

AGENDA
LOGANSPORT BOARD OF ZONING APPEALS
MONDAY, October 20, 2025
4:00 PM

City Council Chambers
3rd Floor City Building
601 E. Broadway

ROLL CALL

MINUTES: September 15, 2025

PUBLIC HEARINGS:

Continued from September 15, 2025 - **Case #25-21** The petition of Joshua Weber requesting a Special Exception and various variances from developmental standards to operate a Commercial Garage. The property is located at 1879 18th Street, Logansport, IN 46947 and is zoned AB, Agribusiness.

Case #25-25 The petition of Nem Sian San Kim requesting various Variances from Developmental Standards have lesser setbacks and exceed lot coverage to install a carport with storage area. The property is located at 1101 High Street, Logansport, IN 46947 and is zoned R4, High Density Residential.

Case #25-26 The petition of Guillermo Montalvo requesting a Use Variance and various variances from developmental standards to be allowed to have 3 apartments and for an addition to the garage apartment. The property is located at 308 E Colfax Street & 2 lots on Maria Street (across alley), Logansport, IN 46947 and is zoned R3, Medium Density Residential.

Case #25-27 The petition of Bob Gaffer, PE requesting a Special Exception and various variances from developmental standards for Gas Station/Convenience Store. The properties are located at 2400, 2416, and 2420 E Market Street, Logansport, IN 46947 and is zoned NB Neighborhood Business District.

Case #25-28 The petition of Ketankumar Patel requesting a Special Exception and various variances from developmental standards for three-unit plaza which includes a gas station/convenience store. The property is located at 1205 E Market Street, Logansport, IN 46947 and is zoned NB, Neighborhood Business District.

Case #25-29 the petition of Erika Gutierrez requesting a Use Variance and various variances from developmental standards to allow a 4th dwelling unit to be added to the property and have lesser parking than required. The property is located at 118 7th Street, Logansport, IN 46947 and is zoned PR, Professional Residential.

REPORTS: None

OLD BUSINESS: None

NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC IN ATTENDANCE

ADJOURNMENT

IF YOU ARE UNABLE TO ATTEND
PLEASE CALL (574)753-7775

LOGANSPORT BOARD OF
ZONING APPEALS
MEMBERS:

Jeff Key President (City
Council Appt. Citizen 1/2022
– 1/2026)

Tom Nelson Vice President
(Mayor Appointed LPC
1/2024 – 1/2028)

Judy Burkhart,
Secretary (LPC Appt. 1/2022
– 1/2026 Fringe Member)

Memi Renewanz
(Mayor Appt. Citizen 1/2024
– 1/2028)

Stephanie Helton
(Mayor Appt Citizen
3/2025 – 2/2028)

John Brown (LPC Appt –
Fringe, Alternate 1/2022 –
1/2026)

MINUTES
LOGANSPOUR BOARD OF ZONING APPEALS
Monday September 15, 2025

The meeting of the Logansport Board of Zoning Appeals was called to order by Jeff Key at 4:00 PM in the City Council Chambers, third floor, City Building, 601 E. Broadway, Logansport, IN.

ROLL CALL:

Members present: Jeff Key, Memi Rennewanz, Stephanie Helton and John Brown

Members absent: Judy Burkhart and Tom Nelson

Staff present: Arin Shaver, Jamey Harper and Jamie Moore, Recording Secretary

PUBLIC IN ATTENDANCE: See sign in sheet

ACTION ON MINUTES: The minutes from August 18, 2025 & August 25, 2025 were presented. Memi Rennewanz motioned to approve the minutes as presented and Steph Helton second the motion.

Jeff Key asked if any members been in contact with the petitioners, advocates or opponents of these cases. All stated no.

Jeff Key asked if proper notification been made and do we have proper verification in all cases on today's docket. All stated yes, except for the newspaper affidavit and mailings for case #25-21 and case #25-23.

Steph Helton motion to amend case 25-24 to go first on the agenda and Memi Rennewanz second the motion.

Roll Call vote was taken and all were in favor.

All wishing to speak were sworn in.

Case #25-24 The petition of Elizabeth Barnett requesting various Variances from Developmental Standards to have a 6ft fence in the front yard setback. The property is located at 231 Grove Street, Logansport, IN 46947 and is zoned R3, Medium Density Residential.

Jamey Harper stated the following from the staff report:

The petitioner is requesting various Variances from Developmental Standards to have a 6ft fence in the front yard setback. The petitioner currently has a 4ft chain link fence but would like to have more privacy since they have a pool.

** Standards – Front Yard:

A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lamp posts, and similar uses the depth of which is the least distance between the street right-of-way line and the building line. On corner lots, the front yard shall be all yards between street rights-of-way and the building lines.

Setbacks – R3 District

Front yard: 20ft

- Please note that the house does not meet the 20ft setback so the fence could be lined up with the front of the house. The house has approximately a 9-10ft setback.
- The petitioner said that they would lose too much yard to line it up with the house.
- The petitioner has a pool and would like to be able to have a 6ft fence located just adjacent to their property line. The property line is on the back side of the sidewalk.

VDS: 10-11ft setback

**Fence Standards.

Fences are permitted as accessory structures in any district and require an ILP within the incorporated boundary of the City of Logansport. Fences must meet the following standards:

1. Fences shall be reviewed and approved by the TRC in order to make sure the public health, safety, comfort, morals, convenience and general welfare of the community is upheld.
2. Fences shall be constructed so that the finished side is facing outward.
3. Fences must be located entirely upon the lot which it serves, though it may be located immediately adjacent to the lot line.
4. Fences in residential districts or abutting residential uses may not have a height greater than forty-eight inches (48") in the front yard setback and shall not be permitted within the right-of-way, with the exception of properties that abut East Market Street between W. Roselawn and Cass Plaza Drive as well as properties along Cass Plaza Drive from East Broadway to East Market Street (not including the northwest corner property due to visual hindrance of an intersection). Fences required as part of commitments shall be properly maintained.

VDS: 2ft in height for fence in front yard setback

5. Fencing in any district, shall be constructed with typical fencing materials and styles, excluding barbed wire or electrically charged fences unless for an agricultural use.
6. All fences shall meet the standards of this section if more than seventy-five percent (75%) of the total linear length of the fence is being repaired.
7. No fence in any district may exceed eight feet (8') in height in any district. Fences abutting a residential lot or district may not exceed six feet (6') in height. All fences constructed abutting a residential lot or district must be designed so as not to prohibit light and/or ventilation to a residence.

Jeff Key asked the petitioner to step forward and state their name and address. Elizabeth Barnett, 231 Grove Street. The petitioner stated that she would like to have a 6' privacy fence in the front yard of Grove Street. The petitioner stated since she would not be going all the way to the corner it would not affect traffic.

There was a discussion regarding the 6' privacy fence and front yard setback.

Jeff Key asked if there were any questions from the board and audience. There were none.

Jeff Key asked if there were any correspondence. There were none.

Jeff Key asked the secretary to read the conditions.

CONDITIONS OF APPROVAL:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. That the Affidavit of Publication from the newspaper be given to the planning department before any permits be issued.

The petitioner agrees to these conditions.

Steph Helton motioned to bring case #25-24 to a vote and Memi Rennewanz second the motion.

Roll call vote was taken and Findings of fact were completed.

Case #25-24 was approved.

Jeff Key explained the appeal process

Case #25-21 Joshua Weber requesting a Special Exception and various variances from developmental standards to operate a Commercial Garage. The property is located at 1879 18th Street, Logansport, IN 46947 and is zoned AB, Agribusiness.

Jamey Harper stated the following from the staff report

The Petitioner is requesting a Special Exception and various Variances from Developmental Standards to have an Auto Shop (Commercial Garage).

******The petitioner had been taking vehicles to this property and placing signage without proper approvals. Enforcement letters had been sent to the property owner about not having the proper approval. Even after receiving these letters some operations we continued, signage was left and additional cars moved on and off the site.

1. **COMMERCIAL GARAGE**, an establishment which includes all uses permitted for automobile service station except the retail sale of gasoline and oil. A commercial garage also includes automobile body repairs and painting. Also included in this definition is the repairing of vehicles or the fixing up of old cars at a residence or any location for which money or other goods or services are received for the work. Note that Commercial Garages are only allowed by Special Exception in the AG, B4, AB, I1.

Automobile Service Stations and Commercial Garages.

All automobile service stations and commercial garages established after the effective date of this ZO shall meet the following standards:

2. Minimum Lot Area. The minimum lot size shall be fifteen thousand square feet (15,000 sqft) and, in addition:
 - a. Gasoline service stations shall have five hundred square feet (500 sqft) of lot area for each additional pump over four (4); and one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2).
 - b. Commercial garages shall have one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2). There shall also be three hundred square feet (300 sqft) of additional land area for each space intended for storage of disabled vehicles.
3. Landscaping, Buffer yards, and Screening. Shall be per the subject zoning district.
 - a. In addition, vehicles used for repair or awaiting repair shall be screened from view by an opaque privacy fence at least six feet (6') tall and is allowed in the front yard setback if it don't create any safety issues.
4. Other
 - a. The minimum lot width shall be one hundred fifty feet (150').
 - b. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed structure.
 - c. There shall be no outdoor storage of merchandise such as tires or lubricants and there shall be no outdoor storage of discarded auto parts.
 - d. Vehicles shall not be stored outside while awaiting repairs for more than seven (7) consecutive calendar days. No vehicles may be parked or stored on any public right-of-way.
 - e. Disables vehicles may not be stored in the open at any time.
 - f. Parking areas, buffer yards, and signs shall meet applicable sections of this ZO.

Lighting: No additional lighting is proposed. Use existing lighting.

Signage: A 10ft x 5ft metal sign is proposed on the front exterior of the building and another sign at a different location. 100sqft total

***Standard – Wall sign**

Maximum Quantity: No requirement but may not exceed total sqft allowed

- Proposing 1 sign

Maximum Area: 2sqft per linear foot of tenant's building frontage; Maximum of 100sqft

- Proposing 50sqft sign
- The building has approximately 66ft of frontage toward 18th St so $66 \times 2 = 132\text{sqft}$; allowed 100sqft of signage

Lighting and Protrusion Limitations: No part of the sign may protrude more than 6 inches from the wall it is attached

- No lighting for the signage is proposed

Pole sign

Maximum Quantity: 1 sign (per property)

Maximum Area: 50sqft per acre lot; Single-tenant structure-max area of 90sqft; Multi-tenant structure-40sqft per tenant

with a maximum of 100sqft; No more than 50% of the sign may be changeable copy;

Maximum Height: 35ft

Setback: 10ft

- These are the standards that would have to be met if a pole sign was added in the future.

Hours of Operation: Monday – Thursday 9am – 5pm & Friday 10am – 4pm

Parking: Petitioner states there are 20+ spaces along the east side of property in between them and Paul's Auto Yard (property to the south).

Classification M - *Standard – 2 spaces per service stall or airplane parking space plus 1 per employee.

- Required parking: 2 parking spaces for employees
 - *Staff recommends that the parking spaces for employees and customers be clearly marked.*
 - It appears that the site plan provided for parking is not owned by the property owner; Thus, they would not be able to park here. Board needs to discuss parking more with the property owner.

Landscaping/ Buffer yards: No additional landscaping is proposed.

Classification E, Level 3

*Standard –

The following are the plant units per 100' for the required level of buffer yard.

Level III: 15' width – 1 deciduous tree, 2 evergreens, and 1 deciduous shrub

20' width – 1 deciduous tree, 1 evergreen, and 1 deciduous shrub

25' width – 1 evergreen and 1 deciduous shrub

- *Staff recommends that the natural buffer to the east be kept and maintained along the east side of property.*

VDS: Level III: 15' width – 1 deciduous tree, 2 evergreens, and 1 deciduous shrub

20' width – 1 deciduous tree, 1 evergreen, and 1 deciduous shrub

25' width – 1 evergreen and 1 deciduous shrub

Employees: 2 employees

Jeff Key asked the petitioner to step forward and state their name and address. Joshua Weber 2314 East Market St. The petitioner stated that he would like to put up a fence, just to keep everything neat and clean. That he would start with an 8' fence to the existing fence and add as they go along. The petitioner is looking at options for customer parking. The turn around on fixing vehicles is around 3 to 4 days. Arin Shaver stated that there would be room for customer parking with 2 handicap access on the south side. She also stated that there is a continued issue with parking just in general. Arin Shaver asked if there would be painting done at the property, the petitioner stated no. The petitioner stated that there will be a fence in the front and the back. There would be no painting or body work being done on vehicles. There would be drop off parking on the north side of the building. The petitioner stated that the office needs to be remodeled but is useable for now and the concrete in the garage looks really good. Arin Shaver stated that the Cass County Building Commissioner will come out to inspect and they would need to have a survey completed before they put up the fence since the petitioner doesn't know the property lines.

The board had a discussion regarding the property lines and decided to continue this case until the petitioner can get the property surveyed.

Jeff Key motioned to continue case #25-21 and Memi Rennewanz second the motion.
Roll call vote was taken and case 25-21 was continued.

Case #25-23 James Gross requesting a Use Variance and various variances from developmental standards to operate an Auto Shop/Commercial Garage. The property is located at 2105 N 3rd Street, Logansport, IN 46947 and is zoned FR, Fringe Residential.

Jamey Harper stated from the staff report.

The Petitioner is requesting a Use Variance and various Variances from Developmental

Standards to have an Auto Shop (Commercial Garage).

****The petitioner has received Enforcement Letters about running a business and exceeding the number of inoperable vehicles allowed on the property. The property has been on the Cass County Plan Commission's Unsafe Properties list since March 2025 for the number of inoperable vehicles and parts in view of the public on the property.**

Automobile Service Stations and Commercial Garages.

All automobile service stations and commercial garages established after the effective date of this ZO shall meet the following standards:

8. Minimum Lot Area. The minimum lot size shall be fifteen thousand square feet (15,000 sqft) and, in addition:
 - a. Gasoline service stations shall have five hundred square feet (500 sqft) of lot area for each additional pump over four (4); and one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2).
 - b. Commercial garages shall have one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2). There shall also be three hundred square feet (300 sqft) of additional land area for each space intended for storage of disabled vehicles.
9. Landscaping, Buffer yards, and Screening. Shall be per the subject zoning district.
 - a. In addition, vehicles used for repair or awaiting repair shall be screened from view by an opaque privacy fence at least six feet (6') tall and is allowed in the front yard setback if it don't create any safety issues.
 - The petitioner plans to put up a 6ft privacy fence to the west of the house to help block vehicles from public view.
10. Other
 - b. The minimum lot width shall be one hundred fifty feet (150').
 - g. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed structure.
 - h. There shall be no outdoor storage of merchandise such as tires or lubricants and there shall be no outdoor storage of discarded auto parts.
 - i. Vehicles shall not be stored outside while awaiting repairs for more than seven (7) consecutive calendar days. No vehicles may be parked or stored on any public right-of-way.
 - j. Disables vehicles may not be stored in the open at any time.
 - k. Parking areas, buffer yards, and signs shall meet applicable sections of this ZO.

Lighting: No additional lighting proposed.

Signage: No signage is proposed.

- Please note that any future signage would have to come back to this Board for approval.

Hours of Operation: The petitioner does work out in the garage before and after his full-time job.
There are no set hours and NOT open to the public.

- The Board should put specific hours since there is no noise ordinance in the county.

Parking/Access: There are drives off of 3rd St and Finnell Dr. Proposing to park 2 inoperable vehicles in front of detached garage and all other vehicles will be behind house to the west.

Classification M - *Standard – 2 spaces per service stall or airplane parking space plus 1 per employee.

- The petitioner and his son live at the property so they park in the attached garage or in the driveway.

Landscaping/ Buffer yards: The petitioner plans to put up a 6ft privacy fence to the west of the house to help block vehicles from public view.

Classification E, Level 5

- Level V:
- 10' width – 2 deciduous shrubs, 4 evergreens, and fence
 - 20' width – 1 deciduous tree, 2 deciduous shrubs, 4 evergreens and berm
 - 25' width – 1 deciduous tree, 1 deciduous shrub, and 3 evergreens
 - 30' width – 1 deciduous tree, 1 deciduous shrub, and 2 evergreens

VDS – Level 5 Buffer

Jeff Key asked the petitioner to step forward and state their name and address. James Gross 2105 North 3rd St. Logansport, IN 46947. The petitioner stated that he is not ignoring enforcement letters, it's just a slow process. The petitioner stated there would be no body work or painting being done. There will be 2 to 3 service stalls and there are fire extinguishers in place. The petitioner stated when he gets off of work (second shift) he may spend a couple hours working on cars.

Arin Shaver explained to the board that the petitioner would need to have a survey on the west side of the drive.

Jeff Key asked if there were any questions from the board and audience. Ed Merrill 10 W. Northern Ave, Logansport. Ed Merrill stated he has experienced a lot of issues. The petitioner has a lot of cars piled all around the house and he's not supposed to have a business but he is running a business. He doesn't even know 100% where his property line is at. He was supposed to have a survey done but he hasn't done it yet. My major concern is what is this business going to do to the value of my home and the noise that will be going on. The petitioner working on vehicles revving up motors at all different hours with the doors up. Cory Cripe, 25 Finnell Dr., Logansport. My property is to the west of James Gross. Cory Cripe explained the negative impact with a commercial operation in a residential area; noise pollution, general repair work especially at night can disrupt peace and quiet in the neighborhood. Vehicles parked on the street can create an eyesore. Increase traffic leads to safety concerns, mainly for children. Karen Cripe, 30 Finnell Dr., Logansport. Karen Cripe explained that there have always been kids out playing on their bikes or walking with their dogs. The petitioner already has two driveways on Finnell Dr., and has had up to 20 cars at one time. Thomas Mechling 2100 North 3rd ST., Logansport. I have children and my kids do not feel unsafe. This man has a hobby and his hobby just happens to take up more space than someone else's hobbies. Arin Shaver stated that we have received some calls in the past two years, back when he first had the lift. There is a point where you have a hobby and when you work on a car, but we have had calls regarding up to 15 cars at once. The concerns that were had when we met with Cass

County Plan Commission is they may have some they are working on but then they have 10 people visiting, so that impacts what they are seeing. Not knowing that they may be visitors that park in the grass or along Finnell Dr. That's why it went through the unsafe process, because the vehicles don't have license plates. That is why James Gorss came through this process to make a Business. The petitioner stated that he got a storage place to keep his cars. This past winter, It did get messy, but now all that has been taken care of. The petitioner stated that he would have around 7 cars at one time. That he would diagnose and order parts, then they can get fixed and sold. Cory Cripe stepped back up and stated that there was a fence on the west side and Arin Shaver stated that there should be a survey completed before the fence goes up. The petitioner stated that him and Corry measured the westside of the driveway. Arin Shaver stated that they would also need a variance of 5' for the drive.

There was a discussion regarding hours of operation and how many cars there should be. If he would have more cars than allowed.

Jeff Key asked if there were any correspondence. There were none.

Jeff Key motioned for only 3 cars to be worked on at one given time and Memi Rennewanz second that motion.

Jeff Key asked the secretary to read the conditions.

CONDITIONS OF APPROVAL:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. The fence must be put in before any operations can occur.
5. That the affidavit of publication from the newspaper be given to the Planning Department before any permits be issued.

COMMITMENTS OF APPROVAL:

1. That there be no outdoor storage of material such as tires, parts, supplies, equipment, or vehicles awaiting repair or under repair within the public view.
2. That all fluids or other wastes be disposed of properly.
3. That no salvaging of parts or materials be done.
4. Vehicles shall not be stored outside while awaiting repairs for more than seven (7) consecutive calendar days. No vehicles may be parked or stored on any public right-of-way.
5. That vehicles used for repair be screened from view by an opaque privacy fence at least 6 ft tall.
6. That a maximum of 3 vehicles be allowed onsite that are awaiting repair.
7. That all vehicles for repair shall be stored in the fenced in area and all other vehicles, trailers, and etc. only be parked in driveways.
8. That this approval only runs with the current property owner.

9. Hours of operation will be Sunday – Friday 8:00 am to 9:00 pm Saturday 8:00 am to 10:00 pm.

Memi Rennewanz motioned to bring case #25-23 to a vote and Steph Helton second the motion. Roll call vote was taken and Findings of fact were completed. Steph Helton yes, Memi Rennewanz no, John Brown no, Jeff Key no.

Case #25-23 was denied

Jeff Key explained the appeal process

OLD BUSINESS: None

NEW BUSINESS: None

FLOOR IS OPEN TO THE PUBLIC IN ATTENTION:

ADJOURNEMENT:

There was no further business and the meeting was adjourned at 6:02 pm.

LBZA Official

LBZA Official

Recording Secretary

Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-21
Permit # 2025 Logan BZA-49

**Application for SPECIAL EXCEPTION
(Article 7)**

Logansport **Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: Joshua Weber
Address: 2314 East Broadway Street
Logansport 46947
Telephone Number: 7403419730 E-Mail: Joshuaajweber95@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Mazzie, LLC | 431 E Broadway | Logansport, IN 46947
Address: _____
Telephone Number: _____ E-Mail: _____

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
46947
Telephone Number: _____ E-Mail: _____

Zoning Classification of Property: AB

Address or common description of property:

1879 18TH STREET

Legal description of property affected:

Pt Rich Res # 2 26 27 2e 2.87a

Describe the Use that you are requesting a Special Exception for:

Auto Shop

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

A. Lighting:

1. Style: Regular LED
2. Height: Approx 20ft
3. Location: Ceiling

B. Signage:

1. Dimensions: 10x5
2. Materials: Metal
3. Placement: Front exterior
4. Lighting: None

C. Hours of Operation:

9am to 5pm Mon- Thurs
Friday 10am to 4pm

D. Parking/Access:

20+ available spots along East side of property in between us and Paul's Auto Yard

Parking Classification (office use only)

E. Landscaping/Buffer yards:

Grass/ Gravel

Bufferyard Classification (office use only)

F. Number of Employees: 2

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Does the proposed use involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons?

Yes () No (X)

- B. Does it comply with the performance standards of the Ordinance?

Yes (X) No ()

- C. Is the proposed use sited, oriented, and landscaped so that the relationship of its buildings and grounds to adjacent buildings and properties does not impair health, safety, or comfort, and does not adversely affect values of adjacent properties?

Yes (X) No ()

D. Does the proposed use produce a total environmental effect which is harmonious with, and not harmful to, the environment of the neighborhood?

Yes (X) No ()

E. Does the proposed use organize vehicular access and parking to minimize conflicting traffic movement of adjacent streets?

Yes (X) No ()

F. In the case of a change in non-conforming use, is the proposed use equally appropriate or more appropriate to the district than the existing or former non-conforming use?

Yes (X) No ()

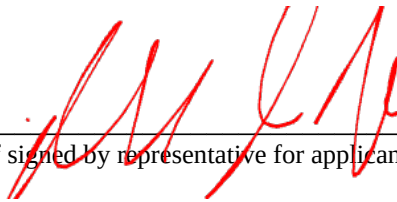
G. Does the proposed use promote the objectives of this Ordinance and the Comprehensive Plan?

Yes (X) No ()

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: _____

(If signed by representative for applicant, state capacity)



Date: 07/14/2025

Case 25-21 Josh Weber 1879 18th Street – Petitioner did not provide a survey to show the south property line.

Ralph Koppe, Cass County Building Commissioner met with the petitioners at the property to do an assessment of the structures.

Mr. Koppe feels like the buildings are structurally safe with minor roof damage that will need repaired. He stated that the concrete looks to be in good shape. The structure was built with 10'x10' and 12'x12' beams that seem to be stable.

Current Site Photos:









This staff report is prepared by the Logansport - Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS:

PETITIONER: Joshua Weber
SUBJECT SITE: 1879 18th Street, Logansport, IN 46947
REQUEST: Special Exception and various Variances from Developmental Standards
PURPOSE: To have an Automotive Business (Commercial Garage)
ZONING: AB - Agribusiness District
LOCATION: Southeast corner of 18th St & Wabash River Road (Old Grain Elevator)
FUTURE LAND-USE MAP: Heavy Industry
SURROUNDING LAND USES AND ZONING: North: AG – Agricultural District
 South: AB – Agribusiness District
 East: AB – Agribusiness District (residential)
 West: B4 – General Business District

ANALYSIS: The Petitioner is requesting a Special Exception and various Variances from Developmental Standards to have an Auto Shop (Commercial Garage).

****The petitioner had been taking vehicles to this property and placing signage without proper approvals. Enforcement letters had been sent to the property owner about not having the proper approval. Even after receiving these letters some operations we continued, signage was left and additional cars moved on and off the site.**

COMMERCIAL GARAGE, An establishment which includes all uses permitted for automobile service station except the retail sale of gasoline and oil. A commercial garage also includes automobile body repairs and painting. Also included in this definition is the repairing of vehicles or the fixing up of old cars at a residence or any location for which money or other goods or services are received for the work.

- Note that Commercial Garages are only allowed by Special Exception in the AG, B4, AB, I1.

Automobile Service Stations and Commercial Garages.

All automobile service stations and commercial garages established after the effective date of this ZO shall meet the following standards:

1. Minimum Lot Area. The minimum lot size shall be fifteen thousand square feet (15,000 sqft) and, in addition:
 - a. Gasoline service stations shall have five hundred square feet (500 sqft) of lot area for each additional pump over four (4); and one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2).
 - b. Commercial garages shall have one thousand square feet (1,000 sqft) of lot area for each additional service bay over two (2). There shall also be three hundred square feet (300 sqft) of additional land area for each space intended for storage of disabled vehicles.
 - The Board should ask about how many service bays are available.
2. Landscaping, Buffer yards, and Screening. Shall be per the subject zoning district.
 - a. In addition, vehicles used for repair or awaiting repair shall be screened from view by an opaque privacy fence at least six feet (6') tall and is allowed in the front yard setback if it don't create any safety issues.
 - The Board may want to question if there will be an opaque privacy fence for vehicles awaiting repair. If so, where will it be located?

3. Other
 - a. The minimum lot width shall be one hundred fifty feet (150').
 - b. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed structure.
 - c. There shall be no outdoor storage of merchandise such as tires or lubricants and there shall be no outdoor storage of discarded auto parts.
 - d. Vehicles shall not be stored outside while awaiting repairs for more than seven (7) consecutive calendar days. No vehicles may be parked or stored on any public right-of-way.
 - e. Disables vehicles may not be stored in the open at any time.
 - f. Parking areas, buffer yards, and signs shall meet applicable sections of this ZO.
 - *The board needs to ask the petitioner if there will be any body work or painting being done.*

Lighting: No additional lighting is proposed. Use existing lighting.

Signage: A 10ft x 5ft metal sign is proposed on the front exterior of the building. 50sqft total

*Standard – Wall sign

Maximum Quantity: No requirement but may not exceed total sqft allowed

- Proposing 1 sign

Maximum Area: 2sqft per linear foot of tenant's building frontage; Maximum of 100sqft

- Proposing 50sqft sign
- The building has approximately 66ft of frontage toward 18th St so $66 \times 2 = 132$ sqft; allowed 100sqft of signage

Lighting and Protrusion Limitations: No part of the sign may protrude more than 6 inches from the wall it is attached

- No lighting for the signage is proposed

Pole sign

Maximum Quantity: 1 sign (per property)

Maximum Area: 50sqft per acre lot; Single-tenant structure-max area of 90sqft; Multi-tenant structure-40sqft per tenant with a maximum of 100sqft; No more than 50% of the sign may be changeable copy;

Maximum Height: 35ft

Setback: 10ft

- These are the standards that would have to be met if a pole sign was added in the future.

Hours of Operation: Monday – Thursday 9am – 5pm & Friday 10am – 4pm

Parking: Petitioner states there are 20+ spaces along the east side of property in between them and Paul's Auto Yard (property to the south).

Classification M - *Standard – 2 spaces per service stall or airplane parking space plus 1 per employee.

- Required parking: 2 parking spaces for employees

****Board should question petitioner about the number of service stalls, for more required parking.**

- *Staff recommends that the parking spaces for employees and customers be clearly marked.*
- *It appears that the site plan provided for parking is not owned by the property owner; Thus they would not be able to park here. Board needs to discuss parking more with the property owner.*

Landscaping/ Buffer yards: No additional landscaping is proposed.

Classification E, Level 3

*Standard –

The following are the plant units per 100' for the required level of buffer yard.

Level III: 15' width – 1 deciduous tree, 2 evergreens, and 1 deciduous shrub

20' width – 1 deciduous tree, 1 evergreen, and 1 deciduous shrub

25' width – 1 evergreen and 1 deciduous shrub

- *Staff recommends that the natural buffer to the east be kept and maintained along the east side of property.*

VDS: Level III: 15' width – 1 deciduous tree, 2 evergreens, and 1 deciduous shrub

20' width – 1 deciduous tree, 1 evergreen, and 1 deciduous shrub

25' width – 1 evergreen and 1 deciduous shrub

Employees: 2 employees

FINDINGS OF FACT – Use Variance: Based on facts given the Board must consider the following finding of facts for this Use Variance request:

1. Will the approval be injurious to the public health, safety, morals, and general welfare of the community? Yes ()* No ()
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 ()* No ()
3. Does the need arise from some condition peculiar to the property involved? Yes () No ()*
4. Will the strict application of the zoning ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought? Yes () No ()*
5. Will the approval interfere substantially with the Comprehensive Plan? Yes ()* No ()

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

FINDINGS OF FACT – Variance from Developmental Standards: Based on facts given the Board must consider the following finding of facts:

1. Will the approval of this variance request be injurious to the public health, safety, morals and the general welfare of the community? YES ()* NO ()
2. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved? YES ()* NO ()
3. Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property involved in the petition? YES () NO ()*

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

CONDITIONS OF APPROVAL:

Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.
4. That the fence and parking be established before any operations and additional vehicles can be brought on the site.
5. That the removal and painting be done within a year of this approval

COMMITMENTS OF APPROVAL:

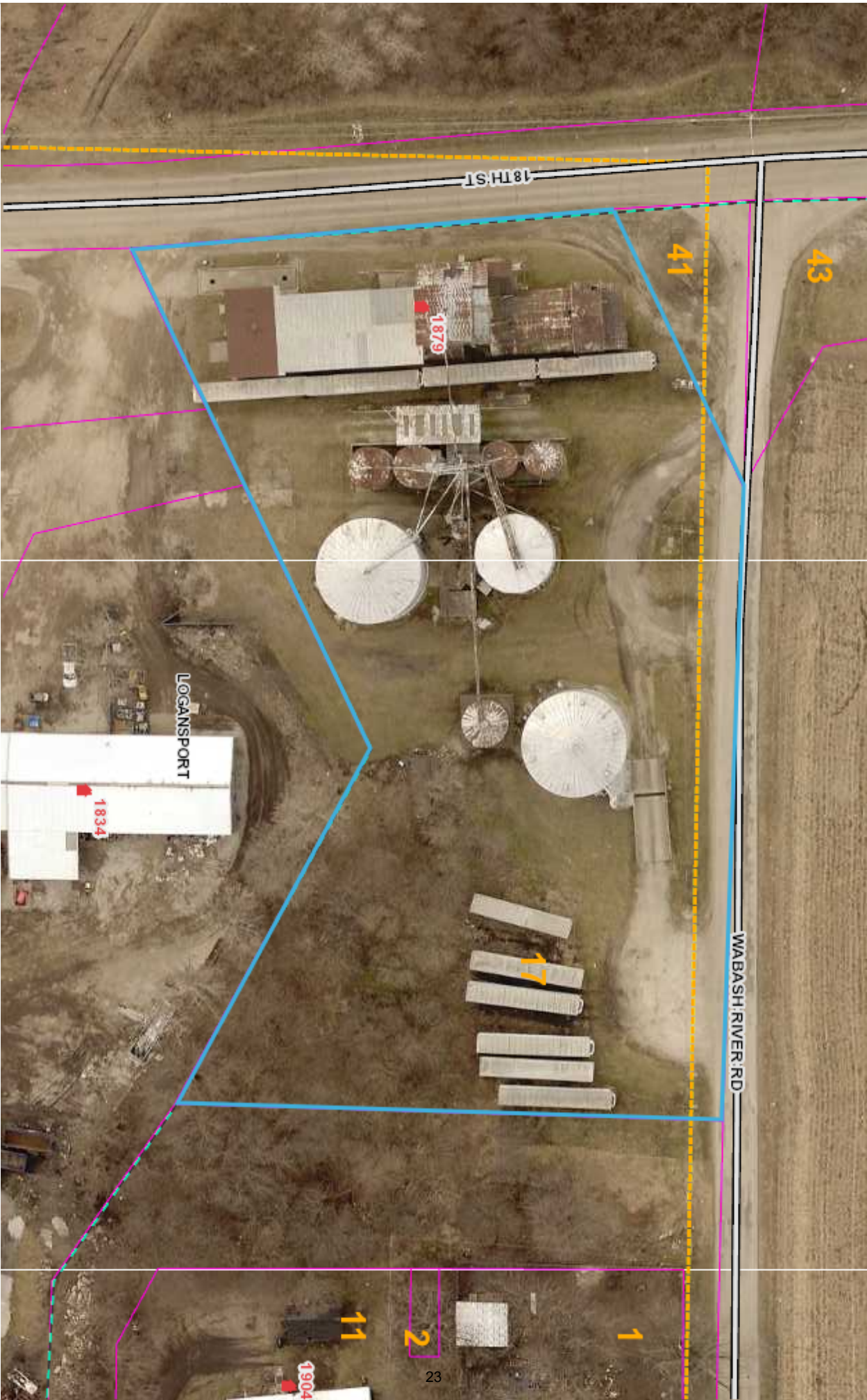
Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

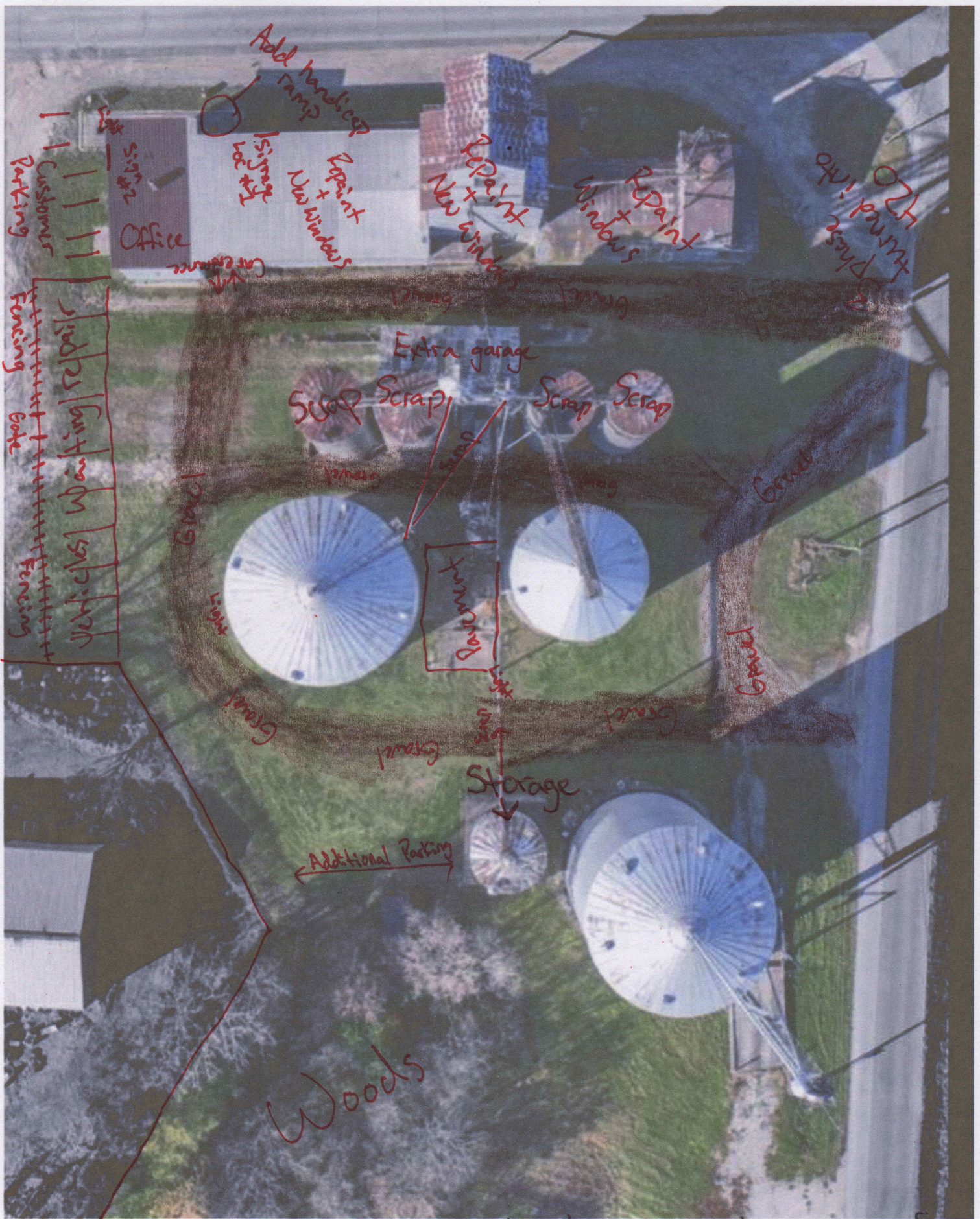
1. That there be no outdoor storage of material such as tires, parts, supplies, equipment, or vehicles awaiting repair or under repair within the public view.
2. That all fluids or other wastes be disposed of properly.
3. That no salvaging of parts or materials be done.
4. Vehicles shall not be stored outside while awaiting repairs for more than seven (7) consecutive calendar days. No vehicles may be parked or stored on any public right-of-way.
5. That vehicles used for repair or awaiting body repair be screened from view by an opaque privacy fence at least 6 ft tall.
6. That customer and employee parking spaces be clearly marked.
7. That a maximum of 20 vehicles be allowed onsite that are needing repair.
8. That the natural buffer be kept and maintained along the east side of property.
9. That there be no parking, storage or display of vehicles along the west, south and north sides of the building.
10. That this approval only be for the current property owner.

LOCATION MAP:



SITE PLAN:





Signs are 10 by 5 and 4 by 4 (Same ones used at last location)



SITE PHOTOS:







Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-25
Permit # 2025 Logan BZA-54

**Application for VARIANCE FROM DEVELOPMENTAL STANDARDS
(Article 7)**

Logansport **Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: NEM SIAN SAN KIM
Address: 1101 HIGH STREET
LOGANSFORT
Telephone Number: 7654700474 E-Mail: sankimboih@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Kim, Nem Sian San | 1101 High St | Logansport, IN 46947
Address: _____
Telephone Number: 7654700474 E-Mail: sankimboih@gmail.com

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
46947
Telephone Number: _____ E-Mail: _____

Zoning Classification of Property: R4

Address or common description of property:

1101 HIGH ST

Legal description of property affected:

N 1/2 W 1/3 J TIPTON LOT 51

What are the extraordinary or peculiar conditions pertain to the requested property or building in question:

Exceeding lot coverage limits: 54.8%, Shorter Setback requirements: 4ft to add 12' by 20'
carport/shed

Standards of Zoning Ordinance requesting Variance from Developmental Standards from:

Exceeding lot coverage limits: 54.8%,

Shorter Setback requirements: 4ft

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Will the approval of this variance request be injurious to the public health, safety, morals, and the general welfare of the community?

Yes () No (X)

- B. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved?

Yes () No (X)

- C. Will the strict application of the terms of the Zoning Ordinance result in practical difficulties in the use of the property involved in the petition?

Yes () No (X)

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.



Applicant's Signature: _____

(If signed by representative for applicant, state capacity)

Date: 09/05/2025

This staff report is prepared by the Logansport - Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS:

PETITIONER:	Nem Sian San Kim
SUBJECT SITE:	1101 High Street, Logansport, IN 46947
REQUEST:	various Variances from Developmental Standards
PURPOSE:	to have lesser setbacks and exceed lot coverage to install a carport with storage area.
ZONING:	R4 – High Density Residential
LOCATION:	Southwest corner of High St & 11 th St
FUTURE LAND-USE MAP:	Traditional Neighborhood
SURROUNDING LAND USES AND ZONING:	North: R3 – Medium Density Residential District South: R4 – High Density Residential District East: R4 – High Density Residential District West: R4 – High Density Residential District

ANALYSIS: The petitioner is requesting various Variances from Developmental Standards install a carport with a small storage shed area. The entire structure will be 12ft x 20ft = 240sqft. The carport area will be 12ft x 15ft and the storage shed will be 12ft x 5ft. The carport/storage shed will be placed to the south of the house.

Setback Standards –

Front Yard – 20ft

- The petitioner is proposing to have approximately 23ft setback
- Meets standards

Side Yard – 5ft (accessory)

- The petitioner is proposing a 4ft setback to the south property line

VDS: 1ft setback

Separation from house – 10ft (fire separation)

- The petitioner is proposing to place the carport next to the house.
- The building commissioner will need to be consulted to about a firewall being installed.

Lot Coverage Standards –

Maximum – 50%

- The lot is small. 53ft x 82ft = 4346sqft
- Currently – 49.24% lot coverage
- With the carport – 54.75% lot coverage
- The area that the carport/storage is proposed to be placed is currently concrete for parking attached to the driveway.
- Parking areas/drives are not calculated in the lot coverage.

VDS: 4.75% lot coverage

FINDINGS OF FACT:

Based on facts given the Board must consider the following finding of facts for this request:

1. Will the approval of this variance request be injurious to the public health, safety, morals and the general welfare of the community? YES ()* NO ()
2. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved? YES ()* NO ()
3. Will the strict application of the terms of the zoning ordinance result in practical difficulties in the use of the property involved in the petition? YES () NO ()*

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

CONDITIONS OF APPROVAL:

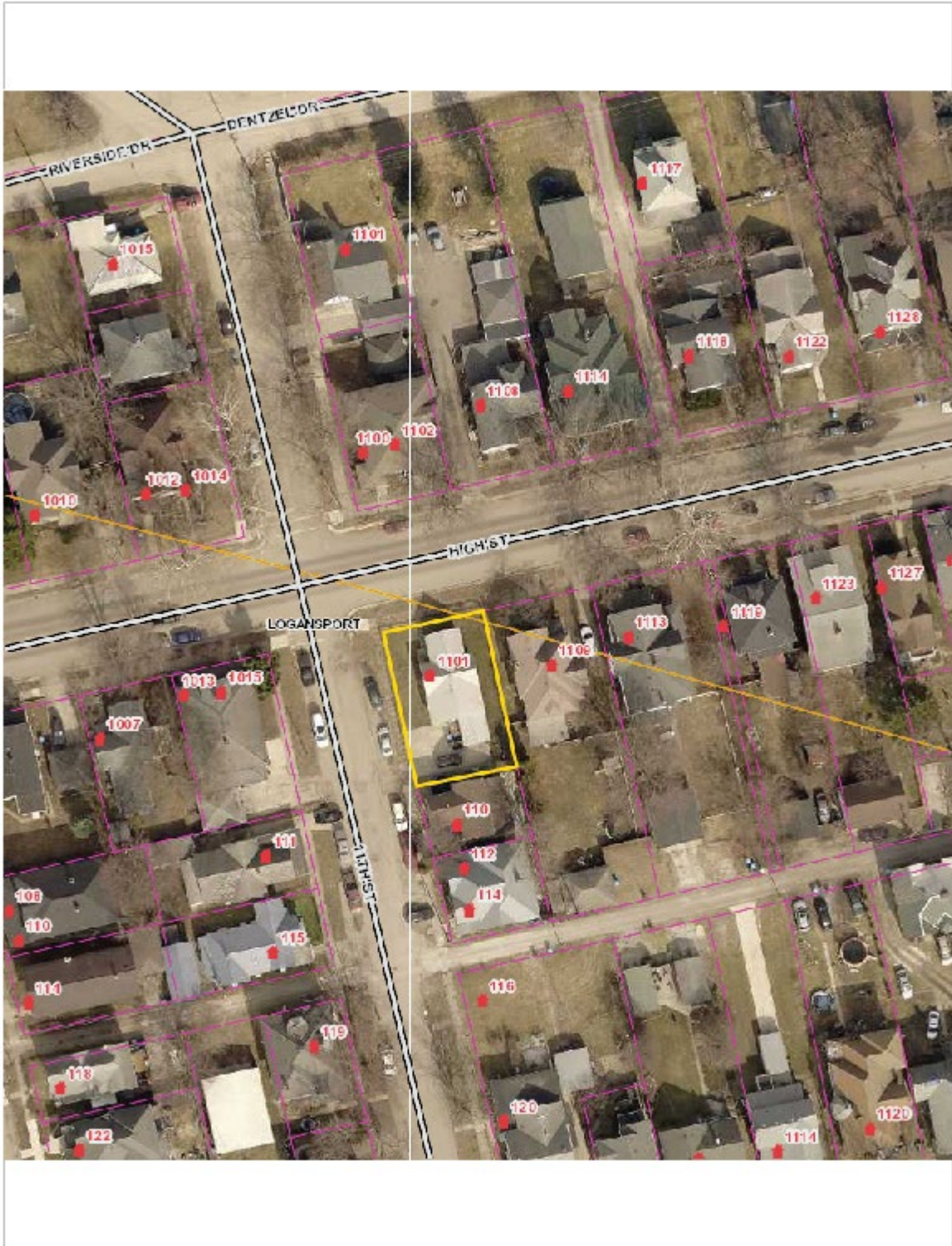
Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

COMMITMENTS OF APPROVAL:

Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

LOCATION MAP:





SITE PLAN:





Midwest 15501 W. Jackson St. Van Buren, IL 62986
Southeast 350 Forum Parkway, Hunt-ct, NC 27045
Phone 708-591-9080 | Fax 708-591-8881
sales@northedgesteel.us

ORDER FORM

Order No. 1754690046099495-2

Order Date Aug 8, 2025

PERSPECTIVE VIEW



FRONT

LEFT



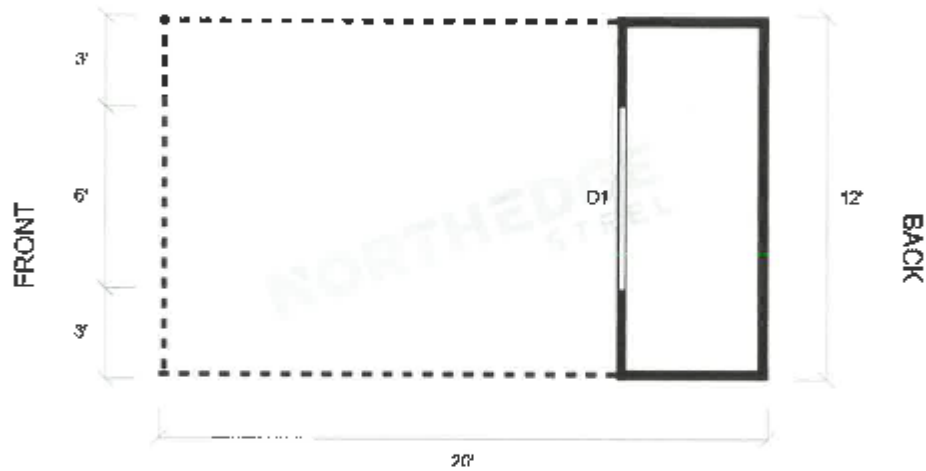
BACK

RIGHT



FLOORPLAN

LEFT SIDE



RIGHT SIDE

SYMBOL LEGEND	
D1	Exit Storage Door
-----	Open Wall
=====	Closed Wall

SITE PHOTOS:





Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-26
Permit # 2025 Logan BZA-55

**Application for USE VARIANCE
(Article 7)**

Logansport

Board of Zoning Appeals (BZA)

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: Guillermo Montalvo
Address: 5983 E Division Rd
Logansport 46947
Telephone Number: 574 601 2483 E-Mail: rmosqueda@yahoo.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: Montalvo, Guillermo & Montalvo, Rebeca Mosqueda De | 5983 E Division Rd | Logansport, IN
Address: 46947

Telephone Number: 574 601 2483 E-Mail: rmosqueda@yahoo.com

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative:
Address:
 46947
Telephone Number: E-Mail:

Zoning Classification of Property: R3

Address or common description of property:

308 E COLFAX ST

Legal description of property affected:

Sub Ol 19 H & T Southern Acres Lot 3 & Lot 4 12-080-004

What are the extraordinary or peculiar conditions pertain to the requested property or building in question:

I have already three aptments and I want to add an extension on the garage apartment

Standards of Zoning Ordinance requesting Use Variance from:

I want to be legal with the city of Logansport ordinance

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

A. Lighting:

1. Style: none
2. Height: _____
3. Location: _____

B. Signage:

1. Dimensions: _____
2. Materials: _____
3. Placement: _____
4. Lighting: _____

C. Hours of Operation:

D. Parking/Access:

I will make 6 spaces on the back

Parking Classification (office use only) _____

E. Landscaping/Buffer yards:

Bufferyard Classification (office use only) _____

F. Number of Employees: _____

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Will the approval of this variance request be injurious to the public health, safety, morals, and the general welfare of the community?

Yes (X) No ()

- B. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved?

Yes (X) No ()

- C. Does the need for the variance request arise from some condition peculiar to the property involved, and not generally characteristic of other property in the same zoning district?

Yes () No (X)

D. Will the strict application of the terms of the zoning ordinance result in an unnecessary hardship if applied to the property for which the variance is sought?

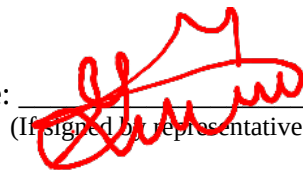
Yes () No (X)

E. Will the approval of this variance request interfere substantially with the policies of the Comprehensive Plan?

Yes () No (X)

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: _____



(If signed by representative for applicant, state capacity)

Date: 09/05/2025 _____

This staff report is prepared by the Logansport - Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS:

PETITIONER:	Guillermo Montalvo
SUBJECT SITE:	308 E Colfax Street, Logansport, IN 46947
REQUEST:	Use Variance and various variances from developmental standards
PURPOSE:	To allow multifamily (3 apartments) and an addition to the garage apartment.
ZONING:	R3 – Medium Density Residential District
LOCATION:	North side of Colfax St; between Coles St & Highland St
FUTURE LAND-USE MAP:	Traditional Neighborhood
SURROUNDING LAND USES AND ZONING:	North: R3 – Medium Density Residential South: R3 – Medium Density Residential East: R3 – Medium Density Residential West: R3 – Medium Density Residential

ANALYSIS: The Petitioner wants to make the property legal for having 3 apartments in the R3 district. The petitioner bought this property and it was already 3 apartments.

Comprehensive Plan:

Traditional neighborhood districts are neighborhoods that are primarily residential in character but with existing commercial uses interspersed that are focused on serving the neighborhood. Single family character housing dominates, but housing may also contain a mix of second units, cottage clusters, duplexes, triplexes, and small apartment buildings.

Multi-family residential is also included within the traditional neighborhood and contains duplex, multi-family dwelling units, stand alone apartment buildings, townhouses/condominiums, and mobile homes. The permitted number of housing units will vary by area, depending on existing land use, proximity to major streets and public transit, distance to shopping and environmental issues. The number of units should be on the lower end of the scale next to single family residential areas.

Lighting: No additional outdoor lighting proposed. Using typical outdoor residential lighting.

Signage: No signage is proposed. House numbers allowed.

- House numbers shall not exceed 2sqft.

Hours of Operation: 24/7; No set hours of operation since there are dwellings on the property.

Parking: Proposing 6 parking spaces in the lot across the alley; there is a one car garage attached to the back apartment; total of 7 off-street parking spaces.

Classification G – 1.5 off-street parking spaces per dwelling unit plus 1 space per every 4 units.

- 1.5 spaces x 3 apts = ~~4.5~~ 5 spaces; 3 apts / 4 units = .75 1 space; 5 + 1 = 6 spaces
- Required to have 6 off-street parking spaces

Landscaping/ Buffer yards: No additional buffer yard is proposed.

Classification A – No buffer required

FINDINGS OF FACT: Based on facts given the Board must consider the following finding of facts for this Use Variance request:

1. Will the approval be injurious to the public health, safety, morals, and general welfare of the community? Yes ()* No ()
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 ()* No ()
3. Does the need arise from some condition peculiar to the property involved? Yes () No ()*
4. Will the strict application of the zoning ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought? Yes () No ()*
5. Will the approval interfere substantially with the Comprehensive Plan? Yes ()* No ()

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

CONDITIONS OF APPROVAL:

Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

COMMITMENTS OF APPROVAL:

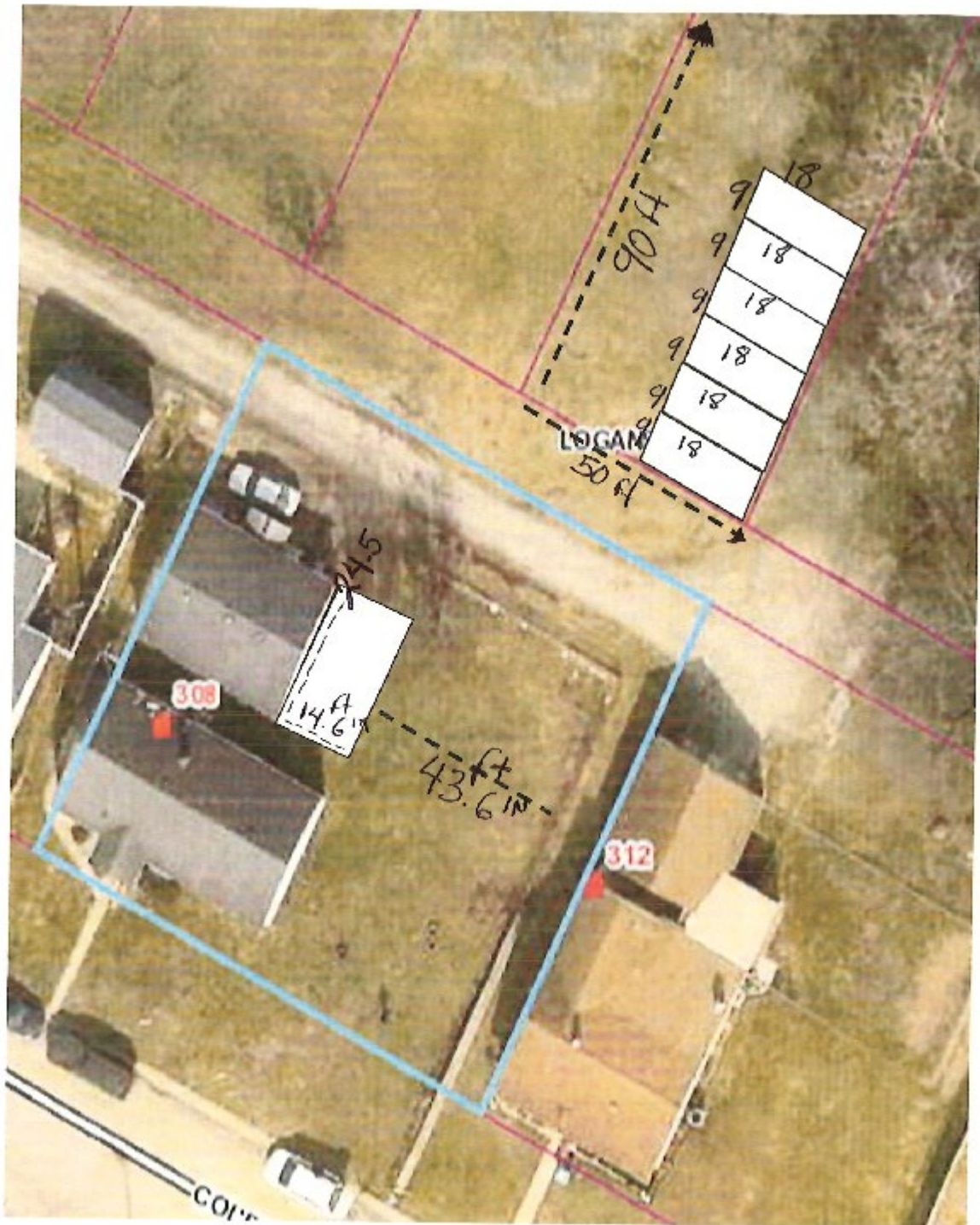
Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

LOCATION MAP:





SITE PLAN:



SITE PHOTOS:









Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-27
Permit # 2025 Logan BZA-52

**Application for SPECIAL EXCEPTION
(Article 7)**

Logansport **Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: Bob Gaffer, PE
Address: 10060 Bent Creek Blvd
Fort Wayne 46825
Telephone Number: 260-489-8571 E-Mail: bob@mlswebsite.us

OWNER INFORMATION (if different from applicant information)

Owner's Name: Donato Properties, Llc | 1600 W Market St | Logansport, IN 46947
Address: _____
Telephone Number: _____ E-Mail: _____

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative: Burns Distributing Co, Inc
Address: 140 Green Drive
Avilla 46710
Telephone Number: 260-897-2340 E-Mail: cam@burnsdistributing.com

Zoning Classification of Property: NB

Address or common description of property:
2400, 2416, + 2420 E Market St

Legal description of property affected:

Describe the Use that you are requesting a Special Exception for:

Request special exemption for the second building use; a canopy over multiple fuel pumps (gas station).

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

A. Lighting:

1. Style: Wall Mounted

2. Height: unknown

3. Location: on building

B. Signage:

1. Dimensions: _____

2. Materials: _____

3. Placement: _____

4. Lighting: _____

C. Hours of Operation:

unknown

D. Parking/Access:

as shown on site plan

Parking Classification (office use only)

E. Landscaping/Buffer yards:

Bufferyard Classification (office use only)

F. Number of Employees: 1-2 per shift

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Does the proposed use involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons?

Yes () No (X)

There are many examples of the proposed use for this site. None of them are considered dangerous, injurious, or noxious to any other property or persons.

- B. Does it comply with the performance standards of the Ordinance?

Yes (X) No ()

The proposed use conforms to the performance standards of the ordinance.

- C. Is the proposed use sited, oriented, and landscaped so that the relationship of its buildings and grounds to adjacent buildings and properties does not impair health, safety, or comfort, and does not adversely affect values of adjacent properties?

Yes (X) No ()

The proposed use is shown so that it is consistent with adjacent buildings and properties.

D. Does the proposed use produce a total environmental effect which is harmonious with, and not harmful to, the environment of the neighborhood?

Yes (X) No ()

The proposed project is harmonious with and not harmful to the environment of the neighborhood.

E. Does the proposed use organize vehicular access and parking to minimize conflicting traffic movement of adjacent streets?

Yes (X) No ()

The proposed use shows 3 separate access points and all vehicular maneuvering will be conducted on the property and not public road ways.

F. In the case of a change in non-conforming use, is the proposed use equally appropriate or more appropriate to the district than the existing or former non-conforming use?

Yes (X) No ()

The business use gas station and convenience store conforms to other adjacent property uses.

G. Does the proposed use promote the objectives of this Ordinance and the Comprehensive Plan?

Yes (X) No ()

The proposed used promotes the objectives of the Ordinance and the Comprehensive Plan by upgrading the project site and conforming business use.

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: 

(If signed by representative for applicant, state capacity)

Date: 09/08/2025

This staff report is prepared by the Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS

PETITIONER:	Bob Gaffer, PE
SUBJECT SITE:	2400, 2416, and 2420 E Market Street, Logansport, IN 46947
REQUEST:	Special Exception and various variances from developmental standards
PURPOSE:	To allow a Gas Station/Convenience Store.
EXISTING ZONING:	NB, Neighborhood Business District
FUTURE LAND-USE MAP:	Community Commercial
LOCATION:	Northeast corner of E Market St & 24 th St
SURROUNDING LAND USES AND ZONING:	North: NB & R2 – Neighborhood Business & Low Density Residential South: B3 & NB – Planned Business & Neighborhood Business East: NB – Neighborhood Business West: NB – Neighborhood Business

ANALYSIS: The petitioner is asking for a special exception to allow for a gas station/convenience store. The petitioner plans to purchase all 3 of the properties to use for the gas station pumps/canopy, convenience store, and parking. The convenience store building will approximately be 3200sqft and the canopy will be 1920sqft.

Comprehensive Plan:

Community commercial uses typically serve nearby residential areas, such as a shopping district anchored by a grocery store. Professional office establishments such as medical offices could also be found within this land use.

Lighting: Proposing wall mounted lighting on the building and under canopy.

General Requirements:

- a. The use of LED fixtures is encouraged for all light fixtures.
- b. Minimum Setback: a freestanding outdoor light fixture may be located within a required front yard, side yard or rear yard, providing that the freestanding outdoor light fixture is located adjacent to the interior edge of such yard and adjacent to a permitted driveway, parking area, interior access drive, interior access driveway, or other outdoor use area requiring illumination.
- c. Mounting of Fixtures (except in Industrial Districts): Full cutoff, cutoff and semi-cutoff outdoor light fixtures shall be mounted parallel to the ground and shall utilize a rigid mounting arm with no built-in up tilt and no adjustment feature.
- d. Height of Fixture: all outdoor light fixtures used to illuminate a particular area on a lot (i.e., a parking area; a loading area; or, an entry way, sidewalk or walkway areas) shall, within those areas, be of uniform size, design and height.
- e. Power Supply: outdoor light fixtures located on light poles shall be provided power by underground wiring.
- f. Wall Pack Lights: wall pack outdoor light fixtures shall be subject to the following regulations:
 - i. Except in Industrial Districts, wall pack outdoor light fixtures located on a front or side elevations of a structure shall be full cut-off.

- ii. In all Commercial/Business or Industrial Districts: wall pack outdoor light fixtures oriented toward a residential district or use shall be a full cutoff.
 - Any wall pack light fixtures on the west and south sides of the building will have to be full cutoff since facing residential.
- iii. Low intensity (i.e., 100 watts or less), architectural style wall pack outdoor light fixtures (which may be cutoff, semi cut-off or non-cut-off) may be used to accent architectural elements of the structure or to illuminate entrance areas.
- g. Vehicular Canopy Light Fixtures: outdoor light fixtures located under a vehicular canopy of drive through structures (e.g., gasoline service station canopies, bank drive through canopies, etc.) shall be full cutoff fixtures with a maximum intensity of four hundred (400) watts.
 - The canopy lighting will have to be full cutoff fixtures with the maximum intensity of 400 watts.
- h. Awning and canopy Lighting: awnings and canopies used for building accents over doors, windows, walkways, and may be internally illuminated or back-lit (i.e., lit from underneath or behind) provided, however, that the primary material is opaque and that translucent material is limited to the actual text or logo of the sign, if any, incorporated into the awning or canopy.
- i. Glare on Public Right-of-Way: flag and statue lights, architectural lights, floodlights, or sign lighting shall be so directed and shielded that the lit element is not visible from any point along an adjacent right-of-way.
- j. Floodlights: outdoor light fixtures equipped with floodlights may only be permitted on a lot as follows:
 - i. Floodlights shall be focused on the primary structure or the area of the lot located between the floodlight and the primary structure; or
 - ii. Floodlights shall be shielded to the extent that the main beam from the luminaries is not visible from or causes any glare onto adjacent properties or rights-of-way.
- k. Lighting Plan: the following information, at a minimum, shall be provided for all lighting plans submitted in connection with an application for an ILP:
 - i. A site plan which includes the outline of structures and other improvements (e.g., parking areas, loading areas, interior access drives, etc.) on the lot and the location of all outdoor light fixtures.
 - ii. A description of the outdoor light fixtures, including but not limited to manufacturers or electric utility catalog specifications sheets, drawings or photometric report, which indicate:
 - the outdoor light fixture classification (e.g., cutoff, semi-cutoff, full cutoff, or non-cut-off) review Table I: Lighting Standards;
 - mounting height of freestanding outdoor light fixtures; and,
 - wattage proposed for each outdoor light fixture.

*A lighting plan will have to be provided with the Improvement Location Permit that will have to meet the above requirements or the petitioner will have to come back to this Board for approval.

*Staff recommends that the lighting be turned off when not in operation each night.

*Staff recommends that if lighting becomes an issue, the petitioner will work with the Planning Department to resolve.

Signage: No signage proposed at this point.

Standards –

Wall Sign:

Maximum Quantity – 1 sign

Maximum Area – 2sqft per linear foot of tenant's building frontage; maximum of 90sqft

Lighting & Protrusion Limitations – No part of the sign may protrude more than 6 inches from the wall it is attached.

Pole Sign:

Maximum Quantity – 1 sign

Maximum Area – 50sqft per acre of lot; single-tenant structure – maximum area of 50sqft overall; no more than 50% of the sign may be changeable copy

- The property is approximately .80ac

- Allowed 40sqft signage

Maximum Height – 20ft

Setback – 10ft

- Signage must meet the standards or the petitioner will have to come back to this Board for approval.

- **Hours of Operation:** Hours are unknown

- **Access/Parking:** There will be access off of E Market St, 24th St, and the alley at the back of the property. 16 parking spaces are proposed.

Classification E – 4 spaces per 1000 square feet of gross floor area (retail) & Classification M – 2 spaces per service stall or airplane parking space plus 1 per employee (gas station)

- The building is 3200sqft. 4 spaces required
- If 2 employees per shift, 2 spaces required
- Required 6 parking spaces – meets this requirement

- Staff suggests that a discussion about the drives on and off of 24th St and E Market St. along with the traffic. We recommend that the drive on and off of E Market St be designed for right turn ONLY to help with traffic flow. This will cut down on the conflict with the turn lanes on E Market St. Also, the drive onto 24th St should be out ONLY. The drives should be designed for this, not just using signs and markers.

- **Buffer yard:** No landscape buffer yard is proposed.

Classification M – Level 5 - to the north

10' width – 2 deciduous shrubs, 4 evergreens, and fence

20' width – 1 deciduous tree, 2 deciduous shrubs, 4 evergreens and berm

25' width – 1 deciduous tree, 1 deciduous shrub, and 3 evergreens

30' width – 1 deciduous tree, 1 deciduous shrub, and 2 evergreens

VDS: Level 5 Buffer

- Staff recommends that there be landscaping similar to Burger King, as those were the requirement put on for being in the NB district. A landscaping plan will have to be provided to the staff for approval.
- Staff suggests that a 6ft privacy fence be located along the alley and surrounding the homes to the west. The fence should align with the front of the homes but be placed on the petitioner's property.
- The site plan shows some green space along E Market St and 24th St. Grass cannot be placed up to the road. Currently the entire area is pavement so staff would like sidewalks along E Market

St and 24th St. The sidewalks will need to be a minimum of 5ft wide and placed where drives are not located. – Note that the Redevelopment Commission has a 50/50 program that the petitioner can apply for to have some help with the sidewalks.

Planting and Maintenance.

- a. All plants shall be planted within one (1) year of the ILP issuance or within six (6) months of project completion, whichever is shorter, and all plants shall be properly maintained. Any plants which do not live or are destroyed shall be promptly replaced.
- b. Deciduous trees shall be a minimum of six feet (6') in height when planted. Deciduous shrubs shall be a minimum of three feet (3') in height when planted.
- c. Evergreens shall be a minimum of four feet (4') in height when planted.
- d. Berms shall be a minimum of four feet (4') in height.
- e. Fencing shall be at least six feet (6') in height and subject to all regulations of Article 3, Section G: Fence Standards.
- f. Flowering trees and shrubs shall be encouraged in buffer yards.
- g. Screening shall be required if the site cannot accommodate the buffer yard classification as shown in Table C: Required Buffer yards, Class IV and/or V.
- h. All buffer yards shall be maintained and kept free of debris, rubbish, weeds, and tall grass.
- i. There shall be no structures, outdoor storage, or parking and loading facilities in buffer yards, except for agricultural or residential uses.

- **Number of Employees:** 1-2 employees per shift

FINDINGS OF FACT:

Based on facts given the Board must consider the following finding of facts for this Special Exception request:

1. Will the proposed use involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons? Yes ()* No ()
2. Does it comply with the performance standards of the ordinance? Yes ()* No ()
3. Is the proposed use sited, oriented, and landscaped so that the relationship of its buildings and grounds and properties does not impair health, safety, or comfort and does not adversely affect values of adjacent properties? Yes () No ()*
4. Does the proposed use produce a total environmental effect which is harmonious with, and not harmful to, the environment of the neighborhood? Yes () No ()*
5. Does the proposed use organize vehicular access and parking to minimize conflicting traffic movement of adjacent streets? Yes () No ()*
6. In case of a change in non-conforming use, is the proposed use equally appropriate or more appropriate to the district than the existing or former non-conforming use? Yes () No ()*
7. Does the proposed use promote the objectives of this Ordinance and the Comprehensive Plan? Yes () No ()*

CONDITIONS OF APPROVAL:

Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

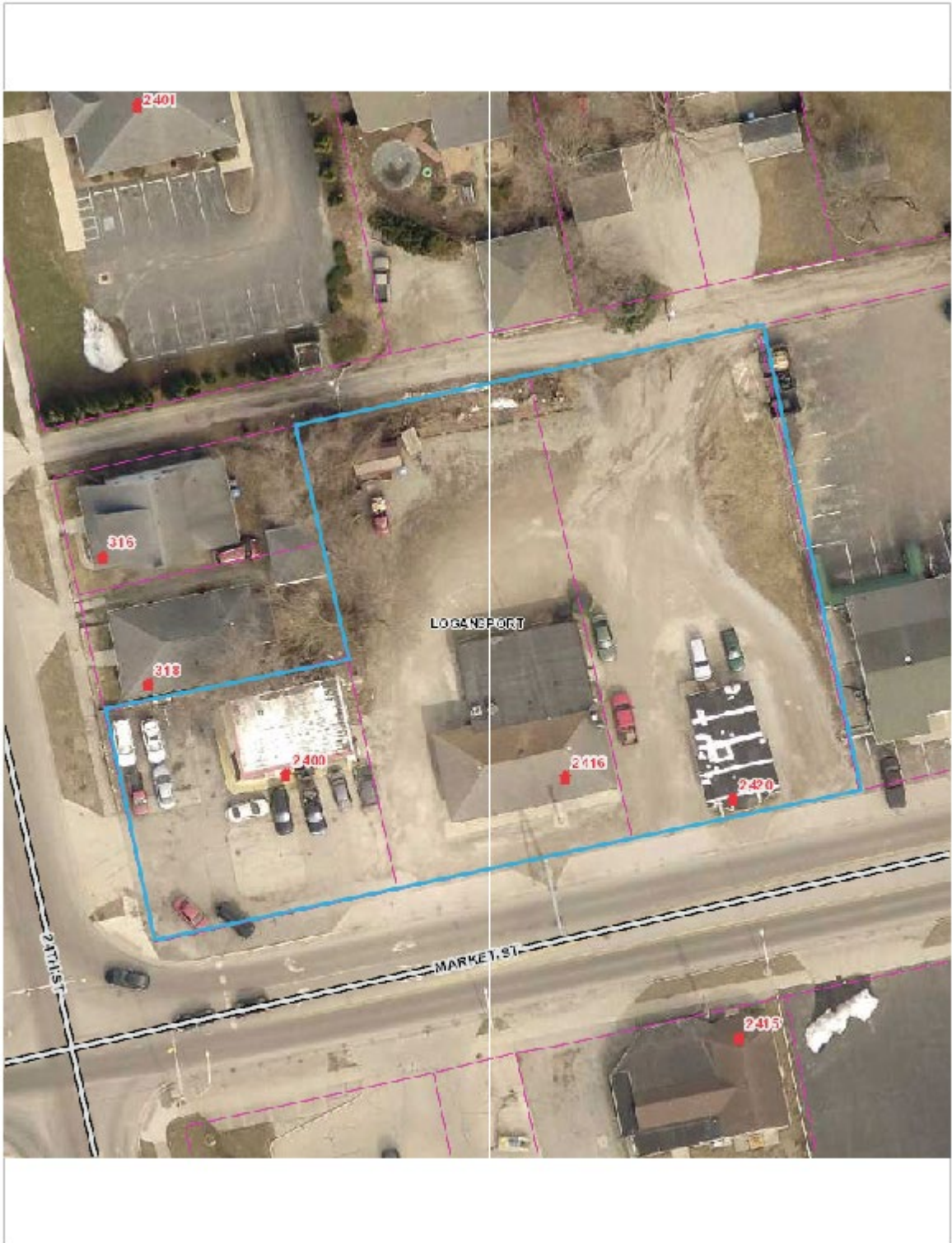
COMMITMENTS of APPROVAL:

Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

1. That the drive on and off of E Market St be designed for right turns ONLY to help with traffic flow. (right turn in off of E Market St & right turn out onto E Market St). That the drive onto 24th St will be right turn **out** ONLY. That the drives be designed for this, not just using signs and markers.
2. That a 6ft privacy fence be located along the alley and surrounding the homes to the west. The fence should align with the front of the homes but be placed on the petitioner's property.
3. That there be landscaping similar to Burger King, as those were the requirement put on for being in the NB district and that a landscaping plan will be provided for staff approval.
4. That if lighting becomes an issue, the petitioner will work with the Planning Department to resolve.
5. That the lighting be turned off when not in operation each night.
6. That sidewalks be installed along E Market St and 24th St. and be a minimum of 5ft wide and placed where drives are not located.

LOCATION MAP:





SITE PLAN:



PHOTOS:













Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-28
Permit # 2025 Logan BZA-53

**Application for SPECIAL EXCEPTION
(Article 7)**

Logansport **Board of Zoning Appeals (BZA)**

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: Ketankumar Patel
Address: 1106 Springhill Dr
Kokomo 46902
Telephone Number: 7733987714 E-Mail: ketanusa126@gmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: HK & SUNNY, LLC | 3750 N 00 EW | Kokomo, IN 46901
Address: _____
Telephone Number: 7733987714 E-Mail: ketanusa126@gmail.com

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
46947
Telephone Number: _____ E-Mail: _____

Zoning Classification of Property: NB

Address or common description of property:
1205 E MARKET ST

Legal description of property affected:
J Tipt Admr 1 OL 20 Exc SW 1/4 25-13-094-021,022,018,017

Describe the Use that you are requesting a Special Exception for:
We would like to build a convenience store with four gas pumps in front, covered by a canopy.
The two outside units of the plaza will have a drive-thru window. There will be a sign in the
northwest corner of the property. We would also like to add additional driveways to the
property. The south and east sides of the property will have a privacy fence.

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

A. Lighting:

1. Style: All lights will be led.
2. Height: _____
3. Location: _____

B. Signage:

1. Dimensions: Will comply with city regulations.
2. Materials: Acrylic material
3. Placement: Corner of 12th st and Market St
4. Lighting: LED

C. Hours of Operation:

Monday to Saturday - 5am to 11pm
Sunday - 6am to 10pm

D. Parking/Access:

Estimated 40 parkings

Parking Classification (office use only) _____

E. Landscaping/Buffer yards:

Bufferyard Classification (office use only) _____

F. Number of Employees: 4

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Does the proposed use involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons?

Yes () No (X)

- B. Does it comply with the performance standards of the Ordinance?

Yes (X) No ()

- C. Is the proposed use sited, oriented, and landscaped so that the relationship of its buildings and grounds to adjacent buildings and properties does not impair health, safety, or comfort, and does not adversely affect values of adjacent properties?

Yes (X) No ()

D. Does the proposed use produce a total environmental effect which is harmonious with, and not harmful to, the environment of the neighborhood?

Yes (X) No ()

E. Does the proposed use organize vehicular access and parking to minimize conflicting traffic movement of adjacent streets?

Yes (X) No ()

F. In the case of a change in non-conforming use, is the proposed use equally appropriate or more appropriate to the district than the existing or former non-conforming use?

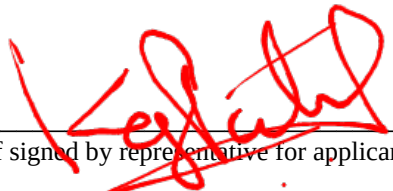
Yes (X) No ()

G. Does the proposed use promote the objectives of this Ordinance and the Comprehensive Plan?

Yes (X) No ()

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: _____


(If signed by representative for applicant, state capacity)

Date: 09/25/2025

This staff report is prepared by the Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS

PETITIONER:	Ketankumar Patel
SUBJECT SITE:	1205 E Market Street, Logansport, IN 46947
REQUEST:	Special Exception and various variances from developmental standards
PURPOSE:	To allow a 3-unit plaza with a Gas Station/Convenience Store.
EXISTING ZONING:	NB, Neighborhood Business District
FUTURE LAND-USE MAP:	Traditional Neighborhood
LOCATION:	Northeast corner of E Market St & 24 th St
SURROUNDING LAND USES AND ZONING:	North: NB & R2 – Neighborhood Business & Low Density Residential South: B3 & NB – Planned Business & Neighborhood Business East: NB – Neighborhood Business West: NB – Neighborhood Business

ANALYSIS: The petitioner is asking for a special exception to allow a 3-unit plaza with a gas station/convenience store. The two outside units will have drive-thru windows. The gas station/convenience store will have 4 gas pumps in front with a canopy. The other two units plan to be leased out for retail or restaurant.

Comprehensive Plan:

Neighborhood Commercial includes small shopping centers, or clusters of street front stores that serve the immediate neighborhood. Typical uses include supermarkets, bakeries, drugstores, variety stores, barber shops, restaurants, self-service laundries, dry cleaners, and hardware stores.

Lighting: Proposing all LED lighting. Plan to have security lighting on all of the time but will turnoff canopy when not operating.

General Requirements:

- a. The use of LED fixtures is encouraged for all light fixtures.
- b. Minimum Setback: a freestanding outdoor light fixture may be located within a required front yard, side yard or rear yard, providing that the freestanding outdoor light fixture is located adjacent to the interior edge of such yard and adjacent to a permitted driveway, parking area, interior access drive, interior access driveway, or other outdoor use area requiring illumination.
- c. Mounting of Fixtures (except in Industrial Districts): Full cutoff, cutoff and semi-cutoff outdoor light fixtures shall be mounted parallel to the ground and shall utilize a rigid mounting arm with no built-in up tilt and no adjustment feature.
- d. Height of Fixture: all outdoor light fixtures used to illuminate a particular area on a lot (i.e., a parking area; a loading area; or, an entry way, sidewalk or walkway areas) shall, within those areas, be of uniform size, design and height.
- e. Power Supply: outdoor light fixtures located on light poles shall be provided power by underground wiring.
- f. Wall Pack Lights: wall pack outdoor light fixtures shall be subject to the following regulations:

- i. Except in Industrial Districts, wall pack outdoor light fixtures located on a front or side elevations of a structure shall be full cut-off.
- ii. In all Commercial/Business or Industrial Districts: wall pack outdoor light fixtures oriented toward a residential district or use shall be a full cutoff.
 - Any wall pack light fixtures on the east and south sides of the building will have to be full cutoff since facing residential.
- iii. Low intensity (i.e., 100 watts or less), architectural style wall pack outdoor light fixtures (which may be cutoff, semi cut-off or non-cut-off) may be used to accent architectural elements of the structure or to illuminate entrance areas.
- g. Vehicular Canopy Light Fixtures: outdoor light fixtures located under a vehicular canopy of drive through structures (e.g., gasoline service station canopies, bank drive through canopies, etc.) shall be full cutoff fixtures with a maximum intensity of four hundred (400) watts.
 - The canopy lighting will have to be full cutoff fixtures with the maximum intensity of 400 watts.
- h. Awning and canopy Lighting: awnings and canopies used for building accents over doors, windows, walkways, and may be internally illuminated or back-lit (i.e., lit from underneath or behind) provided, however, that the primary material is opaque and that translucent material is limited to the actual text or logo of the sign, if any, incorporated into the awning or canopy.
- i. Glare on Public Right-of-Way: flag and statue lights, architectural lights, floodlights, or sign lighting shall be so directed and shielded that the lit element is not visible from any point along an adjacent right-of-way.
- j. Floodlights: outdoor light fixtures equipped with floodlights may only be permitted on a lot as follows:
 - i. Floodlights shall be focused on the primary structure or the area of the lot located between the floodlight and the primary structure; or
 - ii. Floodlights shall be shielded to the extent that the main beam from the luminaries is not visible from or causes any glare onto adjacent properties or rights-of-way.
- k. Lighting Plan: the following information, at a minimum, shall be provided for all lighting plans submitted in connection with an application for an ILP:
 - i. A site plan which includes the outline of structures and other improvements (e.g., parking areas, loading areas, interior access drives, etc.) on the lot and the location of all outdoor light fixtures.
 - ii. A description of the outdoor light fixtures, including but not limited to manufacturers or electric utility catalog specifications sheets, drawings or photometric report, which indicate:
 - the outdoor light fixture classification (e.g., cutoff, semi-cutoff, full cutoff, or non-cut-off) review Table I: Lighting Standards;
 - mounting height of freestanding outdoor light fixtures; and,
 - wattage proposed for each outdoor light fixture.

*A lighting plan will have to be provided with the Improvement Location Permit that will have to meet the above requirements or the petitioner will have to come back to this Board for approval.

*Staff recommends that if lighting becomes an issue, the petitioner will work with the Planning Department to resolve.

Signage: Petitioner does not know the exact size of the signage. Proposing a pole sign located at the corner of E Market St and 12th St. The sign will be no larger than 150sqft total for all 3 stores.

Standards –

Wall Sign:

Maximum Quantity – 1 sign

Maximum Area – 2sqft per linear foot of tenant's building frontage; maximum of 90sqft

- Unit 1 (west) – 60ft frontage – allowed 90sqft
- Unit 2 (middle) – 25ft frontage – allowed 50sqft
- Unit 3 (east) – 25ft frontage – allowed 50sqft

Lighting & Protrusion Limitations – No part of the sign may protrude more than 6 inches from the wall it is attached.

Pole Sign:

Maximum Quantity – 1 sign

Maximum Area – 50sqft per acre of lot; single-tenant structure – maximum area of 50sqft overall; multi-tenant structure – 25sqft per tenant, with a maximum of 50sqft overall; no more than 50% of the sign may be changeable copy

- There are 3 units at 25sqft per unit would be 75sqft but maximum allowed is 50sqft
- The petitioner is proposing no larger than 150sqft for all 3 tenants

VDS: 100sqft

Maximum Height – 20ft

- The petitioner will meet this standard – no taller than 20ft

Setback – 10ft

- The Board may want to question the setback from property line for the pole sign. NOTE – the setback would have to be met from both streets, E Market St and 12th St.

- **Hours of Operation:** Hours are unknown
- **Access/Parking:** There will be 2 accesses off of E Market St and 2 accesses off of 12th St.; approximately 42 parking spaces are proposed on the site plan. There will be a drive-thru on the east and west sides of the building.

Classification E – 4 spaces per 1000 square feet of gross floor area (retail) & Classification M – 2 spaces per service stall or airplane parking space plus 1 per employee (gas station) & Classification B1 – parking as required for the primary use of the property plus stacking area for 3 vehicles for each window, stall, bay or station. The stacking area per vehicle shall measure not less than 20ft. (drive-thru)

- The convenience store building is 2700sqft. 3 spaces required
- If 4 employees, 4 spaces required
- Required 7 parking spaces for gas station/convenience store – meets this requirement
 - If the other two units were retail, an additional 2 spaces per unit would be required
 - If the other two units were restaurants, additional parking would be required based on the number of customer seats and employees.
 - Restaurant – Classification L – 1 space per 4 customer seats plus 1 per employee

******The drive-thru to the east is a concern for vehicle turn around. There is no outlet to the south so the vehicles will have to turn around at the rear of the building. The petitioner did tell me that he is trying to purchase the property to the south so there would be plenty of space to use the drive thru in the future. For now, they thought about it being used as a walk-up window.

******The site plan shows 42 parking spaces – the typical size of a parking space is 9ft x 18ft. The building is 110ft long so only about 12 spaces would fit in front of the building. From the measurement of the building, 42

parking spaces would not fit on this lot. A parking plan would need to be submitted and meet the parking standards before a permit can be approved.

- **Buffer yard:** No landscape is proposed but a 6ft privacy fence to the south and east is proposed.

Classification M – Level 5 - to the east and south

10' width – 2 deciduous shrubs, 4 evergreens, and fence

20' width – 1 deciduous tree, 2 deciduous shrubs, 4 evergreens and berm

25' width – 1 deciduous tree, 1 deciduous shrub, and 3 evergreens

30' width – 1 deciduous tree, 1 deciduous shrub, and 2 evergreens

VDS: Level 5 buffer plantings

Planting and Maintenance.

- a. All plants shall be planted within one (1) year of the ILP issuance or within six (6) months of project completion, whichever is shorter, and all plants shall be properly maintained. Any plants which do not live or are destroyed shall be promptly replaced.
- b. Deciduous trees shall be a minimum of six feet (6') in height when planted. Deciduous shrubs shall be a minimum of three feet (3') in height when planted.
- c. Evergreens shall be a minimum of four feet (4') in height when planted.
- d. Berms shall be a minimum of four feet (4') in height.
- e. Fencing shall be at least six feet (6') in height and subject to all regulations of Article 3, Section G: Fence Standards.
- f. Flowering trees and shrubs shall be encouraged in buffer yards.
- g. Screening shall be required if the site cannot accommodate the buffer yard classification as shown in Table C: Required Buffer yards, Class IV and/or V.
- h. All buffer yards shall be maintained and kept free of debris, rubbish, weeds, and tall grass.
- i. There shall be no structures, outdoor storage, or parking and loading facilities in buffer yards, except for agricultural or residential uses.

- **Number of Employees:** 4 employees

- **Setbacks:** The petitioner is proposing to have a 10ft rear setback for the building.

Standards – NB district

Front yard setback – 25ft

- Meets standards

Side yard setback – 15ft

- Meets standards

Rear yard setback – 20ft

- Proposing 10ft

VDS: 10ft for rear yard setback

FINDINGS OF FACT:

Based on facts given the Board must consider the following finding of facts for this Special Exception request:

1. Will the proposed use involve any element or cause any condition that may be dangerous, injurious or noxious to any other property or persons? Yes ()* No ()
2. Does it comply with the performance standards of the ordinance? Yes ()* No ()
3. Is the proposed use sited, oriented, and landscaped so that the relationship of its buildings and grounds and properties does not impair health, safety, or comfort and does not adversely affect values of adjacent properties? Yes () No ()*
4. Does the proposed use produce a total environmental effect which is harmonious with, and not harmful to, the environment of the neighborhood? Yes () No ()*
5. Does the proposed use organize vehicular access and parking to minimize conflicting traffic movement of adjacent streets? Yes () No ()*
6. In case of a change in non-conforming use, is the proposed use equally appropriate or more appropriate to the district than the existing or former non-conforming use? Yes () No ()*
7. Does the proposed use promote the objectives of this Ordinance and the Comprehensive Plan? Yes () No ()*

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

CONDITIONS OF APPROVAL:

Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

COMMITMENTS of APPROVAL:

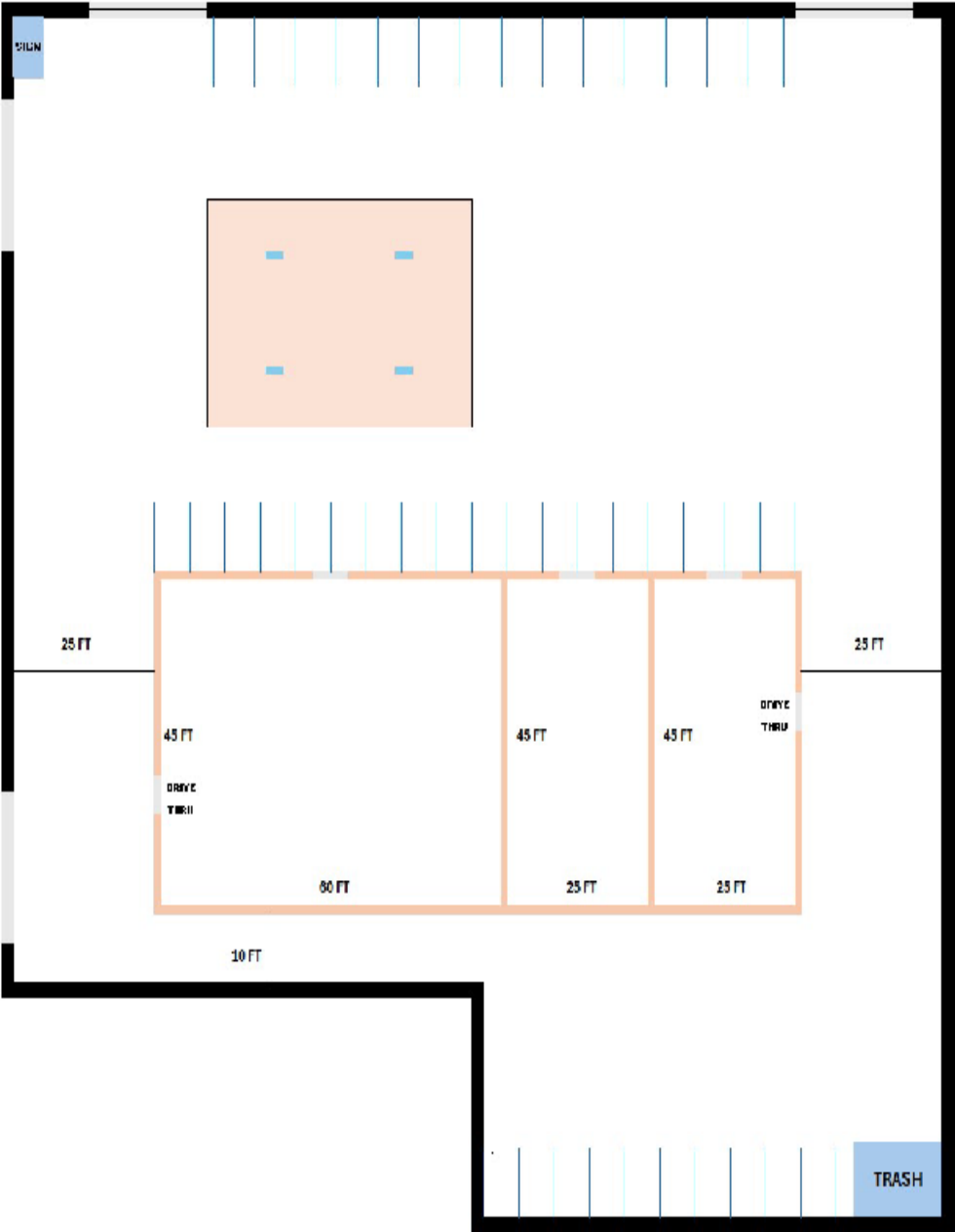
Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

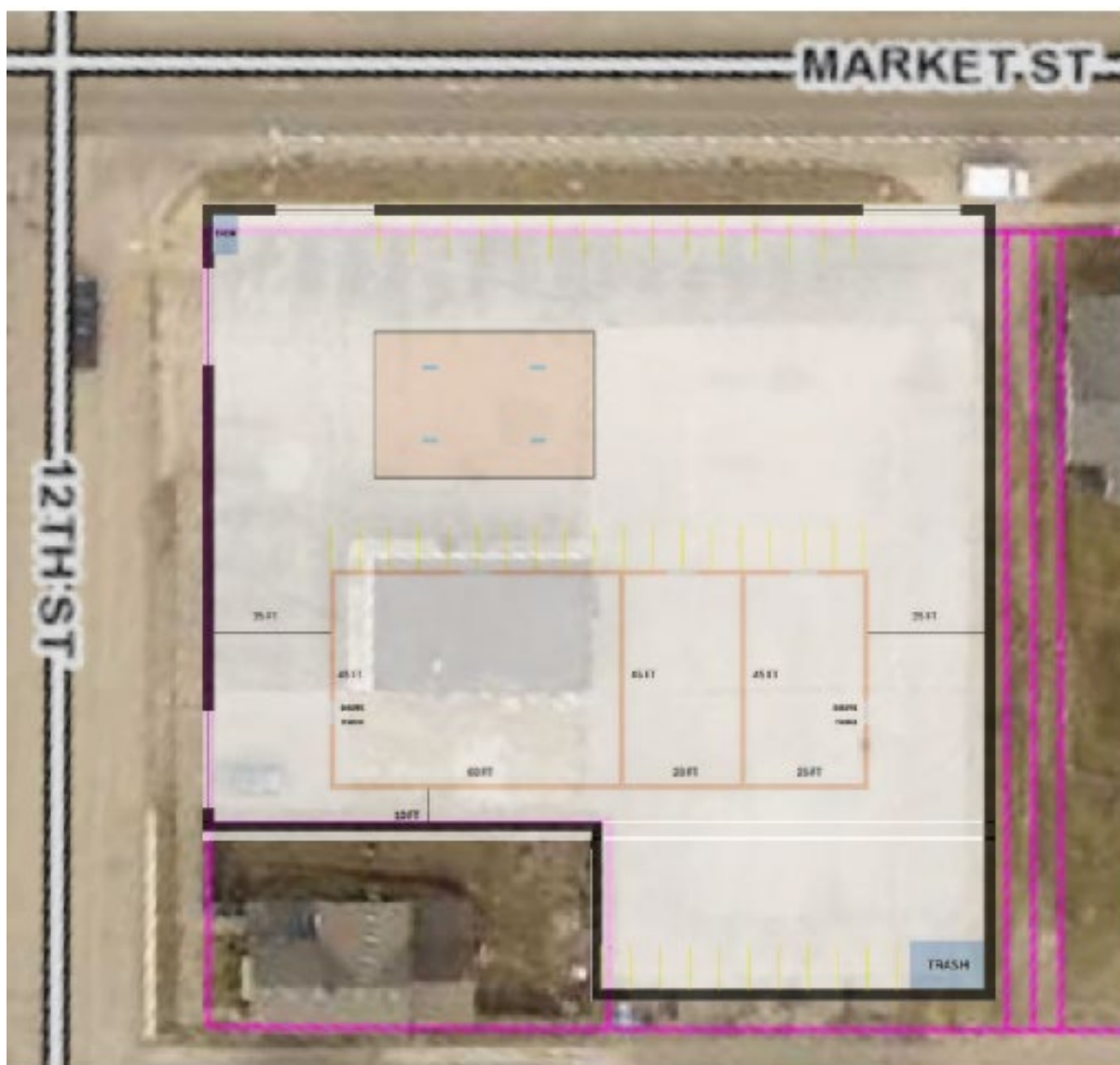
LOCATION MAP:





SITE PLAN:





PHOTOS:









Logansport/Cass County/Walton Planning Department
200 Court Park, Room 306
Logansport, IN 46947
Ph: 574-753-7775
Fax: 574-753-7401

Case # LBZA 25-29
Permit # 2025 Logan BZA-56

**Application for USE VARIANCE
(Article 7)**

Logansport

Board of Zoning Appeals (BZA)

This application must be completed and filed with the Logansport/Cass County/Walton Planning Department in accordance with the meeting schedule.

APPLICANT INFORMATION *ALL INFORMATION PROVIDED WILL BECOME PUBLIC RECORD

Applicant's Name: Erika Gutierrez
Address: 2202 North Street
Logansport 46947
Telephone Number: 5743982244 E-Mail: erikasalgado2011@hotmail.com

OWNER INFORMATION (if different from applicant information)

Owner's Name: DuVall, Harry | PO BOX 147 | Idaville, IN 47950
Address: _____
Telephone Number: _____ E-Mail: _____

RESPESENTATIVE INFORMATION (if different from applicant information)

Representative: _____
Address: _____
46947
Telephone Number: _____ E-Mail: _____

Zoning Classification of Property: ^{PR} _____

Address or common description of property:

118 7TH ST

Legal description of property affected:

N 1/2 TIPTON 2ND LOT 65

What are the extraordinary or peculiar conditions pertain to the requested property or building in question:

Updated an existing apartment in the garage

Standards of Zoning Ordinance requesting Use Variance from:

Triplex to quadrupled

Please provide the following information to the best of your ability if it pertains to your petition to the BZA.

A. Lighting:

1. Style: _____
2. Height: _____
3. Location: _____

B. Signage:

1. Dimensions: _____
2. Materials: _____
3. Placement: _____
4. Lighting: _____

C. Hours of Operation:

D. Parking/Access:

Parking Classification (office use only) _____

E. Landscaping/Buffer yards:

Bufferyard Classification (office use only) _____

F. Number of Employees: _____

The Applicant must address the following questions and be able to establish reasons for each answer at the public hearing in order to obtain an accurate determination from the BZA.

- A. Will the approval of this variance request be injurious to the public health, safety, morals, and the general welfare of the community?

Yes () No (X)

- B. Will the use and value of the area adjacent to the property included in the variance request be affected in a substantially adverse manner if the petition is approved?

Yes () No (X)

- C. Does the need for the variance request arise from some condition peculiar to the property involved, and not generally characteristic of other property in the same zoning district?

Yes () No (X)

D. Will the strict application of the terms of the zoning ordinance result in an unnecessary hardship if applied to the property for which the variance is sought?

Yes () No (X)

E. Will the approval of this variance request interfere substantially with the policies of the Comprehensive Plan?

Yes () No (X)

By my signature, I acknowledge the above information and attached exhibits, to my knowledge and belief, are true and correct.

Applicant's Signature: 
(If signed by representative for applicant, state capacity)

Date: 09/29/2025

This staff report is prepared by the Logansport - Cass County Planning Department to provide information to the Board of Zoning Appeals to assist them in making a recommendation on this application. It may also be useful to members of the public interested in this application.

SUMMARY FACTS:

PETITIONER:	Erika Gutierrez
SUBJECT SITE:	118 7th Street, Logansport, IN 46947
REQUEST:	Use Variance and various variances from developmental standards
PURPOSE:	To allow a 4 th dwelling unit to be added to the property and have lesser parking than required.
ZONING:	PR - Professional Residential District
LOCATION:	East side of 7 th St; middle of block
FUTURE LAND-USE MAP:	Traditional Neighborhood
SURROUNDING LAND USES AND ZONING:	North: PR – Professional Residential South: PR – Professional Residential East: PR – Professional Residential West: PR – Professional Residential

ANALYSIS: The Petitioner owns a triplex that is “grandfathered in” since it was built as a triplex before it was zoned as PR – Professional Residential. The garage has been turned into another apartment. Multi-family is not permitted in the PR district so that is why the petitioner is requesting a Special Exception.

Comprehensive Plan:

Traditional neighborhood districts are neighborhoods that are primarily residential in character but with existing commercial uses interspersed that are focused on serving the neighborhood. Single family character housing dominates, but housing may also contain a mix of second units, cottage clusters, duplexes, triplexes, and small apartment buildings.

Multi-family residential is also included within the traditional neighborhood and contains duplex, multi-family dwelling units, stand-alone apartment buildings, townhouses/condominiums, and mobile homes. The permitted number of housing units will vary by area, depending on existing land use, proximity to major streets and public transit, distance to shopping and environmental issues. The number of units should be on the lower end of the scale next to single family residential areas.

Lighting: No additional lighting is proposed.

Signage: No signage is proposed. House numbers allowed.

- House numbers shall not exceed 2sqft.

Hours of Operation: 24/7; No set hours of operation since there are dwellings on the property.

Parking: There is parking to the north of the house (in front of the garage) and there is a lot behind the garage that can be used for parking. The lot in the back could possibly fit 4 parking spaces and the area to the north of the house could possibly hold 5 parking spaces which totals 9 spaces available.

Classification G – 1.5 off-street parking spaces per dwelling unit plus 1 space per every 4 units.

- 4 apts x 1.5 spaces = 6 spaces + 1 = 7 spaces required
- Meets the required number of off-street parking spaces

Landscaping/ Buffer yards: No additional buffer yard is proposed.

Classification A – No buffer required

FINDINGS OF FACT: Based on facts given the Board must consider the following finding of facts for this Use Variance request:

1. Will the approval be injurious to the public health, safety, morals, and general welfare of the community? Yes ()* No ()
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 ()* No ()
3. Does the need arise from some condition peculiar to the property involved? Yes () No ()*
4. Will the strict application of the zoning ordinance constitute an unnecessary hardship if applied to the property for which the variance is sought? Yes () No ()*
5. Will the approval interfere substantially with the Comprehensive Plan? Yes ()* No ()

If any one of your answers above is followed by an asterisk, under State Law (IC 36-7-4-918.5) you must deny the variance request.

CONDITIONS OF APPROVAL:

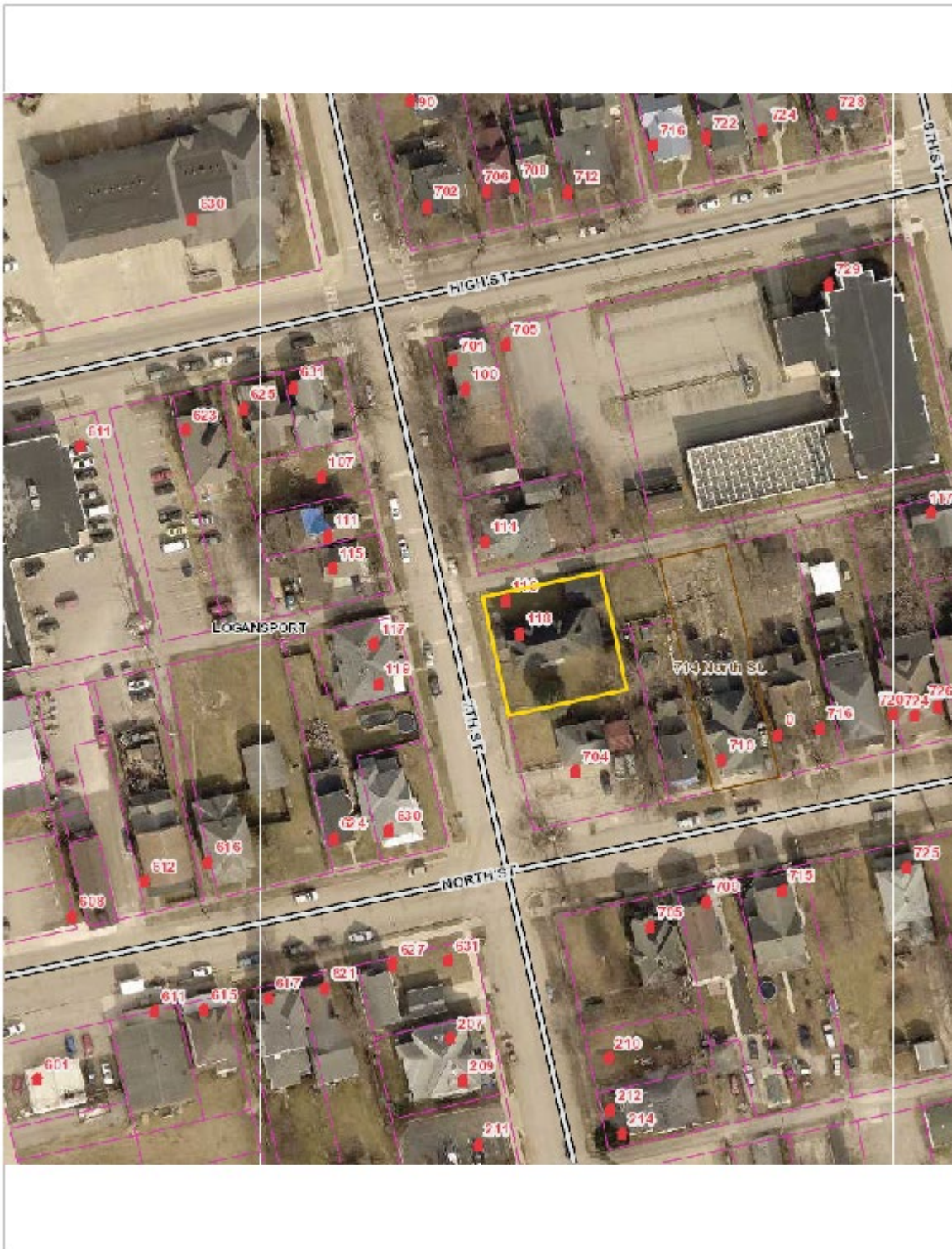
Staff is recommending neither approval nor denial yet should the Board approve the petition, Staff recommends the following conditions. If additional conditions are given during the public hearing, they shall be added to the following:

1. That all proposals of the petitioner be made conditions of approval.
2. That all other standards of the ordinance be met.
3. That all applicable state and local permits be obtained and proof be given to the Zoning Administrator.

COMMITMENTS OF APPROVAL:

Staff is not recommending approval or denial. If commitments are given during the public hearing, they shall be given as written commitments and be signed, notarized, and recorded.

LOCATION MAP:





SITE PLAN:



SITE PHOTOS:



