City of Elkhart

INSTRUCTIONS AND FILING PROCEDURE FOR APPEAL FROM STAFF DECISION

Per Section 29.10 of the Zoning Ordinance, the Board of Zoning Appeals shall consider appeals from any order, requirement, decision or determination made by the Planning and Zoning Department staff who are charged with the administration and enforcement of this Ordinance.

A person wishing to file an Appeal from Staff Decision shall submit the following items:

- An appeal letter, specifying the error upon which the appeal is based.
- A completed petition form (see page 2)
- A filing fee of **$200.00** (the amount listed in Section 29.12 of the Zoning Ordinance). The Permit Center accepts Visa, MC, and Discover credit cards, cash or a check made payable to the City of Elkhart.

A complete Appeal from Staff Decision Petition (see page 2) must be filed with the Planning & Zoning Department located at the Permit Center at 229 S. Second Street, Elkhart, Indiana. **The appeal must be filed within thirty (30) days after the alleged error.**

The Board of Zoning Appeals shall hold a public hearing on such appeal. Notice of the public hearing, including time, date and place, is prepared by the Planning Department staff and published in the newspaper 10 days prior to the meeting. The Planning Department staff will also provide written notice of the hearing to all property owners within a 300-foot radius of the property. Please refer to the BZA calendar (see page 3) for the meeting location, time and dates

Immediately following the filing of an appeal, all actions pursuant to the order, requirement, decision or determination from which the appeal is taken shall be stayed unless the Planning and Zoning Department staff shall certify to the Board that, by reason of facts stated in such certificate, a stay of such action would cause imminent peril to life and property.

PETITION #: _____ **FILING FEE: $**_____

PETITION to the BOARD of ZONING APPEALS

PETITION TYPE: APPEAL FROM STAFF DECISION

Property Owner(s): _____

Mailing Address: _____

Phone #: _____ Email: _____

Contact Person: _____

Mailing Address: _____

Phone #: _____ Email: _____

Subject Property Address: _____

Zoning: _____

Present Use: _____ Proposed Use: _____

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): _____

SIGNATURE(S): _____ DATE: _____

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Board of Appeals docket:

_____ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.

_____ A completed Petition form signed by the legal owner of record (or approved representative).

_____ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.

_____ A full and accurate legal description of the property.

_____ One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.

_____ Optional: any supplementary information the applicant may wish to include.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

2026 CITY OF ELKHART BOARD OF ZONING APPEALS CALENDAR

File by Date	Meeting Date
Friday, December 5, 2025	Thursday, January 8, 2026
Friday, January 2, 2026	Thursday, February 12, 2026
Friday, February 6, 2026	Thursday, March 12, 2026
Friday, March 6, 2026	Thursday, April 9, 2026
Thursday, April 2, 2026	Thursday, May 14, 2026
Friday, May 1, 2026	Thursday, June 11, 2026
Friday, June 5, 2026	Thursday, July 9, 2026
Thursday, July 2, 2026	Thursday, August 13, 2026
Friday, August 7, 2026	Thursday, September 10, 2026
Friday, September 4, 2026	Thursday, October 8, 2026
Friday, October 2, 2026	Thursday, November 12, 2026
Friday, November 6, 2026	Thursday, December 10, 2026
Friday, December 4, 2026	Thursday, January 14, 2027

All meetings are held at 6:00 p.m. in the Council Chambers, 2nd floor, City Municipal Building on the 2nd Thursday of each month unless indicated in **bold**.