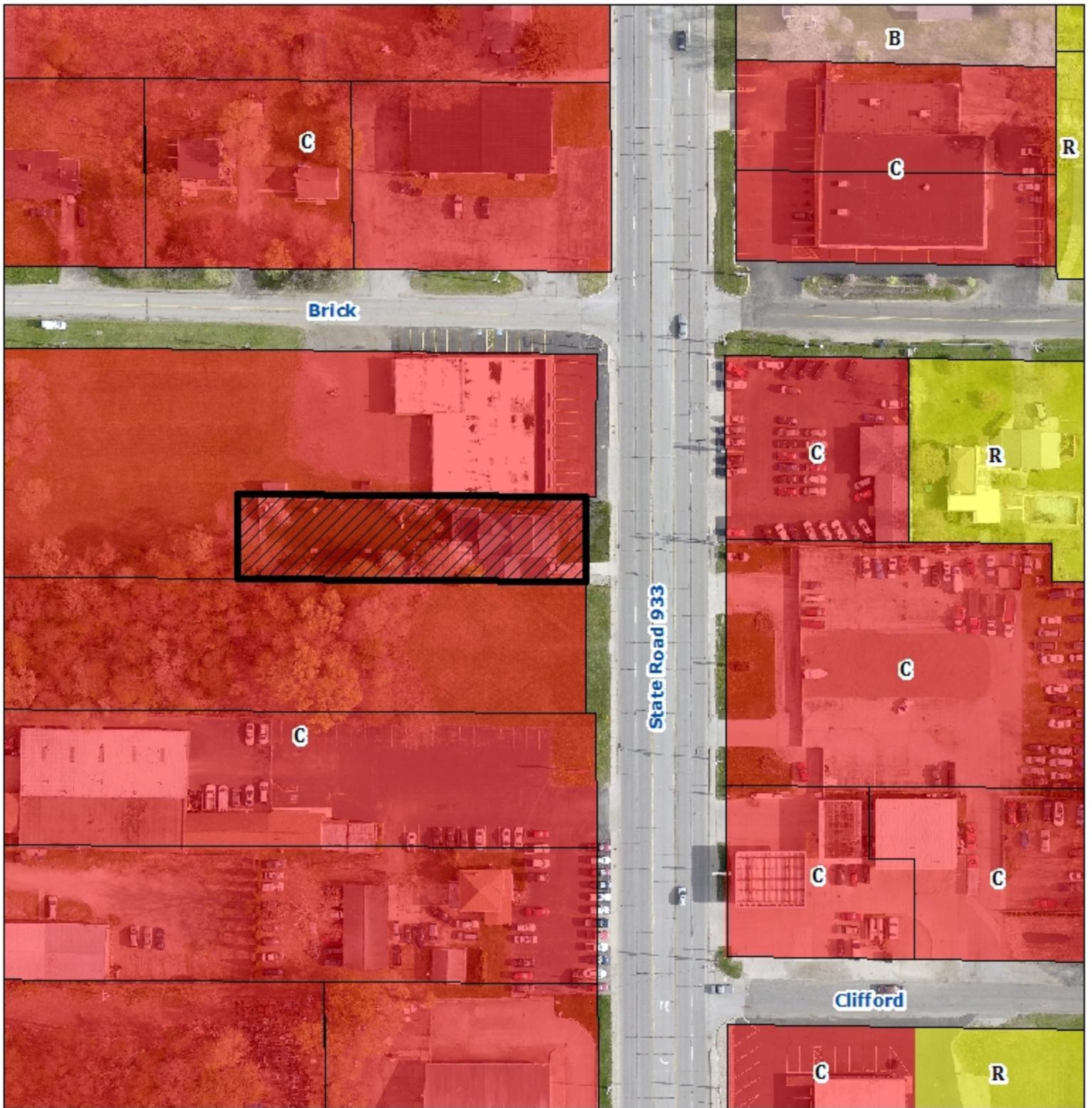
Brick

State Road 933

Clifford

1 inch = 100 feet
CLAY TOWNSHIP

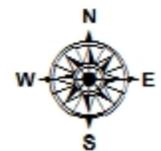




**Rezoning from:
"C" COMMERCIAL DISTRICT to
"R" SINGLE FAMILY DISTRICT**

MASTER ZONING KEY

-  COUNTY "R" SINGLE FAMILY DISTRICT
-  COUNTY "B" BUSINESS DISTRICT
-  COUNTY "C" COMMERCIAL DISTRICT



1 inch = 100 feet

APC # 2767-15

Staff Report

12/4/2015

APC # 2768-15
Owner: Sonora Properties of Indiana LLC
Location: 3055 Edison Road
Jurisdiction: City of South Bend
Public Hearing Date: 12/15/2015

Requested Action:

The petitioner is requesting a zone change from LB Local Business District to OB Office Buffer District, seeking a Special Exception Use for Personal Services, and seeking two variances from the development standards.

Land Uses and Zoning:

- On site: On site is an existing single family home equipped as a salon.
- North: To the north are the soccer fields of Bohem Park zoned SF1 Single Family & Two Family District.
- East: To the east is an open field of Bohem Park zoned SF1 Single Family & Two Family District.
- South: To the south across Edison Road are single family homes zoned SF1 Single Family & Two Family District and a church zoned MF2 Urban Corridor Multifamily District.
- West: To the west is a single family home zoned SF1 Single Family & Two Family District.

District Uses and Development Standards:

The OB - Office Buffer District is established to promote the development of small scale office, professional, business, governmental and quasi-governmental uses. Since the types of permitted uses in the OB District are typically less commercial in appearance and are architecturally more harmonious with residential structures, this district can serve as a buffer between residential districts and more intense commercial or industrial districts. The OB District may also serve as a gradual and reasonable transition between major thoroughfares and residential districts. The OB District development standards are established to assure small scale developments.

Site Plan Description:

Existing on this 0.6 acre site is a vacant residential structure which has been modified into a hair salon with an attached garage. A paved lot with 15 parking spaces is provided to the east of the house. The property is surrounded on three sides by mature trees.

Zoning and Land Use History And Trends:

This property was rezoned in 2005 from SF1 Single Family & Two Family District to LB Local Business District with the written commitment that the use of the property be limited to a full-service beauty salon.

Traffic and Transportation Considerations:

Edison Road has four lanes and a center turn lane.

Utilities:

The site is served by municipal water and sewer.

Agency Comments:

County Surveyor recommends approval. City Engineer notes that all landscaping must be installed on private property and not located on the public right-of-way.

Commitments:

The petitioner is not proposing any written commitments.

Criteria to be considered in reviewing rezoning requests, per IC 36-7-4-603:

1. Comprehensive Plan:

Policy Plan:

The petition is consistent with City Plan, South Bend Comprehensive Plan (November 2006): Objective LU 2: Encourage a compatible mix of land uses in the community.

Land Use Plan:

The future land use map identifies this area as low density residential.

Plan Implementation/Other Plans:

There are no other plans in effect for this area.

2. Current Conditions and Character:

Edison Road between Rockne and Hickory consists of single family and multifamily residential, with a commercial node near the intersection with Hickory.

3. Most Desirable Use:

The most desirable use is residential or low-impact office uses.

4. Conservation of Property Values:

Surrounding property values should not be negatively impacted due to the fact that this is already zoned for, and being used as, a beauty salon.

5. Responsible Development And Growth:

It is responsible development and growth to allow this property to be down-zoned to the OB Office Buffer District.

Staff Comments:

This is a combined public hearing procedure, which includes a rezoning, a Special Exception Use, and two variances from the development standards. The Commission will forward the rezoning and the Special Exception Use to the Common Council with or without a recommendation and either approve or deny the variances.

State statutes and the South Bend Zoning Ordinance require that certain standards must be

met before a variance or Special Exception Use can be approved.

The Special Exception Use is for Personal Services.

A Special Exception Use may only be granted based upon the evidence presented at a public hearing, that:

(1) The proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare.

This site has previously been used as a beauty salon. The proposed Special Exception Use is low-impact and appropriate for a major corridor. It should not generate additional traffic to the site.

(2) The proposed use will not injure or adversely affect the use of the adjacent area or property values therein.

The property was previously used for non-residential uses. With proper screening, adjacent properties should not be adversely impacted.

(3) The proposed use will be consistent with the character of the district in which it is located and the land uses authorized therein.

The proposed use is an adaptive reuse of an existing building. No major modifications are planned that would change the character of the area.

(4) The proposed use is compatible with the recommendations of the Comprehensive Plan. The comprehensive plan encourages a compatible mix of uses in the community.

The variances are as follows:

1) from the required landscaping of required perimeter yards and residential bufferyards for the northernmost 90' of the west property line to the existing landscaping; and

2) from the required off-street parking area screening to none along the north, east, and west parking lot boundaries.

State statutes and the South Bend Zoning Ordinance require that certain standards must be met before a variance can be approved. The standards and their justifications are as follows:

(1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

The property is already screened on three sides by dense vegetation. Because the property to the north and east is a large open park area, it would not be injured by lack of parking screening where other screening already exists.

(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.

Surrounding property values will not be adversely affected because the perimeter landscaping will effectively screen the parking lot.

(3) The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property.

Staff Report

12/4/2015

Strict application of the landscape regulations would require the site to have redundant landscaping.

Recommendation:

Based on information available prior to the public hearing, staff recommends that the rezoning petition and Special Exception Use be sent to the Common Council with a favorable recommendation. Staff recommends approval of both variances.

Analysis:

Rezoning this site to OB Office Buffer District with the limited Special Exception Uses permitted will allow for a responsible adaptive-reuse while providing a buffer between the residential neighborhood and Edison Road.



SOUTH BEND

Edison

Brummitt

Woodfield

1 inch = 100 feet
PORTAGE TOWNSHIP



Staff Report

12/4/2015

APC # 2306-05
Owner: Waggoner's Dairy Farm, Inc., et al
Location: AmeriPlex at Interstate 80/90 (Formerly Portage Prairie)
Jurisdiction: City of South Bend

Requested Action:

The petitioner is requesting approval of alternate development standards for signs.

Zoning and Land Use History And Trends:

The Portage Prairie PUD was originally heard by the Area Plan Commission in March 2005. In April 2008, alternate development standards for signs were approved by the Commission. In October 2012, alternate development standards for signs and landscaping were approved. In 2014, alternate development standards for outdoor storage and renaming of the PUD to AmeriPlex at Interstate 80/90 were approved. In November 2015, alternate development standards for signs and landscaping were approved.

Staff Comments:

The AmeriPlex at Interstate 80/90 PUD ordinance provides the developer the opportunity to submit alternate development standards for the approval by the Area Plan Commission. The alternate development standards being proposed by the developer include removing the previous standards for wall signs on the front façade and replacing them with the allowance of 10% of the façade area for the front façade and 5% of the façade area for side and rear facades. The proposed wall sign calculations are consistent with the standards of the LI Light Industrial District.

Recommendation:

Staff recommends approval of the proposed alternate development standards. The proposed standards are consistent with the intent and design of the original PUD while allowing flexibility and adapting to current design standards.

EXHIBIT B

AREA C – SOUTHEAST QUADRANT

SIGNAGE REQUIREMENTS

September 26, 2012
Revised October 20, 2015



Area C – Southeast Quadrant: Industrial, Commercial / Hotel, Office / Flex

Goals:

1. Create a sign plan that incorporate the needs and goals of the developer, the occupants, businesses and tenants within the development, the City of South Bend and St Joseph County and compliment the neighboring developments within the Airport Economic Development.
2. Ensure continuity and maintain aesthetic integrity of the overall development by establishing sign restrictions, rules and guidelines for use, construction and visual appeal.
3. Provide the developer, occupants or businesses that will develop and operate within the development and the City/County to have a common set of sign guidelines that will help streamline the process of permits and reduce the instances of variance appeals.

Sign Types:

- Main Identification Highway Signs (MHS)
- Secondary Monument Signs for Name of Development (SMS)
- Monument Signs for Each Building (MS)
- Building Signs for Each Tenant or Occupant (TS)
- Directional, Wayfinding & Traffic Signs (DS)
- Outdoor Display Area Signs (ODS)

Main ID Highway Signs (MHS):

The AmeriPlex development will have two highway oriented signs fronting the north and south ends along the US 31 Highway. The proposed signs will be similar to height standards for CB zoned districts with a maximum height not to exceed 50 feet overall height. The setback needs to be close to the highway and property line; therefore, the signs shall be set five (5) feet from the property line. At this setback, the sign will be approximately 75 feet or more from the highway. The proposed signs shall contain the AmeriPlex at Interstate 80/90 development name. The signs will contain decorative features that will be used throughout the development including the stained glass element and prairie style fabricated structural steel supports.

The signs will also contain masonry in the bases. These signs will be internally illuminated and will have landscape around them.

Secondary MID Development Signs (SMS):

There are places of entry into the development where secondary signs could be placed that would contain the same information as the MHS but much smaller. They would simply compliment the highway signs and serve as reference points for those coming to the development to know where the access and exit points are located. There may be up to four of these signs all internally illuminated with each sign being between 10' to 20' over all height depending on each sign's specific location and environment.

Monument Signs (MS):

Every building within with development will have a monument sign with either the name of the building occupant if a single user, or the name of the building if a multi-tenant use. These signs would be freestanding and double sided and would be constructed to compliment the SMS using similar materials and colors and design features. Each sign would be 8' to 12' in length and 6' to 8' in height. The signs will be illuminated internally or with spotlights in the landscape area around them.

For a lot with no street frontage, a monument sign may be located in a signage easement on an adjacent parcel with no minimum separation requirements from adjacent monument signs.

Tenant/Building Signs (TS):

Building signs will have a consistent look that is controlled by the developer allowing each tenant a sign on their front façade. Tenants in buildings that are 150,000 square feet or larger may have a façade sign up to 75 square feet in addition to a corporate logo, in size placed on their front façade area, tenants in buildings between 50,000 and 149,000 square feet may place signs on their front façade that are no larger than 50 square feet in addition to a corporate logo, and tenants in buildings that are smaller than 50,000 square feet can have signs on their front façade up to 25 square feet, in addition to a corporate logo.

Building signs will have a consistent look that is controlled by the developer. Building signs mounted on the front façade of the building shall not exceed 10% of the total building façade, and building signs mounted on the rear or side facades of a building shall not exceed 5% of the total building façade.

All signs on each building will be consistent in style of construction, materials and colors to be determined by the developer. All signs will affix the same way on each building and will incorporate the same mounting method to be determined by the AmeriPlex Architectural Committee (AAC)

AREA C – SOUTHEAST QUADRANT SIGNAGE REQUIREMENTS

No raceways or box signs or projecting signs allowed and no signs shall extend beyond the roofline. The signs will be illuminated using external sources of light; spotlights, building mounted lights, etc.

All building sign designs must be submitted to the developer for approval prior to installation.

All signs must have concealed fasteners or exposed used stainless or non-corrosive materials. All penetrations of the building structure shall be neatly sealed and watertight. Color and finish of attachments and sealants must match the adjacent exterior finishes and are subject to the approval of the AAC.

Way Finding, Directional and Traffic Signs (DS):

Throughout the development there will be standard traffic signs as well as specific directional and way finding signs at intersections, to designate street names and to convey driving instructions including the option to place enter and exit signs at access points to specific buildings. All signs will be metal and no larger than 8 square feet for access point signs and shall be installed at standard heights that meet driving and traffic safety regulations. The signs will be non-illuminated with reflective vinyl graphics.

Outdoor Display Area Signs (ODS):

- Outdoor Display Area Signs will be limited to banner signs
- Banners must be mounted to the light poles with upper/lower horizontal supports
- Banners shall not exceed three feet in width by eight feet in height (3 ft. x 8 ft.)
- All banners shall be of the same dimensions, shall be oriented on the side of the light pole facing toward the outdoor display area, and shall be placed at the same relative location on all light poles.
- No light pole to contain more than one (1) banner sign
- Outdoor display area banner signs may announce the name of the development

Misc. Signs:

Each tenant will be required to have a small plaque style identification sign next to the back door of the building. These signs will all be the same look, color, style, materials, size and construction using an aluminum frame with aluminum insert panel. The signs will be 16"x24" in size.

Window vinyl will be allowed on the glass doors of the main entrance to each business.

Awnings:

- Blend with architecture
- Accent building, not to be dominant features
- Metal construction with fabric, metal or polycarbonate

**AREA C – SOUTHEAST QUADRANT
SIGNAGE REQUIREMENTS**

- 10% of area can be used for graphic, logo or information
- 1 primary color with up to 2 accent colors
- non-internally illuminated (can illuminate them externally)

Signs not permitted:

- No neon signs other than neon used in individual channel letters for retail and commercial buildings. No exposed neon for signs, letters or accent lighting.
- No portable signs.
- No manual changeable letter signs other than for a theater and in this case only opaque backgrounds where only the letters light up at night.
- No painted signs directly applied to flat building surfaces.
- No sign company logos, decals or information on signs.

Additional:

- UL or product labels to be placed on top of sign components.
- Disconnect switches must be on signs that are illuminated.

FINDINGS OF FACT

APC# 2759-15
Dr. Trang Mai, D.D.S.
1637 & 1641 Portage Avenue
South Bend

On Tuesday, November 17, 2015 the Area Plan Commission **approved** the following variances from the Development Standards of the St. Joseph County Zoning Ordinance:

1. from the required 15' minimum front yard setback to 5' for an interior access drive and parking;
2. from the required 15' side residential bufferyard to 5';
3. from the required foundation landscaping to the existing landscaping, subject to providing foundation landscaping for all new buildings or additions;
4. from the required Type: B Landscaping along the alley to none.

(1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.

The proposed setbacks will allow parking and access on site to meet the demands of the use and will be consistent with what is existing on site.

(2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Surrounding property values will not be adversely affected by the building addition or the parking lot due to the change in elevation and landscaping which will serve as a noise and light buffer.

(3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property.

Due to the unique configuration of, and the relatively small depth of the site, the strict application of the residential bufferyard setbacks would not allow the dental office to expand.

The Minutes of the November 17, 2015 meeting of the Area Plan Commission are hereby incorporated by reference herein.

Adopted by the Area Plan Commission of St. Joseph County, Indiana, this 15th day of December, 2015.

Karl King, President
Area Plan Commission of
St. Joseph County, Indiana

ATTEST:

Lawrence P. Magliozzi, Secretary